



# Northern Area Planning Committee

**Date:** Tuesday, 11 April 2023  
**Time:** 2.00 pm  
**Venue:** Stour Hall - The Exchange, Old Market Hill, Sturminster Newton, DT10 1FH

**Members (Quorum: 6)**

Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Brian Heatley, Carole Jones, Stella Jones, Emma Parker, Val Potheary and Belinda Ridout

**Chief Executive:** Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services Meeting Contact 01305 224709 - [megan.r.rochester@dorsetcouncil.gov.uk](mailto:megan.r.rochester@dorsetcouncil.gov.uk)

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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## Agenda

Item	Pages
<b>1. APOLOGIES</b>	
To receive any apologies for absence.	
<b>2. DECLARATIONS OF INTEREST</b>	
To disclose any pecuniary, other registerable or non-registerable interests as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.	
If required, further advice should be sought from the Monitoring Officer in advance of the meeting.	

3. **MINUTES** 5 - 12
- To confirm the minutes of the meeting held on Tuesday 7<sup>th</sup> March 2023.
4. **PUBLIC PARTICIPATION**
- Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the Guide to Public Speaking at Planning Committee.  
[GuidanceforspeakingatPlanningCommittee.doc.pdf](https://www.dorsetcouncil.gov.uk/GuidanceforspeakingatPlanningCommittee.doc.pdf)  
 [\(dorsetcouncil.gov.uk\)](https://www.dorsetcouncil.gov.uk).
- The deadline for notifying a request to speak is Wednesday 5<sup>th</sup> April at 8.30am
5. **PLANNING APPLICATIONS**
- To consider the applications listed below for planning permission.
6. **P/RES/2022/06180- COMMON MEAD LANE, GILLINGHAM** 13 - 40
- Erect 80 No. dwellings, carry out works to form associated infrastructure and public open space. (Reserved matters application to determine appearance, landscaping, layout and scale, following the grant of Outline Planning Permission No. P/OUT/2021/04019); and discharge Condition Nos. 7 (Arboricultural Method Statement) and 18 (Electric Vehicle Charging Scheme) of Outline Planning Permission No. P/OUT/2021/04019.
7. **P/OUT/2022/04243- WESSEX PARK HOMES OKEFORD FITZPAINE** 41 - 74
- Demolish existing industrial buildings and erect 47 dwellings (outline application to determine access only).
8. **P/FUL/2022/05382- UNIT 48 ENTERPRISE PARK, PIDDLIHINTON** 75 - 84
- Construction of extension, parking area and service area.
9. **P/FUL/2022/07272- 3 STEVENS CLOSE, BLANDFORD FORUM** 85 - 94
- Erect 1 No. dwelling, form new vehicular access and create 1 No. parking space, (demolish existing garage).
10. **URGENT ITEMS**
- To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972.

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

**11. EXEMPT BUSINESS**

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

**Update Sheet**

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## NORTHERN AREA PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON TUESDAY 7 MARCH 2023

**Present:** Cllrs Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Brian Heatley, Carole Jones, Stella Jones, Emma Parker, Val Potheary and Belinda Ridout

**Present remotely:** Cllrs

**Apologies:** Cllrs

**Also present:**

**Also present remotely:**

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

Robert Lennis (Area Lead (Major Projects) Eastern), Hannah Smith (Planning Area Manager), Philip Crowther (Legal Business Partner - Regulatory), Steve Savage (Transport Development Manager), Megan Rochester (Democratic Services Officer), Joshua Kennedy (Apprentice Democratic Services Officer) and Simon Sharp (Senior Planning Officer)

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

149. **Apologies**

There were no apologies for absence.

150. **Declarations of Interest**

There were no declarations of interest.

151. **Minutes**

The minutes of the meeting held on Tuesday 24<sup>th</sup> January were confirmed and signed.

152. **Public Participation**

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

153. **Planning Applications**

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

154. **P/OUT/2021/05708- Land South of Three Acres Musbury Lane Marnhull, erection of 8 dwellings with associated access, parking and landscaping**

The Case Officer presented to members the erection of up to 7 dwellings with associated access, parking, and landscaping (outline application to determine access only).

With the aid of visual representation, members were shown aerial photographs of the current and existing site as well as surrounding areas. Members were reminded that there was no settlement plan for Marnhull. Details regarding where the site would be situated, nearby existing dwellings as well as the proposed site access. Regarding access, members were informed that the road was at risk of surface water flooding whereas the elevated site wasn't. The Case Officer also informed members about the tree preservation order on any remaining trees on the site as well as providing detailed regarding attenuation of the site.

Steve Savage, Transport Development Manager, informed members that the site access was deemed acceptable and that there would be low traffic movement from the small-scale development. He discussed the single carriageway and that there was no segregated foot way, which was typical in rural Dorset. Mr Savage highlighted that the site access was safe which would have been suitable for all road users. He provided assurance regarding visibility splays not being severely impacted. There were no objections from highways.

**Public Participation**

Residents spoke in objection of the planning application as they did not believe it was a desired nor sustainable development for Marnhull. They believed that the development was out of character of the local rural area and were disappointed that there was no provision for affordable housing. Objectors also discussed the site access; they believed it would not be fit for purpose but rather dangerous to those using the road as a means of access to the centre. Residents also discussed their disappointment of the development on the grounds of harm to the landscape, biodiversity loss and flooding. They discussed how woodlands had been destroyed and a result of this was an increase in flooding. They also reminded members that Marnhull did not have enough local amenities to support the development. They believed that the level of harm outweighed the benefits and hoped members would refuse.

Paul Harrington spoke as the agent in support of the application. He informed members that he had worked on many completed schemes and had worked closely with highways and the planning department for the proposed development. Mr Harrington noted the number of objections, however, he believed there would be benefits to the site. He informed members that trees were cut due to the voltage of wiring, but remaining trees and new replacement trees would be protected to ensure an increase in biodiversity. He assured members that adequate space for vehicles had been considered. Mr Harrington also informed

members that homes would be delivered to help contribute to the character of the village.

### **Members questions and comments**

- Clarification regarding the number of road users on Musbury Lane and amenities.
- Consideration of landscaping. Members commented on whether the replacement of trees had been considered to mirror the site before the previous cutting of trees.
- Comments regarding local needs for affordable housing. Members referred to the Development Plan which showed the local need for affordable housing.
- Mitigation of flooding.
- Clarification regarding emergency vehicles and refuse vehicles having sufficient access.
- Members shared their disappointment regarding the removal of trees and the pond.
- Concerns regarding site access.
- Significant loss of biodiversity.
- Clarification regarding whether there had been an increase in flooding due to the removal of trees.
- The site was outside the settlement boundary and members felt it wasn't a substantial development.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **refuse** was proposed by Cllr Carole Jones and seconded by Cllr Val Pothecry.

### **Decision: To refuse planning permission.**

In accordance with Procedural Rule 8.1 the committee voted to extend the duration of the meeting.

155. **P/FUL/2021/04282- Land West And South Of Sandways Farm New Road Bourton Dorset, demolition of barns, form new vehicular and pedestrian access, erection of 30 No. dwellings, construct village hall with parking area and provision of wildlife area, attenuation pond and public open space**

The Case Officer presented to members the demolition of barns, form new vehicular and pedestrian access, erection of 30 No. dwellings, construct village hall with parking area and provision of wildlife area, attenuation pond and public open space.

With the aid of visual representation, members were shown aerial photographs of the site and location. These images also allowed members to view nearby listed buildings. Details regarding the proposed village hall, site layout and designs of the dwellings was also provided. The Case Officer informed members of the scale of the dwellings as well as the lack of affordable housing and highlighted the local need for this in the area. He also discussed the landscaping proposal which wasn't compliant with the development plan and believed that the development was too large for the local area. It impacted heritage and did not believe the benefits outweigh the harm.

Steve Savage, Transport Development Manager, informed members that there were no objections from highways. He discussed how the proposed site access was compliant in terms of visibility and a swept pass analysis had also been approved. The proposed development provided adequate parking.

### **Public Participation**

Frances and Andrew Gillet spoke in objection of the planning objection. They believed that it would change the character of the local area and the nearby listed building. They also discussed how there was not enough local immunities, therefore Bourton was not the appropriate location for these homes which didn't contribute to the local need for affordable housing. They also discussed their concerns regarding the proposed village hall. It would have been used to hold events which would result in more noise. They did not believe that a new village hall was necessary which would have caused a significant amount of harm and create huge costs.

Other residents and the Parish Council spoke in favour of the application. They believed that the current village hall was dated and unsafe. They believed that they needed a social area for residents, like other towns, to prevent residents feeling isolated due to the lack of public transport. Residents believed that the developer had created a modern and sustainable development which would have benefitted the village. Residents and the Parish Council did not believe that there was any other way to raise funds for the construction of a new village hall. They believed it was a low-density scheme which would be detrimental to the character of Bourton. They believed that the site had many benefits and hoped the committee would approve.

Diccon Carpendale spoke in favour of the application as the agent. He hoped members would approve planning permission as the aim of the proposed development was to help Bourton develop. Mr Carpendale informed members that the scheme would have delivered good sized family homes which was appropriate for an aging village. He assured members that the scheme would fit comfortably within the village and believed that the benefits outweigh the harm. Mr Carpendale hoped members would approve planning permission.

### **Members questions and comments**

- Clarification of size of immunity space.
- Confirmation regarding Neighbourhood Plan as a material consideration
- Cllr Ridout believed that the proposal was within a good location and a new village hall would have been beneficial to the area and residents.



- Members commended the thorough officers report.
- Members didn't believe that the proposed development met the aims and objective of Bourton.
- Loss of affordable housing which shouldn't have been negotiable.
- Members noted the neighbourhood plan and importance of supporting them.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **refuse** was proposed by Cllr Val Pothecry and seconded by Cllr Stella Jones.

**Decision: To refuse planning permission.**

156. **P/VOC/2022/06349, Huntley Down Milborne St Andrew DT11 0LN, erect 25 No. dwellings with garages, form vehicular access (with variation of condition 2 of planning permission 2/2018/1240/FUL to amend the approved plans in relation to Plots 19, 20 & 21)**

Erect 25 No. dwellings with garages, form vehicular access (with variation of condition 2 of planning permission 2/2018/1240/FUL to amend the approved plans in relation to Plots 19, 20 & 21).

With the aid of visual representation, members were shown aerial photographs of the site and the approved designs of the dwellings as well as neighbouring properties. He also provided detailed information and images in which the committee had previously agreed too, compared to what had been built by the developer.

### **Public Participation**

Steve Bulley a local resident raised his concerns regarding the site. He informed members that as a resident, he was disappointed with the development as there has been an increase in overlooking and privacy for other properties had not been preserved. Mr Bulley also discussed the increase in noise and how he felt obligations to provide plantation of different tree species had not been met. He described the proposed habited area as a wasteland.

Kevin Maitland-Green another local resident also raised his concerns. He informed members that he was previously one of few that supported the scheme but that was no longer the case. He informed members that there was a lot of chalk and building waste left, which didn't help the appearance on the area in which they live. Mr Maitland-Green also discussed flooding, this had been a result of significant poor drainage which had resulted in an increase in flooding, especially outside one of his properties. He also discussed unofficial areas of play and believed that the developer had flaunted everything that the committee had previously wanted.

### **Members questions and comments**

- Clarification regarding the difference in height of the dwellings and fencing.
- Councillors raised their concerns regarding how the development didn't meet the previous requests of the committee.
- Cllr Ridout believe that the site had been an improvement regarding privacy of neighbouring properties.
- Members also discussed hedging which would minimise noise impact.
- Clarification regarding maintenance of trees and hedging.
- The Northern Area Planning committee was adamant that the landscape plan should be delivered as agreed and requested to be provided with assurance that this would happen.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **allow** was proposed by Cllr Carole Jones and seconded by Cllr Belinda Ridout.

**Decision: To grant planning permission.**

157. **P/LBC/2022/04251, The Little Keep Barrack Road Dorchester Dorset DT1 1SQ, works to the Orderly room only. Remove existing end grain wood block flooring and bitumen base. Lay new DPM and limecrete base supply and lay new end grain wood blocks to match removed blocks.**

Works to the Orderly room only. Remove existing end grain wood block flooring and bitumen base. Lay new DPM and limecrete base supply and lay new end grain wood blocks to match removed blocks.

With the aid of visual representation, members were shown a presentation which showed aerial photographs of the site, the surrounding conservation area as well as a nearby listed building. Members were informed of the current existing unusable floor which was a safety hazard and not good for accessibility. Details regarding the proposed materials were also provided. The significant public benefit was highlighted to members.

### **Public Participation**

There was no public participation.

### **Members questions and comments**

- There were questions or comments.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **grant** was proposed by Cllr Les Fry and seconded by Cllr Stella Jones.

**Decision: To grant subject to conditions.**

158. **Urgent items**

There were no urgent items.

**Decision Sheet**

159. **Exempt Business**

There was no exempt business.

**Decision Sheet**

**Duration of meeting:** 2.00 - 6.07 pm

**Chairman**

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<b>Reference No:</b> P/RES/2022/06180
<b>Proposal:</b> Erect 80 No. dwellings, carry out works to form associated infrastructure and public open space. (Reserved matters application to determine appearance, landscaping, layout and scale, following the grant of Outline Planning Permission No. P/OUT/2021/04019); and discharge Condition Nos. 7 (Arboricultural Method Statement) and 18 (Electric Vehicle Charging Scheme) of Outline Planning Permission No. P/OUT/2021/04019.
<b>Address:</b> Land North of Common Mead Lane, Gillingham Dorset
<b>Recommendation:</b> APPROVE, subject to conditions
<b>Case Officer:</b> Jim Bennett
<b>Ward Members:</b> Cllr Ridout, Cllr Potheary, Cllr Walsh
<b>CIL Liable:</b> No

**1.0** Gillingham Town Council object to the application, raising concerns over highway safety and lack of allotment provision.

**2.0 Recommendation:** **GRANT**, subject to conditions

**3.0 Reason for the recommendation:**

- The site benefits from outline planning consent for 80 no. dwellings and the principle of development is therefore accepted.
- The Council at present have a published 5 year housing land supply, but there have been appeals where the inspector has found the supply to be below 5 years and this is a material consideration. Furthermore, the Housing Delivery Test in this area is not met as supply is at 69 percent and the presumption applies.
- The location is considered to be sustainable despite its position outside of the settlement boundary
- There is not considered to be any significant harm to the appearance of the area, highway safety, ecology, flood risk, neighbouring residential amenity or heritage.
- The development would secure economic, social and environmental benefits, including significant open space and ecological enhancements, the full quota of affordable housing and other infrastructure contributions.
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- There are no material considerations which would warrant refusal of this application.

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of development is acceptable in light of the lack of 5 year housing land supply, sustainable location, extant outline permission and that there are no material considerations which would warrant refusal of this application.
Loss of agricultural land	Loss of this land in the context of the provision of housing and social/economic benefits is considered to be acceptable.
Housing delivery	The proposal is for 80 dwellings and would make a valuable contribution to housing land supply.
Affordable housing and infrastructure	The development will provide policy compliant affordable housing at 25% and a suite of s.106 obligations (onsite and offsite).
Highway Impacts	The access and parking arrangements are acceptable, subject to the conditions applied at outline stage and to revision of traffic calming.
Urban Design/Landscape	While unable to support, most of the initial concerns have been addressed by amended plans and may be addressed by condition.
Trees	No important trees will be lost, additional tree planting is proposed and conditions will secure the requisite protection.
Residential Amenity	The amenity of adjacent residents protected with adequate space/buffers, between proposed and existing properties.
Ecology	Surveys have been undertaken and impact upon protected species can be mitigated to avoid adverse effects. Significant areas of ecological enhancement are secured by S106 agreement and condition.
Flooding/Drainage	The site is in Flood Zone 1 (low risk). Surface water drainage details are secured by condition.
Impact on Heritage	A degree of less than substantial harm is outweighed by the public benefits.
Archaeology	Archaeological investigations have taken place to the satisfaction of the Council's Archaeologist, secured by outline condition.
Economic benefits	Benefits would come from delivery of this housing, including provision of jobs during construction and future resident expenditure.

#### 5.0 Description of Site

The site lies to the west of Gillingham, which is identified in the North Dorset Local Plan as one of the four main towns and one of the most sustainable locations for housing development. Gillingham will accommodate about 39% of housing growth in North Dorset over the 20 years between 2011 and 2031 reflecting its economic potential, the availability of suitable sites and the relative lack of environmental constraints.

The site lies outside but immediately adjacent to the settlement boundary of the town and can be classified as 'countryside'. It comprises an irregular shaped parcel of land of approximately 3.9ha, defined as agricultural land, but has not been farmed in recent times.

The site is not subject to any national or local designations (such as AONB) and is situated within flood zone 1 (lowest probability of flooding). The Wyke Conservation Area is situated to the north of the adjoining field to the site. The nearest listed buildings to the site are the Wyke Brewery and Brewery House situated approximately 510m to the north.

There is an established hedgerow defining its western and northern boundaries, the eastern and southern boundaries adjoining residential development off Freame Way and the Mellows care home off Common Mead Lane. Established public rights of way N64/57 and N64/58 passing through the site and a pedestrian access from Freame Way.

The site is identified in the Gillingham Neighbourhood Plan as an 'area of search for formal sports provision'. However it is also identified in the emerging Dorset Local Plan as an allocation for residential development and benefits from outline consent for residential development.

## **6.0 Description of Development**

This application follows outline planning permission ref. P/OUT/2021/04019 (varied by P/VOC/2022/06529), which granted the principle of housing and access on the site. This application seeks approval of the reserved matters being; layout, scale, appearance and landscaping to facilitate development of 80 dwellings on the site. The reserved matters show access from Common Mead Lane via a new entrance between the Mellows Care Home and the boundary of No. 7 Freame Way, as per the outline approval.

The application is submitted with details demonstrating how the reserved matters follow the design approach set by the outline approval. The plans have been amended during the course of determination to take account of the comments of consultees and notified parties, primarily addressing the density of development on the eastern boundary, affordable housing distribution, highway matters, rights of way impacts and landscaping.

The scheme shows two storey detached, semi-detached and terraced dwellings set out in seven blocks consisting of four linear blocks along the site boundaries with gardens generally facing onto these boundaries and facades facing the street. Three central perimeter blocks with facades facing the street and back to back rear

gardens forming the core of each block. The proposed materials would be buff and brown brick, with stone facades on prominent elevations and grey and brown roof tiles. The majority of boundaries fronting onto access roads would be formed of 1.8m high brick walls and rear and side boundaries would be formed of 1.8m high close boarded fencing except where rear garden boundaries face onto existing boundary vegetation where they would be formed of 1.2m high post and wire fencing. Some front boundaries would be formed by 1.2m high estate railings and the LEAP by 1.2m high bow tip fencing and hedging.

Apart from one shared surface north/south orientated road, dwellings would be accessed via roads with pedestrian pavements on either side. Pedestrian routes are also shown through the public open space along the western boundary of the site and linking to Freame Way and the field to the north along the route of defined rights of way. Parking provision for private dwellings would predominantly be a mix of garaged and/or on plot parking spaces and on street perpendicular parking spaces. Parallel visitor parking spaces would be located adjacent to the open space at the entrance to the site. An electricity sub-station would be located adjacent to the site entrance close to an attenuation basin in the south eastern corner.

With the exception of a short length of hedge at the entrance to the site and one tree group on the southwestern boundary of the site, the existing boundary hedges and trees would be retained. A total of 0.6Ha of Public Open Space would be provided including a Local Area of Play (LAP) in the south eastern corner adjacent to the entrance and a Local Equipped Area of Play (LEAP) in the north eastern corner of the site. Tree planting is shown within the public open spaces, around the attenuation basin, along the route of the existing public right of way which crosses the site and along the south eastern boundary with The Mellows Care Home. Further street trees have been added during the course of negotiations. All access roads would be lit by street lighting.

The outline permission secured the whole of the northern field adjoining the site, which measures at 8.05 hectares, including 4.3 hectares of biodiversity enhancement, to be offered to Gillingham Town Council. If the offer is accepted, the transfer would contain sufficient covenants to prevent any future development and to guarantee that it is held as publicly accessible green space in perpetuity. By accepting the offer of the transfer, the land would become accessible, could be enjoyed by the town and would be protected from any future risk of development. The transfer would take place upon or near completion of the new development and liability for maintaining the field would pass to Gillingham Town Council at this point.

## **7.0 Relevant Planning History**

P/FUL/2022/06528 - Construction of attenuation SUDS pond associated with reserved matters submission for housing development pursuant to outline permission P/OUT/2021/04019 – decision pending

P/VOC/2022/06529 - Develop land by the erection of up to 80 No. dwellings, form vehicular access, associated open space and infrastructure. (Outline application to determine access) (with variation of condition 4 of planning permission P/OUT/2021/04019 to amend approved access) – Approved 05/12/2022



P/OUT/2021/04019 - Develop land by the erection of up to 80 No. dwellings, form vehicular access, associated open space and infrastructure. (Outline application to determine access). APPROVED - 29/06/2021

P/OUT/2020/00472 – Develop land by the erection of up to 80 dwellings, form vehicular access, associated open space and infrastructure. (Outline application to determine access). REFUSED - 24/08/2021

## **8.0 List of Constraints**

CON - WYKE, Wyke Conservation Area - Distance: 46.79

PROW - Right of Way: Footpath N64/55; - Distance: 0

TPO (TPO/2021/0008) - NULL: NULL - Distance: 0

EA - Risk of Surface Water Flooding Extent 1 in 1000 - Distance: 0

EA - Areas Susceptible to Groundwater Flooding; Clearwater and Superficial Deposits Flooding; < 25%; - Distance: 0

## **9.0 Consultations**

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

**Ward Councillor - Gillingham Ward** - No comments received

**Gillingham Town Council** - Recommend refusal due to concerns over internal speed limits, visibility splays, pedestrian refuge and lack of allotment provision.

**Dorset Rights of Way Officer** – No objections

**Ramblers** – FP N64/57 is part of both the Stour Valley Way and the White Hart Link, both important local designated links and should be acknowledged and suitable signposting and waymarking provided. Also give informatives.

**Dorset Highways** – Amended plans and information is sufficient to overcome the Highway Authority's previous concerns. The latest site plan (Dwg No 220901/SL01 Rev L) reflects the changes mentioned in the letter. The road that runs from east to west still requires traffic calming and while this would be picked up at the s38 stage if the internal layout is going to be offered for public adoption, it would be preferable to show the traffic calming measure on a revised plan to cover the adoption/non-adoption issue.

**Dorset Trees Team** - confirm that Condition 7 (Arboricultural Method Statement) may now be discharged on the basis of the arboricultural information supplied.

**Landscape Officer** - While the revised scheme improves upon the previous iteration, unconvinced that the amended proposal would function as well as it might, would add to the overall quality of the area as much as it could, would be as visually

attractive as a result of good architecture, layout and appropriate and effective landscaping as possible or that it would fully meet the requirements of a number of national, local and neighbourhood planning policies relevant to landscape and visual considerations. Consequently approval of landscaping as a reserved matter is not supported.

**Urban Design** – A number of previously identified issues have been resolved such as the affordable housing distribution and the density disparity between the east and west parcels of the site. However, security in relation to the wildlife corridor is queried. The site layout should be enhanced to allow for adequate street tree planting and good parking design, possibly through reconsideration of the open market housing mix. While architectural detailing has been enhanced from the original submission, it does not go far enough to be reflective of the local character of the area as identified in the DAS.

**Development Control - Housing Enabling Team** - The affordable housing complies with policy and will help to meet an identified housing need. There are a good mix of rented homes which include 10 x three-bedroom houses and 2 x four-bedroom homes. There is a significant level of need for larger family homes and there will be a high level of demand for these properties. The revised layout has improved the relationship between the affordable and market homes, avoiding large blocks of affordable housing. All of the affordable homes are houses rather than flats which also helps create a tenure blind development.

**Lead Local Flood Authority** - The application is supported by an updated Drainage Strategy and Sustainable Urban Drainage Systems Statement and Exceedance Flow drawing, which provide detail regarding drainage from the site. The surface water drainage proposals are broadly in-line with those accepted at the outline planning stage. No objection, subject to surface water drainage conditions and informatives.

**Development Control - Section 106** - On the understanding that this application is determined in line with the S106 agreement dated 29 June 2022 (outline application P/OUT/021/04019). Including the identified financial and non-financial obligations and associated trigger points, then no further comments from this perspective.

**NHS Dorset** - Since November 2021, there has been agreement that NHS Dorset will be provided with an allocation from the development. The outline planning application was dated 13 October 2021, pre-dating these arrangements. A contribution of £6,400 is sought.

**Environmental Health Section** – No objections, subject to conditions in relation to noise generating plant and a construction management plan.

**Wessex Water** - Separate systems of drainage are required and informatives on foul sewerage, surface water sewerage and water infrastructure are given.

**Representations received**

Correspondence has been received from 46 notified parties, objecting to the proposal on the following grounds:

- The proposals constitute a departure from the indicative outline plan.
- Proximity and number of dwellings adjoining Freame Way and Mellows Care Home with consequential loss of privacy and outlook
- There should be bungalows adjoining Freame Way not two storey units
- All development should be moved to the west of the site
- Density of proposed development is too great.
- The plan and designs are not in keeping with the character of the area
- Predominance of affordable housing on the eastern side of the site
- Affordable housing is not distributed evenly throughout the site
- Affordable housing materials are distinguishable from market housing
- Materials should match the stone used on Freame Way
- Impingement on footpaths/rights of way
- Fencing erected on site
- Inadequacy of wildlife corridor on north east boundary
- Species choice in wildlife buffer is criticised
- Lack of buffer planting and landscaping to north eastern boundary
- Security of the wildlife corridor is queried
- Proximity of access road, visitor parking and street lighting in relation to existing dwellings
- The width of access roads is questioned
- Inappropriate siting of visitor car parking
- Inappropriate size and position of parking area to north, next to footpath and open space
- Concern raised over construction activity and disturbance
- The proximity of the play area to existing dwellings will impinge upon privacy and cause noise nuisance.
- No playing field is shown within the site
- There is sufficient land elsewhere in the town for housing
- Some of the proposed energy saving technology is criticised, particularly use of gas and the implications for climate change
- Play space has limitations in terms of equipment, size and location next to a car park
- Query made over longevity of case officer's site visit and visits to neighbours
- Query made over adherence to adopted policy in determining proposal

## **10.0 Relevant Policies**

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

Relevant applicable policies in the adopted North Dorset Local Plan Part 1, January 2016 are as follows:

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 2: Core Spatial Strategy
- Policy 3: Climate Change
- Policy 4: The Natural Environment
- Policy 5: The Historic Environment
- Policy 6: Housing Distribution
- Policy 7: Delivering Homes
- Policy 8: Affordable Housing
- Policy 11: The Economy
- Policy 13: Grey Infrastructure
- Policy 14: Social Infrastructure
- Policy 15: Green Infrastructure
- Policy 17: Gillingham
- Policy 23: Parking
- Policy 24: Design
- Policy 25: Amenity

Relevant saved policies from the **North Dorset District Wide Local Plan (1<sup>st</sup> Revision) Adopted 2003**, are as follows:

- Policy 1.7- Development within Settlement Boundaries
- Policy 1.9 – Important Open or Wooded Areas

### **Gillingham Neighbourhood Plan**

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

- Policy 1. Custom and self-build housing
- Policy 12. Pedestrian and cycle links
- Policy 13. Road designs in new development
- Policy 14. New and improved health and social care provision
- Policy 15. New and improved education and training facilities
- Policy 16. New and improved community, leisure and cultural venues
- Policy 17. Formal outdoor sports provision
- Policy 18. Equipped play areas and informal recreation / amenity spaces
- Policy 19. Allotments
- Policy 20. Accessible natural green space and river corridors
- Policy 22. Protecting important green spaces
- Policy 23. The pattern and shape of development
- Policy 24. Plots and buildings
- Policy 25. Hard and soft landscaping

### **Material Considerations**

National Planning Policy Framework (NPPF):

The NPPF has been updated with a revised version published July 2021. The following sections and paragraphs are relevant to this outline application:

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

### **Emerging Local Plans:**

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

### **North Dorset District Council Landscape Character Assessment (2008)**

The Site lies within the eastern edge of Limestone Hills Landscape Character Area.

### **Gillingham Town Design Statement (adopted 2012)**

The Gillingham Town Design Statement (TDS) was adopted by Cabinet on 19 March 2012 and endorsed by Council on 30 March 2012, as an evidence base study. It was developed to safeguard the local characteristics of the Town, and to encourage sensitive, high quality design where new development occurs. It details distinctive local features and policies to inform those applying for planning permission what should be considered when preparing a scheme for submission.

### **11.0 Human rights**

Article 6 – Right to a fair trial.

Article 8 – Right to respect for private and family life and home.  
The first protocol of Article 1 Protection of property.

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

## **12.0 Public Sector Equalities Duty**

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

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

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

The application site is located in line with the spatial strategy of the local plan, which seeks to locate development close to services. Occupiers of the dwellings would have access to open space and to health and other facilities that are contained within the town.

The proposed change in land use will not result in any disadvantage to people due to their protected characteristics. While there is no specific provision for lifetime homes or accommodation specifically for those with protected characteristics, the form of development proposed will provide housing, additional open space and enhancements to the local rights of way network, to ensure the needs of people with disabilities or mobility impairments or pushing buggies are met. This will be through accommodation of appropriate off road footpath links, shared surfaces, improvements to existing links and by ensuring that the access arrangements to the new housing and open space are subject to the requisite standards applied by the Building Regulations and Highway Authority.

Officers have considered the requirement of the duty, and it is not considered that the proposal would give rise to specific impacts on persons with protected characteristics.

## **13.0 S106/ Financial benefits**

A Section 106 agreement was completed for the outline permission, securing the following:

- 25% affordable housing

- Local Area of Play
- Local Equipped Area of Play
- Destination Play Facilities Maintenance
- Formal Outdoor Sport
- Formal Outdoor Sports Maintenance
- Informal Outdoor Space
- Informal Outdoor Space Maintenance
- Community, Leisure & Indoor Sport Facilities
- Primary School contribution
- Secondary School contribution
- Pre School contribution
- Bus Service contribution
- Bus stop contribution
- Community transport contribution
- Rights of way enhancements
- Health
- Libraries
- Waste
- Drainage (SUDS)
- 4.3ha of land for biodiversity net gain
- The northern field (8.05ha) to be offered to and transferred (if accepted) to Gillingham Town Council
- £65,467.20 towards compensatory habitat

#### **14.0 Climate Implications**

In May 2019, Dorset Council declared a Climate Emergency and there is a heightened expectation that the planning department will secure reductions in the carbon footprint of developments. The Climate Change Statement addresses the Council's current planning policy requirements. Planning conditions requiring cycle parking (17), electric vehicle charging (18), travel plan (19) and biodiversity enhancements (14) to be submitted to and approved in writing by the Council, were applied to the outline consent. The following sustainability measures will be incorporated into the proposed development:

- Passive and active design measures for dwelling including; external wall, roof and floor U-values in excess of Part L standards, double glazing with low G-values, air tightness and waste water heat recovery.
- Water use less than 110 litres per person per day per dwelling
- 4kW photovoltaics per unit on SE to SW facing roofslopes
- Low carbon gas boilers
- Swales and SUDs to minimise surface water flood risk
- Electric vehicle charging points will be provided for all dwellings with allocated parking and for all unallocated parking spaces.
- All dwellings provided with cycle parking facilities
- Landscaping to include native species to enhance biodiversity
- Construction phase waste management

It is considered that there is sufficient scope within the proposed development to incorporate a wide range of sustainability measures. These will reduce the impacts of the development on the climate in line with Dorset Council Climate and Ecological Emergency Strategy 2020.

## **15.0 Planning Assessment**

- Principle of development
- Impact upon the character and appearance of the area
- Trees impacts
- Residential Amenity
- Affordable Housing and Infrastructure
- Highway Impacts
- Heritage
- Archaeology
- Biodiversity
- Flooding/Drainage
- Loss of Agricultural Land
- Housing Delivery
- Other Matters

### **Principle of Development**

The site was identified by North Dorset District Council in the 2019 Strategic Housing Land Availability Assessment, which established that it may be suitable for around 72 dwellings. The site is also referenced in the emerging Dorset Local Plan under Policy GILL3: Land at Common Mead Lane, which proposes its allocation for residential development. Whilst this does not constitute planning policy, nor a formal site allocation, it does indicate the direction of travel for addressing housing need in the Gillingham area.

In light of emerging policy and the lack of a five year housing land supply in North Dorset, outline planning permission for the erection of up to 80 no. dwellings and the formation of a vehicular access was granted on the 29 June 2022 under ref. P/OUT/2021/04019. Consequently the principle of residential development on the site has been established. The Council must now assess the acceptability of the reserved matters, on the basis of the material considerations set out below.

### **Impact upon the character and appearance of the area**

In terms of visual impacts, a full Landscape and Visual Impact Assessment was submitted with the outline application, concluding that the overall impact of up to 80 dwellings on the wider landscape character beyond the site arising from the development would not be significant. There was no objection in principle to the outline proposal on landscape grounds, acknowledging matters of detail would be addressed by the current reserved matters application.

In respect of the current submission, the Landscape Officer noted that while the distribution of development blocks, vehicular access and public open space was



broadly similar to that at the outline application stage, four of the development blocks have expanded and/or changed shape. In addition the alignment of roads and block frontages were straightened to a more rectilinear form giving the layout a more urban and less rural character than indicated at outline. Concerns were raised by other consultees and notified parties regarding the form and density of the original submission and its likely impact upon the character and appearance of the area. Amended plans were subsequently received seeking to address those concerns. The main changes were to decrease the density of housing on the eastern boundary, incorporate a wildlife corridor/buffer on the eastern boundary, distribute the affordable housing more evenly through the site, alter the housing mix, increase the number of street trees, alter parking arrangements, amend open space and play space proposals and to address impacts on definitive rights of way.

The presence of FP N64/58 effectively bisects the site into two distinct parcels. Initially this was reinforced by higher density in the eastern parcel and almost exclusively large, detached dwellings in the western parcel. While the graduation of density from higher to lower as built form progresses to the outer, rural edges of the site, is supported, the extent to which this scheme initially proposed would have created too much of a disparity between the two parcels of the site, uncondusive to creating a cohesive and balanced community. With this in mind, the density of development on the boundary with Freame Way was scaled back to provide a more consistent approach to the existing grain and maintain the sensitive transition between the existing and new development. The loosened density, together with introduction of the wildlife corridor on the eastern boundary and introduction of frontage planting, proposed by the revised layout is acceptable.

Paragraph 131 of the NPPF states that; *“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined”*. While the quantum of trees has increased in public open spaces from the outline stage, the number of street trees had diminished in the initial reserved matters submission. This was a concern, particularly in some of the more densely packed streets and amended plans were received to address the matter. The revised plans have provided more street trees and while all streets cannot be described as tree lined, the central corridor along FP N64/58 and entrance to the site can be described as such. The introduction of street trees to other streets, including the island in front of Plots 3-5 and to the shared surface street have certainly enhanced the presence of trees throughout the scheme. While the Landscape Officer is unable to support the scheme, in part due to the lack of street trees and the likely establishment of those proposed, it is accepted that the revised proposal will provide an adequate quantum of street trees. However, it is imperative that the street trees that are proposed will establish healthily and the applicant has agreed to the imposition of a condition in relation to tree planting. The condition will relate to all tree planting, but focus in particular on those locations identified by the Landscape Officer as marginal, due to their proximity to hardstandings and infrastructure. The condition will require identification of the location, species, size, planting medium, preparatory engineered tree pit systems and procedures for ensuring the healthy establishment of trees.

The materials palette is predominantly brown and buff brick finishes with stone finishes on the front elevations for key plots, with a mix of brown and grey roof tiles. Use of red brick is also proposed for window headers and artstone cills. The use of brown brick for building facades is queried, where the majority of existing neighbouring development is stone and/or white render. The brindle colour of Keyblok paving for some drives was also queried, but it is considered that these details can be firmed up by a materials condition. In terms of architectural detailing, the initial submission was lacking, chimney stacks being absent, despite reference to them in the character analysis within the DAS. Chimneys have been added to approximately 25% of the dwellings, lending an attractive articulation of roof form, evident in the revised street scene drawings. Architectural detailing is picked out with stone quoinwork and brick plinths, string courses, corballing, buttressing and verge details. Door openings are finished with a variety of timber framed flat roofed or monopitched storm canopies. Walled boundaries are proposed for those plot boundaries visible to the street and public realm, finished in brickwork to match the façade material of their respective plot. Low railings are proposed to define the front curtilages of some of the street facing units. Overall the design, architectural detailing and materials of the amended proposal are considered to be of good quality.

The quantum of public open space included in the proposed development meets local and neighbourhood policy requirements, although some reservations were raised over its design, in terms of footpath alignment, playspace surfacing and equipment, incorporation of informal play features and seating, tree species selection, parking and passive surveillance.

The Landscape Team welcome the details on the play area within the Public Open Space (POS) at the northern apex of the site, but suggested it could be improved in respect of surface treatments, boundary planting and the range and orientation of play equipment. In response the applicant provided amended plans showing the LEAP bound by bow-top metal fencing and hedging and appropriate play equipment. With regard to the POS at the western boundary of the site, the footpath was realigned in response to initial Landscape comments. Furthermore, new woodland tree planting will be relocated beyond the line of underlying services.

The site layout proposes perimeter block development with natural surveillance of public spaces. As the corners are turned within the development, active side elevations including bay windows are designed to ensure natural surveillance to public spaces. This is achieved through specific house types that incorporate strong side elevations; Avondale, Earlswood and Hadley. The route of FP N64/58 is maintained and would be well surveyed by built form and be tree lined, factors which would contribute to an attractive route.

There was a marked increase in the quantum of parking provision from the outline stage, with the introduction of significant amounts of perpendicular and parallel parking along streets. The amendments have addressed concerns raised over the design impacts of parking, which are expanded upon in the Highway Impacts section below.

The distribution of affordable housing initially proposed was not pepper-potted amongst the market housing sufficiently and a more even distribution was requested. Amended plans addressed these concerns, amplified in the Affordable Housing Section below.

The proposal achieves a design, layout and density that makes effective use of the site, reflecting the character of the locality and a development that will be acceptable in terms of design and visual amenity, in accordance with Policies 7 and 24 of the Local Plan and Policies 23, 24 and 25 of the Gillingham Neighbourhood Plan.

### **Tree Impacts**

A small section of the site, towards the site entrance to the south, was identified in the former Local Plan (2003) as an 'Important Open or Wooded Area' IOWA. It should be noted that this part of the site is grassland (not wooded). Since adoption of the Local Plan Part 1, the Gillingham Neighbourhood Plan has been made. The Neighbourhood Plan has identified specific green spaces for protection. The application site is not identified as an important open/green space, however much of the area around the site access will be maintained as open space and landscaped appropriately to maintain a sense of openness.

There are a number of trees around the site, largely on adjoining land, but no important trees are proposed for removal. New tree and hedge planting are shown throughout the final site layout and the applicant has incorporated a significant number of street trees into the amended layout, which will be a significant benefit to the street scene and overall feel of the finished development. The Council's tree officer has no objection to the proposal.

### **Residential Amenity**

There will be an inevitable change to the nature of the site from its current use as an open field. The proposed built form, increased vehicular movement, increased domestic noise and activity will all have an impact upon the neighbouring dwellings and the level tranquillity currently enjoyed. However, this is unlikely to adversely impact adjacent neighbours to the extent that would warrant the refusal of this application.

The most affected residents will be the properties adjoining immediately to the east of the site on Freame Way and to the south of the site at the Mellows care home. The originally submitted layout differed from the illustrative layout submitted at the outline stage. The indicative layout showed a much more generous buffer to Freame Way, in the region of 25m, where the original submission took that distance down to 21m and much closer in respect of the gable end of Plot 7. This close relationship and lack of buffer was considered to be unneighbourly in terms of the perception of overlooking and overbearing impact. Consequently the applicant was requested to amend the layout to give more separation, incorporate more planting and mitigate the impacts on neighbouring residents. The layout was amended to provide 7 plots in this area, where the original submission showed 11 plots. The effect was to loosen up development along the boundary with Freame Way, provision of a landscaped buffer/wildlife corridor and a lower requirement for parking

and other ancillary features, which assisted with addressing the overdeveloped form of the original submission in this area of the site. There is an oblique window to window distance between Plot 3 and no. 23 Freame Way of 23m, well beyond the accepted rule of thumb (21m) and coupled with the buffer vegetation, the relationship is acceptable. While Plots 1 and 7 are closer to the boundaries of 22 and 32 Freame Way, at 14-15m, these are unfenestrated gable elevations, which will present no privacy issues, particularly considering the screen planting provision. The degree of separation is considered to be acceptable in terms of any overbearing presence.

It is suggested that the proximity of the play area to existing dwellings will impinge upon privacy and cause noise nuisance. In terms of privacy, the definitive line of a public footpath is in fact closer to the rear curtilage of no. 33 Freame Way than the proposed play area. The play area will be separated from the rear of no. 33 by bow top fencing, two hedges, scrub planting and 2 no heavy standard tree specimens, so it is not accepted that privacy will be lost. The play area will be equipped with a swing, slide, pyramid climbing frame, a rocking plate, timber train and wobble dish. While there will be some noise from younger children at play, the play equipment is all at least 8m from the boundary of no. 33 and the degree of separation is considered to be acceptable.

The proximity of the access road to existing dwellings was agreed at the outline stage. The access road will run parallel to the rear curtilage of no. 7 Freame Way and there will be some separation of the carriageway by the footway and hedge planting. Efforts have been made to minimise any perceived disruption by moving visitor parking to the opposite side of the access road. Street lighting is necessary for this scheme and it is noted that there will be four lighting columns adjacent to the open space at the site entrance. These lights will be directed down on the pavement and carriageway and not toward the rear curtilages of nos. 7, 8 and 9 Freame Way. While there will be new lighting introduced into this area, the level of light pollution would not be such to substantiate a reason for refusal.

The Environmental Health Section raise no objections, subject to conditions to address the potential for noise from the electrical substation and pump station and a construction management plan. They also suggested that the windpipes in the proposed play area be removed to protect adjoining residential properties from noise, which have been removed from the scheme. The construction management plan will go some way to mitigating the possible adverse effects associated with construction activity, such as noise, dust suppression, vehicular access, hours of operation, parking, bonfires etc, although some disturbance is an inevitable consequence of any new development, large or small.

Private amenity space for future occupiers of the development is varied, largely linked to the size and type of associated dwelling and are broadly acceptable, following enhancement of private open space for some plots by the amended plans.

Overall, it is considered that the amenity of adjacent residents can be sufficiently protected in accordance with Policy 25.

## **Affordable Housing and Infrastructure**

Policy 8 states that in Gillingham, 25% of the total number of dwellings are to be affordable with a presumption that it will be provided on-site. Of the 80 dwellings proposed in total, 20 are proposed to be affordable housing, meeting the 25% requirement stipulated by Policy 8. Of these 14 will be rented homes and 6 shared ownership.

The distribution of affordable housing initially proposed was contrary to NDLP Policy 8, as they were not dispersed amongst the market housing sufficiently, with affordable housing in two clusters of nine and 11 units on the eastern side of the site. A more even distribution of the affordable housing across the site was therefore requested, along with changes to the siting, use of materials and landscaping. Suitably amended plans were received to address these concerns, reflected by the comments of the Housing Enabling Team (HET), who consider the revised layout has improved the relationship between the affordable and market homes, avoiding large blocks of affordable housing and fronting four of the five streets within the scheme. HET go on to comment that the scheme offers a good mix of house types and being houses rather than flats will help create a tenure blind development and help fulfil a need for larger family homes' for which there is a high level of demand.

Policy 7 states that housing should contribute towards the creation of mixed and balanced communities based on 40% of market housing being one or two bed properties and 60% of affordable housing being 3+ bed properties. The proposal demonstrates that 65% of the market housing will be 3, 4 and 5 bed, with 35% of the market housing being 2 bed units. It also demonstrates that 80% of the affordable housing will be 3 or 4 bed units and overall the proposal is in broad compliance with the provisions of Policy 7.

In addition to affordable housing and to ensure the development is acceptable in planning terms, the outline approval secured a number of onsite and off-site improvements to transport, community and green infrastructure in the context the requirements of Policies 13 (Grey Infrastructure), 14 (Social Infrastructure) and 15 (Green Infrastructure). The outline S.106 secured the requisite items (see table at section 13.0), which meet the statutory tests set out in the Community Infrastructure Levy Regulations 2010 paragraph 122; being necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

## **Highway Impacts**

The outline planning application approved the principle of access to the site from Common Mead Lane, although a variation application under ref. P/VOC/2022/06529 approved minor changes to the access arrangement. A new priority junction will be formed to the northeast of the existing access to The Mellowes care home, of sufficient size to allow the two-way movement of all vehicles, confirmed by a full swept path analysis. This access will be provided in accordance with the guidance provided by Manual for Streets. Sufficient intervisibility between the proposed access and the existing care home access to the south west is available. Planning conditions were applied to the outline approval and subsequent variation approval to secure details of construction (15), visibility spays (16), cycle parking (17), electric vehicle charging (18), travel plans (19) and a construction traffic management (20).

Whilst the site lies outside of the settlement boundary, it does adjoin it, is close to existing residential properties and is well located in terms of distance to a major town and its services. The site is within 600m of a convenience store, 900m to Wyke Primary School, 350m of a bus stop and 1.2km from Gillingham High Street, accessible via a 15-minute walk or 5-minute cycle journey, so there is a wide range of local amenities and services readily available, including a mainline train station in the town centre. The proposal meets the aims of paragraph 105 of the NPPF by focusing development in a sustainable location, thereby limiting the need to travel and offering a genuine choice of transport modes.

While notified parties have queried the width of access roads, the Highway Authority advise that the amended plans and information is sufficient to overcome their initial concerns. They advise that the road running from east to west still requires traffic calming, which would be picked up at the s38 stage if the internal layout is going to be offered for public adoption. A plan showing traffic calming measures to comply with the Highway Engineer's comments has been submitted and the view of the Highway Engineer on these plans will be reported to Members.

Policy 23 (Parking) identifies the need to accommodate car and cycle parking in accordance with the Council's standards and that the parking needs of people with impaired mobility are addressed in accordance with the Council's standards. The proposal makes provision for 141 allocated parking spaces, 18 unallocated spaces, 10 visitor spaces and 45 garages. The garages may be treated as allocated spaces, all being at least 6m x 3m garage units. The Dorset Parking Standards for new dwellings within town and fringe areas in North Dorset, suggest the optimum level of unallocated and visitor car parking spaces for a development of the type proposed would be 34 unallocated spaces and 14 visitor spaces, which constitutes under-provision. However, given the development is over-providing allocated parking by 52 spaces, including garages, the level of under-provision (20 spaces) may be offset. The disparity between allocated and unallocated provision would not significantly impact highway safety, bearing in mind the full allocated provision. Furthermore, the proximity of the site to a main town, with bus links, cycle parking provision for all dwellings and good links to local rights of way, dictate that the degree of unallocated under-provision is acceptable. Consequently the proposed parking, for both cycles and cars, is considered to be appropriate for this location.

Notwithstanding the position on the quantum of parking, in design terms the initially submitted scheme proposed a variety of frontage, garage, double/triple banked, parallel and perpendicular parking. There was a marked increase in the quantum of parking provision from the outline stage, with the introduction of significant amounts of perpendicular and parallel parking along streets and open spaces, which contributed to an overdeveloped form and was harmful to the street scene and ability to provide street trees. Consequently it was requested that these areas were loosened up in terms of design and density and the amended plans reflect those changes, albeit with a slight loss of unallocated parking provision. The triple banked parking proposed for 2 plots to the south of the site was unacceptable and has been removed from the scheme. Plots 19-23 (now 14-17) were initially engulfed by parking, to the detriment of the street scene, which has also been addressed by the

amendments. Parallel parking has also been removed, other than visitor spaces close to the site entrance and western side of the site.

The amended scheme is acceptable in relation to highway and parking matters, subject to receipt of amended plans to address traffic calming measures.

### **Heritage Impacts**

Policy 5 notes that it is important that heritage assets are protected. For any designated heritage asset, great weight will be given to its conservation when considering any proposal that would have an impact on its significance. Any harm to designated and significant undesignated heritage assets will need to be fully justified. Through the submission of supporting heritage documentation submitted with the application, the significance of heritage assets and the impact of the proposed development has been assessed and special regard has been given to the preservation of those assets in the balancing exercise.

There are long views within, through and into the Wyke Conservation Area from the west. Being situated on higher ground the development will be visible from the majority of these views, though highly screened by existing trees. Ridgelines visible will be difficult to distinguish from existing built development to the east of the site and the proposal will not form a prominent visual element which detracts from the appreciation of the views into the conservation area. The nature and extent of that harm to be minimal and the development will not impinge upon the important open gap identified in the Neighbourhood Plan. The proposals will result in less than substantial harm to the significance of a designated heritage asset. However, the nature and extent of harm would be outweighed by the significant public benefits of the proposal outlined above.

NPPF paragraph 203 requires that the effect of an application on the significance of a non-designated heritage asset be taken into account in determining the application. A balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. The Moat at Thorngrove is a non-designated heritage asset. Although the Moat is not visible or appreciable from the application site, it will 'impose a built form in close proximity and therefore impacts upon its current undeveloped immediate setting. The proposals will therefore result in less than substantial harm to a non-designated heritage asset. However, the level of harm is minor insofar as its effect on the key elements of significance is acceptable. As the proposal will result in less substantial harm to the Moat at Thorngrove, paragraph 203, of the NPPF is engaged, requiring a balanced judgement taking into account the significance of the affected asset and the scale of harm or loss. Taking these matters into account, the harm is considered to be acceptable.

### **Archaeological Impacts**

The site has been identified as having some archaeological potential and the applicant was required to carry out archaeological trial trench surveying, prior to the issue of outline planning permission. In February 2021, the applicant arranged for the archaeological evaluation of land, in accordance with a written scheme of

investigation, approved by the Council's senior archaeologist. The evaluation fieldwork identified one area, in the south portion of the application area revealed some limited evidence for probable late bronze age occupation, but overall, the significance of the archaeological interest of the site is considered to be low.

A planning condition (no. 12) was applied to the outline permission to secure the implementation of a programme of further archaeological work and recording. Strip trenches have already been cut on site as part of the further archaeological investigation, details of which will be submitted in due course to discharge condition no. 12.

## **Biodiversity**

The outline permission secured significant biodiversity enhancements, including 4.3ha of land to the north-west of the site to be enhanced as species-rich grassland, secured and protected by the Section 106 agreement. The extent, nature and condition of this habitat will provide a 10% biodiversity net gain and a financial contribution is secured in the S106 for compensatory habitat. 0.48ha of species-rich grassland will be provided within the application site, towards its western fringes, which will be enhanced to create a wildlife corridor and provide foraging habitat for bats, birds, amphibians, reptiles and invertebrates. The proposal will also include bat tubes and bird boxes in the new buildings. Condition 13 applied to the outline permission requires an external lighting strategy to be submitted and agreed by the local planning authority to ensure that lighting is installed and maintained in a manner which minimises light pollution to the night sky, neighbouring properties and protected species.

Habitat creation/management and provision of species specific enhancement measures is required to demonstrate a 10% net gain in biodiversity. The features of greatest ecological value are the priority hedgerows and a priority pond, which will be retained and protected through the establishment of a suitable buffer zone which will be managed post construction in accordance with a Landscape and Ecological Management Plan (LEMP). The development will result in the destruction of great crested newt terrestrial habitat, which will require a translocation programme under a mitigation licence. Full details of the LEMP are required to be submitted to discharge condition no. 14 applied to the outline permission.

Notified parties lament the inadequacy of the wildlife corridor on north east boundary in terms of its width. The corridor was missing from the initial submission and was required as an amendment. The corridor is 9m in width for the majority of its length across the back of Plots 1-7. The corridor's primary purpose would be to facilitate the migration of smaller mammals, reptiles, amphibians and birds across the site, rather than larger mammals such as deer and at 9m it is considered fit for purpose. For the most part the tree species selected for the wildlife corridor are smaller varieties; birch, cherry, crab apple, holly and maple, although the hornbeam (*carpinus betulus*) close to 32 Feame Way can grow to a substantial size in lowland settings and the applicant has been requested to amend the landscape plan to replace it with a smaller variety, in the interests of adjoining amenity.



The proposed grass, native hedge, scrub and tree planting serves a secondary purpose, as a buffer to the residents of Freame Way, to soften the impact of built form with a foil of vegetation.

Comments have suggested the corridor could encourage anti-social behaviour as it would be poorly surveilled being to the rear of the garden areas of Plots 1-7. In order to address this point a condition is proposed requiring details of boundary treatments to secure the wildlife corridor, which might include use of powder coated green paladine/weldmesh fencing, to blend in with the proposed planting. The fencing scheme would need to be permeable to wildlife, as well as facilitate access for management purposes. The condition will also require details for the wildlife corridor's long term management.

In light of these mitigation and enhancement measures to be secured through a LEMP and S.106 agreement, biodiversity and protected species will be adequately safeguarded and will comply with Policy 4.

### **Flooding and Drainage Impacts**

The application is supported by an updated Drainage Strategy and Sustainable Urban Drainage Systems Statement and Exceedance Flow drawing. Drainage details confirm that the site is within Flood Zone 1 (lowest probability of flooding) and concludes that drainage on the site can be suitably managed and would not create any increase in flood risk to existing properties within the catchment area or the proposed development.

The assessment identifies that the site is would unlikely be suitable for infiltration. The proposals therefore involve routing the surface water via pipes into vegetated attenuation basins before discharging into the existing surface water network at restricted rates. Due to the site topography, the drainage strategy considers splitting the site into two catchments, with the southern portion routing surface water towards Common Mead Lane and the norther portion routing towards the low point in the north western corner of the site. The attenuation basin for the north western drainage scheme is beyond the application site and is considered separately under ref. P/FUL/2022/06528.

The Lead Local Flood Authority confirm the surface water drainage proposals are broadly in-line with those previously accepted at the outline planning stage and they raise no objection to the reserved matters application, subject to surface water drainage conditions and informatives. The requested planning conditions were imposed on the outline permission (nos. 10 and 11) and there is no requirement to re-apply them to any reserved matters approval. Wessex Water raise no objections, but advise that separate systems of drainage are required and give informatives on foul sewerage, surface water sewerage and water infrastructure.

### **Loss of Agricultural Land**

The site is identified as unclassified agricultural land, which would be lost as a result of the proposal. While relatively small in the context of the area administered by the Council, it is a finite resource and its loss was considered at the outline stage,

bearing in mind the site does not form part of a larger farm, which could otherwise affect the viability of an existing agricultural enterprise and has not been in recent agricultural use. Consequently loss of this land in the context of housing provision and social and economic benefits is considered to be acceptable.

## **Housing Delivery**

NPPF paragraph 74 tells us that “Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old. North Dorset District Council first announced that it could not demonstrate a 5-year supply in 2017. While the Council’s published supply was 5.17 year supply on 1st April 2021, two appeal decisions at; Station Road, Stalbridge in June 2022 determined that the ‘deliverable’ supply in North Dorset was 4.35 years; and at Crown Road, Marnhull in July 2022 which determined that deliverable supply was 4.58 years. The appeals, whilst only a snapshot in time, are material considerations and underline that further work is still required to ensure a robust housing land supply position.

There has been an undersupply of new homes delivered in North Dorset over the first 10 years of the Local Plan period 2011 to 2031. Furthermore, the latest Housing Delivery Test measurement is 69%. Applications that provide new housing should be given great weight in the planning balance in order to support the Government’s objective of significantly boosting the supply of homes (NPPF para 60). This weighs in favour of the proposal.

The proposed development will deliver 80 new homes and contribute towards fulfilling the housing needs of North Dorset and Gillingham. The site will provide new housing supply and make a valuable contribution towards boosting housing and affordable housing supply in Gillingham to meet needs/demand within the town and elsewhere.

## **Other Matters**

The Town Council point out that the proposed development will not provide allotments contrary to the aims of the Gillingham Neighbourhood Plan. Allotments did not form part of the outline indicative plan and it would not be physically possible to provide allotments on-site with the quantum of development approved by the outline permission. The outline application was the appropriate vehicle to secure an allotments contribution, which could have been provided elsewhere, but cannot be applied to this reserved matters submission.

There is no requirement to provide a playing field on the site, although play areas are provided. It is noted that the legal agreement associated with the outline approval secures a significant range of community contributions and benefits, including the transfer of the northern field (8.05ha) to the Town Council.

The Council's Rights of Way Officer and Ramblers raised initial concerns over the accuracy of public right of way N64/58 on the plans, with potential for its obstruction by the play area. The applicant provided amended plans revising the siting and boundaries of the LEAP to reflect the definitive line of the rights of way, which address those concerns and negate any requirement for any subsequent footpath diversion order. The request by the Ramblers for acknowledgement of the Stour Valley Way and the White Hart Link with suitable signposting and waymarking can be addressed by condition within the site and by the rights of way contribution, secured by the outline legal agreement, beyond the site boundaries.

In terms of housing density, the NPPF no longer prescribes the 30 dwellings per hectare target previously identified by PPG3 (Housing). The proposed density would certainly be much greater than the level achieved at Freame Way, but times have moved on and the presumption in favour of sustainable development applied by paragraph 11 of the NPPF advises that land in urban areas should be effectively used. The proposal would achieve a density of 20 dwellings per hectare, much lower than the old PPG3 target, but it does make effective use of land and considering the outline approval established that 80 dwellings are acceptable on this site, a reason for refusal based on density is not substantiated.

Since November 2021, there has been agreement that NHS Dorset will be provided with an allocation from the development. The outline planning application was dated 13 October 2021, pre-dating these arrangements and a contribution of £6,400 is sought. Unfortunately the outline application was the appropriate vehicle to secure this contribution, which cannot be applied to the reserved matters.

With regards to the comments of notified parties, which are not addressed above, the fact that the reserved matters depart from the indicative plan submitted at outline stage is not unusual. The indicative plan was prepared to demonstrate how the quantum of development (80 houses) could be accommodated on site, although as the 'indicative' nature suggests, the applicant was not tied to that layout. The fencing already erected on the site is a temporary measure, for the purpose of securing the site during construction and will be removed post construction.

With regard to comment that there is sufficient land elsewhere in the town for housing, in order for the Council to meet its five year housing land supply in North Dorset, sustainable sites such as this one need to be brought forward, particularly those with the benefit of outline planning permission.

## **16.0 Planning Balance**

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

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Proposed development that accords with an up-to-date Local Plan should

be approved; and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

There is conflict with the development plan, by reason of the effect of the proposal on the Council's spatial strategy and location of the proposed development outside of a settlement boundary. However, the Council's policies in the adopted Local Plan follow the approach of the presumption in favour of sustainable development. It is accepted that the tilted balance should be applied in the decision-making process on this application, given that the policies referred to in footnote 7 of the NPPF are not engaged. In accordance with paragraph 11 d) of the Framework, as directed by Footnote 8, policies which are most important for determining the application are considered out-of-date, and subsequently planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Given this shortage of housing land supply the 'tilted balance' would apply. This is where the need to boost housing land supply is prioritised when weighing up the planning balance for proposals. As such, Policy 6 of North Dorset Local Plan, which seeks to deliver housing, is tempered. The application needs to be considered 'in the round' weighing all material issues in the planning balance.

Officers consider that there are significant public benefits derived from the proposed development and include the following:

Economic benefits would be derived from the proposal in the form of affordable housing and infrastructure contributions secured by the outline permission. Economic benefits would be derived through New Home Bonus payments, during construction and later with residents contributing to local businesses, services, facilities and Council Tax, so weight is given to the overall economic benefits of the proposal.

A social benefit of the proposed development would be delivery of affordable and market housing in a sustainable location, close to a main town centre and within walking distance of shops, services and transport modes. As such, weight can be attached to the overall social benefits of the proposal.

The quantum of development would be appropriate in this location and would not conflict with local and national policies in terms of environmental impacts. The character and density are acceptable and the plans demonstrate that there would be adequate living conditions for existing and future residents, including public open space. It has been demonstrated that the proposed development would not harm protected species, with measurable net gains for biodiversity and tree planting. Subject to receipt of amended plans to show traffic calming, the resultant traffic levels would be within the capacity of the highway network and no highway objections are raised. The proposals will result in less than substantial harm to the significance of designated heritage assets, although the nature and extent of harm would be outweighed by the significant public benefits. It is considered that the proposal has demonstrated overarching environmental benefits.

Weighed against the adverse impacts of the proposal, the benefits significantly and demonstrably outweigh the disbenefits. Accordingly, the proposal benefits from the

presumption in favour of sustainable development in the NPPF or in Local Plan Policy 1, material considerations indicating that planning permission should be granted.

## 17.0 Conclusion

The principle of 80 dwellings on this site has been established by the outline permission granted on this site in 2022, which secured the requisite affordable housing and infrastructure contributions. The applicant has amended the details of the original submission to take account of concerns and comments raised by consultees and notified parties. The submitted details of layout, scale, appearance and landscape are considered to be acceptable, subject to the conditions outlined below. As the Council is still not providing a sufficient supply of housing in the North Dorset area, the public benefits of delivering 80 dwellings in this location remain significant and weighs heavily in favour of the proposed development. It is considered that the revised proposal accords with the aims of the Development Plan and the NPPF, having due regard to the context of this site.

## 18.0 Recommendation

Recommendation A: **APPROVE the reserved matters**, subject to the following conditions:

1. The development to which these reserved matters and accompanying details relates shall be begun not later than two years from the date of this permission.

Reason: To comply with the provision of Section 92(2) 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:

140226/LP/1 Site Location Plan  
220901/AB/SG/EP A Single Garage Floor Plan & Elevations  
220901/AB/DG/EP A Double Garage Floor Plan & Elevations  
220901/AB/TG/EP A Twin Garage Floor Plan & Elevations  
220901/ARC/EP C House Type Archford (ARC)  
220901/AVO/EP B House Type Avondale (AVO)  
220901/EAR/EP B House Type Earlswood (EAR)  
220901/EXE/EP B House Type Exeter (EXE)  
220901/FAI/EP B House Type Fairway (FAI)  
220901/HAD1/EP B House Type Hadley Detached (HAD1)  
220901/HAD2/EP B House Type Hadley Wide (HAD2)  
220901/HAD3/EP A House Type Hadley Semi (HAD3)  
220901/HOL/EP B House Type Holden (HOL)  
220901/KIR/EP B House Type Kirkdale (KIR)

220901/WIN/EP B House Type Winstone (WIN)  
 220901/SH52/EP B House Type SH52 (Affordable)  
 220901/SH55/EP B House Type SH55 (Affordable)  
 220901/2BWC/EP B House Type 2BWC (M4(3))  
 220901/3BWC/EP B House Type 3BWC (M4(3))  
 220901/SH72/EP House Type SH72 (Affordable)  
 BDWS23938 11 overall G Landscape Proposals overall  
 BDWS23938 11 Sheet 6 G Landscape Proposals Sheet 6  
 BDWS23938 11 Sheet 1 G Landscape Proposals Sheet 1  
 BDWS23938 11 Sheet 2 G Landscape Proposals Sheet 2  
 BDWS23938 11 Sheet 3 G Landscape Proposals Sheet 3  
 BDWS23938 11 Sheet 4 G Landscape Proposals Sheet 4  
 BDWS23938 11 Sheet 5 G Landscape Proposals Sheet 5  
 BDWS23938 12 overall F Hard Landscape Proposals overall  
 BDWS23938 12 Sheet 5 F Hard Landscape Proposals Sheet 5  
 BDWS23938 12 Sheet 1 F Hard Landscape Proposals Sheet 1  
 BDWS23938 12 Sheet 2 F Hard Landscape Proposals Sheet 2  
 BDWS23938 12 Sheet 3 F Hard Landscape Proposals Sheet 3  
 BDWS23938 12 Sheet 4 F Hard Landscape Proposals Sheet 4  
 BSO/E5031/001 G Fire Tender Analysis Layout  
 BSO/E5031/002 G Refuse Vehicle Analysis Layout  
 BSO/E5031/004 C Levels Strategy  
 BSO/E5031/005 C Drainage Strategy  
 BSO/E5031/007 B Drainage - Exceedance Flow  
 BSO/E5031/008 A Street Lighting Layout  
 220901/SL01 M Site Layout  
 220901/SL02 D Site Layout - Storey Heights  
 220901/SL03 E Site Layout - Dwelling Types  
 220901/SL04 E Site Layout - Tenure  
 220901/SL05 D Site Layout - Parking  
 220901/SL06 D Site Layout - Refuse Strategy  
 220901/SL07 D Site Layout - Fire Strategy  
 220901/SL09 E Site Layout - Materials  
 220901/SL10 D Site Layout - Electrical Vehicle Charging Points  
 220901/SL13 C Site Layout - Boundary Treatments  
 22124 3 Tree Protection Plan  
 Cycle Parking Sheds  
 220901/SUB/EP Electricity Substation Floor Plan & Elevations  
 220901/SH54/EP C House Type SH54 (Affordable)  
 220901/SS01 C Street Scenes Sheet 1 of 2  
 220901/SS02 C Street Scenes Sheet 2 of 2  
 BDWS23938 10 C Landscape Masterplan  
 BSO/E5031/008C Street Lighting Layout  
 22090/SL14 Rev A SL14\_ENTRANCE FEATURE WALL Rev A

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

3. Prior to development above damp proof course level, details and samples of all external facing materials for the walls, roofs, boundaries and all hard surfaces shall be submitted to, and approved in writing by, the Local Planning Authority.

Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development.

4. Prior to the commencement of installation of externally mounted plant, details of the plant (electrical substation and pump station) shall be submitted to the Local Planning Authority (LPA) along with a noise assessment such as that conducted in accordance with BS4142:2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The assessment shall be submitted to and approved in writing by the LPA. The agreed scheme (together with any required measures) shall be installed to the agreed specification prior to the first use and maintained and operated in that condition thereafter unless agreed in writing by the LPA.

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

5. Prior to the commencement of development on the site, a Construction Method Statement must be submitted to and approved in writing by the Local Planning Authority to manage any possible adverse effects associated with the development. The CMP must include the following:

- a) Confirmation that there will be no bonfires on the site during construction
- b) Details of protection measures for nearby receptors from dust arising from construction
- c) Confirmation of vehicle movements and numbers to/from the site during operations
- d) Details of storage of waste materials prior to removal from site.
- e) Operating times of construction
- f) Mitigation measures to reduce noise during the build.

The development shall take place strictly in accordance with the approved CMP.

Reason: To protect the residential amenity of adjoining occupiers during the construction phase.

6. The hard, soft and Masterplan landscaping works detailed on approved drawings must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

7. Prior to the commencement of any development hereby approved, above damp course level, a street tree planting scheme and management plan shall be submitted to, and approved in writing, by the Local Planning Authority, to identify the location, species, size, planting medium, tree pit specification and procedures for ensuring the healthy establishment of trees. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: In the interest of visual amenity.

8. Prior to the commencement of any development hereby approved, above damp course level, details of all proposed means of enclosure, boundary walls and fences to the site, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

Reason: In the interests of the amenities of the area

9. Prior to the commencement of any development hereby approved, above damp course level, a landscape management plan shall, by reference to site layout drawings of an appropriate scale, be submitted to and approved in writing by the Local Planning Authority and shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The subsequent management of the development's landscaping shall accord with the approved plan.

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

10. Prior to the commencement of any development hereby approved, above damp course level, full details of the position and type of rights of way signage within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure rights of way crossing the site are adequately waymarked.



# Agenda Item 7

<b>Reference No:</b> P/OUT/2022/04243
<b>Proposal:</b> Demolish existing industrial buildings and erect 47 dwellings (outline application to determine access only)
<b>Address:</b> Wessex Park Homes Shillingstone Lane Okeford Fitzpaine Blandford Forum DT11 0RB
<b>Recommendation:</b>
<b>Case Officer:</b> Jim Bennett
<b>Ward Members:</b> Cllr Batstone
<b>CIL Liable:</b> N

<b>Fee Paid:</b>	£0.00		
<b>Publicity expiry date:</b>	17 October 2022	<b>Officer site visit date:</b>	06/10/2022
<b>Decision due date:</b>	21 October 2022	<b>Ext(s) of time:</b>	27 January 2023

**1.0** The application is referred to Committee under the Scheme of Delegation procedure as Okeford Fitzpaine Parish Council object to it for the reasons outlined at the foot of Section 9 below.

**2.0 Summary of recommendation:**

**GRANT**, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Affordable housing provided in line with Council policy (40% - 18.8 dwellings to be affordable. 18 units provided on site and a financial contribution of 0.8.dwellings)
- Open space including provision of LEAP
- Informal Open Space and LEAP Maintenance contributions
- Education contribution - Primary & Secondary,
- Pre-School Provision
- Community Leisure & Indoor Sport,
- Formal outdoor sport
- Destination Play
- Library
- Health
- Allotments
- Public Rights of Way contributions for link path, stiles, compacted stone surfacing and 3 no. footbridges

### 3.0 Reason for the recommendation:

- The site benefits from prior approval consents to convert existing buildings on the site to 47 no. dwellings and the principle of development is therefore accepted
- The Council at present have a published 5 year housing land supply at 5.17 years but there have been subsequent appeals where the inspector has found the supply to be below 5 years and this is a material consideration. Furthermore, the Housing Delivery Test in this area is not met as supply is at 69 percent and the presumption applies.
- There is not considered to be any significant harm to the appearance of the area, highway safety, ecology, flood risk, neighbouring residential amenity or from on site contamination.
- The proposal would provide the full quota of affordable housing and other contributions.
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise;
- There are no material considerations which would warrant refusal of this application.

### 4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of development is considered to be acceptable and there are no material considerations which would warrant refusal of this application.
Impact on the character of the area and landscape	The proposal is acceptable in terms of layout, design and scale. Subject to receipt of appropriate reserved matters it could provide an appropriate design, layout, landscaping, relationships between dwellings, parking and links to public footpaths. The impact of the development upon the AONB would be neutral, given the existing development on-site.
Highway safety	The Highway Authority raise no objections on highway safety, policy or capacity grounds, subject to conditions
Residential amenity	The proposal would not lead to adverse impacts on the residential amenity of surrounding neighbours or future occupiers, with adequate space between proposed and existing properties.
Affordable Housing and other contributions	The development would provide a policy compliant affordable housing offer of 40%, which weighs in its favour and a section 106 Agreement will be completed to secure it along with contributions to improve rights of way, for education, community facilities and primary care.
Ecology	Surveys have been undertaken and impact upon protected species can be mitigated to avoid adverse effects. Significant

	areas of ecological enhancement are proposed and will be secured via S106 agreement. A Biodiversity Plan has been submitted and agreed, as required by the Dorset Biodiversity Appraisal Protocol (DBAP).
Housing Delivery	The development will provide 47 dwellings making a valuable contribution to the housing land supply.
Drainage and the water environment	Flooding and drainage details can be adequately secured by condition.
Economic benefits	While an employment site would be lost, albeit one that has been vacant for some years, benefits would be derived from provision of jobs during construction, future residential expenditure and income from Council Tax.
Land contamination	A desktop land contamination study is provided and a condition is imposed requiring further submissions at the reserved matters stage.

## 5.0 Description of Site

The 2.9 hectare site comprises a vacant previously-developed site located along the southern side of Shillingstone Lane, within the countryside. The application site lies 450m east of the Okeford Fitzpaine village settlement boundary and 800m from the village centre. The settlement boundary of Shillingstone village is located approximately 850m to the east (and approx. 1.1km to its nearest facilities).

The site is part of a former brickworks and subsequently, until several years ago, as a manufacturing site for mobile homes and mobile offices. The site has a long history of employment use, although is currently vacant and has been for a number of years. Indeed it is the employment use which has facilitated the availability of permitted development rights to convert to residential use. There are two existing vehicular accesses to the site off Shillingstone Lane - one at its north western corner and the other within a more central position. The land is relatively level and separated from the road by a mature hedge.

Buildings on the site comprise 18 separate units of varying size, age and condition, erected over time as part of progressive expansion which took place on the site whilst in operation. An area of hardstanding runs throughout the site which was used for car parking by the staff and visitors of the former business. There is mature vegetation along part of the site's boundaries. There is an Area Tree Preservation Order which falls within part of the western and southern site boundary.

Four detached dwellings are located nearby to the west: laid out in an adhoc fashion, behind mature shrubbery fronting Shillingstone Lane. There is some development further west towards Okeford Fitzpaine, but with some significant intervening gaps of open land. To the north of the site, on the opposite side of Shillingstone Lane, lies agricultural land, with the land to the east of the site also agricultural, with sporadic residential and a haulage company site beyond, towards Shillingstone

A public footpath (N48/10) and unclassified single-track road (Pound Lane) run close to the southern edge of the site. The footpath leads east-west from Shillingstone along fields and then links to Pound Lane south of the application site, which then runs westwards towards Okeford Fitzpaine.

At its southeast corner, the site runs close to the boundary of the Dorset Area of Outstanding Natural Beauty. The AONB boundary runs along N/48/10, then diagonally across the field south of the application red line (which is also in the applicant's blue line ownership) and then follows the line of Pound Lane to Okeford Fitzpaine. Ground levels vary across the application site - from 60m AOD on its northern boundary to 70m AOD on its southern boundary. Within the AONB land further south, ground levels then rise sharply to the chalk escarpment and ridge (Okeford Hill 230m AOD).

## **6.0 Description of Development**

Outline planning permission is sought for demolition of existing industrial buildings and to develop land by the erection of up to 47 no. dwellings. Only access is considered at this stage with matters of layout, scale, external appearance and landscaping reserved for later consideration.

The scheme proposes to utilise a single point of access off Shillingstone Lane, which is within the applicant's ownership and the existing primary entrance to the Wessex Park Homes site.

The dwellings would likely range from 1 storey to 2 storeys in height, although scale and appearance are reserved matters. Forty seven dwellings would give a density of 16 units per hectare and an indicative site plan shows the development could provide a good mix of house types, including some terraces, semi-detached and detached dwellings, interspersed with landscaping and open space to assist with integrating the development into its sensitive environment. Adequate parking for each unit is also indicated, with a combination of garage, car barns, tandem, frontage and communal arrangements. A variety of character areas are proposed, including courtyards, private drives, residential streets and public green spaces.

## **7.0 Relevant Planning History**

The site was historically used as a brickworks and subsequently for mobile home construction and display, and has a planning history from 1987 for various industrial, office and yard extensions associated with those commercial uses. The complex planning history considered material to consideration of the current application, includes use for the display of mobile homes, a replacement factory and for housing development, as set out below.

2/2005/0052 - Decision: GRA - Decision Date: 27/01/2006 - Develop land by the erection of replacement factory with ancillary offices, storage, parking and external storage on part existing site and land adjoining the existing operation (Outline application determining, siting and access position)

2/2009/0672/PLNG - Decision: GRA - Decision Date: 23/11/2009 - Erect 1 No replacement factory with ancillary offices, storage and parking (Reserved Matters application for access, appearance, landscaping, layout and scale following Outline Planning Permission No 2/2005/0052).

2/2011/1336/PLNG - Decision: GRA - Decision Date: 26/09/2012 - Extension of time for implementation of Planning Permission 2/2009/0672 to erect 1 No. replacement factory with ancillary offices, storage and parking.

2/2011/0958/PLNG - Decision: DET - Decision Date: 08/08/2012 - Discharge Condition Nos. 4 - Contaminated Land, 5 - Foul & Surface Water Drainage, 6 - Access Crossing Construction, 8 - Close Existing Access - Scheme and 12 - Surface Water Drainage - approval prior to development following Outline Permission No. 2/2005/0052.

2/2011/0959/PLNG - Decision: DET - Decision Date: 28/09/2011 - Discharge of Condition Nos. 1, 2 - Materials (samples for approval) and 5 - External Lighting following Reserved Matters No. 2/2009/0672.

2/2012/0442/PLNG - Decision: NOE - Decision Date: 11/05/2012 - Request for EIA Screening Opinion under EIA Regulations 2011 for an extension of time for implementation of Planning Permission 2/2009/0672 to erect 1 No. replacement factory with ancillary offices, storage and parking.

2/2014/0932/CPE - Decision: GRA - Decision Date: 29/09/2014 - Application for a Certificate of Lawfulness for Existing Use to continue setting out the access works, build up the access way construction, connection to, install kerb laying hardcore and tarmac to base level and new surface water drainage.

2/2015/0994/DOC - Decision: DET - Decision Date: 11/08/2015 - Discharge of condition No. 1 - commencement from planning permission 2/2011/1336.

2/2017/1583/CPL - Decision: GRA - Decision Date: 12/12/2017 - Application for a Certificate of Lawfulness to confirm that alterations proposed to the existing buildings at the Former Wessex Park Homes Site, Shillingstone Lane, are permitted development as granted by the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and can thus be carried out at any time.

2/2018/0207/LITRPA - Decision: PDR - Decision Date: 03/04/2018 - Change of use of Class B1(c) industrial building (**Building 14**) to 4 No. dwellings. (No external alterations to be made under this application purely to establish the principle). *Officer comment: Following the council's decision that planning permission would be required, an appeal was subsequently lodged. The inspector considered the buildings within the site were Class B1(c) Light Industrial use and met the prior approval requirements set out the General Permitted Development Order 2015 at that time and therefore, allowed the appeal which approved the change of use.*

2/2018/0545/FUL Decision: Refused (appeal allowed: 12/06/2019) - Change of use and conversion of industrial building (**Building 14**) into 2 No. dwellings with associated parking and landscaping. *Officer comment: Following the refusal of*

*planning permission, an appeal was subsequently lodged. The appeal was allowed and planning permission was granted for the change of use.*

2/2019/0994/LITRPA Decision: PLANNING PERMISSION REQUIRED Decision Date: 12/09/2019 - Prior Notification of Proposed Change of Use of an Existing Class B1(c) Industrial Building to 3 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) - **Building 3**

*Reason for Refusal: The definition of a building for the purposes of Class PA relates to the whole of a building as contained within Article 2 of the General Permitted Development Order 2015 (as amended). As the proposed change of use relates to only part of a building, the development does not constitute 'permitted development' under Schedule 2, Part 3, Class PA of the General Permitted Development Order 2015 (as amended). Therefore, the proposed change of use requires planning permission.*

2/2019/0995/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed Change of Use (CoU) of an Existing Class B1(c) Industrial Building to 4 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 1**

2/2019/0996/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed CoU of an Existing Class B1(c) Industrial Building to 4 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 2**

2/2019/1000/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed CoUse of an Existing Class B1(c) Industrial Building to 3 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 6**

2/2019/0997/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed CoU of an Existing Class B1(c) Industrial Building to 3 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 5**

2/2019/1009/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed CoU of an Existing Class B1(c) Industrial Building to 3 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 11**

2/2019/1003/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed CoU of an Existing Class B1(c) Industrial Building to 3 Residential Dwellings under Part 3 Class PA of the Town and Country Planning

(General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 7**

2/2019/1010/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed CoU of an Existing Class B1(c) Industrial Building to 2 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 12**

2/2019/1016/LITRPA - Decision: PAG - Decision Date: 16/09/2019 - Prior Notification of Proposed CoU of an Existing Class B1(c) Industrial Building to 1 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 17**

2/2019/1012/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed CoU of an Existing Class B1(c) Industrial Building to 1 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 13**

2/2019/1007/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed CoU of an Existing Class B1(c) Industrial Building to 3 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 9**

2/2019/0994/LITRPA - Decision: PDR - Decision Date: 12/09/2019 - Prior Notification of Proposed Change of Use of an Existing Class B1(c) Industrial Building to 3 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 3**

2/2019/1006/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed Change of Use of an Existing Class B1(c) Industrial Building to 2 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 8**

2/2019/1008/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed Change of Use of an Existing Class B1(c) Industrial Building to 2 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 10**

2/2019/1015/LITRPA - Decision: PAG - Decision Date: 16/09/2019 - Prior Notification of Proposed Change of Use of an Existing Class B1(c) Industrial Building to 1 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 16**

2/2019/1025/LITRPA - Decision: PAG - Decision Date: 19/09/2019 - Prior Notification of Proposed Change of Use of an Existing Class B1(c) Industrial Building to 3 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 4**

2/2019/1017/LITRPA - Decision: PAG - Decision Date: 13/09/2019 - Prior Notification of Proposed Change of Use of an Existing Class B1(c) Industrial Building to 1 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 18**

2/2019/1013/LITRPA - Decision: PAG - Decision Date: 12/09/2019 - Prior Notification of Proposed Change of Use of an Existing Class B1(c) Industrial Building to 4 Residential Dwellings under Part 3 Class PA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at Former Wessex Park Homes Site - **Building 15**

2/2020/0309/FUL - Decision: GRA - Decision Date: 17/12/2020 - Demolish existing industrial building and erect 4 No. detached dwelling houses

P/OUT/2021/01720 - Decision: REF - Decision Date: 01/04/2022 - Demolish existing industrial buildings and develop land by the erection of up to 70 No. dwellings. (Outline application to determine access). *Refused as erection of 70 no. dwellings in the countryside would result in an unsustainable form of development, its unacceptably suburban appearance, flood risk concerns, uncertain impact on protected species and lack of contributions to affordable housing and local infrastructure.*

P/PAP/2021/00192 - Decision: RES - Decision Date: 18/02/2022 - Demolish existing Industrial buildings to be replaced by residential development up to 70 dwellings

P/PACD/2022/02798 - Decision: PRF - Decision Date: 29/07/2022 - Change of use from Light Industrial (Class E) to 10 No. dwellings (Class C3).

P/PACD/2022/02799 - Decision: PRF - Decision Date: 29/07/2022 - Change of use from Light Industrial (Class E) to 8 No. dwellings (Class C3).

P/PACD/2022/02800 - Decision: PRF - Decision Date: 29/07/2022 - Change of use from Light Industrial (Class E) to 12 No. dwellings (Class C3).

P/PACD/2022/02801 - Decision: PRF - Decision Date: 29/07/2022 - Change of use from Light Industrial (Class E) to 8 No. dwellings (Class C3).

P/PACD/2022/02802 - Decision: PRF - Decision Date: 29/07/2022 - Change of use from Light Industrial (Class E) to 8 No. dwellings (Class C3).



P/PACD/2022/02803 - Decision: PRF - Decision Date: 29/07/2022 - Change of use from Light Industrial (Class E) to 6 No. dwellings (Class C3).

P/PACD/2022/02804 - Decision: PRF - Decision Date: 29/07/2022 - Change of use from Light Industrial (Class E) to 4 No. dwellings (Class C3).

P/PACD/2022/02805 - Decision: PAG - Decision Date: 03/08/2022 - Change of use from Light Industrial (Class E) to 3 No. dwellings (Class C3).

The upshot of the recent planning history is that the applicant has a fall-back position to implement 47 dwellings on the site under Class MA of the Prior Approval procedure. Class MA allows the change of use of commercial and business buildings to dwellinghouses, without a requirement for planning permission, provided the proposal passes the tests applied by Class MA. This would be by way of conversion of the multitude of existing buildings on the site and the pre-application enquiry under ref. P/PAP/2021/00192 has agreed that it would be preferable to comprehensively redevelop the site to provide the same number of dwellings in a more cohesive and sensitive manner, which has formed the basis for the current submission.

## 8.0 List of Constraints

Outside settlement boundary (countryside)

Area Tree Preservation Order - NDDC/TPO-42/2/66

SSSI impact risk zone: Hod and Hambledon Hills; Shillingstone Quarry; Piddles Wood

Within setting of Area of Outstanding Natural Beauty

Right of Way: Footpath N48/10; - Distance: 3.26

Risk of Surface Water Flooding Extent 1 in 30, 1 in 100 and 1 in 1000

Contaminated Land - Distance: 0

## 9.0 Consultations

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

**Wessex Water** – No objections, but give informatives

**Dorset Ramblers** – The site is just to the north of FP N48/10, which should be linked to the development to give safe access to Okeford Fitzpaine and Shillingstone. Section 106 monies should be used to improve the path and links. New green space is welcomed.

**DC Senior Ranger** – The proposal is in the vicinity of Footpath N48/10. No objection, subject to S106 contributions to ensure that public rights of way in the parish are improved to sustain the projected increased use the development will bring. Also give informatives.

**Dorset and Wiltshire Fire and Rescue Service** – No objection, but give informatives.

**Dorset Council (DC) Flood Risk Management Team** – Reviewing the existing ground levels (LiDAR data) of the area of proposed units 4, 5, 6, & 7, it would be prudent to add a condition as a precautionary measure to safeguard those four properties that are close to the unnamed and unmodelled watercourse. No objection, subject to surface water management, surface water maintenance and floor level conditions and informatives.

**DC Housing Enabling Team** – It is intended to provide a policy compliant amount of affordable housing. This would require 40% of the homes to be affordable. Assuming 47 homes are developed this would lead to a requirement of 18.8 homes. It would be acceptable for the 0.8 of a home to be provided by the way of a financial contribution. The 18 homes should be a mix of rented and shared ownership homes. To comply with planning policy a minimum of 13 homes should be for rent. The affordable housing should be proportionate to the scale and mix of market housing, be well-integrated and designed to the same high quality, resulting in a balanced community of housing that is ‘tenure neutral’ where no tenure is disadvantaged. The affordable homes should be secured through a S106 agreement.

**DC Highway Authority** – The Transport Assessment (TA) is the same as previously provided for the outline application for 70 dwellings. The findings of the TA are accepted, in that the residential use of the site for 47 dwellings (the agreed “fallback” position) would likely result in a net reduction in terms of both the total of people and vehicular movements. Anticipate that residents are likely to be reliant on private car journeys to access many day-to-day services and facilities, but the residual cumulative impact of the development cannot be thought to be severe. No objection subject to conditions and informatives to address vehicular access construction, estate road construction, cycle parking, vehicle charging points, gates, construction traffic management plan and a voluntary travel strategy.

**DC Planning Policy** – The scheme is for up to 47 dwellings on a brownfield site. However, the site is relatively remote, not being within or adjacent to an existing settlement boundary. Appeals in North Dorset have given great weight to the sustainable location of sites, and in most cases where sustainable transport options cannot be achieved, then they have been dismissed. The key difference in this case is that the site already has consent for 44 dwellings, recognised as a legitimate fallback position from which a better outcome may be achievable. Given the present state of the site it is highly likely that a better outcome can be achieved. It is unclear what the exact fallback position is, as the agent states that it is 47. The fallback position should be set at the actual number of units with consent at the time of taking the decision. While loss of an employment site would be contrary to policy, evidence supporting retention of this site is weak. Other matters, such as affordable housing and flood risk need to be resolved before this scheme can be considered acceptable.

**DC Trees Team Leader** – No objection to creation of access and demolition, but give informatives on the details required at reserved matters stage.

**Environmental Health Section** – No objection subject to construction management condition.

**Contaminated Land** – The conditional approach is a reasonable approach to development control and risk management due to contamination in this instance. The matter of current reporting and what aspects can be deemed as met will require further consideration. In essence there is a requirement to target the gaining of information on site character that will be of specific relevance to a detailed proposal.

**DC Urban Design** – The sustainability of the location is queried, but the indicative layout is much improved from the previous scheme for 70 dwellings, being more considered with a core of development and courtyards branching off, with areas of landscaping which will assist in breaking up built form from wider views. Street tree planting and landscaping will require some tweaking of the layout, which should be explored now to strengthen the rural character of the scheme and further reduce the impact of built form in wider views. The scale and massing of housing and materials used should be appropriate to the very rural character of the area and the site's landscape setting. Whilst the occasional terracotta roof is acceptable, they should very much be in the minority. Subject to appropriate landscaping and details, the layout of the proposals fulfils the requirements of well-designed places.

**DC Senior Landscape Architect** – No objections, but query the extant factory planning permission and lack of accurate visual representations of the proposed development within the Landscape Assessment. While acknowledging landscape proposals and drainage strategies are indicative, suggest the layout of proposed trees, built form, lighting, drainage and service corridors still need to be coordinated and that conflicts need to be resolved.

**AONB Team** - Conservation and enhancement of existing landscape features, including boundaries and the augmentation of these with a robust landscaping scheme is important. The request for further LVIA work, to ensure the changes to the baseline are fully considered is supported.

**NET** – A Biodiversity Plan has been prepared and Certificate of Approval issued. The BP needs to be conditioned, as well as a lighting strategy and LEMP.

**Dorset Police Crime Prevention Design Advisor** – The security of the development meets the standards laid out in the SBD Homes 2019 guide, although car barns should be in view of active rooms in dwellings, wooden “dragon’s teeth” should be placed around the village green to stop vehicles parking on it and paths linking with the footpath in Pound Lane need to be looked at in terms of the width, alignment, lighting, maintenance and passive surveillance.

**Okeford Fitzpaine Parish Council** – Object for the following reasons:

- The site should remain as an employment site
- Unacceptable and unneeded development in the Countryside, due to extant permissions within or adjacent to Okeford Fitzpaine Settlement Boundary for over 120 additional dwellings on top of 37 dwellings recently completed at the Old Dairy.
- The design of the proposed application does not improve the character of the area contrary to Policy 24.

- The proposal does not address the redundant Class B industrial buildings to return this site closer to its original countryside form. The original location of this employment site in a relatively isolated countryside location must now be seen as a mistake which will be difficult to rectify on economic grounds.
- The site has been considered for allocation within the OFNP (currently suspended) but has not been allocated.
- The site is almost mid-way between the settlements of Okeford Fitzpaine and Shillingstone and does not have suitable pedestrian access to either. At about 800 metres from the centre of the OF village, it is an unsustainable location. It is not clear how residents from this north-west corner of the site would make use of pedestrian access to the village along Pound Lane as they would have to access PRWs across the remainder of the WPH site. Reference is made to the reliance on private cars which is accepted for a location which has a low sustainability score.
- Additional traffic generated by the development will cause detriment to highway safety and degrade the quality of village life due to traffic noise and vibration. Surrounding roads are unsuitable for increased traffic, particularly the centre of Okeford Fitzpaine where the free passage of traffic is difficult due to existing levels of on street parking.
- The proposal will blur the distinction between Okeford Fitzpaine and Shillingstone, which will merge into a suburban blot on the landscape
- Lack of facilities such as bus services

### **Representations received**

No representations have been received to the proposal.

### **10. Relevant Policies**

#### Adopted North Dorset Local Plan Part 1 (January 2016 – LPP1)

1. Presumption in favour of sustainable development
2. Core Spatial Strategy
3. Climate Change
4. The Natural Environment
5. The Historic Environment
6. Housing Distribution
7. Delivering Homes
8. Affordable Housing
9. Rural Exception Affordable Housing
11. The Economy
13. Grey Infrastructure
14. Social Infrastructure
15. Green Infrastructure
20. The Countryside
23. Parking
24. Design
25. Amenity

#### Saved Policies of the North Dorset District Wide Local Plan (2003)

1.7 Settlement Boundaries  
1.20 Contaminated Land

### National Planning Policy Framework (2021)

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

### Other material considerations

National Character Areas (NCA) Profile: 133 Blackmore Vale and Vale of Wardour  
Dorset Landscape Character Type: Rolling Vales  
North Dorset Strategic Landscape and Heritage Study (October 2019)  
Dorset Council – Exploring Developer Contributions for NHS Infrastructure (Nov 2020)

### Emerging Plans:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

The Okeford Fitzpaine Neighbourhood Plan is still in preparation and as such, it can only be afforded limited weight at this stage.

### Supplementary Planning Document/Guidance

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

## **11.0 Human rights**

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

## 12.0 Public Sector Equalities Duty

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

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low. Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

The proposed change in land use will not result in any disadvantage to people due to their protected characteristics. While there is no specific provision for lifetime homes or accommodation specifically for those with protected characteristics, the form of development proposed will provide housing, additional open space and enhancements to the local rights of way network, to ensure the needs of people with disabilities or mobility impairments or pushing buggies are met. This will be through accommodation of appropriate off road footpath links, improvements to existing links and by ensuring that the access arrangements to the new housing and open space are subject to the requisite standards applied by the Building Regulations and Highway Authority.

## 13.0 Financial benefits

What	Amount / value
Material Considerations	
Affordable housing	To be provided in line with Council policy (40% - 18.8 dwellings to be affordable. 18 units provided on site and a residual contribution of 0.8 dwellings) and secured by s.106

Quantum of greenspace/SANG	Open space including provision of LEAP, secured by s.106
Contributions	Education - Primary & Secondary, Pre-School Provision, Community Leisure & Indoor Sport, Formal outdoor sport , Destination Play, Library , Health, Allotments, Public Rights of Way – Contributions for: link path, stiles, compacted stone surfacing and 3 no. footbridges. Informal Open Space and LEAP Maintenance, all secured by s.106
Employment created during construction phase	The proposal will support jobs in construction and will bring about 'added value' in the local area through associated spending and economic activity.
Spending in local economy by residents of proposed dwellings	The proposed housing will support the local economy and growth in the area with new residents spending on goods and services as they move in.
Non-Material Considerations	
Contributions to Council Tax Revenue	According to the appropriate charging bands

#### 14.0 Climate Implications

In May 2019, Dorset Council declared a Climate Emergency and there is a heightened expectation that the planning department will secure reductions in the carbon footprint of developments. The Climate Change Statement addresses the Council's current planning policy requirements.

Objective 1 of the Local Plan states that one of the ways to address climate change is ensuring the wise use of natural resources, "particularly previously developed land". Paragraph 120(c) of NPPF states that decisions should give "substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate spoiled, degraded, derelict, contaminated or unstable land."

The climate change benefits of the development will become much clearer at the reserved matters stage, but the Climate Change Statement advises that electrical vehicle charging points will be provided. A planning condition is proposed to ensure they are located in appropriate locations and to an appropriate standard. The development will secure enhanced footpaths within and around the site to assist with providing links by other modes other than the private car and the development will be required to be built to the requisite Building Standards in respect of sustainability performance.

#### 15.0 Planning Assessment

The main issues of this proposal are considered to be:

- Principle of proposed development
- Access and highway safety, including access to services and facilities
- Affordable housing and infrastructure contributions
- Impact on AONB setting
- Impact on rural character, trees and landscaping
- Residential amenity
- Flood risk and drainage
- Impact on ecology
- Housing Land Supply
- Contaminated Land
- Other Matters

### Principle of proposed development

Policy 11 describes alternative uses that may be permitted on employment sites and essentially seeks to protect employment sites from inappropriate forms of development. The policy does not consider housing to be an appropriate form of development on rural employment sites. The Council's Policy Team note that while loss of an employment site is contrary to policy, the evidence supporting retention of this site is weak, as the recent appeal at Shaftesbury allowed for the loss of a strategic employment site to mixed use development demonstrated. It is unlikely that the Council can put forward compelling evidence to demonstrate that this long-term vacant site should be protected for employment purposes. The applicant's case is further strengthened by relatively recent changes to the GPDO, where Class MA allows the change of use of commercial and business uses to dwellinghouses under the prior approval procedure, without a requirement for planning permission. The applicant has taken advantage of Class MA (see planning history) and now benefits from a fall-back position whereby existing buildings on the site could be converted to 47 no. dwellings, which is a significant material planning consideration. On this basis loss of the employment site to housing is established and acceptable in principle.

Policy 20 of LPP1 states that Stalbridge and the eighteen larger villages will form the focus for growth outside of the four main towns. Development in the countryside outside defined settlement boundaries will only be permitted if it is of a type appropriate in the countryside; or for any other type of development, it can be demonstrated that there is an 'overriding need' for it to be located in the countryside. Types of housing development that may be permitted in the countryside include: rural exception schemes; occupational dwellings, re-use of heritage assets, re-use of redundant or disused buildings and Sites for Gypsies, Travellers and Travelling Showpeople. The type of housing proposed here is not considered to be appropriate.

The site was submitted to the Council's Strategic Housing Land Availability Assessment (SHLAA) site in 2019. The SHLAA concluded that the site was developable with a capacity for 44 dwellings (on the basis of what was already granted by prior approval consents).



The 2020 Annual Monitoring Report (AMR) records that at 1st April 2020 the site benefited from consent for 44 dwellings, granted through 17 separate light industrial to residential prior approval consents. Prior Approval for conversion of Building 3 was not included in the AMR, having been refused on a technicality. However, a technically acceptable proposal for Building 3 to provide three dwellings would likely be acceptable in prior approval terms, taking the developable capacity from 44 dwellings up to 47 dwellings.

There has been an undersupply of new homes delivered in North Dorset over the first 10 years of the Local Plan period 2011 to 2031. The Council has been unable to demonstrate a 5-year housing land supply for North Dorset since 2017. Whilst the current published supply is 5.17 years, the latest Housing Delivery Test measurement is 69%. Applications that provide new housing should be given great weight in the planning balance in order to support the Government's objective of significantly boosting the supply of homes (NPPF para 60).

The site is brownfield or previously developed land. Objective 1 of the Local Plan states that one of the ways to address climate change is ensuring the wise use of natural resources, "particularly previously developed land". Paragraph 120(c) of NPPF states that decisions should give "substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land." While this statement may offer some support to this proposal, the site is not within a settlement. There is support for re-using brownfield sites, but this has to be balanced against other sustainability considerations, such as how accessible the site is to everyday shops and services. Planning inspectors have on the whole given great weight to the relative accessibility of new residential proposals and appeals on the edge of smaller villages and in the countryside in North Dorset have often been dismissed because the alternatives to using a private vehicle were poor. However, a key consideration is the fall-back position and it was agreed by the Council during a previous appeal that the site is not physically isolated in the sense of NPPF paragraph 80, which tells us to avoid the development of isolated homes in the countryside.

NPPF paragraph 122(b) states that where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan: in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area. Paragraph 123 states: Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework.

The site has been unused since 2014 and has been marketed on an ongoing basis by Symonds & Sampson for employment use, demonstrating that there has been no interest in the site for employment purposes. Furthermore, the Council's Employment

Land Availability Study and paragraph 6.20 of the North Dorset Local Plan demonstrate that there is sufficient supply of employment land to meet current and future needs. Against this is a well documented critical shortage of housing land in Dorset. The NPPF requires Councils to meet their housing needs but also where there is lack of demand or over supply for one land use, such as employment land, then that land should be used for residential development, particularly if the site is previously developed land. Consequently, it is difficult to support the argument that the site should be retained for employment use.

With regard to LPP1 Policy 20, development in the countryside outside defined settlement boundaries, development will only be permitted if it is a type appropriate for the countryside, or if there is an overriding need, as set out above. In this regard, it is considered that whilst the proposal would not comply with Policy 20, having regard to the current fallback position, lack of housing delivery, vacant and brownfield nature of the site and the material planning considerations set out in the following sections, which all weigh in favour of the proposal, the benefits would significantly and demonstrably outweigh the identified policy conflict.

#### Access and highway safety, including access to services and facilities

The proposal would utilise the existing main access point to the site off Shillingstone Lane. Shillingstone Lane is subject to a 30mph speed restriction and as such, commensurate visibility will be provided in each direction. The layout of the site will be agreed as part of any reserved matters submission, at which point swept path assessments will be undertaken to demonstrate accessibility by both refuse vehicle and fire tender. As matters of access are to be agreed at outline stage, a vehicle swept path assessment has only been included on the proposed site access arrangement. Parking will be provided on site in line with local parking standards and the indicative plan suggests the commensurate level of parking and turning within the site can be provided. However, as this is an outline application, the internal highway arrangements will be detailed and agreed at the reserved matters stage.

The Council's Highway Authority raises no objection to the proposal, subject to conditions. They note that the TA is the same as previously provided for the outline application for 70 dwellings. The findings of that report were accepted, in that the residential use of the site would be likely to result in a net reduction in terms of both the total of people and vehicular movements. This opinion still holds, with the current application proposing 47 dwellings. That said, the rural nature and location of the site does need to be taken into account, as it is anticipated that the proposal will likely generate an increase in pedestrian movements to and from the site and that residents are likely to be reliant on private car journeys to access many day-to-day services and facilities. The change in vehicle type using the site, from those associated with a commercial use to those generated by a residential development, is a material consideration. Bearing these points in mind, the Highway Authority concludes that the residual cumulative impact of the development cannot be thought to be "severe", when consideration is given to paragraphs 110 and 111 of the NPPF.

Notwithstanding the fact that an acceptable scheme can be forthcoming in terms of highway vehicular access, turning and parking, the sustainability of the site in terms

of access to amenities and services by modes other than the private motor car must be brought into question. The application site is located between the villages of Okeford Fitzpaine and Shillingstone, with less accessibility than areas within or close to village settlement boundaries. The majority of local facilities in these villages are in excess of ten minutes walk from the proposal site. Future residents would need to travel sections of a relatively narrow lane, negotiating blind bends with no footway provision to either village. Access to village facilities is not conducive to frequent pedestrian trips, especially in the dark or in inclement weather. The same applies to cycling, where narrow unlit roads may be a deterrent to some. Alternative public rights of way have, in the main, insufficient surfacing for all users and would not be lit. In terms of public transport, the closest bus stops are in Okeford Fitzpaine (900m from site) and Shillingstone (1.2km from site). These bus stops provide connections to Blandford, Sherborne and Yeovil and are served every two hours or so. No footway improvements or cycle infrastructure along Shillingstone Lane are proposed as part of the proposal and future occupiers are likely to rely on the private car to meet their day-to-day needs.

Paragraph 85 of the NPPF recognises that planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

The submitted Transport Statement (TS) considers the impact that the development would have on the highway network in the vicinity of the site. It also considers matters of accessibility and other modes of transport. It contends that a good range of services and amenities are accessible by sustainable means, with both Okeford Fitzpaine and Shillingstone located within walking and cycling distance. It states that whilst pedestrian facilities are not available on Shillingstone Lane, it is not uncommon for residents of rural communities to adopt more efficient travel practices. While the TS recognises that there may be a greater reliance on the private car than urban locations, it argues that rural residents plan their trips better, linking commuting with retail, school and other trips or sharing trips for commuting or other regular trip purposes. The TS also argues that rural residents seek more flexible working practices, often working from home and also make use of home delivery for the weekly food shop or convenience or comparison goods, reducing travel demands.

Formal pedestrian facilities exist in Okeford Fitzpaine, adjacent to the southern side of Shillingstone Lane, approximately 750m from site. A secondary footway then runs adjacent to the northern side of Shillingstone Lane, where the post office and primary school are located (approximately 900m from site). The Shillingstone Poultry Farm site, between the proposal site and Okeford Fitzpaine has reserved matters approval for 45 dwellings and is currently being developed. This includes some footway provision along Shillingstone Lane and a pedestrian link at the northwest site

boundary to Public Footpath N48/4, which then runs southwest to the primary school grounds and could also provide a link to the Recreation Ground to the north.

Footpath N48/10 lies within land controlled by the applicant, to the southeast of the application red line site. The Planning Statement advises that whilst requiring improvement to provide better access eastwards to Shillingstone, it does provide an existing walking route in to Okeford Fitzpaine, as it runs south from the application site, then links to Pound Lane which runs westwards to the village, approximately 1km from the site boundary. Pound Lane is a byway open to all traffic and is tarmacked from its junction within Okeford Fitzpaine. To the east, towards the proposal site the surfacing changes to compressed gravel and the surface quality deteriorates further east. This route will never be suitable for all users, but does offer scope for many future occupiers of the development to access existing village services on foot, being 1km from The Cross and being relatively flat and sound surface. No specific public footpath links or improvement works are formally proposed, however contributions towards the upkeep and enhancement of the local footpath network, including footbridges are requested by the Senior Ranger and Dorset Ramblers. Such contributions would assist with making walking from the site to village services, particularly to Footpath N48/10, a more attractive proposition for future occupiers of the development. The applicant has committed to maintenance and enhancement of the local footpath network namely; a dedicated 2m wide path from the development to N48/10, funding for 12 stile gates, 880m of compacted stone surfacing to footpath specification and three footbridges.

Accessing Shillingstone to the east by anything other than a car is less attractive being a greater distance, along a narrow road, with blind bends and inclines and limited pedestrian refuges. The line of Footpath N48/10 to Shillingstone is in poor condition, uphill, crosses livestock fields, is in excess of 1km from the village centre and is less likely to attract walkers to access village services, than its route to Okeford Fitzpaine.

The approach in LPP1 mirrors paragraph 105 of the NPPF, which states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. However, paragraph 105 also recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in decision-making.

Future occupiers of the proposal are highly likely to be car dependant to meet most of their needs, the proposed development having insufficient accessibility by sustainable modes to be considered a sustainable location. However, the benefits of the proposal need to be weighed against the poor locational sustainability of the proposal site. The number of dwellings proposed is far below the 70 proposed by the previous outline application, the applicant has a fall-back position to implement 47 dwellings on the site, there is no objection from the Highway Authority and there are modest opportunities to improve walking links to amenities and services in Okeford Fitzpaine in particular. Further sustainable transport measures could be secured through a Voluntary Travel Strategy, to be secured by condition and the necessary enhancements to the local footpath network will be secured by contribution under the

section 106 agreement, in accordance with Policy 13 to provide and enhance walking facilities in rural areas.

### Affordable housing and infrastructure contributions

A planning application has an advantage over the prior approval applications (fall-back) as a Section 106 agreement can be sought in order to secure necessary infrastructure improvements.

There is a large and growing list of households requiring affordable housing in the North Dorset area. Policy 8 requires 40% of new residential developments in this part of the District to be 'affordable', which the applicant has indicated they will provide. If 47 homes are developed this would lead to a requirement of 18.8 homes. The Housing Enabling Team raise no objections and indicate that it would be acceptable for the 0.8 of a home to be provided by the way of a financial contribution. The 18 homes should be a mix of rented and shared ownership homes, with a minimum of 13 homes for rent. The affordable housing should be proportionate to the scale and mix of market housing, be well-integrated and designed to the same high quality, resulting in a balanced community of housing that is 'tenure neutral' where no tenure is disadvantaged and secured through a S106 agreement.

Policy 14 requires development to support the maintenance and enhancement of existing social infrastructure, through provision on site or contributions to provision off site. This includes educational and health facilities and the nature of the proposal would generate a need for additional school places and increased demand for local health services. Financial contributions are therefore necessary to cater for this increased demand. Where CIL is not currently in operation and/or where development is zero-rated from paying CIL, a planning obligation to support the provision of NHS infrastructure will need to be secured.

Policy 15 requires development to enhance existing and provide new green infrastructure to improve the quality of life of residents and deliver environmental benefits; and to deliver or contribute towards the delivery of a range of measures including open space, enhancement to the functionality, quality and connectivity of green infrastructure and area specific packages that achieve multiple benefits. The application indicates provision of open space on site, the mechanism to secure its future maintenance and management will be addressed by the associated legal agreement.

The applicant is willing to provide affordable housing and other contributions in line with policy requirements and summarised in Section 13 above. The Council's Legal Section have been instructed to prepare a Section 106 Agreement to secure the required infrastructure and affordable housing.

### Impact on AONB setting

The site sits on the southern side of Shillingstone Lane between the villages of Okeford Fitzpaine and Shillingstone. Sporadic development consisting of individual houses and agricultural uses are present along the road with the former Wessex

Park Homes site occupying the largest parcel of developed land. The site itself is relatively flat but land rises to the south with views towards the Blackmore Vale and Okeford Hill in the North Dorset escarpment of the AONB. To the south of the site a band of trees acts as a natural boundary between proposed built form and open countryside.

NPPF paragraph 176 states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. Development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

A Landscape and Visual Impact Assessment (LVIA) has been provided, as the development would be seen within wider rural surrounding countryside, especially when viewed from higher ground within the AONB along the south. It is accepted that the existing site forms part of a wider industrial site with large industrial buildings and large areas of hardstanding.

While the outline application is for access only with matters of appearance, landscaping, layout and scale reserved, the quantum of development is stipulated and a revised indicative site plan and illustrative landscape layout have been submitted. The Council's Landscape Architect queries the extant factory planning permission, lack of accurate visual representations of the proposed development within the LVIA and while acknowledging landscape proposals and drainage strategies are indicative, suggest the layout of proposed trees, built form, lighting, drainage and service corridors still need coordination.

In respect of the extant factory permission, it is accepted that the 2/2009/0672/PLNG planning permission for the factory legally remains live, as a Lawful Development Certificate (2/2014/0932/CPE) was granted to confirm that the access constructed for the factory was built in accordance with the approved plans and details. However, in relation to the question of the extant factory permission being implemented in tandem with the planning permission for residential development, it is the view of officers that this would not be possible. The most recent relevant case would be *Hillside Parks Limited vs Snowdonia National Park Authority* [2020] EWCA Civ1440 (16 April 2021). The essence of this judgement is that in order to be lawful a planning permission is required to be capable of being completed fully in accordance with the approved plans. Where there are multiple permissions in place the question is simply if one was to be completed would the other also be capable of completion. In this case it would not be possible to complete both, as the factory building footprint is across two of the proposed house plots and a car barn at the north east extent of the site and the remainder of the proposed housing is across the parking and open storage provision for the factory permission. Essentially any implementation and completion of the housing approval would nullify the ability of the extant factory permission to come forward in an acceptable manner. Nevertheless, until such time that the housing development is commenced, the large scale factory building remains extant and does provide a fall back for assessing impact.

With regard to the production of accurate visual representations, they need to be based on accurate drawings, which are not available at outline stage. However, the matter could be addressed by a parameters condition related to the scale and height

of dwellings to be submitted at the reserved matters stage. The applicant explains that they are looking predominantly at two storey traditional styles, but is advised that some single storey properties would be attractive to the market and have agreed to the wording of the parameters condition set out below. Similarly, as the application is in outline and the layout plan being indicative, the applicant has agreed to the wording of a condition to ensure the potential conflict between services and landscaping arrangements are fully addressed by the reserved matters submission.

In light of the above, it is accepted that the impact of the proposed development upon the AONB would be neutral, given the existing form of development on site and the likely enhancement forthcoming from an appropriately designed and landscaped residential development. It is therefore considered that the proposal complies with the requirements of the Dorset AONB Landscape Character Assessment, Policies 4 and 24 of the Local Plan and paragraphs 127 and 170 of the NPPF which seek to protect the setting of the AONB.

#### Impact on rural character, trees and landscaping

A key goal for this proposal will be to achieve a better planning outcome, essentially by replacing larger, unattractive industrial buildings with smaller, purpose-built dwellings and landscaping that have a reduced visual impact. A better arrangement of the site can be achieved through comprehensive and cohesive redevelopment, rather than adhoc nature posed by the prior approval fall-back or the denser qualities of the previously refused outline proposal.

The indicative layout shows 47 no. detached, semi-detached and terraced dwellings, with ancillary space, open space, courtyards and landscaping accommodated on the site. The overall development area has been reduced with the existing band of trees at the southern section of the site marking the limit of built form. There are three access points into the site, one vehicular and two pedestrian entrances in the north west corner that leads past the SUDs pond and one to the south west linking with Pound Lane and on to Okeford Fitzpaine.

The proposed site density is approx. 16 dwellings per hectare (dph) compared to 24 dph, for the previous application, which significantly increases the amount of land made available for public open space and landscaping, assisting with integrating the development into its setting. The looser layout centres housing around three areas of open space (one of which incorporates a pond) and tree landscaped courtyards. A small street marks the entrance into the site where housing is shown having a small set back with a consistent building line. Indicative parking is provided in courtyards, car barns and in-curtilage arrangements and in most cases it is well related to the dwellings it serves.

In light of the comments of the Landscape Officer an updated LVIA was provided and while it didn't include visual representations of what is proposed, it did include landscaping plans demonstrating how visual impact can be mitigated. The initial comments of the Urban Design Officer were noted and reflected in the revised layout plan.

The indicative layout is well considered with a main core of development and 3 separate courtyards branching off this. Each of these have areas of landscaping that together with the village green and pond area will (subject to satisfactory landscaping detail) assist in breaking up the mass of built form from wider views. There is less in the way of street tree planting; the incorporation of verges to allow for this would require some tweaking of the layout at the reserved matters stage to help strengthen the rural character of the scheme, as well as further reducing the impact of built form on wider views. The footpath running through the 'village green POS' allows for further tree planting along its edge and giving a more informal feel to the space.

The scale and massing of housing and the materials used should be appropriate to the very rural character of the area and the landscape setting in which the site sits. The applicant indicates that dwellings will be one and two storeys in height. The indicative layout suggests a significant amount of red coloured roofs. The impact that this has on wider views is clearly seen in the newer developments in Okeford Fitzpaine. Whilst the occasional terracotta roof is acceptable, they should very much be in the minority, which should be reflected in the reserved matters submission.

In respect of the merging/blurring of the villages of Oakford Fitzpaine and Shillingstone, the respective villages will remain well separated by countryside and any other proposals for development within that countryside would be considered on its own merits. The principle of residential development has previously been considered to be acceptable under the prior approval procedure on this site, which is previously developed and a preferred location for development over greenfield sites.

Although layout and landscaping are reserved matters, the consultation responses of Urban Design and Landscape suggest the proposed development could be acceptable in terms of its impact on rural character, trees and landscaping. The proposal represents an opportunity to enhance the visual appearance of the site over a situation where the existing buildings could be converted to residential use. Any reserved matters submission will need to provide accurate visual representations of the proposed development within the Landscape Assessment and clearly demonstrate how landscape proposals and service corridors will be coordinated. Conditions are proposed to this effect.

It is concluded that the proposal complies with the requirements of Policies 4 and 24 of the LP and paragraphs 127 and 170 of the NPPF which seek, amongst other things, to protect the character and appearance of the local landscape, in accordance with Policies 4 and 24 of the North Dorset Local Plan and Chapters 12 and 15 of the NPPF.

#### Residential amenity

The distances indicated between the proposed buildings and existing residential neighbours would be sufficient to avoid any adverse harm to residential amenity in terms of privacy, light loss, overbearing impact, loss of outlook, noise and disturbance. The indicative layout suggests that an acceptable level of amenity for future occupiers of the site would be possible, to be formally considered with a layout submitted at Reserved Matters stage.



### Flood risk and drainage

Policy 13 requires development to maintain, enhance and provide grey infrastructure, as appropriate to the particular development. The supporting text advises that grey infrastructure includes footpaths, Sustainable Drainage Systems (SuDS) and flood prevention measures.

A Flood Risk Assessment (FRA) and Foul and Surface Water Drainage Strategy have been provided, which include mitigation and sustainable drainage measures. The Council's Flood Risk Management Team raise no objection to the proposal, subject to surface water management, surface water maintenance and floor level conditions. Having reviewed the existing ground levels (LiDAR data) of the area of proposed units 4, 5, 6, & 7, they consider it would be prudent to add a condition as a precautionary measure to safeguard those four properties that are reasonably close to the unnamed and unmodelled watercourse.

### Impact on ecology

Policy 2 of the Local Plan advises that developments that offer gains in biodiversity, whether through the restoration of habitats or the creation of linkages between existing sites, will be looked upon favourably in the decision-making process. A preliminary ecological appraisal has been submitted and a Biodiversity Plan has been prepared and Certificate of Approval issued. The Biodiversity Plan will be secured by a condition applied to any outline permission along with conditions to secure a lighting strategy and Landscape and Ecological Management Plan. Subject to these conditions the Natural Environment Team raise no concerns with the form of development proposed.

The proposal has demonstrated that the development would not harm protected species and result in a measurable net gain in biodiversity, in accordance with LPP1 Policy 4 and Chapter 15 of the NPPF.

### Contaminated Land

The site has historically been used for potentially contaminating purposes, including as a brickworks and latterly a mobile home construction facility. Use of the site for residential purposes will clearly need to address potential contamination and a suite of documents has been submitted by the applicant to address contamination. While these documents do not fully address concerns over contamination, the Council's contamination consultant (WPA) consider that the conditional approach is a reasonable approach to take with this outline planning application to manage contamination in this instance. The matter of current reporting and what aspects can be deemed as met will require further consideration at the reserved matters stage. Consequently, a condition is suggested to address the potential for on site contamination.

### Housing Land Supply

NPPF paragraph 74 tells us that "Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum

of 5 years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old. North Dorset District Council first announced that it could not demonstrate a 5-year supply in 2017. While the Council's published land supply was a 5.17 year supply on 1st April 2021, two appeal decisions at; Station Road, Stalbridge in June 2022 determined that the 'deliverable' supply in North Dorset was 4.35 years; and at Crown Road, Marnhull in July 2022 which determined that deliverable supply was 4.58 years. The appeals, whilst only a snapshot in time, are material considerations and underline that further work is still required to ensure a robust housing land supply position.

There has been an undersupply of new homes delivered in North Dorset over the first 10 years of the Local Plan period 2011 to 2031. Furthermore, the latest Housing Delivery Test measurement is 69%. Applications that provide new housing should be given great weight in the planning balance in order to support the Government's objective of significantly boosting the supply of homes (NPPF para 60). This weighs in favour of the proposed development.

### Other Matters

With regard to the Parish Council's comment that other sites are being delivered for residential purposes in the village, the delivery of other housing sites in the locality does not resolve the critical housing land supply issues within the north Dorset area which the proposed development will go some way to addressing.

Comments that the proposal does nothing to address redundant industrial buildings and should be returned to its original countryside form are unfounded. The proposal itself will address the unsightly form of industrial structures, when detailed and acceptable designs for the proposed housing and landscaping are submitted with the reserved matters. The site has not been countryside for some considerable time, previously a brick and tile works and in industrial use for well over a century and there is no precedent for returning the site to countryside. The proposals will provide a residential development within a landscaped setting which is much more rural in appearance and scale to the existing industrial use.

Dorset Police advise that car barns should be in view of dwellings, wooden "dragon's teeth" should be placed around the village green to stop vehicles parking on it and paths linking with the footpath in Pound Lane need to be looked at in terms of the width, alignment, lighting, maintenance and passive surveillance. These matters can be appropriately addressed at the reserved matters stage, although an informative is applied advising the applicant of these issues.

### **16.0 Planning balance**

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

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

Economic benefits would be derived from the proposal in the form financial contributions towards education, community facilities, open space, libraries, healthcare, allotments, affordable housing and rights of way. There would be some economic benefit during construction and later with residents contributing to local businesses, services, facilities and Council Tax. However, the proposal would also result in the loss of an existing, albeit vacant employment site, so moderate weight is given to the overall economic benefits of the proposal.

A social benefit of the proposed development would be delivery of affordable and market housing. While the site cannot be considered to be sustainably located, open space and dedicated footpaths will be provided to the south of the site, which will link with the existing rights of way network and enhance walking opportunities to local villages. As such, weight can be attached to the overall social benefits of the proposal.

The quantum of development would be appropriate in this location and would not conflict with local and national policies in terms of environmental impacts. The character and density are generally acceptable, subject to submission of appropriate reserved matters. It has been demonstrated that the proposed development would not increase flood risk within and around the site, or harm protected species, with measurable net gains for biodiversity. The indicative site plan provided shows that there could be adequate living conditions for existing and future residents. The submitted Transport Statement also indicates that the resultant traffic levels would be within the capacity of the highway network, which is not disputed. It is considered that the proposal has demonstrated overarching environmental benefits.

While the site is not sustainably located and development will result in the loss of an employment site, the applicant's fall-back position is material. When weighed against the adverse impacts and policy contraventions of the proposal, the benefits significantly and demonstrably outweigh the disbenefits. Accordingly, the proposal benefits from the presumption in favour of sustainable development in the NPPF or in Local Plan Policy 1, material considerations indicating that planning permission should be granted for the development.

## **17.0 Conclusion**

The principle of 47 dwellings on this site has been established by the applicant's fall-back position. The applicant has amended the details of the original submission to take account of concerns and comments raised by consultees. As the Council is still not providing a sufficient supply of housing in the North Dorset area, the public benefits of delivering 47 dwellings, 40% of which would be affordable, in this location remain significant and weighs heavily in favour of the proposed development. The details of precise layout, scale, appearance and landscape are reserved for consideration at the reserved matters stage, along with those matters to be addressed by the conditions

outlined below. It is considered that the revised proposal accords with the aims of the Development Plan and the NPPF, having due regard to the context of this site.

## **18.0 Recommendation**

**GRANT**, subject to the conditions at the end of this report and to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Affordable housing provided in line with Council policy (40% - 18.8 dwellings to be affordable. 18 units provided on site and a financial contribution in lieu of 0.8 dwellings)
- Open space including provision of LEAP
- Informal Open Space and LEAP Maintenance contributions
- Education contribution - Primary & Secondary,
- Pre-School Provision
- Community Leisure & Indoor Sport,
- Formal outdoor sport
- Destination Play
- Library
- Health
- Allotments
- Public Rights of Way contributions for link path, stiles, compacted stone surfacing and 3 no. footbridges

### **Conditions:**

1. No part of the development hereby approved shall commence until details of all reserved matters being; layout, scale, appearance and landscaping have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory development of the site.

2. An application for approval of any 'reserved matter' must be made 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 92 of the Town and Country Planning Act 1990.

3. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

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

- 102 Design strategy site plan
- P201 A Location & existing block plan
- 101 C Amended Proposed Site Plan
- ACLA/BHN 01 Site Context
- ACLA/BHN 02 Planning context & landscape character
- ACLA/BHN 03 Visual Analysis
- ACLA/BHN 04 C Illustrative layout - landscape mitigation and enhancement

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

5. No dwelling on any part of the development hereby permitted shall exceed 2 storeys (9m) in height, unless it has been demonstrated through submission at the reserved matters stage of appropriately designed dwellings, site layout, landscaping arrangements and a Landscape and Visual Impact Assessment with accurate visual representations of the proposed development in its entirety, to clearly show that the development would not cause harm to the appearance of the local landscape or setting of the AONB.

Reason: To protect the character and appearance of the local landscape and setting of the AONB, in accordance with the Dorset AONB Landscape Character Assessment, Policies 4 and 24 of the North Dorset Local Plan and Chapters 12 and 15 of the NPPF.

6. Prior to first occupation or use of the development hereby approved the mitigation measures as detailed in the Biodiversity Mitigation Plan dated 02/03/2023 shall be completed in full, unless amendments are first agreed in writing by the Local Planning Authority

Reason: To minimise impacts on and to enhance biodiversity.

7. At the reserved matters stage, details of appropriate landscaping and servicing arrangements must be submitted, which clearly indicate that the layout of built form, hardstandings, lighting, drainage and service corridors will not interfere with the healthy establishment of proposed trees and other soft landscaping.

Reason: To ensure that servicing arrangements can be implemented without affecting the healthy establishment of the proposed soft landscaping, to protect the character and appearance of the local landscape and setting of the AONB, in accordance with the Dorset AONB Landscape Character Assessment, Policies 4 and 24 of the North Dorset Local Plan and Chapters 12 and 15 of the NPPF.

8. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. 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 LEMP 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 LEMP must 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.

9. Prior to commencement of work above slab level on the site, a lighting strategy which reflects the need to avoid harm to protected species and to minimise light spill, shall be submitted to and approved in writing by the Local Planning Authority. There shall be no lighting of the site other than in accordance with the approved strategy.

Reason: In the interests of biodiversity (and the character of the area)

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

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

11. Notwithstanding the information shown on the plans approved by this application, no development must commence until precise details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Local Planning Authority.

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

12. The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the development is commenced and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

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

13. Prior to the construction of any part of the development above damp-proof course level a scheme showing full details of the number and location of charging points for plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development (along with a timetable for their provision), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and timetable.

Reason: To ensure that adequate provision is made to enable occupiers of development to be able to charge their plug-in and ultra-low emission vehicles.

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

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

15. Before the development hereby approved commences a Construction Environment and Traffic Management Plan (CETMP) must be submitted to and approved in writing by the Local Planning Authority. The CETMP must include:

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

- a demolition and construction method statement to demonstrate how adverse local environmental effects would be limited, to include; no bonfires, protection of nearby receptors from dust arising from construction and vehicle movements, how waste materials will be stored prior to removal from site, the operating times of construction and other mitigation measures to reduce noise.

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

Reason: To minimise the likely impact of construction traffic on the surrounding highway network, to prevent the possible deposit of loose material on the adjoining highway and to protect the local environment from the adverse impacts of construction.

16. Before the development hereby approved is occupied or utilised, details of a Travel Strategy must be submitted to and approved in writing by the Local Planning Authority. The strategy will show measures to reduce the need to travel to and from the site by private transport and the timing of such measures. The strategy must be implemented in accordance with the details as approved.

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

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

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity.

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

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

19. Plans and particulars showing the finished floor levels, related to ordnance datum or fixed point within the site, of the ground floor of the proposed dwellings, (and as appropriate the closest adjacent building beyond the site)



shall be submitted to, and approved in writing by the Local Planning Authority and development shall not be commenced until these details have been approved, unless otherwise agreed in writing. All works shall be undertaken strictly in accordance with the details as approved.

Reason: This information is required prior to commencement of development in the interests of landscape and countryside protection, to ensure finished floor levels are measured from an appropriate and acceptable datum level.

20. The habitable floor level of units 4, 5, 6 & 7 shall be a minimum of 300mm above the finished ground level.

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

21. At the reserved matters stage the following information shall be submitted to and agreed in writing by the Local Planning Authority:

- 1) a 'desk study' report documenting the full site history.
- 2) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment.
- 3) if the site investigation report establishes potentially unacceptable risks, then a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed shall be submitted.
- 4) a detailed phasing scheme for the development and remedial works (including a time scale).
- 5) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time.

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted first comes in to use or is occupied. On completion of the development written confirmation, including a verification report, that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

Written agreement to the pre-commencement conditions was received from the applicant on 8th March 2023.

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# Agenda Item 8

<b>Application Number:</b>	P/FUL/2022/05382		
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>		
<b>Site address:</b>	Unit 48 Enterprise Park Piddlehinton Dorset DT2 7UA		
<b>Proposal:</b>	Construction of extension, parking area and service area		
<b>Applicant name:</b>	The Martin Nigel James Summers SIPP,		
<b>Case Officer:</b>	Steven Banks		
<b>Ward Member(s):</b>	Cllr Haynes		
<b>Publicity expiry date:</b>	31 January 2023	<b>Officer site visit date:</b>	28/02/2023
<b>Decision due date:</b>	8 February 2023	<b>Ext(s) of time:</b>	21/04/2023

**1.0** This application which was referred through the scheme of delegation is to be determined by a Planning Committee because the recommendation of the Parish Council is contrary to the recommendation of officers.

**2.0 Summary of recommendation:**  
Grant permission subject to conditions.

**3.0 Reason for the recommendation:**

- The principle of the proposed development taking place is accepted.
- The proposal would not have an unacceptable impact on highway safety or the efficiency of the transport network.
- The proposal would not harm the character of the area.

**4.0 Key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	The principle of the proposed development taking place, by reason of its nature and location, is accepted by policy.
Highways	There would not be an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe.
Character	The proposal, by reason, of its mass, form, materials and siting, would not harm the character of the area.
Economic benefits	The proposal, by reason of its nature and scale, would make a small but still beneficial contribution to the economy.

Environmental Implications	The building would need to comply with Building Regulations.
Public Sector Equalities Duty	The proposal, by reason of its design, would not conflict with protected characteristics.

## 5.0 Description of Site

The application site can be found on Enterprise Park, a former World War II military camp, which can be found to the southeast of the main residential area of Piddlehinton. The employment site, Enterprise Business Park, is set on a ground which slopes from approximately 115m AOD on its north-eastern edge down to approximately 78m AOD on its south-western edge. The application site sits on a part of the employment site which is approximately 95m AOD. The application site also forms part of the south-eastern edge of the employment site. The application site accommodates a, grey, metal, storage and distribution unit, under a, grey, metal roof. The unit includes a brick plinth. The application site falls within the Chalk Valley and Downland landscape type. Open views from elevated positions are possible in this landscape which is undulating and drained and subdivided by chalk valleys.

## 6.0 Description of Development

It is proposed to extend the south-eastern part of the building known as Unit 48 Enterprise Park and to develop a parking and service area. The proposed extension measures approximately 13.8m wide, approximately 23m deep and approximately 8.11m high, and comprises of two floors. Materials which would match the host building are proposed for the construction of the extension. It is proposed that the conversion of recyclable packaging would take place within the proposed extension, which would also be used for storage and distribution purposes.

## 7.0 Relevant Planning History

1/D/08/000632 - Decision: REF - Decision Date: 04/08/2008  
Erect extension and clad existing building. Form enlarged parking area

1/D/08/001941 - Decision: GRA - Decision Date: 15/12/2009  
Erect extension and clad existing building. Form additional parking area and erect retaining wall to existing vehicular access

## 8.0 List of Constraints

Landscape Character - Cerne and Piddle Valleys and Chalk Downland - Distance: 0

ECON2 - Enterprise Park, Piddlehinton - Distance: 0

ENV 9 - LOWER MAGISTON - Distance: 0

Neighbourhood Plan - Piddle Valley NP – Status: Made 10/05/2018

Legal Agreements S106 - Distance: 0

Nutrient Catchment Areas - Distance: 0

High pressure gas pipeline 1km or less from Regional High Pressure Pipelines (>7 bar) - Distance: 944.36

Wessex Water: High Risk of Foul Sewer Inundation - Distance: 0

Areas Susceptible to Groundwater Flooding - Clearwater < 25% - Distance: 0

Site of Special Scientific Interest (SSSI) impact risk zone - Distance: 0

Scheduled Monument: Medieval settlement of North Louvard (List Entry: 1019411) - Distance: 382.94

Scheduled Monument: Medieval settlement of Little Piddle (List Entry: 1019410) - Distance: 261.99

Poole Harbour Catchment Area - Distance: 0

Groundwater Source Protection Zone - Distance: 0

## 9.0 Consultations

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

### Consultees

#### **1. Piddle Valley Parish Council**

##### **Object**

*Piddle Valley Parish Council object to these proposals for the following reasons;*

*1. PVNP Policy 10 seeks to support economic development at the site through the provision of small-scale units. Unit 48 has already been extended and the proposed extension buy ~70% is considerable . PVPC consider the scale of the proposed buildings to be contrary to PVNP Policy 10 and would have a negative impact on the character of the WW2 camp.*

*2. The proposed increase in parking spaces by 8 to 12 along with an increase of 3 extra delivery vehicle spaces to 4, will exacerbate local concerns with traffic volume.*

#### **2. Wessex Water**

**No objection.**

#### **3. Environmental Health**

**No objection**

A condition, relating to contamination, should be imposed on any permission.

#### **4. Highways**

**No objection**

A condition, relating to the manoeuvring, parking and loading area, should be imposed on any permission.

### **Representations received**

Total - Objections	Total - No Objections	Total - Comments
0	0	0

## 10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

## 11.0 Relevant Policies

### Adopted West Dorset and Weymouth & Portland Local Plan:

The following policies are considered to be relevant to this proposal:

- INT1 - Presumption in favour of sustainable development
- ENV1 - Landscape, seascape & sites of geological interest
- ENV2 - Wildlife and habitats
- ENV9 - Pollution and contaminated land
- ENV10 - The landscape and townscape setting
- ENV 12 - The design and positioning of buildings
- ENV15 - Efficient and appropriate use of land
- ENV 16 - Amenity
- SUS2 - Distribution of development
- ECON1 - Provision of employment
- ECON2 - Protection of key employment sites
- COM7 - Creating a safe and efficient transport network
- COM9 - Parking standards in new development

### Piddle Valley Neighbourhood Plan 2018 to 2033

The following policies are considered to be relevant to this proposal:

- Policy 6 - Road safety concerns
- Policy 7 - Development outside the development boundaries
- Policy 10 - Enterprise Park
- Policy 12 - The Character and design of new development

### Emerging Dorset Council Local Plan:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

### National Planning Policy Framework:

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 6 'Building a strong, competitive economy', paragraphs 84 and 85 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings and the erection of well-designed new buildings.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that:
  - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
  - It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
  - Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

## **12.0 Human rights**

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

## **13.0 Public Sector Equalities Duty**

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

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

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

The proposal, by reason of its design, would not conflict with protected characteristics.

#### **14.0 Financial benefits**

The proposed development, by reason of its nature and scale, would: Support and require a modest amount of labour from the construction industry during the phases of development. The proposal would result in the creation of 7 full time positions. Therefore, the proposal, by reason of its nature and scale, would make a small but still beneficial contribution to the economy.

#### **15.0 Environmental Implications**

The building would need to comply with Building Regulations.

#### **16.0 Planning Assessment**

##### Principle of development

The made Policy 10 of the Piddle Valley Neighbourhood Plan reads as follows:

At Enterprise Park, small scale business development will be supported where it takes local character and the historic value of the Second World War camp into account.

In the paragraph, before Policy 10, it is stated that, There have been difficult choices in the past about whether retaining employment here is more important than the visual impact of the buildings and associated storage, particularly on the higher slopes that are clearly visible from surrounding areas. It is further stated that, Due to the position of these employment areas outside the Dorset AONB, less emphasis has been placed on the landscape impact of proposals in this area. The final sentences of the paragraph reads as follows: The impact of security lighting and large-scale building on the upper slopes is clearly visible from some distance away and detracts from the AONB. The following policy provides clear guidance on the need to carefully balance the economic benefits of providing more modern employment buildings and facilities in this location, against the wider impact on the character of the Valley over time.

Policy INT1 of the Local Plan sets out a presumption in favour of sustainable development. Policy SUS2 of the Local Plan contains the settlement hierarchy which directs new development to the most sustainable locations. The main towns



of Dorchester and Weymouth are identified as being the highest priority locations for new development. It is identified, at the second tier, that elsewhere, in the plan area, the settlements of Beaminster, Bridport, Lyme Regis, Portland, Sherborne and Crossways will be the focus for future development. At the third tier, it is identified that development, in rural areas, will be directed to the settlements with defined development boundaries and will take place at an appropriate scale to the size of the settlement. It is also identified that settlements with no defined development boundary may also have some growth to meet their local needs. The settlement hierarchy aims to achieve a distribution of development, across the plan area, which meets local needs, enables economic growth, and safeguards the special environment of the plan area.

At part (iii) of SUS2 it is expressed that outside of defined development boundaries, development will be strictly controlled, having regard to the need for the protection of the countryside and environmental constraints and be restricted to, amongst other things, new employment.

Policy ECON1 supports employment development through the extension of existing premises.

Policy ECON2 permits, within key employment sites, subject to proposals not having a significant adverse impact on surrounding land uses, applications for light industrial, general industrial and storage and distribution uses.

The application site falls outside of any defined development boundary and within a key employment site. The proposed development includes the construction of an extension to an existing premises. It is proposed that the conversion of recyclable packaging would take place within the proposed extension, which would also be used for storage and distribution purposes.

Officers consider that the proposal would be sensitively sited and would not impact adversely on the historic character of the employment site, or on the setting of the AONB. The principle of the proposed development taking place, by reason of its nature and location, is accepted by policy 10 of the Neighbourhood Plan and Policy ECON2 of the Local Plan.

### Highways

It is identified, in paragraph 109 of the NPPF and policy COM7 of the Local Plan, that development should only be refused, on highways grounds, if there would be an unacceptable impact on highway safety or if the residual cumulative impacts on the road network would be severe. The Highway Authority did not object to the proposal on either of these grounds, subject to the imposition of a condition on any planning permission. It is recommended that that the condition should be imposed on any planning permission. Neither did the Highway Authority object to the application, subject to imposition of, the recommended, condition on any permission, on the grounds that there would be an insufficient level of parking serving the development. The proposal would, therefore, accord with policy COM9 which, among other things, requires there to be a sufficient level of parking to serve developments. It is therefore concluded that the proposal should not be refused on highways grounds.

## Character and landscape impact

The employment site is set on a ground which slopes from approximately 115m AOD on its northeastern edge north down to approximately 78m AOD on its southwestern edge. The application site sits on a part of the employment site which is approximately 95m AOD. Enterprise Park accommodates both small and large-scale units. Small scale and large-scale units can be found at a similar level to the application site.

Small units can be found to the northwest of the application site. Large units can be found on land which is both higher and lower than the application site. A notably large unit can be found on higher ground to the north of the site. Large units can also be found on lower ground within the employment site. In terms of scale, the resultant building would be consistent with the theme of existing development which has taken place within the key employment site. With this in mind, officers consider that the setting of the AONB would not be adversely impacted.

The proposal would not be located on the ridge of the site where it would form a prominent feature. The ridge of the roof of the proposed extension would not exceed the ridge of the host building. The proposal, by reason of its ridge height and siting, would be well contained within the existing employment site, and would not harm the character of the area, or the setting of the AONB.

## **17.0 Conclusion**

The proposed development would result in economic benefits and, by reason of its scale, form, materials, and siting, would not erode, materially, the element of historic character of the employment site, in accordance with Policy 10 of the Neighbourhood Plan.

For the reasons given it is concluded that that the proposal should be approved subject to the conditions below.

## **18.0 Recommendation**

Approve subject to the following conditions:

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

Location plan – Received 31/08/2022

5012-01 - Received 31/08/2022

5012-02 – Received 15/11/2022

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

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

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

3. Prior to development above damp proof course level, details of all external facing materials for the walls and roofs shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: In the interest of visual amenity.

4. Prior to the occupation of the development hereby approved the manoeuvring, parking, and loading areas shown on approved plan 5012-01 must have been surfaced, marked out and made available for the manoeuvring, parking, and loading of vehicles. Thereafter, these areas must be maintained, kept free from obstruction, and made available for the manoeuvring, parking, and loading of vehicles, in perpetuity.

Reason: In the interest of highway safety.

5. In the event that unidentified contamination is found during the construction phase of the development, work shall cease and the contamination shall be reported to the Local Planning Authority. An investigation, risk assessment and remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Measures identified in the approved remediation scheme shall be completed. Prior to the recommencement of work a verification report shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

6. Prior to development above ground level details of the finished floor levels of the structure hereby approved shall have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be relative to an ordnance datum or such other fixed feature as may be agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity.

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# Agenda Item 9

<b>Application Number:</b>	P/FUL/2022/07272		
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>		
<b>Site address:</b>	3 Stevens Close Blandford Forum Dorset DT11 7NA		
<b>Proposal:</b>	Erect 1 No. dwelling, form new vehicular access and create 1 No. parking space, (demolish existing garage).		
<b>Applicant name:</b>	Mr Miles		
<b>Case Officer:</b>	Jane Green		
<b>Ward Member(s):</b>	Cllr Lacey-Clarke and Cllr Byron Quayle		
<b>Publicity expiry date:</b>	3 February 2023	<b>Officer site visit date:</b>	11 November 2021 for pre-application enquiry
<b>Decision due date:</b>	6 March 2023	<b>Ext(s) of time:</b>	10 March 2023

**1.0** Committee referral following scheme of delegation consultation due to Town Council objection.

**2.0 Summary of recommendation:**

GRANT subject to conditions

**3.0 Reason for the recommendation:** as set out in paras 14 in the report.

- The National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

**4.0 Key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	The principle of development is acceptable by reason of its location within the settlement

	boundary and therefore identified as a sustainable location
Scale, design, impact on character and appearance	The proposed dwelling would not be out of character with the existing housing estate and due to its size and scale would not represent overdevelopment of the site
Impact on amenity	The proposed development, by reason of its size, design and positioning would result in satisfactory living conditions for existing and future occupiers
Economic benefits	Modest contribution in terms of employment during construction period, revenue to the Local Authority in terms of Council tax and generation of spending by occupiers in the local community
Access and Parking	The proposed access would be acceptable in terms of highway safety and sufficient parking for the existing dwelling and the proposed dwelling is acceptable

## 5.0 Description of Site

The site forms part of the garden of number 3 Stevens Close, a brick, two-storey semi-detached property located within a cul-de-sac. The pair of properties are surrounded by residential properties in all directions and are located higher in the road than the properties to the north east and the south east. Number 3 has a front/side/rear garden and is bounded in part by a low brick wall and an established hedge.

The area is a large modern planned form housing estate on the north eastern side of Blandford Forum. It is characterised by two storey, brick built semi-detached and terraced properties. The pattern of development comprises typically of rectangular plots of various sizes. This plot in particular has a larger than average size plot and currently benefits from an attached garage at the side and off-road parking for a further two cars which not all properties in the area enjoy.

## 6.0 Description of Development

The proposal would see the erection of a two-storey attached, two-bedroom property to the north east side elevation of the existing property, over the single garage footprint.

The property benefits from an extant planning permission for a two-storey side extension granted in October 2021 which is not of a dissimilar scale to the proposed new dwelling applied for here.

## 7.0 Relevant Planning History

2/1983/0034 - Decision: GRA - Decision Date: 22/02/1983

Erect garage, modify vehicular access

2/2005/0211 - Decision: GRA - Decision Date: 06/04/2005

Erect rear porch

P/HOU/2021/02139 - Decision: GRA - Decision Date: 14/10/2021

Erect single storey rear extension. Erect first floor extension over garage.

P/PAP/2021/00244 - Decision: RES - Decision Date: 19/11/2021

Erection of a new 2 bedroom dwelling

*Principle acceptable subject to changes in proposed design and orientation*

P/FUL/2022/03074 - Decision: WIT - Decision Date: 14/07/2022

Erect a dwelling and create new pedestrian and vehicular access.

*Application withdrawn to address concerns raised for design*

## **8.0 List of Constraints**

EA - Risk of Surface Water Flooding Extent 1 in 1000 - Distance: 0

EA - Areas Susceptible to Groundwater Flooding; Clearwater; < 25%; - Distance: 0

DESI - Area of Outstanding Natural Beauty (AONB): Cranborne Chase & West Wiltshire Downs; - Distance: 265.65

DESI - Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

DESI - Minerals and Waste - Waste Consultation Area - Name: J&G Environmental; - Distance: 0

DESI - Minerals and Waste - Safeguarding Sites - Name: J&G Environmental; - Distance: 243.09

## **9.0 Consultations**

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

### **Consultees**

**1. P - Blandford Forum TC** – “The Town Council objects to the application as it is contrary to NDDC LP 2016 Policy 24 Design, and our principal objection is on this policy. The Council considers it to be overdevelopment leading to cramped development and a diminution of garden amenity in the vicinity. (Blandford + NP policy B1 applies)”

**2. W - Blandford Ward** – No comments received

3. **DC - Highways** – No objection, subject to conditions
4. **DC - Minerals & Waste Policy** – No comments received
5. **DC - Dorset Waste Team** – No comments received
6. **DC - Trees (North/West/Weymouth)** – No objections
7. **DC - Building Control North Team** – No comment to make
8. **Natural England** – No comments received

**Representations received**

Total - Objections	Total - No Objections	Total - Comments
0	0	0

**10.0 Duties**

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

**11.0 Relevant Policies**

North Dorset Local Plan Part 1 2016  
 Policy 1 – Presumption in Favour of Sustainable Development  
 Policy 2 – Core Spatial Strategy  
 Policy 3 – Climate Change  
 Policy 4 -The Natural Environment  
 Policy 6 – Housing Distribution  
 Policy 7 – Delivering Homes  
 Policy 16 – Blandford  
 Policy 23 – Parking  
 Policy 24 – Design  
 Policy 25 – Amenity

Blandford + Neighbourhood Plan 2011-2033 – adopted 22 June 2021  
 Policy B1 – Blandford Forum and Blandford St Mary settlement boundaries

National Planning Policy Framework July 2021  
 Section 2 Achieving sustainable development  
 Section 4 Decision making  
 Section 5 Delivering a sufficient supply of homes  
 Section 8 Promoting healthy and safe communities  
 Section 11 Making effective use of land  
 Section 12 Achieving well-designed places



Section 14 Meeting the challenge of climate change  
Section 15 Conserving and enhancing the natural environment

## **12.0 Human rights**

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

## **13.0 Public Sector Equalities Duty**

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

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

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

The proposal would not have any specific impact on persons with protected characteristics.

## **14.0 Planning Assessment**

### Principle of Development

The application site is within the settlement boundary for Blandford Forum and as such is in the location where development is supported by Policy 2 of the North Dorset Local Plan, Part 1 (Adopted 2016). Policy 6 of the Adopted Local Plan sets out Blandford as one of the main towns within the District where housing growth is focused. Policy 7 supports infilling within settlements subject to it being "sensitively designed, ensuring a high level of amenity for adjoining properties". This is considered below against the relevant policies. Policy 16 supports the development and redevelopment within the settlement boundary of Blandford as does policy B1 of the Blandford + Neighbourhood Plan.

The residents of the property would have access to the facilities and services within Blandford Forum and the site is in a well-established residential area. The site is also located a short walking distance away from a convenience store. As such, the provision of housing on this site is considered to be a sustainable location for new housing. The principle of development is therefore acceptable and would contribute to the District's housing land supply. However, there are other issues that must be considered including the impact of the development on the immediate character and appearance of the area and consideration as to whether these impacts outweigh the housing land supply issue are paramount.

#### Scale, design, impact on character and appearance

Infill development should relate to existing surrounding development in terms of scale, density, massing, space between buildings, established rhythms of plot sizes and building form, design detail and character. Any new building should respect the shape, mass and form of the existing buildings which define the character of the area.

The proposal here relates in size and scale to the surrounding built form and would be of similar proportions to other dwellings in the locality. Pre-application advice about orientation of the property has been followed and the design before us balances any previous concerns for impact on amenity of neighbouring properties with visual amenity and it is considered it would not appear incongruous in the streetscene.

It is noted the Town Council considers the proposal to be overdevelopment leading to cramped development and a diminution of garden amenity, however for the reasons above this opinion is not agreed with.

#### Impact on amenity

There would not be a harmful level of overshadowing or overbearing effect on the existing or the proposed property and there would be a satisfactory outlook from the property due to the distance between the properties. There would be a reasonable degree of privacy to proposed and existing private living space due to the positioning and distance between openings. The first floor side window serves a staircase so there are no concerns for overlooking to the properties to the north east.

A sufficient area of outdoor amenity space would exist for the proposed and existing dwelling and is reflective of those found within surrounding plots so would not appear out of character.

#### Economic benefits

In terms of the economic objective the proposal would create a short period of employment during the construction phase. A modest amount of revenue to the Local Authority would be generated by the proposal and the additional population

would generate a small amount of spending in the local community which would support and make a slight contribution to the growth of the local economy.

### Access and parking

1No. parking space would be provided for the new dwelling within the red line of the application site. This is considered sufficient for the proposed dwelling. The proposed access is considered acceptable subject to conditions as suggested by the Council's Highways Officer. It is noted that the majority of dwellings within the vicinity have on site parking and although on street parking is quite limited in Stevens Close, there is more in nearby streets if needed.

It is noted that there is a hardstanding and parking shown on the plan within the blue line, and therefore in the applicant's ownership, to serve the existing dwelling. It is considered reasonable to include an informative bringing this to the applicant's attention to assess whether this requires planning permission in its own right, although some hardstanding is permitted development.

Overall, the proposed dwelling would have sufficient off-street parking, and there is no highway safety reason that would warrant refusal of the application.

## **15.0 Conclusion**

Whilst the Town Council's comments are noted it is considered that the development is considered to preserve the character of the area, protect neighbour amenity and provide sufficient residential amenity and off street parking. The proposal would provide a small but important contribution towards the housing land supply in an area that lacks adequate delivery, and there is no harm that has been identified that would significantly and demonstrably outweigh this benefit when assessed against the NPPF, taken as a whole.

## **16.0 Recommendation**

GRANT of planning permission subject to the following conditions:

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

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

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

Location plan

Block plan

Proposed Elevations

Proposed Roof Plan

Proposed Floor plan

Proposed Block plan of the site

Section through site  
Block Plan showing tree information

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

3. The external materials to be used for the wall(s) and roof(s) shall be similar in colour and texture to the existing building(s).

Reason: To ensure a satisfactory visual appearance of the development.

4. Prior to development above damp proof course level, details (including colour photographs) of all external facing materials for the wall(s) and roof(s) shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development.

5. No development above damp proof course shall take place until a surface water drainage strategy (including its maintenance) which shall include appropriate arrangements for the discharge of surface water is submitted to and approved in writing by the Local Planning Authority.

The approved drainage scheme shall be in place before first occupation of the development hereby permitted and retained for the life of the development hereby permitted.

Reason: In the interests of flood prevention.

6. Before the development is occupied or utilised the first 5.00 metres of each vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

7. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on the BLOCK PLAN Rev A-14.11.2022 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

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

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

9. The soft landscaping works detailed on approved block plan drawing B-28.11.2022 (annotated entrance and trees) must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

10. Details of 1No. of bat/bird boxes shall be submitted to and agreed in writing by the Local Planning Authority which shall be erected as agreed prior to first occupation or use of the development hereby approved.

Reason: To enhance or protect biodiversity.

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## Planning Committee – Update Sheet - Northern Area Committee 11/04/2023

<b>Application Ref.</b> P/FUL/2022/05382	<b>Address</b> Unit 48 Enterprise Park Piddlehinton Dorset DT2 7UA	<b>Agenda ref. 8</b>	<b>Page no. 75 - 84</b>
<p><b>Update:</b></p> <p><b>Further comments received from Cllr Haynes:</b></p> <p>I do not feel that the paper addresses the parish concerns regarding size of the extension of what is already an extended building. When the Piddle Valley Neighbourhood Plan was made very particular policies were included to protect the nature of the units on the old army camp. It is, and has always been, an estate built mostly of small starter units. In recent years these have started to be expanded into much larger units, contrary to policy 10 of the PVNP. The extended units change the nature of built environment on the estate. With the larger units come extra size and volume of traffic and yet there is not the road infrastructure, particularly on the estate to handle this growth. For these reasons I ask that you challenge the officers decision to approve. I'm sure that the parish representative will express their concerns much more eloquently than I have, and at least by bringing the matter to committee they will have the opportunity to raise their concerns that their neighbourhood plan is not being considered when planning recommendations are made.</p>			

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