



Northern Area Planning Committee

Date: Tuesday, 24 October 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, Belinda Ridout and David Taylor

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

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
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	DECLARATIONS OF INTEREST	
	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 26th September 2023.

4. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS

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. [Guide to Public Speaking at Planning Committee](#)

The deadline for notifying a request to speak is 8.30am on Friday 20th October.

5. PLANNING APPLICATIONS

To consider the applications listed below for planning permission.

6. P/OUT/2020/00026- LAND AT E 389445 N 108065 NORTH AND EAST OF THE BLANDFORD BYPASS, BLANDFORD FORUM, DORSET 13 - 90

Hybrid planning application for the phased development for up to 490 No. dwellings and non-residential uses comprising:

Outline planning application (to determine access) to develop land by the erection of up to 340 No. dwellings (Use Class C3), local centre with flexible floorspace including Commercial, Business and Services (Use Class E), Drinking Establishments and hot food takeaways (Use Class Sui Generis) and Local Community (Use Class F2); land for a three-form entry primary school and associated playing pitches (Use Class F1 Learning and non-residential institutions); form public open space, replacement allotments including allotment building, new sports pitches, parking, access, infrastructure, landscaping, and carry out ancillary and site preparation works, including demolition of existing buildings and removal of existing allotments.

Full planning application to erect 150 No. dwellings (Use Class C3), form public open space, attenuation basins, parking, access, infrastructure, landscaping, and carry out ancillary and site preparation works.

7. P/FUL/2022/06095- LAND SOUTH OF MOTCOMBE ROAD, MOTCOMBE, DORSET 91 - 116

Erect 12 No. dwellings, form vehicular access from Motcombe Road and carry out other associated works.

8. **P/OUT/2022/04243- WESSEX PARK HOMES, SHILLINGSTONE LANE, OKEFORD FITZPAINE, BLANDFORD FORUM, DT11 0RB** 117 - 158

Demolish existing industrial buildings and erect 47 dwellings (outline application to determine access only).

9. **P/FUL/2022/02607- CERNE ABBAS CHURCH OF ENGLAND FIRST SCHOOL, DUCK STREET, CERNE ABBAS, DORSET, DT2 7LA** 159 - 178

Erect building for use as Learning Resource Centre.

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.

There is no exempt business scheduled for this meeting.

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 26 SEPTEMBER 2023

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

Apologies: Cllrs Tim Cook, Stella Jones, and Emma Parker

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

Jim Bennett, Ross Cahalane (Lead Project Officer), Enrico Dimarino, Jane Green (Planning Officer), Steven Horsler (Environmental Health Officer), Joshua Kennedy (Apprentice Democratic Services Officer), Hannah Massey (Lawyer - Regulatory), Hannah Smith (Development Management Area Manager, North), Richard Temple (Senior Planning Officer), Megan Rochester (Democratic Services Officer) and Cass Worman (Planning Officer).

19. Declarations of Interest

Cllr Carole Jones also declared that she was pre-determined for agenda item 10. It was agreed that she would not take part in the discussion or debate.

Cllr Jon Andrews declared that he was pre-determined for agenda item 7. It was agreed that he would not take part in the discussion or debate but would speak as the local ward member.

Cllr Valerie Potheary declared that she acted as chairman for Gillingham Town Council for agenda item 6 when it came before her but made no comments. It was agreed that Cllr Potheary could take part in the debate and vote.

20. Minutes

The minutes of the meeting held on Tuesday 18th July were confirmed and signed.

21. Registration for public speaking

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.

22. Planning Applications

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

23. **P/OUT/2021/02187- Land at E 381150 N 126745, Barnaby Mead to Bay Lane - Footpath, Gillingham**

Hannah Smith (Development Management Area Manager) gave an update on 5-year Housing Land Supply for the North Dorset Plan Area. She stated that the new housing land supply and housing delivery test for the North Dorset Plan area had recently been published. The new supply is 5.74 years, and the Housing Delivery Test was at 110%.

The latest housing completion data was a material consideration. It demonstrated that housing delivery was back on track. In view of this, the development plan policies relating to housing provision will no longer be automatically “out of date” for the purposes of paragraph 11 of the NPPF, and the tilted balance will not automatically apply. Therefore, full weight can be attributed to the spatial strategy and the housing policies contained within the plan.

It was important to note that there is still a requirement to meet our ongoing housing need. This must be met through development that accords with our spatial strategy or where there are material considerations that may outweigh any conflict with policies contained within the plan.

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Aerial photographs of the site, access and public rights of way were shown. Members were also provided with details of the neighbouring site plan and the proposed vehicular access. The Case Officer also gave a summary of the section 106 agreement and included photographs of the indicative site plan initially proposed, however, it was highlighted to members that access was for consideration only. He informed members that there were no objectives raised by the highway’s authorities subject to conditions. The recommendation was to grant subject to conditions subject to the section 106 agreement.

Mr S Savage, Transport Development Manager, informed members that traffic movement assessments had been carried out and that tactile paving had been proposed to ensure a safe and suitable access for all road users, giving priority to pedestrians. He discussed vehicle speed being low throughout the development and the well-used public footpath. There were no concerns raised regarding impacts to the highstreets and Mr Savage was satisfied that safety for all road users was assured.

Public Participation

Objections were made from residents who discussed flooding and water retention. Concerns were also raised regarding maintenance, drainage strategies and additional surface water runoff. Mr Kelliher also referred members to chapter 1 of the NPPF. He also discussed the protection of children and did not feel as though the proposal was appropriate for the area. Members were informed that the footpaths were frequently used by students, and they would be victim to dangerous drivers. He hoped members would refuse.

Gillingham Town Council spoke in objection to the proposal. They discussed the loss of existing green space and an increase in traffic congestion, which would cause significant danger risks to pedestrians using the footpaths. Cllr Weeks felt that the area should be protected and therefore members should refuse the officers recommendation.

Members questions and comments

- Clarification on planning considerations.
- Confirmation of flood risk and strategy.
- Maintenance of surface water management.
- Concerns raised regarding pedestrian safety.
- Site access layout.
- Clarification on traffic movements.
- Emergency vehicle access.
- Loss of green space.
- Loss of amenity.
- Members endorsed comments raised by Gillingham Town Council and the Highways authority.

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 **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Carole Jones, and seconded by Cllr Jon Andrews.

Decision: To grant the officer's recommendation for approval.

24. **P/FUL/2022/05225- 91 Cheap Street Sherborne Dorset DT9 3LS**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the site location were included. In addition to this, members were provided with details of the background of the site as well as details of the flue. The Case Officer discussed the benefits of the vertical section and informed members that it was imperative for filtration. Environmental Health Officer's undertook several visits and were satisfied. The proposal caused less than substantial harm to the setting of the listed building and was outweighed by public benefits. The recommendation was to grant.

Mr Dimarino (Engineer, Development Liaison), informed members that he had visited the site and made a full assessment. In summary, there were no negative impacts on highways which were identified. He noted concerns raised by residents regarding illegal parking but reminded members that this would be monitored by traffic wardens at the request of the town council. Mr Dimarino also discussed restricted hours of parking and advised residents of Sherborne to contact the police if illegal parking continued. On balance, there were no reasons for refusal and therefore, supported the officer's recommendation.

Public Participation

The applicant spoke on behalf of her business. She discussed the location of the shop being within a busy town centre and the issues that they had faced. As a small business they took any objections seriously and made necessary changes. It was highlighted to members that deliveries were scheduled only once a week to mitigate disruption. The applicant hoped members would support the officer's recommendation to grant.

Residents spoke in objection to the proposal. Concerns were raised regarding consistent anti-social behaviour, littering and several environmental health issues. They also discussed a lack of parking resulting in customers parking illegally, which they felt factored into the site being in the wrong location. Mr Budden informed members that he had been in communication with the applicant and did not feel as though he was met with a good response. He sympathised with them but still not feel as though the extraction unit was acceptable. Ms Burchell highlighted to members their duty of care to pedestrians and road users and felt as though the problem would be ongoing if granted. Residents felt as though there had been no effort for change. They hoped members would refuse the officer's recommendation.

The Local Ward Member and the Town Council spoke in objection to the proposal. They discussed several concerns made from residents, including road safety issues and numerous incidents of anti-social behaviour during later times at night. Cllr Andrews highlighted the negative impacts of the existing extraction and felt as though the problem would have been ongoing, stating that the takeaway was in an inappropriate location. They informed members that the applicant had not been using the existing extraction fan correctly which has had direct impacts on residents. Cllr Coleridge-Matthews emphasised the number of objections raised and hoped members would consider their decision and reject the proposal.

Members questions and comments

- Concerns regarding impacts on health and safety.
- Clarification of noise reports
- Efficiency impacts of flue
- Clarification on previous means of extraction
- Members questioned as to whether 6 monthly checks could have been ongoing to ensure standards would've been maintained.
- Points of clarification on customer footfall.
- Members were sympathetic to the residents and the applicant.
- Members noted the issues raised by residents, the town council and the local ward member but felt that the extraction equipment had been upgraded.
- Members discussed comments made regarding endangering neighbours mental health and wellbeing.
- Questions regarding opening hours and licensing provisions for the Highstreet location.

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 **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Belinda Rideout, and seconded by Cllr Mary Penfold.

Decision: To grant the officer's recommendation for approval.

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

25. **P/FUL/2022/03360- Priory Hospital - Former Priory Hospital, Fairfield Bungalows, Blandford Forum, Dorset, DT11 7HX**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the location, site plan, and proposed elevations and cycle stores were provided. Details including job creation during the construction period, custom to local shops and facilities were included. The officer's presentation also discussed parking and explained to members that 16 spaces and 2 disabled bays was considered acceptable for the 16 units with cycle storage provided.

The main issues, including scale, design, impact on character and appearance, parking, impact on trees and public rights of way were also highlighted to members. The Case Officer informed members that the application was contrary to policies 11 and 14 of the North Dorset Local Plan and that the application was considered to fail to meet policy requirements and was recommended for refusal.

Public Participation

There was no public participation.

Members questions and comments

- No affordable housing proposed.

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 **Approve** the officer's recommendation to **REFUSE** planning permission as recommended, was proposed by Cllr Les Fry, and seconded by Cllr Belinda Ridout.

Decision: To grant the officer's recommendation for refusal.

26. **P/FUL/2022/06061- Summerfield Farm, Butts Lane, Stour Provost, Gillingham SP8 5RU**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Aerial photographs of the site as well as agricultural images and the proposed dwelling designs were included. Details of the neighbouring residential property and the key planning issues were highlighted. The Case Officer discussed site access and screening. There were no material considerations which would warrant refusal of this application. Therefore, the recommendation was to grant, subject to conditions.

Public Participation

Mr Trowbridge explained to members that him and his wife were dairy farmers, not developers, and gave them an insight into their background of dairy farming. He explained that there was a significant shortage of accommodation and emphasised the need for the proposed dwelling. He hoped members would understand the need and would support the officer's recommendation.

Cllr P Patrick spoke on behalf of the Parish Council and the views of residents. She raised concerns regarding the additional dwelling and the future of it. The remote location which was outside the settlement envelope and the dark sky policy was also discussed. Concerns were made regarding visual impacts and the Parish Council did not feel as though the proposal met policy 33 requirements of the North Dorset Local Plan. She also highlighted that long term use of the dwelling could not have been guaranteed and did not feel as though the dwelling was within close proximity to the farm complex. Cllr P Patrick hoped members would carefully consider this application.

Members questions and comments

- Clarification on additional lighting conditions.
- Members noted the agricultural need for the dwelling.

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 **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Les Fry, and seconded by Cllr David Taylor.

Decision: To grant the officer's recommendation for approval subject to conditions.

27. **P/HOU/2023/01242- River House Stalbridge Lane Sturminster Newton DT10 2JQ**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning

policies to members. Photographs of the site location, access, and existing elevations were shown. Details of the proposed floor plans and alterations were also included. The officer's presentation highlighted the impacts on visual amenity as well as the character on the conservation area and the setting on nearby listed buildings. Members were informed that there was no significant harm to visual or residential amenity, therefore, the recommendation was to grant subject to conditions set out in the officer's report.

Public Participation

There was no public participation.

Members questions and comments

- There were no 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 **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Les Fry, and seconded by Cllr Jon Andrews.

Decision: To grant the officer's recommendation for approval.

28. **Urgent items**

There were no urgent items.

29. **Exempt Business**

There was no exempt business.

Decision Sheet

Duration of meeting: 2.00 - 5.15 pm

Chairman

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Agenda Item 6

Application Number:	P/OUT/2020/00026		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land At E 389445 N 108065 North and East of the Blandford Bypass Blandford Forum Dorset		
Proposal:	<p>Hybrid planning application for the phased development for up to 490 No. dwellings and non-residential uses comprising:</p> <p>Outline planning application (to determine access) to develop land by the erection of up to 340 No. dwellings (Use Class C3), local centre with flexible floorspace including Commercial, Business and Services (Use Class E), Drinking Establishments and hot food takeaways (Use Class Sui Generis) and Local Community (Use Class F2); land for a three-form entry primary school and associated playing pitches (Use Class F1 Learning and non-residential institutions); form public open space, replacement allotments including allotment building, new sports pitches, parking, access, infrastructure, landscaping, and carry out ancillary and site preparation works, including demolition of existing buildings and removal of existing allotments.</p> <p>Full planning application to erect 150 No. dwellings (Use Class C3), form public open space, attenuation basins, parking, access, infrastructure, landscaping, and carry out ancillary and site preparation works.</p>		
Applicant name:	Lewis Wyatt (Construction) Ltd.		
Case Officer:	Robert Lennis		
Ward Member(s):	Cllr Jespersen, Cllr Lacey-Clarke, Cllr Quayle		
Publicity expiry date:	6 July 2023	Officer site visit date:	Multiple
Decision due date:	17 June 2022	Ext(s) of time:	17 June 2022

1.0 Pimperne Parish Council has raised objections to this proposal. Following this the Nominated Officer decided that this application should come before this Planning Committee for a decision.

2.0 Summary of recommendation:

Grant conditional planning permission subject to the completion of Section 106 legal agreement signed within six months of a Committee resolution to grant. If the S106

is not signed within that time period, then the application shall be refused unless otherwise agreed in writing by the Head of Planning.

3.0 Reason for the recommendation:

- The development is not considered to comply with the development plan as a whole. However, there are a number of material considerations set out below which outweigh this conflict and so indicate that planning permission should be granted.
- There are material consideration beyond simply providing open market housing that this Council must have regard to which this development would deliver. Amongst other things it would provide: affordable housing, land for a new school, a community building, a public open spaces, self-build plots, footpaths, landscape and ecological enhancements, and financial contributions towards various off site items.
- The government's objective to significantly boost the supply of homes.
- Additional housing would improve the affordability ratio for Dorset and North Dorset DC(as was)
- This is a strategic development in a sustainable location which accords with the aims of the spatial strategy of the Development Plan.
- Phase 1 of the proposal is acceptable in terms of access, layout, scale, landscaping, and appearance.
- There is a clear public interest to locate a new school within the Cranbourne Chase AONB with effective mitigation.
- The proposed landscape mitigation and ecological benefits represent an enhancement to the surrounding landscape including CC AONB.
- There would be no demonstrable adverse impact with respect to the Policy LC of the Pimperne Neighbourhood Plan which is non-strategic and does not preclude development.
- The proposed access arrangements for the outline application are considered to be acceptable.
- A design code has been provided that gives more assurance towards how the quality of development will be maintained throughout the development.
- 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

Issue	Conclusion
Principle of development	There is a conflict with the development plan when taken as a whole as part the proposed development site for both the outline and full applications would be located outside of the settlement boundary for Blandford and thereby in the countryside (of Pimperne Parish) where development should be resisted. However, when assessed against the relevant policy in the Pimperne Neighbourhood Plan it is considered the proposed development has been designed sensitively and would not result in any adverse impacts. The benefits of this scheme for which there are many are a material consideration that would justify a departure from the development plan.
Impact on Cranbourne Chase AONB	The B+NP established that there are exceptional circumstances for the proposed location of the school as there is effectively no scope for meeting the need in some other way in or around Blandford. The growing need for a school meets the public interest test for locating the school within the Cranborne Chase AONB(CC AONB). The remainder of the development which would be within the setting of this AONB has mitigated the impact through landscaping, and appropriate lighting having regard to AONB guidance. The reduced scale of buildings and parkland design show sufficient regard to the special qualities of the CC AONB its management plan. Ecological and landscape enhancements also weigh in favour of the development.
Impact on character and appearance	The proposed development has demonstrated through amended plans of both the outline application and full application that account has been taken of the local landscape character and appearance. It is considered that, in the context of this site and having regard to the proposed design and mitigation, the development has been sensitively designed and would not have an adverse impact on the nature of the open gap between Blandford Forum and Pimperne.
Impact on neighbour amenity	During the period of construction there is potential for some short durations of disturbance but not so great to result in a

	statutory nuisance, nor any long-term detrimental harm to amenity.
Impact on heritage assets	The impact on designate and non-designated heritage assets has been assessed. It is considered that the 'less than substantial harm' would be outweighed by the overall public benefits of the scheme.
Benefits	Relate to: employment during and after constructions, affordable housing, a site for a two-form entry school with room to expand to three-form if needed, self-build plots, public open space, community building, public footpaths, ecological and landscape enhancements, financial contributions toward off-site impacts such as footpaths, and community spaces.
Environmental Impact Assessment	EIA is a procedure used to assess the likely significant effects of a proposed development on the environment. The results are written into an Environmental Statement which was submitted with the planning application. The heading of the ES have been considered and there were no findings that would preclude development subject to suitable planning conditions.

5.0 Description of Site

The site is comprised of approximately 37 hectares of land located to the north-northeast of Blandford Forum. Generally speaking, the site is bounded to the west by the Blandford by-pass (A350/A354), to the southeast by a field boundary consisting of tall beech trees, hedging and Pimperne Brook, to the east-northeast by agricultural land and the residential dwellings in Letton Close, those of Letton Park, Bolney and Greenbanks, and to the north by agricultural land upon which a waste transfer station is to be built (planning permission has been granted).

The site is bisected by Salisbury Road. On the land north of Salisbury Road (referred to as Area A), part of the site lies within the Cranborne Chase Area of Outstanding Natural Beauty (CCAONB), the land slopes gently from northwest to southeast. Here you will find community allotments and arable land. The land to the south of Salisbury Road (Area B) consists primarily of arable land and slopes more steeply down to Pimperne Brook. The agricultural land grade is split between 3a and 3b quality.

All of the northern parcel (Area A) and most of the southern parcel (Area B) are allocated in the Blandford + Neighbourhood Plan (B+NP) under Policy B2 – Land North & East of Blandford Forum for a mix of residential, education, community and allotment uses. The B+NP amended their settlement boundary to accommodate this allocation.

The eastern portion of Area B is classified as countryside. It is designated as part of an important open gap in the Pimperne Neighbourhood Plan (PNP) under Policy LC – Landscape Character.

The emerging Dorset Local Plan proposes an allocation of this site (including the waste transfer site to the north and the land south of the site to Black Lane) under Policy – BLAN7 for a mix of uses including residential (~680), employment, education and community uses.

There are no designated heritage assets on the application site and it is not within a Conservation Area. The Blandford Conservation Area and a number of listed buildings are within a 1 km search radius, but these were scoped out of the supporting Built Heritage Statement owing to the distance and intervening built form.

There is a grade II listed building located 500m to the NE of the site, Langbourne House. There are also some archaeological non-designated heritage assets identified on the site. Additionally, development on the site could have the potential to affect the setting of non-designated heritage assets adjacent to the site.

Pimperne Brook influences the issue of flood risk. Phases 2, 3 and 4 which form the outline proposal fall entirely within flood zone 1 and as such are considered to have a low risk of fluvial flooding. Phase 1 which is the full details part of the application shows a minor incursion from an attenuation pond in flood zone 2 otherwise the remainder of the development would be in flood zone 1.

6.0 Description of Development

The proposed development would deliver the following:

- Up to 490no. dwellings (including a self-build provision, 5% of the total),
- A new local centre including retail/commercial floorspace,
- Community hall/facility,
- Serviced plot (3ha) for a new primary school and associated playing pitches,
- Formal and informal public open space,
- Landscaping throughout,
- New sports pitches,
- Parking, access and associated infrastructure,
- Replacement allotments (including allotment building),
- Financial contributions as set out in the legal agreement.

This is a hybrid application in so far as full details have been provided for phase 1 of the development which would consist of 153no. dwellings (30% of which would be affordable units) along with the attenuation basin for the development, early structure landscape planting, public open space including equipped play spaces, and access works.

The remainder of the proposed development is presented in outline form with details of access to/from Salisbury Road (A354) the only detail to be considered at the time. Illustrative drawings submitted give an idea of the how the development would look upon completion. This is supported by parameter plans addressing: access and land use, building heights, and open space and landscape which could be conditioned to provide some assurance. Similarly, the applicant has submitted a Design Code for the development which provides more certainty to all aspects of the Parklands theme, particularly in relation to urban design and landscaping.

7.0 Relevant Planning History

2/2018/1386/SCOEIA - Decision: Env Statement required (date: 09/11/2018)

Request for scoping opinion relating to a proposed development of 700 dwellings, Primary School, Convenience Store, Cafe, Care Home, Doctors Surgery, Village/Community Hall and allotments in accordance with Regulation 15 of the Town and Country Planning (EIA) Regulations 2017 (the EIA Regulations).

8.0 List of Constraints

Tree Preservation Orders - TPO (0312/85), (NDDC/TPO-43/1/55), (NDDC/TPO-3/12(b)/85), (TPO/2022/0061)

Nort Dorset Local Plan Part 1; Settlement Boundary; Blandford Forum

North Dorset District-Wide Local Plan (1994-2011); Saved Policies; Groundwater Source Protection Area; 1.16;

North Dorset District-Wide Local Plan (1994-2011); Saved Policies; Important Open or Wooded Area; 1.9;

Neighbourhood Plan - Made; Name: Pimperne NP; Status 'Made' 01/11/2022

Neighbourhood Plan - Made; Name: Blandford + NP; Status 'Made' 22/06/2021

SGN - Medium pressure gas pipeline 25m or less from Medium Pressure Pipelines (75mbar - 2 bar); - Distance: 3.15

Area of Outstanding Natural Beauty (AONB): Cranborne Chase & West Wiltshire Downs (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 &

Site of nature conservation interests (SNCIS): ST80/045 - Blandford Bypass;

Wildlife Present: S41 - West European Hedgehog

Wildlife Present: flowering plant

Wildlife Present: Common Ragwort

Site of Special Scientific Interest (SSSI) impact risk zone
Main River Consultation Zone
Flood Zone 3 (record ID)
Flood Zone 2 (record ID)
Groundwater Source Protection Zone
Radon: Class: Less than 1%

9.0 Consultations

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

National and external - consultees

Historic England – no comment.

Environment Agency – no objections subject to conditions.

Wessex Water – has no objection in principle.

Natural England – has raised no objection in principle subject to the comments from AONB's, impact on international sites, and biodiversity net gain.

Cranborne Chase AONB – has made multiple representations over the course of the application responding to consultations. They have raised concerns and, or, objections relating to the following:

- relationship to CC AONB,
- strategic scale,
- failure to comply with the NPPF paragraphs 176 and 177,
- lack of sustainability,
- poor planning,
- landform and landscape,
- light pollution,
- renewable energy and Dorset Council's Climate Emergency,
- the CC AONB Management Plan Policies 14 and 15,
- and the development proposals would neither conserve nor enhance the landscape or scenic beauty of the AONB.

National Planning Casework Unit – no response.

Southern Gas Networks (was Transco) – has no objections.

Sport England – no objections. They have noted "...their layout has a lot of merit and potential to create a lot of informal activity, and does include several of our Active Design Principles..."

Dorset & Wiltshire Fire and Rescue Services – no objections

Dorset Clinical Commissioning Group 1 – no objections subject to financial contributions being secured by S106 legal agreement.

NHS Dorset (Dorset Integrated Care Board) ICB – no response.

Dorset Police Architectural Liaison Officer – no response.

Dorset Wildlife Trust – no response.

Internal – Consultees

Landscape Officer – no objections subject to conditions.

Urban Design - no objections subject to conditions.

Lead Local Flood Authority – no objection subject to conditions.

Flood Risk Manager – has no objection subject to conditions.

Conservation Officer – no objection in principle subject to conditions.

County Archaeology – no objection in principle subject to condition(s).

Transport Development Management – no objections in principle subject to conditions.

Transport Planner – no objection subject to conditions and S106 contribution towards off-site pedestrian and cyclist movement items and a signage strategy plan.

Planning Obligations – no objections subject to details of S106 legal agreement set out in their response.

Dorset Waste Team – no response.

Environmental Health – no objections subject to conditions.

Principal Technical Officer – no response.

Travel Plan Co-Ordinator – no comment.

Housing Enabling Team – no objection subject to design considerations.

Rights OF Way Officer - no objection subject to financial contributions to support the local network of public paths and community spaces

Natural Environment Team – no objections subject to conditions.

Trees – no objection in principle subject to conditions.

Street Lighting

Local Education Authority – no objection subject to contributions being secured by S106 legal agreement. They have noted:

“...that the 490 dwellings proposed will generate up to 99 primary aged children and 88 secondary/Post 16 children.

Primary – the three current primary schools are full and there is still continued need for the LA to have the strategic allocation of a school site as detailed in the application. This will be brought forward at an appropriate time to ensure the LA can fulfil its sufficiency duty.

Secondary – The Blandford School is already having to add additional places (60 places in September 2023 alone) and this amount of housing alongside other allocations will require this increase to be rolled out through all year groups. The allocated site for the school is consistent with previous discussions and is of an appropriate size and shape. In addition to the land (which is not appropriate for or was ever considered for housing) the developer is expected to deliver services to the boundaries and also provide both primary and secondary contributions based on £6,094.34 per house...”

Planning Policy – no objection in principle.

They have noted that with regards to the principle of development on the site, it is considered that the part of the proposed development within the Blandford + Neighbourhood Area complies with Policy B2 in the B+ NP. However, with regards to the part of the proposal within Pimperne Parish there is a conflict with a section of part (g) of Policy LC and part (c) of Policy MHN.

Town Councils, Parishes, and Wards - consultees

Blandford Forum TC – BFTC welcomes the changes to the previous plan and has no objection to this planning application.

Pimperne PC – objects to the proposed development on the following grounds: the amount and location of the development, landscape impact upon the Cranborne Chase AONB, its setting, and designated Important Open Gap, lack of benefits, the poor quality and sustainability of the proposed development.

Beacon Ward – no response.

Cranborne Chase Ward – no response.

Blandford Ward 1 – no response.

Blandford Ward 2 - no response.

Hill Forts And Upper Tarrant's Ward – Tarrant Gunville Parish Council, Chair and Vice Chair, responded personally raising no objections but concerns with the details particularly around 'green credentials' of the development.

Representations received

Over the course of the application 335 representations have been received: 317 objectors, 2 petitions, 3 supporters, 13 comments.

In summary, those raising concerns or objections had reference to:

- landscape/impact on CC AONB
- lack of need for additional housing
- contrary to PNP
- loss of important open gap
- over-development
- character and appearance
- highway safety
- traffic congestion
- noise
- sustainability/efficiency of new homes
- not enough social and physical infrastructure to support this large proposal.

In summary, those in support of the application had reference to:

- a variety of attractive, well-built much needed housing.
- above specification homes for insulation and green energy.
- much needed infrastructure with the addition of a community hall and local shops.
- the space for a 2 form entry Primary school.
- additional play and recreation space.
- an increase in local bio-diversity with the latest plan amendments to green spaces and vegetation.
- the development will contribute to the long-term viability of the town.
- bring investment and encourage growth in the area.
- potential for improved public transport
- potential for improvements to existing and new facilities.

Others, community organisations -

Blandford And District Civic Society – raised no objection in principle setting out comments which have been addressed through the amended scheme.

Shaftesbury Civic Society – have raised objections relating to lack of infrastructure, housing proposed to be built in Pimperne, and landscape impact on CC AONB.

Ramblers Association – raise concerns and objections with regard to the impact on the CC AONB, travel distance to employment, highway safety, pollution, details of footpath to Black Lane, and housing need generally.

Dorset CPRE – raise objections to the proposed development for a number of reasons relating to: need, landscape impact, highway/traffic, noise, sustainability and climate change, sustainability, loss of agricultural land.

10.0 Duties

Planning and Compulsory Purchase Act 2004 – section 38 requires that for the purpose of any determination to be made under the planning acts, the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 includes a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Self-Build and Custom Housebuilding Act 2015 – a relevant local planning authority has a ‘duty to grant planning permission etc’. This means that the Council must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area based on our register during a base period.

Countryside and Rights of Way Act (2000) – section 85; In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

11.0 Most Relevant Policies

The Development Plan

Blandford + Neighbourhood Plan (B+NP)

The original version of the Blandford + Neighbourhood Plan was made (adopted) on 22 June 2021. The plan has been reviewed and the Modified Blandford + Neighbourhood Plan was made (adopted) by Dorset Council on 3 October 2023.

- Policy B1- Blandford Forum & Blandford St. Mary Settlement Boundary defines the settlement boundary for Blandford Forum.

- Policy B2 - Land to the North and North East of Blandford Forum allocates land for a mix of residential, education, community and allotment uses subject to specified criteria (i-xiii).

Pimperne Neighbourhood Plan (PNP) –

The original version of the Pimperne Neighbourhood plan was made (adopted) on the 25 January 2019. The plan has been reviewed and the Pimperne Neighbourhood Plan Review was made (adopted) on 1 November 2022.

- Policy SB: Settlement Boundary defines the settlement boundary for the village of Pimperne. Development outside of this boundary will be treated as 'countryside' in respect of the Local Plan Policies.

- Policy LC: Landscape Character is a policy made up of nine criteria (a-i). These set out, amongst other relevant matters, that all new development must take account of the relevant AONB management plan (Cranbourne Chase in this instance) and not detract from the special qualities.

- Policy MHN: Meeting Housing Need is a policy made up of five criteria (a-e); this policy sets out a housing target of at least 61 dwellings to meet the projected needs of Pimperne with sites to be located within or adjacent to the settlement boundary of Pimperne village.

North Dorset Local Plan Part 1 (LPP1) adopted January 2016:

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 16: Blandford

Policy 20: The Countryside

Policy 22: Renewable and Low Carbon Energy

Policy 23: Parking

Policy 24: Design

Policy 25: Amenity

North Dorset District Wide Local Plan (1st Revision) Adopted 2003:

Policy 1.16 – Groundwater Source Protection

Material Considerations

(emerging) Dorset Council Local Plan – The emerging Dorset Local Plan is at an early stage and should be given limited weight. Nonetheless, members can take account of supporting documentation in considering the suitability of development sites proposed for allocation. With regard to this proposed development site, it is

considered to be consistent with the existing spatial strategy, i.e. Blandford (Forum and St Mary) is a sustainable location for growth. The emerging plan allocates a similar but slightly bigger site for the delivery of up to 680 dwellings and notes that part of this site is within Pimperne and designated as an important gap for which any detailed proposal would have to respond to.

- Policy BLAN7: Land north-east of Blandford Forum

National Planning Policy Framework (NPPF):

The proposed development is such that most all of the chapters have some relevance to the considerations of this application. Particular attention will need to be given to paragraphs 11, 12 and 13, and to section 3 'Plan Making', Section 5 'Delivering a sufficient supply of homes, and section 15 'Conserving and enhancing the natural environment.

- paragraph 11

Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (footnote 8), granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (fn7); or

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

- paragraph 12 states

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

- paragraph 13 states

The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.

- paragraphs 29 and 30 of the Framework fall under the title of 'Non-strategic policies' and inform us that neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions. The policies of NPs are non-strategic and take precedent over non-strategic local plan policies.

- paragraph 60

To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Note: The Council has recently published an updated housing land supply position. This indicates that the Council has a Housing Land Supply of 5.74yrs and a housing delivery rate of 110%. These are, in and of themselves, a good indicator of our action plan taking effect and it means that the 'Presumption in favour of sustainable development' set out in paragraph 11d) is not automatically engaged.

It should also be noted that for six of the past seven years we did not have an annual supply of housing in excess of five years. Which has resulted in strategic development being allowed in villages contrary to our spatial strategy.

Other material considerations

National Design Guidance

Paragraphs 86, 100, 104, 107, 116, 129

Cranbourne Chase AONB Management Plan

Policy PT 14 - Development proposals in the AONB or its setting should demonstrate how they have taken account of the AONB Management Plan objectives and policies.

Policy PT15 – Local Planning Authority partners ensure that where new development is permitted, it complements the special qualities of the AONB (i.e. the tranquil unspoilt qualities of the area, wide expansive skies, rich land use history, local vernacular building styles and strong sense of place) and takes full account of the area's setting and context through the consideration of appropriate Landscape Character Assessments and sensitivity and design studies.

CC AONB Landscape Character Assessment (2003)

Dorset Council - Housing Delivery Test Action Plan (March 2022)

North Dorset Local Plan Review: Issues and Options (November 2017)

North Dorset Strategic Landscape and Heritage Study

- Stage 2 Assessment: Blandford (Forum and St Mary)(October 2019)

Recent appeal decisions of relevance

Appeal reference	Application number	Site	Proposed development	Decision
/W/20/3265743	2/2020/0406/OUT	Land South of Lower Road, Stalbridge	Outline planning application for the erection of up to 114 dwellings, up to 2,000 sqm of employment space (use class B1, with up to one use class A1 unit), vehicular access points and associated works.	Allowed
/W/21/3284485	2/2019/1799/OUT	Land south of Station Road, Stalbridge	Outline planning application for the erection of up to 130 dwellings including affordable housing with public open space, structural planting and landscaping and sustainable drainage system (SuDS) with vehicular access point from Station Road. All matters reserved except for means of vehicular access.	Allowed
/W/21/3289314	2/2018/1124/OUT	Land north of Crown Road, Marnhull	Erection of 72 No. dwellings and new community facilities.(Outline application to determine access and layout)	Allowed

/W/20/3259308	2/2018/1773/OUT	Land south of the A30 and east of Shaftesbury	Outline application proposed is an employment led mixed-use scheme consisting of industrial starter units, primary school, up to 135 dwellings and flexible commercial uses to include a combination of hotel and non-food retail or a residential care home together with car parking, sport pitches, public open space and associated works.	Allowed
<u>/W/21/3289401</u>	CB/21/01248/OUT	Land south of Arlesey Road, Stotfold	The development proposed is a development of up to 181 dwellings to include 35% affordable, an integrated Care Village (C2 use) with ancillary facilities, 9.88ha of public open space comprising parkland and woodland extension, Pix Brook flood mitigation proposals, extensive new landscaping, play areas, creation of biodiversity habitat, new access	Allowed.

			arrangements and all ancillary works.	
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12.0 Human rights

Article 1 – Protection of property

Article 6 - Right to a fair trial.

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

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. In particular,

- provisions will be made for level access to buildings
- dropped kerbs at corner locations
- multi-functional play and open spaces to be provided.

14.0 Financial benefits

The applicant and officers are working to complete the S106 legal agreement. This would secure the following contributions and obligations:

Planning Obligation	Contribution
Affordable housing	30% of the total number of homes built (~147 dwellings)

Self-build / Custom Household	5% of the total number of open market homes (~17 plots)
Allotments	On-site provision of 2.55 ha for allotments with allotment building and parking. Allotments to be transferred to Blandford Town Council.
Education (Primary & Secondary)	3 hectares of land provided on site for new primary school, including road and services. £6,094.34 per eligible dwelling towards primary and secondary education
Pre-School Provision	£190.50 per eligible dwelling
Community, Leisure and Sports Facilities	Onsite Provision – Community Hall Transfer to Management Company or Blandford Forum Town Council.
Informal Open Space	On site provision
Informal Open Space Maintenance Contribution	Transfer to management company or contribution of £1,278.80 per dwelling - to be provided if transferred to Blandford Town Council
NEAP & LEAPs	On-site provision of formal play areas to include: 1x NEAP between 1000 – 1500 sqm 2x LEAPs between 400 – 800 sqm Potential for up to 7x LAPs
LAP / LEAP / NEAP Maintenance	Transfer to management company or contribution of £359.36 per dwelling - to be provided if transferred to Blandford Town Council
Formal Outdoor Recreation Facilities	On-site provision of 0.5ha for outdoor recreation and MUGA
Formal Outdoor Sports Facilities Maintenance	Transfer to management company or contribution of £128.73 per dwelling to be provided if transferred to Blandford Town Council

Bus Services	<p>£24,200 - 2 New Bus Shelters with Real Time Information on Salisbury Road</p> <p>£2,500 - 2 new Bus stop on Black Lane</p> <p>£13,724 – 2 New Bus Stops with Real Time Information situated within the development site. Preferably to be implemented by the developer during development.</p> <p>£27,450 - Improvements to 4 existing bus stops in the wider area. Pole & Flag with Real Time Information</p>
Library	£252/per dwelling
North Dorset Trailway and Rights of Way	£8,000
Stour Meadows	£2,000
Directional pedestrian & cycling signage strategy	£25,000 financial contribution for DC to produce and implement or to be provided by developer.
Travel Packs – to be provided to new residents. DC can provide a good quality walking and cycling interactive map base if required	Secured through financial contribution to be agreed if provided by DC.
Pavement improvement near Sunrise BP	£6,000

It's difficult to put an exact figure on the additional number of jobs likely to be created, but there certainly will be employment for construction, for the local centre shops, and teachers in the school.

Tax receipts and business rates are generally non-material consideration.

Highways improvements would be secured by conditions and the Highway Act's S278 legal agreement. These would be as follows:

Measures	Trigger Point
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Black Lane Foot/Cycleway	Prior to occupation of Phase 1 of the development
Site Access Roundabout	Prior to occupation of Phase 1 of the development
Traffic Regulation Order for 50mph Speed Limit on A354	Order to be processed by DC upon completion of A354 Site Access Roundabout
Two Gates Roundabout Improvements	Prior to occupation of Phase 2 of the development
Hill Top Roundabout Improvements	Prior to occupation of Phase 2 of the development
A350 Overbridge Link	Dorset Council asset to be adopted as public highway and open to public prior to occupation of Phase 2
A354 Proposed Toucan Crossing Point	Only required upon occupation of Phase 3 if 50mph speed limit TRO is made
Preetz Way Pedestrian/Cycle Link	Only required upon occupation of Phase 3 if 50mph speed limit TRO is made
Pedestrian/Cycle connection to A350 Overbridge Link	Prior to occupation of the Phase 2 and opening of A350 Overbridge Link
Pedestrian/Cycle link to Salisbury Road	Prior to occupation of Phase 3 of the development
A350 Signalised Crossing Point	Prior to occupation of Phase 3
Adjustments to Shottesford Avenue junction to reduce the crossing distance and improve visibility for the safe crossing of pedestrians and cyclists	Exact details and timing to be agreed with developer through the S278 agreement. Financial contribution to be agreed if not provided by developer.
Widening of the footway between the Sunrise Roundabout and Sunrise Business Park to enable people to walk and cycle.	Exact details and timing to be agreed with developer through the S278 agreement. Financial contribution to be agreed if not provided by developer.
Highway adjustments on Black Lane to facilitate the two new bus stops – new area of hardstanding required.	Phase 1

15.0 Environmental Impact Assessment (EIA)

There are specific arrangements for considering and determining planning applications that have been subject to an EIA. These arrangements include consideration of the adequacy of the information provided, consultation, reaching a reasoned conclusion on the significant environmental effects of the proposed development, publicity, and informing the consultation bodies and public of both the decision and the main reasons for it.

The local planning authority must take into account the information in the Environmental Statement, the responses to consultation and any other relevant information when determining a planning application.

The proposed scale of development required this application to be considered in light of EIA regulations. An EIA should only focus on the likely significant effects of a development on the environment during the construction and operational phases. The scope of the EIA was agreed formally with the Council, see application ref 2/2018/1386/SCOEIA.

The technical issues scoped into the Environmental Statement (ES) were:

- Landscape and visual effects (including effects on the night-time scene, i.e. dark skies);
- Cultural Heritage;
- Air Quality;
- Noise;
- Water Resources and Flood Risk; and
- Biodiversity (including effects of lighting during the night-time).

It should be noted that the ES assessed the original submission which proposed 600 dwellings and that the scheme has now been reduced to 490 dwellings; along with the other items originally proposed. The scale of the development has also been reduced and the amount of landscaping increased on the submitted plans. It is reasonable to assume that the effects of the development would commensurately be reduced.

The Non-Technical Summary of the ES concluded:

“In summary, the Development will result in the following beneficial residual effects:

- Benefits to some Site Features, local character and Visual Receptors following completion of the Development; and
- Benefits in terms of pollution and disturbance to on-site and off-site waterbodies following completion of the Development.

In summary, the Development will result in the following adverse residual effects:

- Effects on some Site Features, Local Character and Visual Receptors during Construction and operation of the Development;
- Minor effects on some heritage and archaeological assets during construction of the Development.”

The applicant has also submitted an Environmental Statement Letter of Conformity for the proposed amendments to the original scheme. This concludes “No likely significant effects, that were not identified or identifiable at the time of the preparation of the ES, have been identified. It is therefore considered that the conclusions of the ES remain valid and that the information provided comprises non-substantive amendments.”

16.0 Planning Assessment

The main issues of this case are considered to relate to:

- Spatial strategy and the principle of development
- Site location
- Five-year supply of housing, and housing delivery test
- Affordable housing and housing mix
- Self-build and Custom Housebuilding
- Landscape and Policy LC PNP
- Landscape impact on Cranbourne Chase AONB
- Heritage
- Highways network
- Design, and Policy B2 B+NP
- Sustainability appraisal
- Residential amenity
- Green Infrastructure
- Ecology
- Agricultural land classification
- Air Quality and noise
- Flood risk and drainage
- Groundwater
- S106 contribution
- Benefits (socio-economic considerations)
- Planning Balance.

Spatial Strategy and the principle of development

The core spatial strategy of the development plan (LPP1 Policy 2) identifies Blandford (Forum and St Mary), Gillingham, Shaftesbury and Sturminster Newton as the key strategic settlements in the District and seeks to focus the vast majority of the District's growth in these main towns as they are the most sustainable locations where homes, jobs and facilities are easily accessible.

The proposed development site falls over two separate neighbourhood plan areas: Blandford + NP, and Pimperne Neighbourhood Plan. The B+NP has allocated their portion of the site to address housing and employment needs and other matters (such as education and services) as set out in Policy B2; and they have amended their settlement boundary accordingly.

The PNP has not allocated their portion of the site for housing. It lies outside of their designated settlement boundary for both Blandford Forum and the village of Pimperne and is therefore considered as part of the countryside under Policy SB: Settlement Boundary.

PNP Policy MHN: Meeting Housing Need was written to address the local needs of the community and never intended to address the strategic need of the district (as

was North Dorset DC) or the strategic need of the emerging Dorset Local Plan. Criteria b) states that homes should be located to the west side of the A354 main road on land within or adjacent to the settlement boundary of Pimperne. There is also a conflict with Policy MHN c) 'to resist development in the countryside'. However, the policy route for assessment goes through PNP Policy SB: Settlement Boundary which states that development outside of the new settlement boundary will be treated as 'countryside' in respect of the Local Plan policies (i.e. LPP1 Policies 2, 6, and 20).

Policy 2 of the North Dorset Local Plan Part 1 (LPP1, or the Local Plan) states that all development should be located in accordance with the spatial strategy for North Dorset. It highlights Blandford as one of the four main towns which will function as the main service centres with employment opportunities. These towns have the best range of sustainable transport options and the greatest potential for further sustainable transport improvements. They are the main focus for growth, both for the vast majority of housing and other development. However, that policy also highlights that outside of the defined boundaries of the four main towns, Stalbridge and the larger villages, the remainder of the District will be subject to countryside policies where development will be strictly controlled unless it is required to enable essential rural needs to be met. It goes on to state that at Stalbridge and all the District's villages (including Pimperne), the focus will be on meeting local (rather than strategic) needs.

Policy 6 of the Local Plan relates to housing distribution and amongst other things states that in the countryside (including Stalbridge and the villages) the level of housing and affordable housing provision will be the cumulative number of new homes delivered to contribute towards meeting identified local and essential rural needs. There is an "at least" figure of 825 dwellings written into the Policy. This figure is very likely to be exceeded in light of the number of completions and extant permissions the Council has granted. However, this should not be seen as a restraint on its own.

Policy 20 of the Local Plan sets out that development in the countryside outside defined settlement boundaries will only be permitted if it is of a type appropriate in the countryside (as listed, providing rural needs), 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.

The proposed development allocated within the B+NP accords with the spatial strategy and should be considered sustainable development. However, the land proposed for development within Pimperne Parish, being located outside of the defined settlement boundary and not fulfilling any of the criteria for being a type appropriate in the countryside under policy 20, would conflict with Policies 2, 6 and 20 of the LPP1 and the PNP Policy SB unless there was an 'overriding need'.

Site location

Policy 16 of the Local Plan sets out the sustainable development strategy for Blandford to maintain its role as the main service centre in the south of the district

(as was). Amongst of development matters it states that Blandford will provide “at least” 1,200 homes plus employment and services. The land to the north-east of Blandford Forum is mentioned in the subtext of the Policy but not mentioned specifically in the Policy. The three housing allocations where development is supposed to be met in Blandford will not provide the at least figure required. To wit, the latest Housing Land Supply Report states Blandford has delivered 660 plus a projected 372 for the next five years, after this the delivery of housing is very much reliant on the B+NP housing allocation.

With the intension of putting out a Local Plan Part 2, North Dorset District Council went out to consultation (in 2017) with an Issues and Options paper which sought views on where development might be accommodated given the constraints of the area. This area (north-east of the bypass) was considered to be one of the least constrained.

The site was then examined more closely in terms of strategic landscaping and heritage in the North Dorset Strategic Landscape and Heritage Study, Stage 2 Assessment listed above. Amongst other relative matters this document suggested that any new development should:

- Seek to preserve the setting of the non-designated former parklands belonging to Letton House (no longer extant) and the grade II Langbourne House. This may be achieved by not developing the northern half of the assessment area past the southern boundary of Letton Park (or by maintaining this half as strategic open land). This would also avoid reducing the rural gap between Blandford Forum and Pimperne, which aids in their legibility as separate historic settlements of rural origin.

Another suggestion was that the ‘northern half’ is not a part of the proposed development site. The other suggestions made here have been taken onboard, such as: retaining and enhancing mature hedgerows, respecting local vernacular and building materials, and ensuring it does not adversely affect the special qualities of the CC AONB (including: the tranquil unspoilt qualities of the area, wide expansive skies, rich land use history, local vernacular building styles and strong sense of place).

This consultation and assessment has provided a direction for growth for the emerging Dorset Local Plan. Whilst we must acknowledge the conflict with current policy we should also acknowledge the emerging Dorset Local Plan and the ‘direction of travel’ for where development may occur for the need to deliver housing and meeting future needs as the five-year housing land supply is not a ‘one-and-done’ exercise. To those ends, the emerging Policy BLAN7: Land north-east of Blandford Form sets out a larger development site to provide approximately 680 dwellings.

While the emerging Dorset Council LP is at an early stage and should only be given limited weight, the supporting information is relevant to the consideration of this application.

The first B+NP allocated part of the development site for 400 homes. Because of boundaries and jurisdictions the Examiner was not at liberty to discuss development outside of the designated settlement boundary.

The first PNP was made after the B+NP and this housing allocation. The first Examiner (inspector) was pressed to comment on the potential for development of this site in light of Policy LC: Landscape Character within his report. He states at paragraph 5.35:

*“This site, of 17.5 ha of agricultural land, proposed for residential led development, is very largely within the parish of Blandford Forum. However a section of the site lies within Pimperne Parish. This part is within a ‘gap’ identified under Policy LC: Landscape Character, part g), which states that development should not “ ... reduce the open nature of the gap between Blandford Forum and the village of Pimperne”. It is suggested that the grading of the magenta colour on Map 2 is unclear and confusing. Against that, ...” **it is important to recognise that Blandford Forum is a major settlement within North Dorset District, needing to accommodate strategic growth. The part of this site that is within PNP area could be accommodated sensitively whilst retaining an important landscape gap between Blandford Forum and Pimperne.** (bold emphasis added).*

(When the PNP was modified the second Inspector did not say anything to add or detract from this opinion.)

This quote is informed not only by this Council’s spatial strategy in which Blandford has the task of accommodating growth but also paragraphs 13 and 29 of the NPPF which are quite clear that neighbourhood plans should aim to shape development rather than undermine strategic policies. Paragraph 29 directs neighbourhood plans to shape and help to deliver sustainable development and these policies are non-strategic.

As set out below, it is considered that the proposal has positively responded to the Policy LC retaining the important landscape gap through the use of strategic landscaping, open space, and tree lined streets.

Broadly speaking, in the interest of comprehensive development and good design it makes sense to consider this allocation with the land located in Pimperne. This development site accords with the NPPF insofar as it seeks to direct development to sustainable locations to minimise the need to travel, create sustainable communities rather than commuter towns/villages and address the causes and effects of climate change.

Five Year Housing Land Supply and Housing Delivery Test

The Council’s very recent review of our five-year housing land supply (HLS) indicates that we have 5.74yrs HLS and a housing delivery test (HDT) score of 110%. Therefore, the ‘tilted balance’ in paragraph 11d of the NPPF is not engaged.

Members and officers should, however, be cognisant of the Government’s objective of ‘significantly boosting’ the supply of homes (NPPF para 60).

The northern planning area of Dorset Council (specifically North Dorset DC area, as was) has had several appeals allowed in the recent past due to there being a persistent shortfall in our 5yr HLS, and not meeting our HDT target. Here are the numbers from the past seven years:

Year	Housing Land Supply (HLS)	Housing Delivery Test (HDT)	*comments
2017	3.4	Not Available	
2018	3.3	NA	
2019	4.0	NA	
2020	3.3	NA	
2021	5.17*	69%	This HLS figure was test at two public inquiries. Both Inspectors found our HLS to be under the 5yr requirement (4.58 yrs Marnhall appeal and 4.35 yrs Station Rd, Stalbridge appeal) and subsequently allowed the appeals.
2022	4.27	74%	
2023	5.74	110%	September 2023 (Mid-year figures)

Whilst the current five-year HLS and HDT are good news, the Council is always confident of our HLS figure and the assumptions that we have made in the current assessment were no doubt informed by our recent appeal examinations. However, in public inquiries and the examination of housing land supply these figures will be challenged and we have recent experience to draw upon. It is within this context that the Government’s objective to significantly boost housing is brought to the attention of members.

It should also be noted that the ‘median affordability ratio’ (median house price to earnings) for North Dorset worsened to its highest level yet, 11.04. As part of the Housing affordability in England and Wales: 2022, the ONS stated:

In the 330 local authorities (LA) in England and Wales, housing affordability improved in 235 (71%) since 2021, worsened in 89 (27%), and stayed the same in the remaining 2%.

The four appeals mentioned above that are from within this Council are material considerations. Three of these have resulted in the expansion of village settlement boundaries, and one resulted in the loss of a key employment allocation site. The fifth appeal from Stotfold is an example of how an Inspector balanced the ‘many and weighty’ benefits of a scheme with the conflicts.

The various Inspectors' conclusions are relevant. Here are but a few relevant comments:

Appeal site: Land north of Crown Road, Marnhull

Paragraph 43 "... the NPPF emphasises the Government's objective of significantly boosting the supply of homes."

Paragraph 49 "... The provision of 28 affordable homes ... attract important and significant weight."

Appeal site: Land south of the A30, Shaftesbury

Paragraph 70 "... The shortage of housing places emphasis on the need to find sites for development..."

In light of these decision by the Planning Inspectorate, and having regard to our revised HLS and HDT, it is considered that moderate weight should be given to boosting the supply of market housing.

Affordable housing and housing mix

For the purposes of LPP1 Policy 8: Affordable Housing, the site is considered to be an urban extension to Blandford. This Policy seeks to achieve 30% of the total number of dwellings as affordable. The scheme is policy compliant and would provide up to 147 homes on this point. This would need to be secured by s.106 legal agreement. All of these would be on-site.

In terms of need, the Council's Housing and Enabling Officer has informed us that there are currently over 4500 active applications on the Dorset Council Housing Register and there is a high need for affordable housing across the area. These require a variety of dwelling sizes with a high need for family homes.

LP Policy 8 seeks a tenure split of 70-85% affordable rented and/or social rented housing with the remaining 15-30% provided as intermediate housing. This a starting point for negotiations and the Council will seek a tenure split within this range but a different split may be permitted if it can be justified by local circumstances, local needs, or local viability considerations.

The mix of housing sizes required is set out in LP Policy 7 Delivering Homes. As a starting point, this seeks to provide about 40% of the market housing as one or two bedroom properties and about 60% as three or more bedroom properties. As a starting point for the affordable housing it is just the opposite: 40% as three or more bedroom properties, and 60% one or two bedroom properties.

The illustrative masterplan (page 65 Dwelling Mix Plan) demonstrates one approach to the delivery of 490 within the application site with the indicative dwelling mix shown on the plan and summary table opposite. This mix reflects a range of housing types, sizes and tenures, showing accommodation of smaller households (1 & 2 bed apartments) along with smaller and family-sized housing (2, 3, 4, & 5 bed family houses).

The applicant has agreed to include a clause in the S106 agreement that would require the completed development to comply with the LP Policy 7 housing delivery aims (+/- 5%). This agreement would allow flexibility through the phases for the developer and assurance for the Council that it will deliver as needed.

Originally affordable units were concentrated to the west of the site, along the bypass edge but these have now been more widely distributed throughout the southern part of the site. Every development block that includes affordable housing also includes open market housing and although these are contained to the southern part of phase 1, this is due to the character of this part of the site being defined by higher density smaller terraces and apartments and considered to be acceptable.

A policy in the emerging Dorset Local Plan seeks to provide suitable housing and choice for Dorset residents and states that any scheme that delivers over 15 affordable homes should ensure that at least 10% of the units should be accessible and adaptable dwellings and therefore built to Building Regulation accessibility standard M4(2). The applicant has agreed to a condition on the matter.

While some of the dwellings proposed in phase 1 do not meet national space standards, we have no space requirements in our Development Plan to insist upon these standards. That said, the reduced space may cause future occupants to seek additional living space by converting the loft and inserting roof windows. This would have an adverse impact on the dark sky designation of the neighbouring CC AONB. Removing permitted development rights to insert roof windows would not necessarily preclude a loft conversion. For this reason, a bespoke condition has been added regarding this matter.

Regarding house sizes and mix, the applicant has submitted in support of the application a letter from Aster Housing, the intended registered provider that will be taking on these affordable houses and a detailed response to the Housing Enabling Teams comments (titled: Housing Enabling Team Response June 2023).

In line with opinion of the Planning Inspectors referenced above, the matter of affordable housing provision should be given significant weight.

Self-build and Custom Housebuilding

Criteria i. of Policy B2 of the B+NP requires 5% (~19 plots) of the open market homes to be offered as self-build and, or, custom build housing. If after a period of time (normally a year) marketing the sites as such there is no interest, then the plots would return to the developer to build. The applicant has agreed to such a clause in the S106 legal agreement.

Members should be aware that the Council is under the duty imposed by the Self Build and Custom Housebuilding Act of 2015 (as amended) to meet demand for self-build/custom build (SBCB) housing for each Base Period of the Self Build Register, and to do so within three years of the end of each Base Period (October to October).

Data for the first five base periods was collected on a former District / Borough basis before the formation of Dorset Council on 1 April 2019. The Dorset Council self-build register was introduced on 31 October 2020; the beginning of base period six. For clarity of purpose, the register has been divided into two parts with a local connection test applied to Part 1. Dorset Council must have 'regards' to the Part 2 register in their planning, housing, land disposal functions and regeneration functions.

Where it can, Dorset Council monitors the supply of self-build housing through the issuing of Self Build Community Infrastructure Levy (CIL) exemptions. However, the former North Dorset DC area did not introduce a Community Infrastructure Levy. As such, we, Dorset Council, are unable to easily demonstrate the supply within this area and are instead reliant on known self-build planning applications, or CIL data collected in the other former districts.

Table 1: Dorset Council Self Build Register

Base Period	Demand for plots evidenced by the Self Build Register		Self Build CIL Exemptions across Dorset
	Part 1	Part 2	
Sixth Base Period	45	160	64
Seventh Base Period	34	76	70
Eighth Base Period *	13	53	Not yet available

*The latest information available within base period eight is dated 27 September 2023 the equivalent of 11 months data. The full dataset will be available in November 2023.

It should be noted that the fall in the number of registers coincides with a few being introduced to register in 2021.

At the time of writing, I am not aware of any SBCH plots receiving planning permission as part of any proposal in the northern area of the Council. Therefore, on balance and having regard to the requirements of the SBCH Act, the delivery of approximately 19 plots for SBCH proposes should be given positive moderate weight towards the benefits of this scheme.

Landscape and Policy LC PNP

Policy LC: Landscape Character of the PNP sets out criteria a-i for development within the parish boundaries to be measured against. This policy is in conformity with the Development Plan, particularly LPP1 Policy 4 – The Natural Environment. It also has regard to the CC AONB Management Plan.

This policy has influence on Area: b of the proposed development site; the land south of Salisbury Road (A354) and within the parish of Pimperne. However, in practice, this is a comprehensive development and the policy, whilst non-strategy,

has greatly influenced the design of a 'Parklands' in terms of landscaping, layout, and scale.

The relevant criteria of Policy LC are considered here:

a) All new development within the plan area must demonstrate that account has been taken of the relevant AONB Management Plan policies and must not detract from the special qualities of the Cranborne Chase and Dorset AONBs unless, in the case of major development, this is justified by exceptional circumstances and it is clearly in the public interest to permit the development.

The first test of this criteria is 'has the applicant demonstrated that account has been taken of the CC AONB Management Plan' and the second test is 'the proposed development must not detract from the special qualities of the CC AONB'. If these tests are passed, then one should move onto the next criteria. If these tests are not passed, then one should consider whether there are 'exceptional circumstances' and it is clearly in the public interest to permit the development.

The applicant's Design & Access Statement (Addendum update March 2023) sets out under the section titled 'Context & Identity' a thorough understanding of local landscape and how the design has taken account of the CC AONB Management Plan. In terms of key landscape parameters, the applicant set themselves 'Key outcomes' for Area A and Area B having regard to the special qualities of the AONB. It is considered that here and in the plans before members that the applicant has demonstrated and taken account of the CC AONB Management Plan; thereby passing the first test of this policy.

To demonstrate how the proposed development would not detract from the special qualities of the CC AONB, the applicant has produced photomontages of how the proposed landscape mitigation will work and appear from various local viewpoints over the next 25 years. Members were taken on a site visit to view and considered these montages and the development site in context. Officers consider that the reduced building heights and proposed landscape strategy would mitigate the development adequately.

With conditions to secure a management and replacement of ash trees on site, and biodiversity net gain, the proposed development could be said to conserve and enhance the local landscape and CC AONB designation. It is considered that the proposed development, subject to conditions, would not detract from the special qualities of the CC AONB, thereby passing the second test of this policy.

b) Development in the countryside should avoid higher ground and open vistas where it is likely to be prominent in wider views. Where development in such locations cannot be avoided, the following mitigation should be applied

- materials should be muted colours found in the traditional agricultural buildings of the area

- buildings should be designed to have a low profile, avoid creating large unbroken blocks, and to use the landform, siting and orientation to reduce landscape impact

- existing tree cover, hedgerows and/or new landscaping should be used to minimise any remaining adverse impacts to an acceptable level.

The scheme has been developed, in terms of siting, scale and massing of the residential development to reduce landscape impact and avoid large unbroken blocks of housing. Phase 1 details have been provided and a parament plan for the remainder of the site fixes building heights. A palate of locally distinctive materials has been proposed and generally accepted by your Conservation Officer.

The extent and content of the landscape proposals have been substantially increased to provide woodland belts across the site, linking with retained hedgerows and woodland copse so as to provide a stronger landscape framework. This has result in a significant reduction in the number of dwelling. This approach is supported by both your Landscape and Urban Design Officers.

The parkland character of the adjacent Letton Park, and Langbourne Park to the north of the site, have been central to the evolution of the proposals. This design emphasis, particularly on the land within Pimperne parish, shows a clear appreciation of the landscape and influence of existing character.

Informal open space has been included at the interface with the AONB in the south-east corner of the site, to provide informal parkland and parkland links to all parts of the site. These would also enhance the landscape value across the site and better integrate with the woodland appearance of existing residential properties. Semi-mature trees along the main avenues and at the site entrance along with the introduction of advance planting across the site would introduce a strong landscape structure at an early stage in the development of the site.

c) All woodlands should be protected and managed to sustain them in the long term, or where their loss cannot be avoided suitable replacement woodland planting that will provide a similar landscape and wildlife benefit should be secured.

With the exception of the proposed access arrangements, all the woodland on or adjacent to the site would be retained. Additional planting is proposed adjacent to the existing woodlands to protect and enhance the woodland character at the edges of the site.

d) Within Pimperne village, ...

The proposed development is not within Pimperne village. Therefore, this is not relevant.

e) Street lighting and flood lights should be avoided as generally inappropriate, having due regard to the significance of the expanse of dark night skies for the AONB. Where these cannot be avoided, they should be designed in accordance with the guidance set out in the Cranborne AONB Position Statement Number 1 on Light Pollution and Good Practice Note 7 - Good External Lighting and International Dark Sky Reserve criteria.

Lighting is a key issue for this development as it has implications for not only the CC AONB 'dark sky' designation, but also ecology with particular regard to bats. As such, you will find this to be integral to the 'Lighting and tree planting strategy' on page 138 of the Design and Access Statement (Addendum update March 2023). It is also listed in the key outcomes to "*Minimise the use of lighting and have regard to the technical guidance provided by the Cranborne Chase AONB as to lighting levels.*"

A detailed assessment of the phase 1 layout has been undertaken and a lighting plan submitted to demonstrate how the street and path lighting can be implemented alongside the extensive street tree planting proposals (Phase 1 Landscape Strategy, 813.21/112 Rev P). Furthermore, the submitted Design Code, which would be conditioned should members be minded to approve this application, provides details for how future phase should address light stating:

...any lighting proposals should be designed to avoid light spill into the country park, wooded corridors around the site and the wider landscape (in particular the AONB).

Lighting proposals should be in accordance with the Bat Conservation Trust and Institute of Lighting Practitioners guidance (BCT and ILP, 2018), in addition to the AONB's position statement 7a, 'Good Practice Note: Good External Lighting'. This could be achieved through employment of a selection of the following measures:

- Use of only the minimum amount of light required for safety and amenity, and minimise upward reflected light.
- Minimising the height of lighting columns. For pedestrian lighting, use of low-level lighting that is as directional as possible. Where necessary, use of embedded road lights to illuminate roadways and light only high-risk stretches of roads such as crossings and merges.
- Avoidance of light-spill into adjacent areas through luminaire design (downward emitting light source) or with accessories, such as hoods, cowls, louvres and shields to direct the light. Exterior light fittings with a light source above 500 Lumens, should be fully shielded if possible.
- Use of narrow spectrum bulbs (less than 3000 Kelvin where possible) and/or low UV emitting bulb types.
- Limiting the times that lights are on to provide some dark periods for wildlife and/or use automatic dimmers to reduce lighting outside times of peak use.
- Where possible use LED light sources.

f) "Where development is appropriate on the edge of a settlement, it should incorporate suitable landscaping to avoid creating a hard and visually prominent edge. On higher / open ground the mitigation measures in (b) should also be applied."

This criteria is not considered to be entirely relevant as the part of the proposed development which is on the edge of a settlement (Blandford) should be considered in light of Policy B2 of the B+NP. That said, members attention is drawn to how the applicant responded to the aims of criteria b) above and the proposed landscape strategy.

The mature trees to the south of Salisbury Road also assist mitigation of views higher/open ground. It is also intended to enhance the exist treed boundary of Letton Park as this provides a robust and long term boundary to the development. Two new woodland belts perpendicular to this boundary would mitigate views across the site. No development is proposed adjacent to, or within the root protection areas of existing trees. Tree species selected would reflect the species composition of the existing woodland in the Park and once they are established would enhance the overall character of the area.

g) "Development should not harm the views of Pimperne village as appreciated on the approach from the south along the A354, or reduce the open nature of the gap between Blandford Forum and the village of Pimperne, as indicated on Map 2, and should respect the treed and distinctive character of Letton Park within this gap."

There are two parts to criteria g). The first part relates to the approach to the village from Blandford along the A354 (Salisbury Road). The views along this road includes trees and hedges, domestic clap-board fencing, dwellings of various sizes and setbacks to the road, and driveways/access arrangements.

The proposed development has very limited road frontage within Pimperne Parish along the A354. There is only a proposed bus access/egress that needs to be considered. This would come forward as part of a later phase. As such the details are not for consideration within this application. This access could be designed to be in keeping with character of this street scene such that it would not harm the views Pimperne village at such a distance.

The second part of the criteria is 'development should not harm or reduce the open nature of the gap between Blandford Forum and the village of Pimperne and should respect the treed and distinctive character of Letton Park'. To assess this part of the policy we need to understand the 'nature of the gap' and to do this we need to know from where it can be viewed.

Paragraph 33 of the PNP provides us with these viewpoints: *There are general views of the village from higher ground, most notable from the approach from the Higher Shaftesbury Road, along the A354 near Letton Park and some of the surrounding public rights of way...The impact of development on the enjoyment of these views should be considered in planning decisions...* The other views mentioned in this paragraph are not of relevance as they do not provide a view of the proposed development site. It should also be noted that there are no public rights of way through the site.

Within this 'gap' there currently exists large agricultural buildings, residential dwellings of various sizes, land in cultivation, trees and hedges, water features,

domestic clap-board fencing/boundary treatment, and driveways/access arrangements. Hence, residential development is part and parcel of the views within this important open gap. Therefore, residential development could be acceptable in the gap subject to design details that would insure the 'open nature' of the gap is maintained.

To harm or reduce the open gap would require either the introduction of something new of a size and scale to be noticeably out of place or introduce something that already exists but at a size and scale that can't be mitigated. On this point of mitigation, it is helpful to consider why the residential development in Letton Park is considered to be a part of the 'gap' but the development of Letton Close is not.

It is my opinion that the development of Letton Close was left out of the 'Important Open Gap' designation because it lacks the silvan character of Letton Park. By contrast, it is considered that the proposed development, across the whole of the site but particularly in eastern portion adjacent to Letton Park and the southern portion adjacent to the CC AONB, will deliver a silvan character and appearance when seen from the viewpoints mentioned above. The photomontages produce by the applicant demonstrate this point.

The vision for this development (Parklands) is underpinned by a nature theme which aims to respect the AONB setting and the character areas on land within Pimperne parish are much less dense allowing for more formal and informal planting in parks, along streets, as features in and of themselves. This can be demonstrated from the submitted plans, Design Code, and Illustrative Landscape Strategy. The proposed development, particularly within Pimperne, would consists of:

- Single and two storey dwellings
- Retention and enhancement of existing boundary woodland and hedgerows.
- Green corridors – Linear green space allowing movement of people and wildlife. Existing mature hedgerow and trees will be retained and enhanced with new planting. The corridors will extend through the site linking open space areas and new amenities and provide view corridors out into the wider landscape.
- Informal parkland – The parkland will form a transition between new homes and open countryside. Areas of amenity and wildflower grassland, rough grassland and woodland planting would provide opportunities for play, relaxation and habitat creation.
- Permanently wet SuDS ponds will be planted with appropriate marginal and emergent species to encourage wildlife and establish an attractive lakeside amenity setting.
- Landscape edges will comprise informal footpaths, trees and grassland with the retention and enhancement of existing established woodland and hedgerow planting. New whip and feathered tree planting will provide long term continuity to the woodland edge.
- Native woodland belt to provide landscape framework to development.

- Street lined streets both formal and informal avenue tree planting and calcareous grass verges to the principal roads within the neighbourhood area

This would not be a dense form of development like Letton Close. It would respect the treed and distinctive character of Letton Park. It would enhance the openness of the gap in Pimperne through the creation of public parks, ecological habitats, footpaths, and associated views. Therefore, with regard to criteria g), the proposed development is considered to be acceptable.

h) ... character of Nutford ...

Not relevant.

i) Development should respect the historic character of the landscape, including archaeological features that are clearly evident within the landform (many of which are recorded in the Dorset Historic Environment Record).

The Council's Senior Archaeologist is satisfied with the submitted archaeological evaluation of the site. There is no objection in principle subject to a suitable condition to secure an appropriate programme of recording and analysis archaeological remains found on the site.

Landscape impact on Cranbourne Chase AONB,

Within the CC AONB designation the proposed development is limited to: a primary school, playing pitches, replacement allotments and allotment building. These fall within the outline application for the site with details of building height (8m for the school) set in the parameter plan, landscaping set in the landscape parameter plan, leaving only matters of layout, and appearance as reserved matters.

- Paragraph 176 of the NPPF states "*...The scale and extent of development within... designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*"

- Paragraph 177 of the NPPF states "*...When considering applications for development within... Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

(The applicant has provided a detailed response (dated 21st October 2021) to concerns raised with regard to: Nationally Designated Landscapes, amongst other relevant matters. This response is still relevant to the amended scheme before members.)

Officers consider this proposal to be major development for the purposes of paragraphs 176 and 177.

With regard to NPPF paragraph 177 criteria a), your attention is drawn to the B+NP Examiner's Report dated 28 January 2020. Therein the Examiner confirmed the need for the development at paragraphs 9.35-9.46 and specifically the school at paragraph 9.43 of his report stating *"there is an unmet and increasing need for primary school places in the area and great importance attached to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities"*.

The evidence for the B+NP included a Sustainability Appraisal (SA) prepared by AECOM Infrastructure & Environment UK Ltd which explored Spatial Options for the provision of housing and facilities such as schools. This evidence concluded: the need for a school could not be met on other sites (allocated or not) nearby as the need was in the north of the town, and therefore is required to be provided in this location. Further evidence, in the form of the Site Selection Background Paper, included an examination of the three NPPF paragraph 177 tests balancing these with the exceptional circumstances that prevail in Blandford. This concluded that the need for school development is in the public interest and met these tests.

Following the adoption of the Blandford + Neighbourhood Plan in 2021, the site is now officially allocated for the proposed development in Policy B2.

Note, the Council as Local Education Authority has commented that there is still a growing need for school places.

Turning to criteria b); there is no scope for developing a school on other identified sites as was considered by the Examiner.

The Examiner concludes at paragraph 9.46 of his report: *"I consider that the evidence demonstrates that the disadvantages to the public interest of the proposed development within the AONB are outweighed by the significant benefits of additional housing and employment land provision and that of a site for the proposed school. For these reasons I conclude, applying paragraph 172 of the Framework, that: (i) there are exceptional circumstances and (ii) it has been demonstrated that, despite giving great weight to conserving the landscape and scenic beauty in the AONB, the allocations are in the public interest."*

Turning to criteria c) and moderating the impact of the development. It is considered that any harm to the CCAONB has been sufficiently tested and mitigated through extensive landscaping proposals and the scheme has been designed to minimise adverse impacts as demonstrated in the, photomontages, Phase 1 Landscape Strategy, and the Illustrative Landscape Strategy Plan. In particular, the illustrative landscape strategy and building heights parameter plans show how the school

building itself would be limited in height, set within a landscape context that would filter views from the wider AONB.

The proposed allotments and pitches would be set behind the landscaped boundary features and therefore would be suitably mitigated from the wider landscape.

With regard to paragraph 176 and the setting of the CC AONB, it should be borne in mind that the proposed development site location is very much influenced, or derived from, recent studies and supporting documents by the Council, in particular the North Dorset LP Issues and Options, and the North Dorset Strategic Landscape and Heritage Study. These documents were drawing broad-brush areas for considerations and study.

The proposed development site compared to the site(s) drawn in the earlier documents is more refined and has omitted the identified more sensitive land. The most sensitive parts of the site was the land to the north-east nearer to Langbourne House (which more sensitive for landscape and heritage reasons) and the land south of Pimperne Brook which has flooding concerns are not a part of the proposed development site. And of course, the land adjacent to the A354 bypass within the CC AONB.

It can be demonstrated through the landscape strategy plan, and design code, how the proposed development would conserve the natural beauty of the CC AONB. Mitigation through structure planting and tree planting throughout the site, and biodiversity net gain, would conserve and enhance the landscape. Additionally, the applicant has also agreed to a condition requiring an 'Ash tree management and replacement plan' as the existing tree canopy has a high number of ash trees. It is considered that the proposed layout would enhance the CCAONB in terms of both landscape and ecology by locating the County Park in the south-eastern portion of the site which shares a boundary with the AONB.

On the issue of setting and moderating impact, your Officers' have found that the proposed development has been sensitively located and designed to avoid and, or, minimise the impact of this development having regard to the character of the landscape in this particular location and special qualities of the CC AONB.

The comments from the CC AONB on file have been considered on site and summarised above. It is self-evident that the proposed development will have an impact and result in a change in the landscape. However, it is considered that the proposed development and resultant change to the landscape in the context of this particular site which is bordered by Blandford Forum and the A354 bypass, Letton Close, Letton Park, and the CCAONB would not result in a materially detrimental impact on the setting of the CC AONB.

The Landscape Character Assessment of Cranbourne Chase AONB recognises that the neighbouring towns that share its boundary "...provide important employment and economic activity, resulting in an outward-looking economy ...the AONB cannot be seen as a discrete area in social and economic terms, but one that is influenced by external factors and its infrastructure." I would concur with this statement. Hence it can be said that the proposed development within and adjacent to Blandford

Forum helps to relieve development pressure within the adjacent AONBs. This is similar to the appeal Inspector's comment of the need to find sites; and sites which accord with our spatial strategy which aims to place strategic development in the most sustainable locations.

To address the issue of lighting and dark skies, a lighting strategy for the development has been undertaken in consultation with the Council's lighting engineers to establish a set of parameters which provide the required levels of lighting for roads, cycleways and footpaths whilst simultaneously meeting the aspirations of the NPPF in respect of the provision of street trees throughout the scheme. The layout and lighting column lamp specification have taken account of the Dark Skies advice note set out by the Cranborne Chase AONB, in respect of light colour (3000K or less), and lamp design and light direction and shielding of perimeter lighting to the Site. Plans and specification have been included in the July 2022 submission.

It is considered that the requirements of paragraph 176 and 177 of the NPPF are met, as the school site needs to be located here, and there are no other known available sites. The landscape impacts of the proposal have been moderated in view of the significant changes to the number of dwellings proposed, and to the layout and greenspaces.

Heritage assets

Your Senior Conservation Officer has raised no objections subject to conditions. He has noted that the proposed development broadly continues the historic pattern of development of Blandford Forum to the NE of its historic core. In his detailed comments he notes that Policy B2 of the B+NP requires

"...viii. 'a design and landscape scheme comprises measures to...minimise harm to the Grade II listed Longbourne [sic] House by way of the details of the design, layout, landscape treatment, materials and typical details of appearance and elevation of buildings."

Though the majority of these elements are reserved matters, the application provides a series of parameter plans to be agreed as part of the application. These include strategic landscape and open space on the E side and along the NE edge of the southern parcel and a general reduction in building heights from W to E, reflecting the transition between the town and the rural edge. Insofar as they contribute to minimising harm to the setting of Langbourne House, these are considered acceptable approaches and have been retained through the various amendments.

The ES concludes that the development will result in a 'minor adverse significance of effect' to the significance of Langbourne House through further erosion of its rural setting. We agree with this assessment and interpret it as 'less than substantial harm' in the context of the NPPF. However, taking into account the contribution of setting to the building's significance and the opportunities for minimisation and/or mitigation, it is considered that the harm is of a minor degree and would be outweighed by the overall public benefits of the scheme.

The ES also identified 'minor adverse to negligible significance of effect' to Letton Croft, Bolney and Hammett Farm Cottage which we agree with and interpret as 'less than substantial harm'. Taking into account the contribution of setting to the significance of these assets and the scale of harm, we do not consider that the impacts are unacceptable.

The ES identifies 'negligible significance of effect' on Langton Long Farm Cottage through the growth of a suburban landscape. Again, we broadly agree with this assessment and consider that the level of harm is minor and not unacceptable.

The ES identifies a 'major magnitude of impact' on the archaeological non-designated heritage assets during the construction phase. We would equate this to substantial harm on their significance. However, taking into account the local significance of the finds and acknowledging the expectation of archaeological recording as mitigation (ES, 7.68), we consider these impacts to be acceptable, subject to any comments from the County Archaeologist; whom has no objection in principle subject to a condition requiring the recording of any findings.

Highway network

The Transport Development Managers comments are summarised here:

"...Vehicular access for the northern development site is proposed from a simple priority junction onto the A354 Salisbury Road. This junction is to formed at the location of the existing junction that currently provides access to the existing allotments.

Vehicular access to the southern development site is proposed from a new 32m diameter 3-arm roundabout on the A354 Blandford By-pass. It is this entrance that will be used to serve Phase 1.

A number of new pedestrian and cycle connections are to be provided to the site to facilitate active travel. Immediately to the north of the proposed access roundabout on the A354, a new signalised toucan crossing will enable safe movements across the by-pass. This proposed crossing will link into a new footway/cycleway connection to Preetz Way to the west of the site across the adjacent public open space.

To the south of the site, a new shared use footway/cycleway will be built parallel to the A354 Blandford Bypass, running down the embankment to connect with the existing footway located along Black Lane. ...to be provided prior to occupation of Phase 1.

This new link will then join onto the footway/cycleway connections and traffic management measures proposed on Black Lane, as shown on Dwg No 01-PHL-304 Rev C... required prior to the occupation of Phase 1, the intention is to provide a new 3m wide shared footway/cycleway on the northern side of Black Lane and a new one-way section providing traffic calming under the Bypass bridge, forcing westbound traffic to give way to oncoming traffic as they enter the 30mph zone.

A shared use path is proposed linking the southern parcel of development north to the A354 Salisbury Road. A new pedestrian crossing will provide connectivity to the northern development site where the proposed local centre and school are to be located.

A second route to the northern development area will be provided by the existing pedestrian footbridge that spans over the A350.

The application includes a substantial Transport Assessment (TA) which considers the likely impact of the development traffic upon the local highway network. Traffic surveys (ATCs) and manual traffic counts were used to collect the baseline traffic data upon which the assessment was based. ... The projected trip generation for the recently approved Waste Management Centre (WMC) has also been fully considered within the Transport Assessment... future assessment year of 2031 has been assumed ...

In addition to the two proposed access junctions, three roundabouts on the Blandford Bypass have been assessed - Hill Top Roundabout, Two Gates Roundabout and Sunrise Roundabout. Analysis of the capacity of these junctions was carried out using the industry standard Junction 9 software package, with the findings informing the necessary mitigation.

At Hill Top roundabout it is proposed that new signalised crossings will be constructed on the A354 Salisbury Road arm and the A350 arm. These will improve pedestrian movement from the development site to the existing areas of Blandford to the west. A new left-turn bypass lane from the A354 (S) to Salisbury Road (W) will be constructed and an increase of the flare length and entry radius on all arms of the roundabouts will be made. These works are shown on Dwg No 01-PHL-302 Rev C and need to be implemented prior to occupation of Phase 2.

At Two Gates roundabout it was identified that the junction would be likely to operate marginally over capacity in the 2031 Baseline Scenario. To mitigate this the flare length and entry width on all arms of the roundabout will be improved, prior to occupation of Phase 2. These are shown on Dwg No PHL-202 Rev A.

Sunrise Roundabout was proven to operate with spare capacity in the baseline scenario and in the future 2031 baseline scenario, so no mitigation measures are proposed.

The Highway Authority considers that the submitted Transport Assessment is satisfactory and robust.

With specific regard to Phase 1, the detailed planning permission sought for the development of 150 dwellings, the Highway Authority has discussed the proposed estate road layout in detail with the applicant. The resultant scheme meets with adoptive requirements, providing a layout which serves to keep vehicle speeds to 20mph or lower, is considered to be safe and suitable for all road users and which can be fully serviced by refuse vehicles.

Car parking is provided in accordance with the guidance provided by the Bournemouth, Poole and Dorset Residential Car Parking Study.

Each dwelling is to be constructed with appropriate provision for cycle parking within the property's curtilage, provided within garages and gardens/sheds. Cycle stores will be provided for apartment blocks.

The Highway Authority is of the opinion that subject to the identified mitigation measures being implemented the residual cumulative impact of the development cannot be thought to be "severe" when consideration is given to paragraphs 110 and 111 of the National Planning Policy Framework (NPPF) - July 2021."

Design, and Policy B2 of the B+NP

The B+NP allocated under Policy B2 - land to the North and North East of Blandford Forum for a mix of residential, education, community and allotment uses. Development proposals for the land would be supported, provided the following criteria were met:

Criteria	Comments on proposal	Complied with Yes/No
i. The residential scheme comprises approximately 400 dwellings, including a mix of open market homes of which 5% should be self-build and/or custom build housing, and affordable homes for rent and other affordable routes to home ownership, primarily located on land to the north-east of Blandford Forum;	<p>Proposal is for up to 490 dwellings. A low density of dwellings in Pimperne will allow for better landscape mitigation needed, and a large informal park with the attenuation pond and BNG.</p> <p>5% self-build not mentioned in Planning Statement or elsewhere. However, agreement to put this in in S106.</p> <p>AH has been better integrated and noted by the Urban Design Officer.</p>	Yes.
ii. The education scheme comprises a new two form entry primary school with integrated early years provision;	<p>Acceptable no objection from Local Education Authority. Evidence within B+NP. Current position stated below.</p> <p>Agreed could be low profile building 8m and adequately landscaped in the interest of CCAONB</p> <p>Needs to be secured through S106</p>	Yes

<p>iii. The education scheme shall be confined to land to the north of Blandford of about 3 hectares and of a design to reduce its impact on the skyline to minimise its visual footprint and of regular form to enable school expansion to three form entry and in a convenient position to facilitate the use of the existing A350 pedestrian bridge;</p>	<p>The land use parameter plan allocates a plot for the school to the north of the site.</p> <p>The LVIA has assumed a low rise building in its assessment.</p>	<p>Yes</p>
<p>iv. The community hub scheme comprises a new health and wellbeing facility, a community centre and convenience shop to serve the locality;</p>	<p>The land use parameter plan allocates land for a local centre, to the north of Salisbury Road, which can accommodate a mix of non-residential uses as required by the NP.</p>	<p>Yes.</p>
<p>v. The Lamperd's Field Allotments are relocated to a single location to the west of their current position and comprise land of approximately 2.5 hectares and ancillary facilities that meet or exceed the standards of the existing site;</p>	<p>The land use parameter plan allocates land for relocated allotments of at least 2.55ha and the provision of an allotment building are proposed as part of the outline planning application.</p>	<p>Yes.</p>
<p>vi. The highways scheme comprises measures to satisfactorily manage its traffic effects on the road network and to encourage and enable safe and convenient walking and cycling to community facilities (including the new community hub and new school, the Blandford School, the recreation ground at Larksmead and Pimperne Brook/Black Lane) and employment areas (including the town centre, Sunrise Business Park, Glenmore Industrial Estate, and Blandford Heights Industrial Estate);</p>	<p>The Local Highway Authority has yet to comment on the application.</p> <p>Off-site contributions have been agreed to improve the pedestrian/cycle movement, i.e. Shottesford Way, Sunrise Business Park.</p>	<p>Pending comments from LHA</p> <p>Hwy seemed to be satisfied in all discussions.</p>

<p>vii. The highways scheme includes proposals for the improvement to the existing bus services to serve the proposals and connecting to the town centre, Blandford School, the Sunrise Business Park, Glenmore Industrial Estate and Blandford Heights Industrial Estate;</p>	<p>The Local Highway Authority has yet to comment on the application.</p>	<p>Pending comments from the LHA</p>
<p>viii. A design and landscape scheme comprises measures to satisfactorily mitigate any adverse impacts upon the AONB and minimise harm to the Grade II listed Langbourne House by way of the details of the design, layout, landscape treatment, materials and typical details of appearance and elevation of buildings and of minimising light spill into the AONB;</p>	<p>Senior Conservation Officer and Senior Landscape Officer have no objection subject to conditions.</p>	<p>Yes.</p>
<p>ix. The green infrastructure scheme comprises an ecology, sustainable drainage and boundary treatment strategy that demonstrates how existing environmental assets will be protected and enhanced comprising:</p> <ul style="list-style-type: none"> • A biodiversity strategy to deliver, where possible, a net gain in biodiversity value on site; and, how biodiversity assets will be connected into the wider green infrastructure network; and • A public open space strategy to integrate the built environment and connected into the wider green infrastructure network, including the delivery of public open space proposals on both the land to the North and North East including informal open spaces and natural and 	<p>Ecology - BMP demonstrates a net gain and has been agreed with DNET. This is in excess of standard 10% net gain. Subject to conditions.</p> <p>SUDS strategy accepted by LLFA. Subject to conditions.</p> <p>Boundary treatment strategy, is part and parcel of the Landscape strategy.</p> <p>Open space strategy yes, see DAS and Design Code.</p>	<p>Yes.</p>

equipped children's play space; and		
x. A flood risk assessment and sustainable drainage strategy to demonstrate how the scheme will not increase surface water or fluvial flood risk on any adjoining land.	SUDS strategy accepted by LLFA. No objections raised by Wessex Water, nor by the EA subject to conditions.	Yes.
xi. an illustrative masterplan that defines the land uses and key development principles for access, layout, design and the principles of phasing and implementation and demonstrates that the proposals would not adversely impact on the operation of a waste management centre on adjoining land;	Complied.	Yes.
xii. design features that improve energy efficiency and reduces carbon dioxide emissions; and,	An energy strategy/sustainability statement has been submitted. Recommendations should be conditioned.	Yes.
xiii. a planning obligation to secure the release of all land necessary for the supporting infrastructure, the 2FE primary school and other community facilities following planning consent for the phase 1 scheme within the Blandford + Neighbourhood area and prior to the commencement of that scheme.	Terms being agreed.	Yes.

With regard to the provision of a school, the LEA has confirmed "...that the 490 dwellings proposed will generate up to 99 primary aged children and 88 secondary/Post 16 children..." Currently, the three primary schools are "full and there is still continued need for the LA to have the strategic allocation of a school site as detailed in the application. This will be brought forward at an appropriate time to ensure the LA can fulfil its sufficiency duty." While the secondary school, The Blandford School, "...is already having to add additional places (60 places in September 2023 alone) and this amount of housing alongside other allocations will require this increase to be rolled out through all year groups."

The allocated site for the school is consistent with previous discussions and is of an appropriate size and shape. On this matter the applicant made the following points:

- The school proposal has evolved through design review sessions with Dorset Council's schools team (Assets and the LEA). The principle for the school plot size, position and configuration was agreed in principle during this review and has remained broadly as shown throughout the application process dating back to 2020.
- Key considerations informing the proposed arrangement for the school include:
 - Maximising accessibility, with all residents (including those in the proposed southern parcel and the adjoining existing community at Badbury Heights) being within 800m (10mins) walking circle of the school building.
 - Positioning the school building in close proximity to the existing footbridge connection over the bypass whilst also ensuring the existing arrival views across the AONB are maintained.
 - Positioning the school building to minimise potential visual impact in the AONB, by siting on the lower part of the plot (83-84m contour) rather than higher part (85-86m contour).
 - Meeting Dorset Council's school standards for plot area size and regular shape.
 - Meeting Dorset Council's school standards for plot gradients for both buildings and outside play / sports areas.
 - Meeting Dorset Council's school design guidance to provide a 'constraint free' plot, by ensuring the existing 18m wide tree /hedgerow belt doesn't divide the plot. It forms a boundary feature to the northeast, adaptable and accessible as a nature / conservation area.

On a more general note about the scheme and design, early on Officers had raised concerns about the clarity of vision and the principles driving the identity and character of the scheme, and, whether these reflected the sensitivity of this location of the site, particularly with regard to the landscape setting and the surrounding character. It should be noted that the applicant has worked proactively with Officers to address these concerns.

The proposal has been significantly reduced and enhanced and now has a clear 'parkland' character with the incorporation of a larger central park as well as additional areas of green space, landscaping and amended street design that incorporates verges and tree planting. Character areas have been refined so they are clearer and more defined with changes to the design of streets, density, house type and boundary treatments.

The heights of buildings have been lowered significantly at the bypass entrance and along the Salisbury Road frontage and affordable housing is now more widely distributed throughout phase 1. The proposed feature building of the local centre has also been reduced in height to 14.8m is consider accept given the topography and tree cover (see pages 104 and 105, Design and Access Statement (March 2023), Illustrative section H-H).

Other key changes worth noting are:

- A reduction in the proposed total number of homes from 600 to 490.
- Introduction of additional strategic woodland tree belts and avenue planting across the contours to breakup and contain development within the wider landscape setting.
- A significant increase in proposed publicly accessible green space, including a central park and additional linear parks (now covering approximately 47% of the development area).
- Potential for a bus route to connect through the development area, alongside improved bus stop facilities on Salisbury Road and adjoining areas.
- Significant increase in tree planting across the site, including widened street verges to support trees and edge trees to reinforce boundary planting.
- Widened green corridor connections to support safe and inviting pedestrian and cycle connections.
- Off-site works to improve pedestrian and cycle connectivity to the town centre and local facilities.

- The outline application –

Turning to the outline planning application, details of access are provided with all other matters (layout, scale, appearance, and landscaping) reserved for a later date. Illustrative plans and drawings have been provided to give an understanding of how the development could be completed. Parameter plans, if agreed by condition, set some of the details by which the future reserved matters application must abide giving greater clarity and certainty about the development. For example, the Parameter Plan – Building Heights has details of buildings throughout the site upon which Officers have based our judgements of acceptability.

The applicant has submitted three parameter plans for consideration: Building Heights, Access and Land Use, and Open Space & Landscape. Officers would recommend that if members were minded to grant planning permission some or all of these parameter plans should be agreed by condition.

As shown on plan, there has been a significant reduction in the height of buildings across the site. This was to address concerns raised about the visual impact of development on the surrounding landscape and the effectiveness of landscape mitigation. As can be seen in the photomontages, the proposed heights work well with the proposed landscaping especially in relation to Letton Park. Even the tallest building envisaged in the new local centre, as a matter of judgement from viewing the site in context, would be adequately screened when viewed from the north in Pimperne due to the contour of the land falling away and from the south benefiting from the tall trees along Salisbury Road and the contour depending on your vantage point and distance.

The Parameter Plan - Access and Land Use now includes additional areas of strategic landscape and open space and clearly illustrates a good network of routes

for pedestrians and cyclists, and a bus route. The proposed location of the school building is not finalised on this plan but it has been the subject of extensive and detailed discussions. Should a revelation arise between now and the time the school is needed then the applicant could show their thinking in detailed reserved matters application.

Within the proposed local centre, to the north of the site, a mixture of residential and non-residential uses is proposed. The residential dwellings in this location would include both family housing and apartments. The apartments could be developed as retirement accommodation, which falls into the same use class as standard residential development. The indicative floorspace for commercial (use Class E) purposes is set out in the Planning Statement at 410sqm.

Within this use class, the following uses are permitted: medical/health centres, retail shops, financial and professional services, restaurants and cafes, offices, research and development, industrial uses (which are appropriate in a residential area), creches, nurseries and day centres, indoor sport and recreation (excluding motorized vehicles or firearms)

Whilst all of the above would be permissible through permitted development rights, it is anticipated that the uses within the local centre will come forward as a mix of retail, café and community uses

The Parameter Plan - Open Space & Landscape factor into the photomontages we have seen for the site. The proposed structural woodlands through the site work well to mimic the character of Letton Park whilst creating publicly accessible parkland from which to enjoy landscape view through green wedges. Details of planting is not a matter for an outline application where landscape is reserved for a later date. However, it can be agreed that landscape management in Phase 1 should be conditioned to address concerns about Ash Leaf Dieback and the suitability of the tree selection.

- The full application -

Turning to the details of the full planning application, the National Design Guide, and Policy 24 – Design of the LPP1 are of particular relevance. The clear aim of these is to improve the character and quality of the area within which it is located. Points of reference therefore are considered to be Letton Close, Letton Park, and Blandford Forum as these present residential developments. As mentioned above there would be a clear difference between the proposed development and Letton Close due to the proposed landscaping. It would be unrealistic and waste to expect the proposed development to mimic Letton Park but the proposed theme of ‘Parkland’ with woodland planting, informal and formal public open space areas works well. The development in Blandford on the other side of the bypass is buffered by a thick tree belt but beyond this the layout of the and quantum of landscaping is generally lacking.

- Character and Identity -

In terms of character and identity, the proposed design has created a clear and logical arrangement of development blocks, a considered variation in the design of streets and built form that in turn creates legible character areas throughout the site.

These character areas have been further refined to ensure they are clear and distinct and together contribute to the parkland identity of the scheme.

Along key routes, the street design is more formal where larger town houses and villas with smaller front gardens have a positive street frontage, transitioning to a more informal layout with low density housing that is more rural in its vernacular. Additional tree planting and the addition of verges have also improved the appearance of streets and will assist in managing on-street car parking and reducing the visual dominance of parked cars.

- Density -

Whilst density is not a matter we can judge a design on, it is a helpful indicator. The density plans submitted as part of the addendum to the Design and Access statement show a clear distinction between different areas with the lowest density area being on the eastern edge of the site where a more rural /village character transitions into the open landscape. Density gradually increases towards the local centre and within the northern parcel where density will be at its highest due to the number of apartments and a greater number of terraces. In combination with adequate landscaping including softer front boundary treatments and tree planting, differing scales of built form and approach to street design, it is considered that the density is appropriate and will support the intended parkland character.

- Movement -

In terms of movement, considerable work has been undertaken to ensure that walking and cycling routes form a key part of the development and its movement strategy. It is considered that these routes comply with guidance set out in Manual for Streets and LTN1/20 and provide direct, wide and safe routes that connect the scheme to Blandford (through the provision of upgraded routes and controlled crossing points), the northern and southern development parcels and also provide links throughout the main residential element of the proposals. In addition to this, provision has been made for a bus service link to circulate through the central part of the scheme. The design of all routes is clearly set out in the submitted Design Code to ensure that in every phase of development the principles of the street hierarchy are secured.

- Layout -

In terms of layout clear development blocks ensure that the layout is permeable and legible for all users. Cul de sacs and private drives only serve the edges of the scheme and here there are footpath connections that ensure permeability for pedestrians and cyclists. The layout also ensures that waste collection and other large service vehicles can easily access all parts of the site.

It is considered that buildings positively address the street with windows and doors overlooking public areas. There are few areas of blank frontages. Focal buildings address key corners and junctions acting as way markers and adding presence to the street, in particular the 3 pairs of semi-detached dwellings at the entrance to the site overlook an area of green space and are a strong character cue for the rest of the scheme. Dwellings with dual frontage, windows overlooking the street on both sides, add quality in the public realm by positively addressing their location.

- Street and Open Spaces -

Phase 1 establishes a strong street hierarchy that would be followed through the later phases as set out in the Design Code. Different street types are clearly defined physically thereby creating legibility for users and adding to the overall character and identity of the proposal. For example, primary avenues have been designed to accommodate a bus service, tree lined with wide cycle/footpaths and a more formal layout of dwellings - they are the main transport routes through the site. Secondary streets are more residential in their character with narrower carriageway widths and footpaths to carry lower volumes of traffic. While, tertiary and mews streets are more informal in their design with a shared surface approach as vehicle movements will be very low.

Open spaces are located throughout, and a key feature is the central green space which acts as the heart of the scheme and emphasises the parkland character of the proposals. A Neighbourhood Area of Play (NEAP) will be provided here which is particularly beneficial considering play spaces are commonly left on the edges of places. It will be important to ensure that play spaces are designed to be in keeping with the parkland character of the scheme and provide a range of play experiences that are accessible to children of all ages, genders and abilities. This should be the subject of a bespoke condition. Opportunities for more creative play including features that encourage running, rolling and wheeling should be designed into the scheme as well as features that allow for more sensory play and quieter areas where children and families can sit.

- Parking -

The design approach to parking seeks to ensure that cars are well integrated and do not dominant within the street scene. The addition of verges help to informally manage on street parking and prevents cars parking on pavements. Visitor spaces have been designed into the carriageway in combination with trees that help to reduce the visual impact of parked cars.

In plot parking is generally set well back, reducing the likelihood of parked cars overhanging the building line and impacting on the visual appearance of the street. Driveways have also been widened, allowing for easier access to rear gardens and space for bin storage. Where courtyard parking is provided, spaces are broken up with landscaping and the spaces are overlooked by dwellings providing natural surveillance of these spaces.

- Homes & buildings -

A range of house types, sizes and tenures have been provided; their distribution through the site supports the creation of defined character areas with smaller detached, semi-detached and small runs of terraces to the south, with larger detached and semidetached houses closer to the central park.

The detailed design of buildings and materials used reflects those found in the local area, their location within the site supports the creation of defined character areas with more formal dwellings along primary avenues and village style properties on the edges where the site transitions into open countryside. Features and materials such as brick and flint banding, chimneys and porch details reflect those found in the surrounding area and help tie the development in to its local context and should be the matter of a conditions should permission be granted.

Originally affordable units were concentrated to the west of the site, along the bypass edge but these have now been more widely distributed throughout the southern part of the site. Every development block that includes affordable housing also includes open market housing and although these are contained to the southern part of phase 1, this is due to the character of this part of the site being defined by higher density smaller terraces and apartments.

While externally the design of affordable units meets the same standards as open market housing, house types appear to be smaller. Of the 45 affordable units in phase 1 there are 17 that do not meet the minimum gross internal area (GIA) as set out in nationally prescribed space standards. However, the Council has no policy that prescribes these space standards. The applicant commented on this issue:

“With regards to the nationally described space standards, it should be noted that this is not a policy requirement – it was considered through the North Dorset Local Plan Examination and the Council decided not to incorporate these into the Local Plan. In the absence of locally adopted policy relating to these standards, Wyatt Homes would typically design affordable homes based on Aster Homes ‘The Aster Standard for New Homes’ guide Section 2 Design and Specification for Affordable Rented & Affordable Home Ownership. All design, materials are in accordance with prevailing British Standards and Building Regulations. The size of the units are based on Housing Quality Indicators (HQI) Assessment and Core Design Standards, Section 1.10.1.”

- Boundaries -

Boundary treatments vary depending on defined character areas, they have been designed to support the street hierarchy and provide an area of defensible space between the public highway and the front of the dwelling. They include railings, hedges and planting; there is an opportunity to provide some low brick walls as these are recognised features in the surrounding sub urban and more rural areas. This should be the matter of a bespoke condition.

- Lighting –

The Design Code, which would be a condition of any subsequent approval, sets out the principles for the proposed lighting on the site at Section 14 (page233) as follows:

‘...any lighting proposals should be designed to avoid light spill into the country park, wooded corridors around the site and the wider landscape (in particular the AONB).

Lighting proposals should be in accordance with the Bat Conservation Trust and Institute of Lighting Practitioners guidance (BCT and ILP, 2018), in addition to the AONB’s position statement 7a, ‘Good Practice Note: Good External Lighting’. This could be achieved through employment of a selection of the following measures:

- Use of only the minimum amount of light required for safety and amenity, and minimise upward reflected light.*
- Minimising the height of lighting columns. For pedestrian lighting, use of low-level lighting that is as directional as possible. Where necessary, use of*

embedded road lights to illuminate roadways and light only high-risk stretches of roads such as crossings and merges.

- Avoidance of light-spill into adjacent areas through luminaire design (downward emitting light source) or with accessories, such as hoods, cowls, louvres and shields to direct the light. Exterior light fittings with a light source above 500 Lumens, should be fully shielded if possible.*
- Use of narrow spectrum bulbs (less than 3000 Kelvin where possible) and/or low UV emitting bulb types.*
- Limiting the times that lights are on to provide some dark periods for wildlife and/or use automatic dimmers to reduce lighting outside times of peak use.*
- Where possible use LED light sources.*

These principles follow from the Design and Access Statement which explains how lighting considerations have been taken into account in the application, and how they will be taken forward into the detailed design. Key landscape parameters included minimising the use of lighting and have regard to the technical guidance provided by the Cranborne Chase AONB as to lighting levels.

In the interest of providing accurate details of street trees, page 138 of the DAS shows the lighting and tree planting strategy developed for the phase 1 application. *...following advice from Dorset Council on trees in relation to street lighting, a scheme ... has been prepared. To identify potential conflicts between lighting levels required on roads and footpaths and the shade arising from tree canopies the following criteria have been established to determine the tree and lighting layout.*

1 A clear zone around lighting columns, ...

2 Street trees to have 3m clear stems to allow for light penetration below canopies.

3 All trees to be assessed against their extent of canopy at 25 years..

4 Maximum diameter of tree trunks to be assessed at 25 years.

5 HDA plan 813.21/1120 Landscape Strategy, identifies the proposed tree layout for the Phase 1 scheme along with the lighting column positions. ... The tree species specified are identified on the detailed planting plans for Phase 1 (HDA 813.21/105B-109B. In all cases the tree canopies of the selected trees species conform to, or are less extensive than, identified on the Landscape Strategy Plan for Phase 1...

Sustainability appraisal

A Sustainability and Climate Change Statement was submitted in July 2022 in support of the application at the Land North and East of Blandford Forum. The applicant has provided a summary note which has been put on the file. It has been prepared with reference to the Dorset Council draft Interim Guidance and Position Statement for Climate Change published April 2023.

Dorset Council's draft Interim Guidance and Position Statement focuses on sustainable design and construction in relation to new build development. In order to

clarify how planning applications can address the various criteria set out within the draft Interim Guidance and Position Statement for Climate Change, Dorset Council have prepared a Sustainability Checklist.

The checklist incorporates questions to reflect the matters outlined in section 39 of Dorset Council's Validation Checklist 'Local List' that should be addressed in a sustainability statement. A summary of the topic areas and specific questions asked by the Sustainability Checklist are set out in their note against a summary of how the proposed development is compliant.

Since the submission of the Sustainability and Climate Change Statement in July 2022, Wyatt Homes has confirmed that the new homes in Blandford Parklands development would be designed and built to exceed the 'Zero Carbon Ready' standard set out in the emerging Future Homes Standards due to come into force in 2025/26. This would be the first large scale development in the North Dorset area to be designed built to such high standards for energy efficiency and carbon reduction.

Amongst other relevant information in the applicant's summary note it may interest Members to know:

- The submitted Energy Strategy, referenced in the Sustainability and Climate Change Statement, recognises the forthcoming amendments to Part L of the Building Regulations and sets out how the proposed development will comply in full.
- Homes will be built to the emerging 'Zero Carbon Ready' future homes standard due to be introduced in 2025/26 requiring the provision of heat recovery technologies and renewable energy generation technologies to every new home. Therefore, as far as practicably possible, operational energy use of the proposed development will be renewable and capable of adaptation to 100% renewable over time with the de-carbonisation of the grid.
- Sustainable materials and methods will be used in the construction as detailed in the Sustainability and Climate Change Statement. Embodied carbon emissions have been considered. Homes will be built to a high standard using quality materials to stand the test of time. Locally sourced building materials where possible e.g. flint blocks produced in Dorset.
- All proposed dwellings include rainwater harvesting, and water conservation measures such as water metering, dual flush toilets and the provision of aerated taps designed to minimise unnecessary water consumption.
- Specific proposed climate change adaptation measures in the construction and operational phases include, but are not limited to: fabric specification, heat recovery technologies, PV panels, solar thermal panels, air source heat pumps and resultant energy savings. EV charging points will be provided for each dwelling.

Residential amenity

The proposed development would result in change to the nature of the site with increased vehicular movement, domestic noise, and general activity. Matters relating to air quality and noise have been assessed and found to be acceptable. At the reserved matters stage for the latter phases of development there should be sufficient separation from existing dwellings so as not to cause overlooking/loss of privacy, or an overbearing/overshadowing nature. Hence, it is considered that the proposal is unlikely to adversely impact on the adjacent neighbour's amenities.

Green infrastructure

The proposed development includes allotments, footpath, a central park, children's play areas, and green space which would provide amenity, biodiversity, landscape and drainage functions. This has been enhanced since the original submission with the reduction in the number of dwellings, as detailed within the DAS, to respond to feedback received from key consultees in the post submission period.

Two trees are subject to a TPO. These are located to on the southern parcel, adjacent to the road boundary with the A354 Blandford Bypass. The proposals require the removal of some trees, groups of trees and hedgerow. These intend to be ash and elm, and is limited to category C (low quality) trees.

The Council's Tree Officer has commented in part "...Within both phase 1 and the outline masterplan; the AIA highlights how removal is limited to lower quality trees and hedging for the purposes of site access and general management. The greatest visual impact is likely to be the removal of trees and hedging situated on the eastern boundary and hedging on the northern parcels' southern boundary, adjacent to the A354. However, as noted by the applicants arboriculturist, the impact is considered likely short term, given the extensive planting opportunities that can be secured by way of condition...". No objection have been raised subject to conditions regarding tree species, tree protection, and 'ash tree maintenance, management and replanting plan'.

The Outline component of the scheme allows for a significant level of public open space and allotment (re-)provision that would meet the council's open space requirements. Phase 1 proposes a large area of public open space in the eastern section of the site, incorporating a Local Equipped Area of Play and area for informal play.

Soft landscaping will include the planting of structural street trees along the residential streets to create a natural element which enhances the street scene, breaks up the built form and provides a visual landscape buffer. These trees will provide visual interest and screening whilst increasing biodiversity within the development. Ornamental trees are also proposed within the development, at focal points to create attractive landscape features, including along the entrance to phase 1.

Additional planting including hedgerows and other indigenous species will be planted along the site boundaries to reinforce the existing boundaries whilst allowing the development to integrate into the wider landscape.

Hard landscaping in phase 1 will include private drives or courtyard parking areas which will be finished in a variety of different surface treatment from the roads within the development to reinforce the change in street hierarchy.

You will have noted that your Senior Landscape Officer has raised concerns with selection of plants. I would concur with these findings. As such, if members were minded to approve the application a condition should be imposed to submit a revised planting schedule.

Ecology

With regard to ecological matters, the Council's Natural Environment Team has no objections to the proposal subject to conditions. They have noted that the Biodiversity Metric calculation provided by the applicant demonstrates the scheme will deliver a significant overall Biodiversity Net Gain in habitat. In addition to which, the proposals will provide a range of ecological enhancement features including:

- Provision of a range of bat boxes and other roost features on buildings and trees;
- Provision of bird boxes (including Swift bricks) on buildings and trees;
- Incorporation of bee bricks on external walls;
- Erection of a feature Wildlife Tower in association with the area of informal opens space along the stream corridor in the south of the site to provide refuge/habitat for bats and birds;
- Use of fruit and nut producing species, and pollen and nectar-rich species in the formal landscape planting scheme;
- Inclusion of Barberry and Wych Elm within the planting scheme to support local initiatives for the Barberry Carpet Moth and White Letter Hairstreak respectively; and
- Creation of habitat piles and refugia using logs and brash from initial site clearance and ongoing management works.

It is considered that the net gains proposed will be well in excess of 10% and should be given significant positive weight in the planning balance.

Agricultural classification

From the applicant's ES provides us with an Agricultural Land Assessment at appendix 2.5. The findings are relevant and generally supportive of the proposal.

Planning policy at a national and local level seeks to provide protection for the best and most versatile agricultural land, of which Subgrade 3a is the lowest grade within the BMV category. Where significant development of agricultural land is demonstrated to be necessary, poorer quality land should be used in preference to that of a higher quality.

The proposed development involves the loss of 37.3 ha, of which 30.3 ha is agricultural land. Some 17.2 ha of the application site falls within Subgrade 3a, which is considered to be good quality agricultural land.

The site comprises a mixed pattern of Subgrade 3a mixed with Subgrade 3b. No fields fall wholly within Subgrade 3a, and in practical terms this will reduce the ability of farmers to exploit the benefits of the better quality land.

Planning policy does not provide a bar to development of land within the BMV category. However, the NPPF requires that, where significant development of BMV agricultural land is demonstrated to be necessary, poorer quality land should be used in preference to that of a high quality. Generally speaking, the loss of more than 20 ha of BMV agricultural land that does not comply with the development plan is considered to be “significant” development of agricultural land. The loss of 17.2 ha of BMV in this case is less than 20 ha and accordingly is not considered to be significant.

The applicant has supported their claim that poorer quality land is not available in preference to this site. “The Sustainability Appraisal for the Blandford and Neighbourhood Plan version 2 (Aecom, January 2019) identifies that all of Options 1 to 4 are likely to involve the loss of best and most versatile agricultural land. The preferred allocations therefore take account of the presence of BMV agricultural land. No poorer quality land is identified as available.”

Taking into account the search for poorer quality agricultural land, the lack of such land, the mixed nature of the Subgrade 3a with Subgrade 3b quality land, the lack of any significant impacts on farm businesses, and the quantum falling below the threshold of “significant” development, the Proposed Development accords with LPP! Policy 4 and supporting text paragraph 4.66.

Air quality and noise

With regard to air quality, the assessment in the ES finds that impacts from the development once complete will not be significant. It is considered that they have used appropriate methodologies to come to this conclusion.

The air quality assessment finds that impacts from the development during the construction phase require mitigation. These are set out in Annex A7 of Appendix 8.1. These recommendations should form part of the Construction Environment Management Plan (CEMP) condition.

With regard to noise, the assessment in the ES finds that impacts from the construction phase of the development provides an adequate maximum limit for construction (section 9.53). Construction traffic impacts are considered of negligible impact. Further mitigation for containing construction noise to the maximum level given are included within section 9.7 and should form the basis of mitigation measured given as part of the CEMP condition.

Sections 9.78-9.80 and 9.82 of the noise assessment detail sufficient mitigation strategies by way of acoustic design of properties to ensure acceptable levels of amenity in living spaces.

Flood risk and drainage

The Council's Flood Risk Management Team has reviewed the following surface water drainage or flood related documents submitted in support of the application, namely:

- Flood Risk Assessment by AWP, ref. 0728, Rev C and dated 18 July 2022.
- Preliminary Drainage Strategy (Phase 1), by AWP, ref. 0728, drawing no. PDL-101, rev D and dated 21/7/22
- Preliminary Drainage Strategy (Outline Application), by AWP, ref. 0728, drawing no. PDL-201, rev D and dated 21/7/22

The Flood Risk Assessment is considered to be appropriate and the FRM Team has no objections subject to conditions.

Groundwater

With regard to groundwater, it has been noted that the proposed development site: is within source protection zone 1, located upon a principal aquifer, and upon a drinking water safeguard zone.

The EA considers that the evidence submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development though further detailed information will be required before development commences.

The Environment Agency has no objections with regard to groundwater subject to conditions. In part, they commented:

“The proposed development involves significant construction activity which presents a risk to groundwater resources. Groundwater is particularly sensitive in this location because the proposed development site:

- is within source protection zone 1
- is located upon principal aquifer
- is located upon a drinking water safeguard zone

The evidence submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development. Further detailed information will however be required before any development is undertaken...In light of the above, the proposed development will be acceptable if a planning condition is included requiring submission and subsequent agreement of further details as set out... Without this condition we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not present unacceptable risks to groundwater resources.”

Wessex Water has been consulted on this scheme and has no objections.

Planning Balance

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): economic, social, and environmental. So that sustainable development is pursued in a positive way, at the heart of the Framework (a.k.a. NPPF) is a presumption in favour of sustainable development.

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

In this case there is a conflict with the Development Plan and that is, building in the countryside should be resisted. However, as set out above that conflict would not result in any adverse impact. As set out above Policy LC does not preclude development, and the proposed development accords with the criteria of this Policy.

The B+NP has amended their settlement boundary and allocated most of this site for the development proposed. Other objectives within this allocation under Policy B2 are material and far reaching considerations; such as delivering a school site, providing affordable homes, self-build/custom home plots, biodiversity net gains, and enhancement of the landscape and CCAONB. It is also a material consideration that the spatial strategy for North Dorset has designated Blandford Forum for growth as one of the most sustainable areas.

The benefits of the scheme can be summarised as:

- land for a school
- securing 30% (~147 dwellings) affordable housing
- 5% self-build units
- open market housing
- formal and informal parks
- ecological benefits
- landscape enhancements
- community centre building
- employment, jobs, during and after construction
- off-site contributions
- highway improvements

These should all be given positive weight in the planning balance of decision-making. Additionally, financial contributions toward off-site improvements should be given positive weight as they would represent benefits to the community as well.

The only demonstrable impact of the development, for the land within Pimperne, would be a change in the landscape within their designated Import Gap. However, this would not result in an 'adverse' impact having specific regard to the CC AONB, the nature of the gap, and the character of the area having regard to Letton Park, Letton Close, and Blandford Forum. No other adverse impact have been identified.

The proposed benefits of this scheme are many and weighty. It is considered that with no demonstrable adverse impact the conflict does not outweigh the identified benefits which are material considerations.

Part of the application site is within a designated landscape, the CC AONB. Therefore, members need to consider whether the application of policies in the Framework provide a clear reason for refusal on this matter. With regard to paragraphs 176 and 177, and the Framework as a whole, it is considered that the proposed allotments, playing fields, and school, that would be located within the CC AONB would not present a reason for refusal as there is a clear public interest to providing a school and the proposed design and landscape mitigation would conserve and enhance the special qualities of the CCAONB.

Similarly, the issue of setting to the CC AONB would not present a reason for refusal as it is considered the proposed development has been sensitively located and designed to avoid and, or, minimise the impact of this development having regard to the character of the landscape in this particular location and the special qualities of the CC AONB.

The proposal, in its supporting documents has identified some potential archaeological remains on the site and other listed and non-listed heritage asset buildings. However, this information has been considered and, subject to conditions, it is considered that the harm would not outweigh the benefits of this scheme.

17.0 Conclusion

It is important to recognise that Blandford Forum is a major settlement within the northern area needing to accommodate strategic growth. It is by its very nature a sustainable location for growth.

The applicant has demonstrated that the land within the designated open gap of PNP Policy LC would not harm the views of Pimperne village nor reduce the open nature of the gap between Blandford Forum and Pimperne. In fact, there are aspects of this development which go beyond conserving the landscape but will enhance the special qualities of the adjacent CC AONB.

In the opinion of your officers, the conflict in principle to resist development in the countryside is far outweighed by the material considerations of securing 490 homes, 30 percent of which would be affordable dwellings, therefore providing much needed affordable homes, meeting our statutory obligation of providing self-build plot, and the other benefits mentioned above.

18.0 Recommendation

A) Grant planning permission subject to the following conditions, and subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager.

B) Refuse permission for the reasons set out below if the agreement is not completed within six months from the date of committee or such extended time as agreed by the Head of Planning.

1. No part of the development hereby approved shall commence until details of all reserved matters (list them) 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 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).

5. The proposed development was presented in two parts; one for outline planning permission covering all land within the red line boundary, and one part for full planning permission covering phase one of the development. The development hereby permitted shall be carried out in accordance with the following:

For the outline planning permission, development hereby permitted shall be carried out in accordance with the following plans:

- Hybrid Application Boundary, 131_DI_75.5
- Parameter Plan - Building Heights, 131_DI_91.11
- Parameter Plan - Access and Land Use, 131_DI_90.10
- Parameter Plan - Open Space & Landscape, 131_DI_59.20

- Tree Protection Plan, 18019-AA4-CA
- Arboricultural Method Statement 18019-AA4-CA

For the full planning permission covering phase 1, development hereby permitted shall be carried out in accordance with the following plans:

Phase 1

- Hybrid Application Boundary, 131_DI_75.5
- Access???? ??
- Site Layout Plan Phase 1, 131_DI_55.34
- Dwelling Mix Plan Phase 1, 131_DI_63.11
- Phase 1 Site Layout Plan, 131_DI_65.11
- Parking Layout Plan Phase 1, 131_DI_66.11
- Building Heights Plan Phase 1, 131_DI_68.10
- Boundary Materials Plan Phase 1, 131_DI_69.15
- Block Plan Phase 1, 131_DI_72.7
- Roof Plan Phase 1, 131_DI_73.8

Highways

- Proposed A354/Site Access Roundabout, PHL-102 Rev F
- A354 Site Access Roundabout Dimensions, PHL-103 Rev E
- Phase 1 Preliminary Road Profiles (Sheet 1), PHL-104 Rev F
- Phase 1 Preliminary Road Profiles (Sheet 2), PHL-105 Rev F
- Phase 1 Preliminary Road Profiles (Sheet 3), PHL-106 Rev F
- Phase 1 Preliminary Road Profiles (Sheet 4), PHL-107 Rev G
- Preliminary Highway Layout (Sheet 1 of 2), PHL-108 Rev H
- Preliminary Highway Layout (Sheet 2 of 2), PHL-109 Rev H
- Anticipated Extent of Highway Adoption Within

Development Site, PHL-601 Rev B

- Swept Path Analysis (Sheet 1 of 2), ATR-102 Rev E
- Swept Path Analysis (Sheet 2 of 2), ATR-103 Rev E

Drainage

- Preliminary Drainage Strategy Phase 1, PDL-101 Rev E
- Preliminary Drainage Layout (Outline

Application), PDL-201 Rev E

Lighting

- Street Lighting Strategy, 4111-LB-EX-XX-DR-E-7080-41 Rev P05
- Street Lighting Strategy, 4111-LB-EX-XX-DR-E-7080-42 P05

Landscaping

- Phase 1 Landscape Proposals 1 of 5, 813.21 / 119
- Phase 1 Landscape Proposals 2 of 5, 813.21 / 120
- Phase 1 Landscape Proposals 3 of 5, 813.21 / 121
- Phase 1 Landscape Proposals 4 of 5, 813.21 / 122
- Phase 1 Landscape Proposals 5 of 5, 813.21 / 123
- Phase 1 Landscape Proposals – Parkland, 813.21 / 110C

- Phase 1 Landscape Strategy, 813.21 / 112 Rev P
- Tree Pit Details – Car Park and Courtyard - 813.21 / 116
- Tree Pit Details – Parkland Trees - 813.21 / 117
- Tree Pit Details - Avenues - 813.21 / 118

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

Plans list continued ...

The proposed development was presented in two parts; one for outline planning permission covering all land within the red line boundary, and one part for full planning permission covering phase one of the development. The development hereby permitted shall be carried out in accordance with the following:

For the full planning permission covering phase 1, development hereby permitted shall be carried out in accordance with the following plans:

Phase 1 House Types, Garages and Bin Stores

- 2-821-Branksome-B-Cottage, Bra-B-C
- 2-821-Branksome-BF-Cottage, Bra-BF-C
- 2-830-Bridport-B-Cottage, Bri-B-C
- 2-830-Bridport-BF-Cottage & 3-1207 Ibberton-B-Cottage-Variant, Bri-BF-C & Ibb-B-C-V
- 2-830-Bridport-BF-Cottage, Bri-BF-C
- 2-845-Bryanston-B-Informal, Bry-B-I
- 2-845-Bryanston-R-Cottage, Bry-R-C
- 3-1036-Compton-B-Cottage, Com-B-C
- 3-1050-Dewlish-B-Informal, Dew-B-I
- 3-1050-Dewlish-R-Informal, Dew-R-I
- 3-1082-Edmondsham-B-Formal, Edm-B-F
- 3-1082-Edmondsham-R-Formal, Edm-R-F
- 3-1136-Glanvilles-B-Cottage & 3-1349-Knowlton-BF-CottageVariant, Gla-B-C & Kno-BF-C-V
- 3-1136-Glanvilles-B-Cottage, Gla-B-C
- 3-1136-Glanvilles-B-Formal, Gla-B-F
- 3-1136-Glanvilles-BF-Cottage-Variant, Gla-BF-C-V
- 3-1136-Glanvilles-B-Informal & 3-1207-Ibberton-BF-InformalVariant, Gla-B-I & Ibb-BF-I-V
- 3-1136-Glanvilles-B-Informal, Gla-B-I
- 3-1136-Glanvilles-B-Informal-Variant, Gla-B-I-V
- 3-1207-Ibberton-B-Cottage, Ibb-B-C
- 3-1207-Ibberton-B-Cottage-Variant, Ibb-B-C-V
- 3-1207-Ibberton-B-Informal1, Ibb-B-I1
- 3-1207-Ibberton-R-Formal1 & 3-1331-Kimmeridge-BF-FormalVariant, Ibb-R-F1 & Kim-BF-F-V
- 3-1207-Ibberton-R-Informal1 & 3-1136-Glanvilles-B-InformalVariant, Ibb-R-I1 & Gla-B-I-V
- 3-1217-Iford-B-Cottage, Ifo-B-C
- 3-1222-Iwerne-BF-Cottage1, Iwe-BF-C1

3-1222-Iwerne-B-Informal1, Iwe-BF-I1
3-1222-Iwerne-B-Informal1, Iwe-BF-I1
3-1331-Kimmeridge-B-Cottage-Variant, Kim-B-C-V
3-1331-Kimmeridge-B-Cottage-Variant2, Kim-B-C-V2
3-1331-Kington-B-Cottage, Kin-B-C
3-1331-Kington-BF-Cottage, Kin-BF-C
3-1349-Knowlton-B-Cottage, Kno-B-C
4-1360-Lytchett-BF-Informal2-Variant, Lyt-BF-I2-V
4-1360-Lytchett-B-Informal2, Lyt-B-I2
4-1360-Lytchett-R-Formal2, Lyt-R-F2
4-1403-Morden-B-Cottage-Variant, Mor-B-C-V
4-1403-Morden-R-Informal, Mor-R-I
4-1418-Netherbury-B-Cottage, Net-B-C
4-1418-Netherbury-BF-Cottage, Net-BF-C
4-1489-Pulham-B-Informal, Pul-B-I
4-1569-Regis-BF-Cottage-Variant, Reg-BF-C-V
4-1569-Regis-BF-Cottage-Variant2, Reg-BF-C-V2
4-1604-Sandbanks-B-Cottage, San-B-C
4-1604-Sandbanks-BF-Cottage-Variant, San-BF-C-V
4-1604-Sandbanks-BF-Cottage-Variant2, San-BF-C-V2
4-1681-Sixpenny-B-Formal, Six-B-F
4-1681-Sixpenny-B-Informal, Six-B-I
4-1825-Spetisbury-BF-Cottage, Spe-BF-C

Terrace1-Kimmeridge-Ibbreton-Knowlton-Formal, Ter1-Kim-Ibb-Kno-F
Terrace2-Ibberton-Glanvilles-Bridport-Informal Cottage, Ter2-Ibb-Gla-Bri-IC
Terrace3-2-799-Beaminster-B-Cottage, Ter3-Bea-B-C
Terrace3-Evershot-Bridport-Cottabe, Ter3-Eve-Bri-C
Terrace4-3-5-1099-3-4-1044-HA-BF, Ter4-1099-1044-HA-BF

2-4-777-HA-B-T3-V1, 777-HA-B-T3-V1
2-4-777-HA-R-T3-V, 777-HA-R-T3-V
2-4-777-HA-B & 3-5-1036-HA-B-Variant, 777-HA-B & 1036-HA-B
3-5-894-HA-B-T3-V1, 894-HA-B-T3-V1
3-5-894-HA-B-Variant1, 894-HA-B-V1
3-5-894-HA-B-Variant2, 894-HA-B-V2
3-5-1140-HA3-R, 1140-HA3-R
4-5-1348-HA4-R, 1348-HA4-R

Flat Block Type-3-HA-B-V, FBT-3-HA-B-V
FOG Type4-HA-B-V4, FOG T4-HA-B-V4
FOG Type4-HA-B-V5, FOG T4-HA-B-V5

Apartments-HA-08-North Sheet 1 (Plans), Apart-HA-08-North Sh1
Apartments-HA-08-North Sheet 2 (Elevations), Apart-HA-08-North Sh2
Apartments-HA-08-South Sheet 1 (Plans) Apart-HA-08-South Sh1
Apartments-HA-08-South Sheet 2 (Elevations) Apart-HA-08-South Sh2

Bin Store, B BS-B
Bin Store2 & Cycle Store B, BS2-CS-B

Single Garage 2-B, SG2-B
Double Garage 2-B DG2-B
Triple Garage 2-B, TrG2-B
Twin Garage 2-B, TwG2-B

PHASE 1 - External Materials Plan A002-P-202

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

6. The development hereby approved shall be carried out in accordance in numerical order of the approved phasing plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is provided in an appropriate and comprehensive phased manner in the interest of economic, social, and environmental aims of planning.

7. The development hereby approved shall be carried out in accordance with the submitted Design Code (found in the Design and Access Statement, March 2023) having due regard to the Regulatory Plan, strategies, principles, and guidance contained therein, unless otherwise agreed in writing by the local planning authority.

Reason: in the interest of sustainable development.

8. The following works must have been constructed in accordance with the Trigger Points set out on DWG No TS-01-A Rev B; to a specification which shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be completed in accordance with the agreed specifications and maintained as such.

? A 3-arm roundabout on the A354 Blandford By-pass providing access to the southern development site, as shown on drawings numbers PHL 102 Rev F and PHL-103 Rev E (or similar scheme to be agreed in writing with the Planning Authority).

? A signalised toucan crossing north of the proposed roundabout providing access to the southern development site, as shown on Dwg No PHL-102 Rev F (or similar scheme to be agreed in writing with the Planning Authority).

? Footway/cycleway connections and traffic management measures on Black Lane, as shown on Dwg No 01-PHL-304 Rev C (or similar scheme to be agreed in writing with the Planning Authority).

? An active travel connection between Larksmead and Preetz Way, as shown on Dwg No 01- PHL-303 Rev B (or similar scheme to be agreed in writing with the Planning Authority).

? Improvements to Hill Top Roundabout, including new signalised crossings to be constructed on the A354 Salisbury Road East Arm, the A354 south arm, and the A350 north Arm and a left turn bypass lane from the A354 (S) to Salisbury Road (W), as shown on Dwg No 01-PHL-302 Rev C (or similar scheme to be agreed in writing with the Planning Authority).

? Capacity improvements to Wimborne Road Roundabout, as shown on Dwg No PHL-202 Rev A (or similar scheme to be agreed in writing with the Planning Authority).

? A shared use footway/cycleway, built parallel to the A354 Blandford Bypass, connecting to Black Lane. as shown on Dwg No 01-PHL-205 Rev G (or similar scheme to be agreed in writing with the Planning Authority).

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

9. Prior to occupation or use of any building in phase 4 of the development, a scheme showing precise details of the emergency/bus only access to the site from the A354 shall be submitted to and agreed in writing by the Planning Authority. The scheme should confirm how the access will operate as a potential bus connection (one-way in from Salisbury Road) to serve the development area, including details of, and a timetable for, a means of providing a bus service through the site. Thereafter the development shall be completed in accordance with the agreed details prior to occupation or use of any building of phase 4 of the development.

Reason: To ensure that a suitable vehicular access is provided in the interest of health and safety.

Prior to laying the footings of any building for each phase of development, details of, and a timetable for, a means of providing the bus service infrastructure through the site for that particular phase shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, that phase of development shall be completed in accordance with agreed details and maintained as such unless agreed in writing by the local planning authority.

10. Prior to occupation or use of any building in Phase 2 of the development hereby approved, the access and associated visibility splays shown on Drawing Number PHL-101 Rev C must be constructed (Unless a similar detailed scheme is otherwise agreed in writing by the Planning Authority, in which case the agreed scheme must be constructed before the development is occupied or utilised).

Reason: To ensure that a suitable vehicular access is provided in the interest of health and safety.

11. Prior to occupation of any dwelling in each phase of the development hereby approved, a scheme showing precise details of the proposed cycle parking facilities of that phase shall be submitted to and agreed in writing by the local Planning Authority. Thereafter, the development shall be completed in accordance with the agreed scheme and the facilities 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 in the interest of health.

12. Prior to occupation of any dwelling in Phase 1 of the development hereby approved, the access, geometric highway layout, turning and parking areas shown on Drawing Numbers Dwg No PHL-108 Rev H and PHL-109 Rev H must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter these must be maintained kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site in the interest of health and safety.

13. Notwithstanding the information shown on the approved plans, prior to commencement of development for phases 2, 3, or 4 precise details of the access, geometric highway layout, turning and parking areas shall be submitted to and agreed in writing by the Planning Authority. Thereafter development shall be completed in accordance with the agreed details and maintained as such.

Reason: To ensure the proper and appropriate development of the site in the interest of health and safety.

14. Prior to commencement of any works on site (other than those required by this condition), the first 15.00m of the proposed access roads, including the junctions with the existing public highway shall be completed to at least binder course level unless otherwise agreed 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 in the interest of safety.

15. Prior to commencement of any development on site for any phase of development including Phase 1, a Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing by the Planning Authority. The CTMP shall 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

Thereafter the relevant phase of development must be carried out strictly in accordance with the agreed Construction Traffic Management Plan.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway in the interest of health and safety.

16. Prior to occupation or use of any building hereby approved, a Travel Plan shall be submitted to and agreed in writing by the local Planning Authority. This shall include measures for each phase of the development hereby approved. The Travel Plan, as submitted, shall include:

- Targets for sustainable travel arrangements.
- Effective measures for the on-going monitoring of the Travel Plan relative to the land use.
- A commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation, or use, of each phase of the development.
- Effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development for each phase.

Thereafter, the development shall be implemented in accordance with the agreed Travel Plan.

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

17. Prior to occupation or use of any building hereby approved, a pedestrian and cycling signage strategy shall be submitted to and agreed in writing by the local planning authority. Amongst other details this shall include information about the town generally, employment sites and shopping destinations, signage to be erected, when, and where. Thereafter the development shall be completed in accordance with the agreed details.

Reason: in the interest of health and safety.

18. Prior to the commencement of any development on site, for each phase of development including phase 1, a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction and a timetable for implementation of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented in accordance with the approved details including the timetable for implementation.

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

19. Prior to the commencement of any development on site, for each phase of development including phase 1, details of maintenance and management of the surface water sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These 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 the future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

20. Prior to the commencement of any development on site, for each phase of development including phase 1, no development shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure heritage assets are properly recorded, analysis, and if need protected..

21. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan or Landscape Ecological Management Plan (LEMP) certified by the Dorset Council Natural Environment Team on 08.03.2021 must be strictly adhered to during the carrying out of the development. The development hereby approved must not be first brought into use unless and until:

i) the mitigation, compensation and enhancement/net gain measures detailed in the approved biodiversity plan or LEMP have been completed in full, unless any modifications to the approved Biodiversity Plan or LEMP as a result of the requirements of a European Protected Species Licence have first been submitted to and agreed in writing by the Local Planning Authority, and

ii) evidence of compliance in accordance with section J of the approved Biodiversity Plan/the LEMP has been supplied to the Local Planning Authority. Thereafter the approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details.

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

22. Prior to the occupation of any dwelling or use of any building hereby approved, for each phase of development, a landscape and ecological management plan (LEMP) shall be submitted to, and be agreed in writing by, the local planning authority of the development. The content of the LEMP shall have regard to the submitted Ecological Update Note dated 20 October 2022 and 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.

23. Prior to the commencement of development, for each phase of development including phase 1, a Construction Environmental Management Plan (CEMP) (Biodiversity) must be submitted to and agreed in writing by the local Planning Authority. The CEMP must include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.

- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs
- i) Pollution prevention measures with particular regard to surface water management.

The development shall be completed in accordance with the approved CEMP.

Reason: To prevent pollution and protect biodiversity during each construction phases.

24. Prior to any works above damp proof course for any dwelling hereby approved, and for each phase of development including phase 1, the following details as set out in the Ecology Update Note dated 20th October 2022 shall be submitted to and agreed in writing by the Local Planning Authority:

- Provision of a range of bat boxes and other roost features on buildings and trees;
- Provision of bird boxes (including Swift bricks) on buildings and trees;
- Incorporation of bee bricks on external walls;
- Erection of a Wildlife Tower in association with the area of informal opens space along the stream corridor in the south of the site;
- Use of fruit and nut producing species, and pollen and nectar-rich species in the formal landscape planting scheme;
- Inclusion of Barberry and Wych Elm within the planting scheme to support local initiatives for the Barberry Carpet Moth and White Letter Hairstreak respectively;
- and
- Creation of habitat piles and refugia using logs and brash from initial site clearance and ongoing management works.

The measures shall be implemented in accordance with the approved details prior to first occupation or use of any building hereby approved.

Reason: To enhance biodiversity in those instances where mitigation and compensation are not required.

25. Prior to commencement of any development on site, for each phase of development including phase 1, a construction method statement shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the agreed details. The statement should include, with reference to the submitted Arboricultural assessment & method statement (dated 12th April 2023)(18019-AA4-CA), the following information:

1. Preparation of a written site management protocol for dealing with tree issues, to be

incorporated into formal site management procedures, and to specifically include induction training for all operatives related to tree protection.

2. The order of work on site, including demolition, site clearance, the installation of protective measures, the phasing of successive work locations, the removal of tree protection, and any necessary reinstatement.
 3. Erection and maintenance of tree protection measures.
 4. Who will be responsible for protecting the trees on site.
 5. Detailed proposals for inspecting and supervising the tree protection.
 6. How accidents and emergencies involving trees will be managed, including accidental damage to roots and their treatment.
 7. Details of facilitation pruning and access into site. What size vehicles will be used under canopies and will large machinery be lifted over trees.
 8. The parking arrangements for workers and visitors.
 9. A schedule of emergency contact numbers relating to trees.
 10. Areas for loading and unloading of materials and storage of materials and plant.
 11. Where site facilities will be located and when will they be installed.
 12. How machinery and equipment (such as excavators, cranes and their loads, concrete pumps and piling rigs) will enter, move on, work on, and leave the site.
 13. Pollution control to specifically consider chemical storage and wheel washing facilities in relation to trees.
 14. Recycling and storage of waste in relation to trees.
 15. Details of earthworks, grading and mounding and removal of spoil, including any planned lowering or raising of ground levels.
 16. Precise services locations, including the method of excavation when near trees.
 17. Crane location and zones of movement.
 18. How and when any temporary surfacing will be laid and removed.
 19. How post-construction impacts through compaction to soil near trees will be ameliorated.
- Reason: in the interest of visual amenities to protect the existing trees on-site which are an integral part of the schemes landscape strategy.

26. Prior to occupation of any dwelling hereby approved, a detailed ash tree management and replanting plan shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be completed in accordance with the agreed details. The management and replanting plan should include who is responsible for management across the different areas of the site, how trees will be managed as they progress through the cycle of the disease known as 'ash dieback', at what point they will be felled, and a replanting schedule with a list alternative native species to replace them.

Reason: in the interest of visual amenity as the loss of ash trees on the site will have a significant impact on the character and appearance of the area.

27. Prior to any works above damp proof course, details of all tree planting pits and their irrigation system shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall proceed in accordance with the agreed details. Details should also include a plan denoting the different planting pit requirements for the selected tree in the species list.

Reason: in the interest of visual amenity and to ensure that any street tree or any tree constrained by curbs, car parking or hard surfacing has adequate space below ground for root growth and available soil.

28. A detailed arboricultural method

statements and tree protection plans must be submitted as part of each reserved matters to

demonstrate how the existing features will be retained and duly protected.

Reason: in the interest of visual amenity.

29. Notwithstanding the details on the approved plans for phase 1, a species list of trees, their location, specification, and size (height and girth) shall be submitted to and agreed in writing by the local planning authority. The development shall thereafter be carried out in accordance with the agreed details.

Reason: in the interest of landscaping and visual amenity to help ensure the tree planting becomes established and matures to full height.

30. Prior to any works above damp proof course for each phase of development including phase 1, 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. In particular, the strategy shall minimise impacts from lighting associated with pre-construction, construction and operational activities, and demonstrate how the current best practice (Bat Conservation Trust/Institute of Lighting Professionals, 2023) guidance has been implemented. This shall include details such as the following: artificial lighting associated with public realm lighting, car headlights associated with traffic movements through the development and internal and external lighting associated with the residential development.

Reason: to ensure the site's identified Greater horseshoe bat flight lines function as dark corridors (0.5 lux and warm light) and roosting features are unaffected by light spill, and generally in the interests of biodiversity .

31. Prior to occupation of any dwelling hereby approved, for each phase of development including phase 1, details shall be provided of electric vehicle charge points across that phase of development.

full details of the Electrical Vehicle Charging points, as shown on plan xxx OR a % of houses???

...shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include samples, location and / or a full specification of the materials to be used externally on the buildings. Only the materials so approved shall be used, in accordance with any terms of such approval and shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

The Charging Points shall be installed prior to the occupation of each individual dwelling.

Reason: to reduce greenhouse gas emissions by ensuring that adequate provision is made to enable occupiers of the development to charge plug-in and ultra-low emission vehicles in accordance with Policy 3 of the adopted North Dorset Local Plan Part 1.

32. Prior to development above damp proof course of any building in phase 1 of the development hereby approved, details of foul sewers size and location shall be submitted to and agreed in writing by the local planning authority.

Thereafter the development shall be carried out in accordance with the agreed details.

Reason: in the interest of health and safety.

33. Prior to occupation of any dwelling hereby approved in relation to the relevant phase of development, the following mitigation measures shall be implemented. The development shall be carried out in accordance with the submitted flood risk assessment (prepared by awp, Revision C dated 18th July 2022), and additional letter dated 3rd October 2022 from Chris Yalden of awp, including drawings 0728-PDL-101-Rev D and 0728-PHL-108-Rev E), including finished floor levels of all dwellings shall be set no lower than 48.0mAOD mAOD (Phase 1), and 47.0mAOD mAOD (Phase 2) and there should be no ground raising or other earthworks on existing land below 42.90mAOD. This shall include all surface water management pond embankments and infrastructure. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: in the interest of flood prevention to future occupants and the surrounding area, in terms of health and safety.

34. Prior to commencement of any works on site, details for each of the following items shall be submitted to and agreed in writing by the local planning authority and the development shall be completed in accordance with the agreed details:

- Pollution prevention protocol for each construction phase of the developments (i.e. the storage of pollutants in SPZ1 and the control of muddy run-off).
- Surface water management strategy during and post construction.
- Foul drainage scheme for each phase of development.
- Sewage pipe work specifications (in SPZ1)

Reason: To ensure that the proposed construction scheme and the final drainage system does not harm groundwater resources in line with paragraph 174 of the National Planning

35. Prior to commencement of any works on site, a scheme for water efficiency for each phase of the development, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme demonstrate a standard of a maximum of 110 litres per person per day is applied for all residential development. The development shall be completed in accordance with the agreed details.

Reason: This condition contributes to environmental objectives of the National Planning Policy Framework.

36. Prior to commencement of development hereby approved a Construction Traffic Management Plan and programme of works shall be submitted to and agreed in writing by the Local Planning Authority. The Plan shall include construction vehicle details (number, size, type and frequency of movement), vehicular routes, delivery hours and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities). The development shall thereafter be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of road safety and neighbour amenities.

37. Prior to commencement of any works on site, for each phase of development, a noise mitigation action plan shall be submitted to and agreed in writing by the local authority. The development shall be carried out in accordance with the agreed details. In particular, the action plan should detail the mitigation measures to be applied, and the procedures for the implementation and management having regard to paragraphs 9.71-9.83 of Chapter 9. Noise of the submitted Environmental Statement.

Reason: in the interest of public health and safety.

38. Prior to commencement of any works on site, for each phase of development, a dust management plan shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed details. In particular, the DMP should detail the mitigation measures to be applied, and the procedures for their implementation and

management having regard to Annex A7 of Appendix 8.1 Air Quality Appendices of the submitted Environmental Statement.
Reason: in the interest of public health and safety.

39. Prior to commencement of any works on site, for each phase of development, a Construction Environment Management Plan (CEMP) development shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed CEMP. In particular, the CEMP should address the findings of the submitted Environmental Statement with regard to public amenities such as air quality, noise pollution, and potentially unforeseen contamination.

Reason: in the interest of public health and safety.

40. Prior to completion of the damp proof course of any dwelling in each phase of development, samples and, or, product details of materials for all roofing, walling, chimneys, rainwater goods and external surfaces shall be submitted to and agreed in writing by the local planning authority. Additionally, a sample panel measuring 1 metre by 1 metres of each principal facing wall shall be constructed on site to show details of coursing, mortar mix and pointing. The development shall thereafter be completed in accordance with the agreed details.

Reason: in the interest of welfare and good design which is a key aspect of sustainable development.

41. Prior to occupation of any dwelling hereby approved in phase 1 of the development, details of accessible and adaptable dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The details shall make provision for at least 10% of the total dwellings hereby approved to be accessible and adaptable dwellings to a minimum standard as set out in Building Regulation accessibility standard M4(2). Thereafter, the development shall be completed in accordance with the agreed details.

Reason: in the interest of health and safety.

42. Prior to completion of the damp proof course of any dwelling in each phase of development, samples and/or product details of proposed style of uPVC casement and sash windows shall be submitted to and agreed in writing by the local planning authority. The development shall thereafter be completed in accordance with the agreed details.

Reason: in the interest of good design which is a key aspect of sustainable development.

43. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no roof enlargement(s) or

alteration(s) of the dwellinghouse hereby approved, permitted by Class B and Class C of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the area with particular regard to the dark skies designation of the adjacent Cranborne Chase AONB.

44. Within the local centre, the development hereby approved shall provide no more than 410sqm. of Class E floorspace.

Reason: in the interest of town centre vitality and viability.

Informative Notes:

1. Informative note: Grampian

The highway improvement(s) referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Development team. They can be reached by email at dli@dorsetcc.gov.uk, or in writing at Development team, Infrastructure Service, Dorset Council, County Hall, Dorchester, DT1 1XJ.

2. Informative: Developer-Led Infrastructure

The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset County Council's Developer-Led Infrastructure team. They can be contacted by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Developer-Led Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

3. Informative: Electric vehicle charging points

The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

4. Informatives:

Water Supplies for Fire Fighting -

Consideration should be given to the National Guidance Document on the Provision of Water for Fire Fighting and the specific advice of this Authority on the location of fire hydrants.

Access and Facilities for the Fire Service -

Consideration is to be given to ensure access to the site is adequate for the size and nature of the development for the purpose of fire fighting.

Fire Safety Legislation -

Once constructed and put to use, commercial premises will be subject to the Regulatory Reform (Fire Safety) Order 2005. Further information can be found on the Dorset & Wiltshire Fire & Rescue Service website, where published guides are available to download.

Sprinkler Protection in Schools -

A partnership between the Department for Education and Skills, Chief Fire Officer's Association and the Building Research Establishment has developed a risk assessment toolkit, which is designed to assist designers and project management teams in carrying out this risk assessment. Copies of the toolkit have been sent to all Education Authorities and fire and rescue services. For more information please contact this Authority.

5. Informative:

The Dorset and Wiltshire Fire and Rescue Service would recommend that you look to provide at least a 32mm minimum diameter water main which would enable the installation of sprinkler systems within the approved dwelling(s).

The Council considers this to be a key element in reducing the impact of fires. The Council believes there is compelling evidence that sprinklers systems are a cost effective way of not only reducing the number of fire deaths and injuries, but also reducing the economic, social and environmental impact of fires.

6. Informative:

The net gain biodiversity measures required by condition should accord with best practice guidance published on the Council's website.

7. Informative - Environment Agency

The applicant's attention is drawn to the letter from the Environment Agency dated 1 November 2022 in respect of this application.

Informative - Pollution Prevention during Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of plant and vehicles

- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

Informative - Drainage

Clean surface water drainage must be kept separate from foul drainage, and there must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

8. Informatives:

- If the applicant wishes to offer for adoption any highways drainage to DC, they should contact DC Highway's Development team at DLI@dorsetcouncil.gov.uk as soon as possible to ensure that any highways drainage proposals meet DCC's design requirements.

- Prior Land Drainage Consent (LDC) may be required from DC's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquires can be sent to floodriskmanagement@dorsetcouncil.gov.uk.

- An Environmental Permit may be required from the EA, as relevant regulator for all works to a designated Main River that take place in, under or over, or as prescribed under relevant byelaws in accordance with section 109 of the Water Resources Act 1991. To clarify the Environment Agency's requirements, the applicant should contact the relevant department by emailing floodriskpermit@environment-agency.gov.uk

9. Informative:

The applicant's attention is drawn to the letter from the Dorset & Wiltshire Fire and Rescue Service dated 29 April 2020 in respect of this application.

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Agenda Item 7

Reference No: P/FUL/2022/06095
Proposal: Erect 12 No. dwellings, form vehicular access from Motcombe Road and carry out other associated works
Address: Land South of Motcombe Road Motcombe Dorset
Recommendation:
Case Officer: Jim Bennett
Ward Members: Cllr Ridout
CIL Liable: N

Fee Paid:	£5544.00		
Publicity expiry date:	11 November 2022	Officer site visit date:	7 th February 2023
Decision due date:	12 January 2023	Ext(s) of time:	27 October 2023

1.0 The application is reported to Committee as the recommendation is contrary to the view of the Parish Council.

2.0 Summary of recommendation:

Recommendation A: Minded to **GRANT**, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Head of Legal Services to secure the following:

- Destination Play - £843.50 per dwelling.
- Formal Outdoor Sports contribution - £708.34 per dwelling.
- Education – £6,094 per dwelling for primary and secondary – based on the level of development across the Shaftesbury planning area at secondary and insufficient primary capacity at Motcombe Primary.
- Library contribution - £241 per dwelling.
- Off-site public open space - £117 per dwelling.
- Public rights of way £50 per dwelling to cover the change from stiles to gates for the adjacent footpath.
- Compensatory Habitat Contribution - £7,366.39
- NHS - £722 per Dwelling Index Linked to be used towards the cost of acute, community and primary care branches of the NHS in the vicinity of the site;

And the conditions and their reasons outlined at the end of this report.

Recommendation B; **Refuse** permission for failing to secure the obligations above if

the agreement is not completed by 24th April 2024 or such extended time as agreed by the Head of Planning.

3.0 Reason for the recommendation:

- The site is allocated in the Motcombe Neighbourhood Plan and benefits from outline permission for 12 dwellings
- Other than provision of affordable housing, the proposal meets the criteria set out in Policy MOT11;
- 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;
- The location is considered to be sustainable and the proposal is acceptable in its design, scale, layout and landscaping and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity, flood risk, highway safety or biodiversity.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The site falls within the settlement boundary for the village as amended by the Motcombe Neighbourhood Plan (NP) and is allocated under the NP Policy MOT11. The principle of development was previously considered to be acceptable by an outline approval ref. 2/2019/1603/OUT.
Impact on the character of the area and landscape	The proposal follows the established pattern of development and character of the locality. It is acceptable in terms of layout, design and scale. It would provide an appropriate setting, including perimeter landscaping, natural surveillance, relationships between dwellings and parking areas and links to public footpaths and the countryside, subject to conditions.
Highway safety	Vehicular access, parking and turning arrangements are acceptable. The Highway Authority raise no objections on highway safety, policy or capacity grounds.
Residential amenity	The proposal would not lead to adverse impacts on the residential amenity of surrounding neighbours or future occupiers.
Affordable Housing	The development fails to provide a policy compliant affordable housing offer, which weighs against the proposal.
Ecology	Surveys undertaken and the impact upon protected species can be mitigated to avoid adverse effects in line with the completed Biodiversity Mitigation and Enhancement Plan.

Housing Delivery	The development will provide 12 dwellings making a modest contribution to the housing land supply.
Drainage and the water environment	The proposed surface water drainage can be adequately dealt with on and off the site to prevent flooding, subject to conditions.
Economic benefits	Benefits would be derived from the delivery of this scheme, including the provision of jobs during construction, operation of the commercial unit, future residential expenditure and income from Council Tax and Business Rates
Other matters	The proposed planning conditions address, amongst other things, tree protection, construction and environment methodology and potential contamination

5.0 Description of Site

The application site comprises part of an arable field between the residential properties of Shire Meadow and One Oak on the south eastern edge of Motcombe. It lies to the south of and fronts Motcombe Road, the main route into the settlement from the east and is 1.9 acres (0.8 hectares) in area.

The ground within the site gradually slopes upwards in a south easterly direction away from the road. The roadside boundary comprises an established mature hedgerow set behind a grassed verge. There is an existing access into the field from Motcombe Road on the eastern end of the road boundary. A separate field access lies to the west of the site which serves an agricultural track and is also the route of public footpath (N69/10).

To the east of the site, beyond a hedgerow, is One Oak, a chalet bungalow on slightly elevated ground in relation to the site. To the west of the site, again beyond a hedgerow, are Shire Meadows, a chalet bungalow and FP N69/10, on slightly lower ground in relation to the site. To the north, detached bungalows and houses lie on the opposite side of the road and are generally set-back from Motcombe Road. To the south of the site is the remainder of the field which slopes upwards towards a belt of trees.

6.0 Description of Development

This is a full planning application for 12 no. dwellings, access and associated works. It follows the grant of outline planning permission for the same number of dwellings on the site in March 2022, but for a different applicant. The site is also allocated for residential development of ten dwellings within the Motcombe Neighbourhood Plan.

A single point of access leading off Motcombe Road is proposed to serve the development which is centrally positioned along the site frontage. A footway running east to west is also proposed within the site in front of the development and behind the roadside hedgerow. An attenuation area is proposed at the western extent of the site, with open space around it.

The housing comprises 3 blocks of 3 no. barn style terraced dwellings and 3 no. detached dwellings. Garages and car ports are proposed between each of the dwellings with parking in front and further parking bays alongside the access drive, which are intended to be permeable. All dwellings would be 2-storeys and of mixed materials including red brick and timber cladding. Roofs would be slate/clay tiles (or 'effect').

Landscaping comprises selected tree planting alongside the existing road boundary with the existing hedge retained, lower-level planting adjacent to the dwellings and a new rear boundary hedge planting with trees to the southern boundary. The Proposal is supported by a Landscape and Visual Appraisal.

None of the dwellings would be affordable, a departure from the previous outline approval, which would have delivered four units. The lack of affordable housing offer is a fundamental driver for the application and a viability appraisal has been submitted to justify this.

7.0 Relevant Planning History

2/2019/1603/OUT - Decision: GRA - Decision Date: 01/03/2022 - Develop land by the erection of up to 12 No. dwellings, form vehicular access from Motcombe Road and carry out other associated works. (Outline application to determine access).

8.0 List of Constraints

Within settlement limit

Housing Allocation – MOT11

Right of Way: Footpath N69/10; - Distance: 2.14m

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

9.0 Consultations

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

Cllr B Ridout - Motcombe Parish Council have requested this application be heard by the Northern planning committee. In view of the significant public and parish concerns raised, this application should be heard by the planning committee.

Motcombe Parish Council - Object on the following grounds:

- Drainage needs to be viewed and verified as being fit-for-purpose by the Dorset flood prevention team, as reports predate two flood events last October.
- Responsibility for maintaining drainage infrastructure (e.g. attenuation pond) is queried.
- The report describes the current ditch from the site being obstructed, in particular under the hedge at Shire Meadows. Failure to rectify this will result in the outflow from the attenuation pond flowing down Motcombe road increasing the flood risk to properties further down the road.

- The proposal indicates that surface water from the land south of the houses will be channelled around the development and bypass the attenuation pond which will result in an increase flood risk to other properties on Motcombe Rd. This is NOT acceptable.
- The impact on the village sewage & foul water drains. Wessex Water seem to have endorsed the plan, but due to fresh concerns around Turnpike/Church Walk etc, this also needs to be reviewed in terms of whether in fact the current system can cope with more flow from the new houses.
- The landscape plans in the outline application are not replicated
- The verges in Motcombe Road must be kept clear of all site related vehicles during construction as this is a busy road, used a lot by pedestrians & would potentially block access on this narrow road for properties facing the site.
- All conditional details must be agreed before commencement of construction.
- Rescinding both the affordable homes and 106 funding that was part of the original outline is unacceptable and justification for this change must be examined. The development will intensify use of the small play area and open space area at Motcombe Meadows. The Parish Council seek to improve the play area next to the Village Hall, by replacing a multi-unit used for children of all ages and recreational and open spaces at the Meadows in Motcombe is always being updated. Contribution is sought from this development towards improving these areas for families moving into the homes and the village as a whole and make the area more attractive to families.
- Access to the right of way along the track and across the fields must be preserved at all times during construction and must not be used by construction vehicles.
- The need for access to the field behind the site is queried. More housing would lead to a large development, seen as unacceptable to residents supporting the Neighbourhood Plan, cut off from village amenities, put adverse pressure on local infrastructure, with poor pedestrian links.
- The traffic report was based on traffic counts undertaken in 2019 and concludes that Motcombe Road is lightly trafficked. We don't support that view & a new count is needed, conducted on a school day(s) & include all peak times (school & commuters). This could affect the design of the access to the development.
- Parking must meet the standards in the Neighbourhood Plan and must not lead to residents parking on Motcombe Road. A parking space in front of a garage is not sufficient and there is not enough visitor parking.
- The design of the multi-unit dwellings is not acceptable and does not meet the guidelines in the Neighbourhood Plan. Black facings are not acceptable as it is on rising land facing other properties with the sun behind the site. The large windows proposed are not conducive of energy conservation.

Housing Development and Enabling Manager - The outline permission granted in March 2022 included 40% affordable homes. With a well-documented housing crisis in Dorset, it is vital that developments such as this contribute towards the affordable need in Dorset. The scheme should offer a policy compliant level of affordable accommodation.

DC Urban Design – While the revised plans have not addressed concerns fully a refusal based on design and character would be difficult to substantiate. The layout and access to the POS is still not ideal but Landscape will cover this in their comments. It will be key to ensure that the approach to landscape helps to soften what is still quite a formal approach to design on a sensitive village edge. In addition, I have read the PC's comments about the timber cladding. There is a great mix of materials in the surrounding dwellings and at least 2 of the buildings on the opposite side of the road are clad in dark grey timber. We would struggle to refuse this on the grounds that it is out of character.

DC Landscape – The scheme fails to provide the 40% affordable homes required within NP Policy. The submitted Landscape and Visual Appraisal was prepared at Outline Stage has not been updated to reflect current National Planning Policy. The Application Layout drawing is not supported by a Landscape Strategy.

Natural Environment Team – Biodiversity Plan under completed.

Natural England – No comments received

Dorset Police Architectural Liaison Officer - No comments received

Lead Local Flood Authority (LLFA) - The applicant has provided adequate detail to demonstrate that a viable and deliverable surface water management scheme can be designed for the proposed development. No objection to the application subject to conditions and informatives to address surface water management.

Wessex Water - No comments received

Education Officer - No comments received

Building Control – Give informatives

DC Highways – No objection, subject to vehicle access construction, estate road construction (private), gate restriction, visibility splay, cycle parking, footway details and construction method statement conditions. Also give informatives.

Planning Obligations - No objection subject to securing s106 contributions.

Rights of Way Officer - No objection, but give informatives.

Environmental Health Officer - No objection subject to conditions (as outline) to address potential for contamination and hours of construction.

Tree Officer - A hedgerow shields the site from the Motcombe Road, which is not of high species diversity and not of a quality to warrant the imposition of a Hedgerow Retention Notice. There are a number of varying quality off-site trees, the finest being two Oak trees, although no trees will need to be removed or pruned. New tree planting is shown within the site and a landscaping scheme and post planting management plan for the period of 5 years must be provided. No objections subject to arboriculture and landscape conditions.

Representations received

Ninety one comments have been received from notified parties, objecting to the proposal on the following grounds:

- Stress on the local school caused by additional pupil numbers
- Increased traffic on Motcombe Road during peak times
- Detriment to highway safety, particularly The Hollow
- Inadequate parking provision will lead to parking on Motcombe Road
- Construction traffic will generate further highway risk
- Footpath links to the village are poor and a link to The Street is not provided
- Flooding has been an issue in the village and the development will make it worse.
- Drainage and flooding attenuation measures are inadequate and not finalised
- Inadequate sewage capacity, due to surface water connections
- There is little clarity on how the spring in the field to the south will interact with the proposed drainage measures
- Increased risk of flooding during construction phase
- Local health care services in the area are at capacity
- Increased pressure on local infrastructure and services
- There is no need for more houses in the village and its housing quota is met
- House designs are poor and out of character with the village
- Use of inappropriate design and materials (black imitation cladding not of the local vernacular)
- Poor landscaping
- Clarification is sought over future management of landscaping
- Overshadowing of One Oak and opposite
- Overlooking
- Lack of affordable housing offer contrary to Policy MOT11
- Contrary to Neighbourhood Plan which allocated the site for ten dwellings
- Lack of contributions for village infrastructure
- Lack of green space in the village
- The application (vehicular spur) suggests land to the south will be developed
- The proposal must be considered by Committee and not delegated to officers
- Detriment to wildlife

10.0 Relevant Policies

North Dorset Local Plan Part 1 (adopted 2016)

Policy 1 - 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 8 - Affordable Housing

Policy 13 - Grey Infrastructure
Policy 14 - Social Infrastructure
Policy 15 - Green Infrastructure
Policy 23 - Parking
Policy 24 - Design
Policy 25 – Amenity

Motcombe Neighbourhood Plan 2017-2027 (Made 10 December 2019)

Policy MOT2. Local Flood Alleviation
Policy MOT6. Protecting and Enhancing Local Biodiversity
Policy MOT7. Local Views
Policy MOT8: Dark Skies
Policy MOT9. Meeting the area's housing needs
Policy MOT10. Locational criteria for new development
Policy MOT11. Housing site: land at Bittles Green (Site 4)
Policy MOT17. Building Patterns, Density and Landscaping
Policy MOT19. Street Layout

North Dorset Local Plan 2002-2010

Saved Policy 1.33 - Landscape Character Areas (North Blackmore Rolling Vales)

National Planning Policy Framework (NPPF)

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. Relevant NPPF sections include:

Section 4 - Decision taking
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land'
Section 12 - Achieving well designed places
Section 14 - Meeting the challenges of climate change, flooding & coastal change
Section 15 - Conserving and Enhancing the Natural Environment

Supplementary Planning Document/Guidance

Dorset Parking Standards

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.

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. This includes ready access to the proposed dwellings, open space and environs of the development for people with mobility issues.

13.0 Financial benefits

- Destination Play - £843.50 per dwelling
- Formal Outdoor Sports contribution - £708.34 per dwelling.
- Education – £6,094 per dwelling for primary and secondary – based on the level of development across the Shaftesbury planning area at secondary and insufficient primary capacity at Motcombe Primary.
- Library contribution - £241 per dwelling
- Off-site public open space - £117 per dwelling
- Public rights of way £50 per dwelling to cover the change from stiles to gates for the adjacent footpath.

- Compensatory Habitat Contribution - £7,366.39
- NHS - £722 per Dwelling Index Linked to be used towards the cost of acute, community and primary care branches of the NHS in the vicinity of the site;

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 and 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 dwellings would need to meet current building regulations. The applicant outlines the following sustainability measures will be incorporated into the development:

- Passive design- facing south to benefit from solar gain;
- Use of thermally efficient materials;
- Low energy boilers and lighting;
- Use of heat pump and PV technology;
- Low use water fittings;
- Green Infrastructure to enhance biodiversity
- Sustainable Urban drainage system to manage surface water run-off;

15.0 Planning Assessment

The main issues of this case are considered to relate to:

- Principle of development
- Impact on the character and appearance of the area
- Access and Highway safety
- Residential Amenity Impacts
- Affordable housing and Viability
- Ecology
- Drainage, flood risk and the water environment
- Housing Delivery
- Other matters

Principle of development

The Motcombe Neighbourhood Plan was adopted in December 2019 and forms part of the development plan. Neighbourhood Plan Policy MOT11 allocates the site for about 10 dwellings, including at least 4 affordable homes. In March 2022 outline planning permission was granted for 12 new homes on the site. The principle of residential development on this site has therefore been established. Nevertheless, determination of the current proposal is subject to the material planning considerations outlined in the following sections.

Impact on character and appearance of the area

Policy MOT11 allocates the site for housing and, among other things, seeks to secure a layout that respects the linear pattern of roadside development, the design and scale of which should create a soft landscaped edge with the countryside and minimise the visual impact of development in wider views from public rights of way.

The development will undoubtedly change the character of the area, as the site is currently an open field. However, the development would be book-ended by existing residential development to the east and west, with existing dwellings opposite the application site, so it is reasonably well related to existing built form. In view of this, the principle of housing development would not be at odds with the overall character of development in this part of the village, reflected in the site's allocation for housing development.

The application site is slightly smaller than the allocated site as shown on the policies map within the Neighbourhood Plan and equates to a gross density of 15 dwellings per hectare, but this is consistent with Policy MOT17, which identifies comparably higher density for the settlement as densities in excess of 20 dwellings per hectare.

The layout shows that a development can be accommodated on the site in a linear arrangement to reflect that on the opposite side of the road in accordance with Policy MOT11. The Policy also requires the design and scale of dwellings combined with landscaping arrangements to minimise the visual impact of development in wider views. The plan shows how this could be achieved with tree and hedge planting bounding all the sides of the site including the southern boundary, to ensure soft edge to the development.

While the Landscape Team consider it would have been preferable for an up-to-date Landscape and Visual Assessment (LVA), to be submitted with images to represent the 'worst case' scenario during the dormant period for trees/hedges, they do concur with the summary and conclusions of the submitted LVA, which concludes that the potential landscape and visual effects associated with the proposed development would primarily be localised, with little potential to significantly impact upon visual amenity. While an updated LVA was not requested, due to the extant permission for twelve dwellings on the site and its allocated status, amended plans and a landscape plan were submitted to address concerns over the vehicular access stub to the south, dwelling designs and materials and landscaping arrangements, which will be ensured by condition.

Landscaping now incorporates native tree, hedge and shrub planting on the site's eastern and southern boundaries that are consistent with local character to establish a soft edges to the scheme; removal of the internal hedging adjoining the footway, a SuDS pond designed and managed to maximise amenity and wildlife benefits, which cumulatively can improve connectivity of hedgerows to enhance wildlife and habitats. Once established, landscaping would soften and filter views of the scheme and reflect the established treed settlement edge. The proposal comprises relatively low density housing, set back behind an existing hedgerow, which will be bolstered by

new tree planting with breaks to allow views into the wider landscape; and the proposed development edge will be planted with new hedge, shrubs and trees.

A number of concerns have been raised by residents regarding the impact of development beyond the existing limits of the settlement to the detriment of the character and appearance of the area. However, the site will not be prominent in distant views and the use of appropriate materials and landscaping will further soften its visual impact. The application site falls within the settlement boundary for Motcombe, following changes made by the Neighbourhood Plan to accommodate site allocations. The application site is an allocated housing site in the Motcombe Neighbourhood Plan as made on the 10 December 2019, following a successful referendum where a majority of residents voted in favour of it.

The layout shows how a development of 12 dwellings can be successfully accommodated on the site without significantly encroaching into the open countryside. It meets the objectives of Policy MOT11 in terms of landscaping, provision of footway and drainage strategy and as such it is considered to be in character and not detract from the visual amenity of the area, in accordance with Policy MOT11 and Local Plan Policy 24.

Access and Highway Safety

Policy MOT11 requires that a suitable safe site access is secured and provision is made for a footway along the site frontage to facilitate safe connection, as far as practical to The Street. There are no pavements along the road and consideration should be given to what improvements could be made to allow for safer pedestrian access into the centre of the village. Policy MOT17 also advises that the design and width of new footpaths and pavements should be sufficient to allow safe passage for mobility scooters, prams and pushchairs, without creating an urbanised character out of keeping with the area and all properties should have a front footpath access.

The vehicular and pedestrian access positions and associated access works are the same as were agreed for the previous consent on this site under ref. 2/2019/1603/OUT. The footway identified within the Neighbourhood Plan would be provided running parallel to the highway behind the frontage hedge. Consequently, the Highway Authority considers 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 and raise no objections, subject to conditions and as such it is considered that a suitable safe site access is secured in accordance with Policies MOT11 and MOT17 of the Neighbourhood Plan.

The proposal would provide 26 allocated parking spaces, including garages, which may be treated as allocated spaces being 6m x 3m units. Seven visitor/unallocated spaces are proposed. The Dorset Parking Standards for new dwellings within villages in North Dorset, suggest the optimum level of residential car parking provision is 24 allocated car parking spaces, 3 visitor spaces and 3 unallocated spaces. Allocated and visitor parking are both slightly over the requisite standard, which is reflected in the comments of the Highway Authority. Consequently the proposed parking, for both cycles and cars, is considered to be appropriate for this location.

Further sustainable transport measures could be secured through the necessary enhancements to the local footpath network, which will be secured by contribution under the section 106 agreement, in accordance with Local Plan Policy 13 to provide and enhance walking facilities in rural areas.

Residential Amenity Impacts

The application site is sufficiently set away from the boundaries with the neighbours on either side. The layout shows that the western end of the site would remain undeveloped to provide an attenuation pond and soft landscaping. Consequently, this would provide a gap of approximately 40 metres between the proposed development and Shires Meadow to the west. A gap of 27 metres would remain between the eastern site boundary and the boundary serving One Oak to the east, with an overall gap of 47m from the nearest new dwelling to the existing dwelling.

It is noted that concerns have been raised regarding the impact of the development on the dwellings to the northern side of Motcombe Road. Whilst there would be a noticeable change in the outlook to the properties on the other side of the road, it would not be to the detriment of their private enjoyment of these dwelling houses. The layout shows that buildings would be set back from the road which along with the setbacks of properties to the north would provide a separation of between 35-40m between the front elevations, where the accepted rule of thumb is 21m. There is sufficient separation to ensure that the proposed development would not have an overbearing impact on these dwellings. Furthermore, the proposed dwellings would face towards the frontages of these properties. It should also be noted that there is no legal right to a view from private properties.

The submitted plans demonstrate that the proposal would have no adverse impact on the amenity of adjoining occupiers by way of overshadowing, overlooking, overbearing impact or disturbance, in accordance with Policy 25.

Affordable Housing and Viability

The previous outline permission was granted subject to a S.106 legal agreement, which secured the following:

- Four affordable dwellings on site.
- Education Contribution
- Library Contribution
- Public Rights of Way Contribution
- Off-site Public Open Space Contribution
- Formal Outdoor Sports Facilities Contribution
- Destination Play Facilities Contribution
- Payment of a financial contribution towards offsetting the loss of semi improved grassland as set out within the approved BMEP
- The provision, management and maintenance of informal open space on site.

A fundamental driver for the current application is that it cannot be viably implemented if all of the contributions outlined above are forthcoming. The Council

have therefore been presented with evidence by the applicant that the proposed scheme is not currently viable, particularly in respect of affordable housing and this has been independently endorsed by the District Valuer (DV), who concludes that a scheme delivering the full suite of contributions would not be viable.

The Motcombe NP was made on 10 December 2019. Policy MOT11 allocates the site for “about 10 dwellings including at least 4 affordable homes, at a density appropriate to the village’s character”. It is important to understand that no new viability evidence was prepared to support the NP. The requirement for “at least 4 affordable homes” is essentially derived from Policy 8 of the North Dorset Local Plan Part 1 (January 2016), which required 40% AH in rural areas on sites that deliver 11 or more dwellings. Paragraph 4.3 of the Motcombe NP acknowledges that the viability evidence underpinning the AH requirements originated from the NDLP, by stating:

The viability assessments underpinning the adopted Local Plan suggested that in villages like Motcombe, it should be possible to build 40% of homes on larger sites as affordable. If site-specific constraints or circumstances mean this amount of affordable housing is not possible (confirmed by an ‘open book’ economic appraisal), then a different mix that maximises the number of locally needed affordable homes may be accepted.

The viability evidence supporting policies in the NDLP was the North Dorset Whole Plan Viability and CIL Study (Feb 2015). Instead of site specific testing, the study looked at wide range of site/scheme typologies. Usefully, one of those typologies is 12 dwellings in a rural location. Table 6.1 shows that without any policy requirements, it was viable. Table 6.2 shows that with all the policy requirements, including 40% AH, it was not viable and that a scheme of 20 dwellings on a rural site would be necessary before viability becomes marginal, and a scheme of 150 dwellings before a scheme was definitely viable. The fact that a scenario involving 12 dwellings in a rural location was not considered to be viable was not a stumbling block for the LP, as it is not reliant on schemes of this nature, doesn’t allocate any rural sites and places the main focus of development on the 4 main towns. Since adoption of the LP, there are few examples of schemes just within the AH threshold in rural areas. Generally residential development in rural areas has either been smaller (less than 10 dwellings), or significantly bigger (20+ dwellings). The majority of rural schemes supporting AH are over 20 units. The two exceptions built out are a scheme for 14 dwellings at Pimperne, and one for 18 dwellings at Winterborne Kingston, both developed by Wyatts, who secured the original outline permission for the Motcombe site.

More recently, the Dorset Local Plan Viability Assessment (May 2022) was prepared to support policies in the emerging Dorset Council Local Plan. This hasn’t been tested at examination and carries limited weight. The study found that the far north and far south of Dorset are the least viable areas, and therefore recommended 20% AH in these areas, including at Motcombe, broadly confirming what was found in the 2015 Study.

NPPF paragraph 58 states:

Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

Given the age of the viability evidence underpinning the adopted LP, it is difficult to argue that it is “up to date”. In addition to that, the evidence, both then and more recently, suggests that the viability of a small, rural sites such as this one is likely to be poor. Therefore, considerable weight is given to the more recent and site specific viability evidence, which has been independently verified. Simply put, small rural sites, on the threshold of affordable housing provision do not benefit from the economies of scale that larger sites benefit from.

Local Plan Policy 8 does include a potential exemption for viability reasons. It states that an ‘open book’ approach should be taken, and an independent assessor should be used “to secure the maximum level of provision achievable at the time of the assessment.”

The DV has suggested incorporation of a claw back mechanism to account for an instance where the development may in fact prove to be viable. However, this is more commonly applied to larger sites, built out over 5-10 years, not small-scale sites such as this one, likely to have a relatively short construction phase (under 2 years). Consequently it is not considered reasonable to apply such a clause to this proposal.

It is important to note that the financial benefits outlined in Section 13.0 above will still be delivered and secured by a s.106. However, in light of the above and on the basis of the evidence provided by the applicant and verified by the District Valuer, it is concluded that the proposed development is currently unable to support any affordable housing provision.

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. In addition, Policy MOT6 of the Motcombe Neighbourhood Plan which deals with Protecting and Enhancing Local Biodiversity states that development should protect and wherever practicable, enhance biodiversity through an understanding of the natural assets that may be affected by development and the inclusion of measures that will secure an overall biodiversity gain. Criterion d) of the site allocation Policy MOT9 requires a net gain in biodiversity to be secured through any measures that

may be required as part of an approved biodiversity mitigation and enhancement plan prepared in the light of policy MOT6.

A Biodiversity Plan (BP) has been submitted with the application and has been finalised with the Council's Natural Environment Team (NET). The BP indicates that there will be net gain measures, some incorporated into the full landscaping scheme for the site. In addition, there will also be compensation funding, secured through a s106 agreement, to account for the loss of species-poor semi-improved grassland. The measures outlined in the BP and Certificate of Approval will be a condition of any approval. In light of this it is accepted that the impact on biodiversity and wildlife can be made acceptable. Therefore, the proposed development complies with Policy 2 of the adopted local plan, Policy MOT6 and criterion d) of Policy MOT11 of the Neighbourhood Plan.

Natural England have not commented on this application, but raised no objection to the previous outline application, subject to an approved BMEP and accompanying Certificate of approval.

Drainage, flood risk and the water environment

Policy MOT11 allocates the site for housing and requires a surface water drainage strategy is secured to ensure drainage from the site is designed so as to avoid (and ideally reduce) flood risk to properties adjoining the site.

The Lead Local Flood Authority (LLFA) notes that the site of the proposal falls within Flood Zone 1, as indicated by the Environment Agency's (EA) indicative flood maps. Whilst nearby (less than 100m from the site) the EA flood maps show areas downstream that are within Flood Zone 3. Actual fluvial flooding has been recorded downstream of the site around Church Walk and Turnpike Lane (as described in the Motcombe Neighbourhood Plan - Aug 2019 and more recently in the Motcombe Flood Investigation Report for the 20th/21st Oct 2021 flood event).

According to the EA's Risk of Flooding from Surface Water mapping no pluvial flooding is predicted on site up to the 1-in-1000 year modelled rainfall event. However downstream and to the west of the site there is shown to be a risk of surface water flooding along the route of the nearby watercourses from the 1-in-30 year rainfall event and upwards. Also a surface water flow path is shown near to the west boundary of the site during the 1-in-1000 year rainfall event and this flow path joins with another modelled surface water flow path along Motcombe Road. Although these theoretical flow paths are only shown at the 1-in-1000 year event anecdotal reports along with photos and video footage have been provided to the LLFA that clearly show that these flows occur during more frequent events.

The site is not modelled as being directly affected by pluvial flooding as indicated by the EA's mapping. However, information of actual surface water flooding was provided by local residents following the LLFA's initial consultation responses to outline application ref: 2/2019/1603/OUT. An existing, but un-modelled surface water flow path runs across the site from the south-east corner to the north-west corner, which is fed by a spring behind the property known as the Elms and is said to appear at relatively frequent rainfall events. A defined channel carries the spring-water to a point

behind an existing raised bund at the top of the south-east corner of the field behind the Motcombe Road development site. When the spring is active water builds up behind this bund and gradually seeps underneath it where it then flows across the site. Video footage of these flows have also been provided to the LLFA, where surface water can be seen to spread out and collect in the north-west corner of the site before overflowing onto Motcombe Road.

Regardless of prevailing risk, any development has the potential to exacerbate or create flood risk, if runoff is not appropriately considered and managed as evidenced by a substantiated surface water strategy. Ordinarily therefore and in keeping with the requirements of the NPPF, all major development proposals must take due consideration of surface water management and should offer a drainage strategy that does not create or exacerbate off site worsening and should mitigate flood risk to the site.

The submitted drainage documents provide details regarding drainage from the site, which establish that soakaway tests indicate that the soil types found on site will not be suitable for infiltration SuDS. The SuDS hierarchy has been followed with the developer intending to discharge surface water at an attenuated rate and a number of outfall options have been identified by the applicant. The developer has considered existing overland flows with a raised bund proposed to redirect surface water flows around the development. In addition, they have also included a possible diversion channel to redirect spring-fed flows away from the site and direct to the watercourse to the south of the site. An open SuDS feature is proposed, which could promote multifunctional benefits (eg water quality, amenity and biodiversity improvements) within the final design.

The LLFA confirms the proposal provides adequate detail to demonstrate that a viable and deliverable surface water management scheme can be designed for the proposed development. There is consequently no in-principle objection to the application subject to conditions being attached to any permission to address surface water management. The LLFA points out that at the discharge of condition application stage, the applicant will need to fully consider and address the following: 1) Selection of outfall option - 2) Management of existing spring-fed surface water flows - 3) New site layout - 4) Climate change allowances - 5) Exceedance plans. These details will need to be fully clarified by the details submitted seeking the discharge of conditions 4-6 outlined below.

The submitted drainage strategy states that 'the public sewer map indicates there is an existing 150mm diameter public foul water sewer located in Motcombe Road to the north of site, and Wessex Water have confirmed that there is currently sufficient capacity in the existing public foul sewer network to receive the foul flows from the site. On this basis it is proposed that foul flows from the site would discharge to the existing foul water sewer to the north located in Motcombe Road. In terms of foul water drainage, it has been demonstrated that a suitable means of drainage can be provided to serve the proposed development'.

Wessex Water have yet to comment on the current application, but commented on the previous outline proposal, stating; the developer proposes to discharge foul only flows to the public foul sewer, which is acceptable to us. Acknowledge that further

downstream in Motcombe there have been network issues reported which are being investigated. The additional foul flows from 12 households will be minimal in comparison to surface water flooding that can inundate foul sewers in high rainfall events. The surface water strategy and discharge rate from the site must be agreed with the Dorset lead local flood authority.

Housing Delivery

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. However, as of 19th September 2023 this situation changed. The new housing land supply is 5.74 years and the Housing Delivery Test is at 110%. Consequently the Council now benefits from a five year housing land supply and delivery test. Paragraph 74 of NPPF states that there should be a minimum of five years' deliverable housing supply (plus a buffer) against the housing requirement, which is now met. The deliverable housing supply for North Dorset consists of 1,585 dwellings at the four main towns, and 662 dwellings at Stalbridge, the 18 larger villages and the countryside. This means that the total deliverable supply for North Dorset is 2,247 dwellings. Nevertheless, there is still a presumption in favour of directing new housing development to allocated sites such as MOT11, within one of the 18 larger villages.

16.0 Conclusion and the Planning Balance

Policy MOT11, allocates the land subject of this application for a mix of housing for around 10 dwellings. It is considered that the proposed development for up to 12 dwellings would comply with this Policy. The proposed development would be acceptable and complies with Local Plan policies 1, 2, 3, 4, 6, 7, 8, 13, 14, 15, 23, 24, 25 and policies MOT1, MOT6, MOT9, MOT10, MOT11, MOT17, MOT19 of the Motcombe Neighbourhood Plan and the NPPF. There are no material considerations indicating the decision should be taken otherwise than in accordance with the development plan. Consequently, the application is therefore recommended for approval.

17.0 Recommendation

Recommendation A: Minded to **GRANT**, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Head of Legal Services to secure the following:

- Destination Play - £843.50 per dwelling.
- Formal Outdoor Sports contribution - £708.34 per dwelling.
- Education – £6,094 per dwelling for primary and secondary – based on the level of development across the Shaftesbury planning area at secondary and insufficient primary capacity at Motcombe Primary.
- Library contribution - £241 per dwelling.
- Off-site public open space - £117 per dwelling.
- Public rights of way £50 per dwelling to cover the change from stiles to gates for the adjacent footpath.
- Compensatory Habitat Contribution - £7,366.39

- NHS - £722 per Dwelling Index Linked to be used towards the cost of acute, community and primary care branches of the NHS in the vicinity of the site;

And subject to the following conditions and their reasons:

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:

Drawing number 9642/100 - Site Location and Block Plan
 Drawing number 9642/101 RD - Proposed Site Plan
 Drawing number 9642/102 RC - Proposed Plot 1 Plans and Elevations
 Drawing number 9642/103 RC - Proposed Plots 2, 3 and 4 Plans and Elevations
 Drawing number 9642/104 RC - Proposed Plot 5 Plans and Elevations
 Drawing number 9642/105 RC - Proposed Plot 6 Plans and Elevations
 Drawing number 9642/106 RC - Proposed Plots 7, 8 and 9 Plans and Elevations
 Drawing number 9642/107 RC - Proposed Plots 10,11 and 12 Plans and Elevations
 Drawing number 338-1-R6 - Landscape Plan
 Drawing number 338-2-R4 - Planting Plan
 Drawing number 9642/109 RA - Proposed street scene and indicative SuDS
 Drawing number W554/02 RE – Preliminary Drainage Strategy
 Drawing number W554/05 RB – Proposed Site Access Arrangements

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 wall(s) and roof(s) 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 approved.

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

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

REASON: To prevent increased risk of flooding and to improve and protect water quality.

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

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

6. No development shall take place until a Surface Water Construction Management Plan, which shall include measures to prevent turbid run-off from the construction site reaching the road and/or discharging into the public sewer system, has been submitted and approved, in writing, by the Local Planning Authority. The agreed measures shall be implemented and maintained throughout the construction phase of the development.

Reason: To prevent increased risk of flooding during construction, prevent pollution and protect water quality.

7. 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.

8. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 9642/100 must be constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

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

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

10. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number W554/05 Rev B must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained accordingly and kept free from all obstructions.

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

11. The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to and approved by the Planning Authority. The approved scheme must be constructed before the development is occupied 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.

12. Before the development hereby approved is occupied details of the construction of a footway within the site, running parallel with Motcombe Road, as shown on Dwg No W554/05 Rev B (or similar scheme) shall have been submitted to and agreed in writing with the Planning Authority. Thereafter the footpath shall be constructed and retained in accordance with the approved details.

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

13. Before the development hereby approved commences a Construction and Environment Method Statement (CEMS) must be submitted to and approved in writing by the Planning Authority. The CEMS must include:

- Details for the access and parking of vehicles of site operatives and visitors
- Details of loading and unloading of plant and materials
- Details of the storage of plant and materials to be used in constructing the development
- Confirmation that construction and delivery hours will be limited to Monday – Friday 0700 – 1900 Saturday 0800 – 1300
- Confirmation there will be no noisy activity on Sundays or Bank Holidays during construction
- Confirmation that there will be no bonfires on site at any time during construction

The approved Construction and Environment Method Statement shall be adhered to throughout the construction period for the development.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network.

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

- a) a specification for protective fencing to trees and hedges during both demolition and construction phases which complies with BS5837 (2012) and a plan indicating the alignment of the protective fencing;
- b) a schedule of tree work conforming to BS3998;
- c) details of the area for storage of materials, concrete mixing and any bonfires;
- d) details of the supervision to be carried out by the developers tree specialist.

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

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be submitted to and approved by the Local Planning Authority. Following completion of measures identified in the approved risk assessment, a remediation scheme shall be undertaken and a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, having regard to the National Planning Policy Framework March 2012.

16. All hard and soft landscape works shall be carried out in accordance with the approved Landscape Plan number 338-1-R6 and Planting Plan number 338-2-R4, both dated 11.10.2023. No part of the development shall be occupied until work has been completed in accordance with the approved details. Any trees or plants that within a period of five years after planting are removed, die, or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced as soon as it is reasonably practical with others of species, size and number as originally approved and in accordance with the approved Landscape Management plan number 338-3 dated 31/01/2023

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

17. The development hereby approved shall be carried out in full accordance with the approved Biodiversity Mitigation and Enhancement Plan and Certificate of Approval dated 10th October 2023.

Reason: To minimise impacts on and enhance opportunities for biodiversity.

Recommendation B; **Refuse** permission for failing to secure the obligations above if the agreement is not completed by 24th April 2024 or such extended time as agreed by the Head of Planning.

Informative Notes:

1. The Rights of Way Officer advises that the proposed works are in the vicinity of the N69/10, PARISH of Motcombe on the site's western boundary. Use of this footpath by vehicular traffic without lawful authority is an offence contrary to the Road Traffic Act 1988. Any damage to the surface of the path attributable to the development must be repaired to Dorset Council's specification, in accordance with Section 59 of the Highways Act 1980. During construction the full width of the public footpath must remain open and available to the public, with no materials or vehicles stored on the route.

The proposed works only directly affect the Footpath if the SUDS requires an outflow into the ditch on the western side of the footpath /field access track. At which point a temporary closure will be required. This can be applied for through this office, but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application.

2. The LLFA advise that in order for them to recommend the discharge of the above conditions, the finalised and detailed drainage strategy will need to include an approval in principle for a connection into the chosen receiving system from the relevant management authority.

Whilst we accept that the applicant may have provided preliminary calculations within the submitted drainage strategy, we emphasise that a finalised detailed design and maintenance schedule is to be subsequently supplied to discharge requested planning condition/s.

Please note that DC accept no liability for the checking of any preliminary calculations / estimations submitted in support of such proposals and provide only an overview in terms of best practise & compliance with the requirements of the NPPF.

•If the applicant wishes to offer for adoption any highways drainage to DC, they should contact DC Highway's Development team at DLI@dorsetcouncil.gov.uk

as soon as possible to ensure that any highways drainage proposals meet DC's design requirements.

- Prior Land Drainage Consent (LDC) may be required from DC's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquires can be sent to floodriskmanagement@dorsetcouncil.gov.uk.

- An Environmental Permit may be required from the EA, as relevant regulator for all works to a designated Main River that take place in, under or over, or as prescribed under relevant byelaws in accordance with section 109 of the Water Resources Act 1991. To clarify the Environment Agency's requirements, the applicant should contact the relevant department by emailing floodriskpermit@environment-agency.gov.uk.

- The applicant is advised to have early discussions with Wessex Water in relation to the possible adoption of SuDS features in order to ensure that the final design of the attenuation basin is in line with their design requirements.

Please do not hesitate to contact me should you require further clarification of our position or the scope of additional information that is required. To assist in this respect, I suggest the applicant review our generic guidance note, which can be found at: www.dorsetcouncil.gov.uk/localfloodrisk.

Whilst we are willing to recommend conditions at this time, the applicant will need to at Discharge of Conditions (DoC) application stage, consider and address the following:

- 1) Selection of outfall option - The applicant has proposed 4 different outfall options but the SuDS hierarchy must continue to be followed with a direct connection to a watercourse to be prioritised. The LLFA will need to see an approval in principle (AIP) from the relevant risk management authority for any new outfall connection once the surface water management scheme for the development has been finalised.

- 2) Management of existing spring-fed surface water flows - The proposed redirection of the spring-fed surface water flows to the watercourse to the south of the site would appear to present a feasible option for management of these flows. However, the applicant will need to provide, at discharge of conditions stage, evidence to demonstrate that this proposal will not increase downstream flood risk. Details will need to be submitted to show that increased volumes of surface water will not be sent downstream at a higher rate than current and therefore some modelling may be required as evidence of this. Similarly, the design of the proposed bund along the south edge of the site must be considered carefully in order to ensure that surface water flood risk is not increased elsewhere. Also, the LLFA recommends that the applicant updates

its assessment of the prevailing flood risk to the development site (from all sources of flooding) possibly through the production of an updated Flood Risk Assessment (FRA). This assessment should include analysis of the risk from the unmodelled spring-fed surface water flow path described above which has been shown to affect the site in photos/videos supplied to the LLFA. Further analysis of the existing surface water flood risk to the site could help the applicant to improve their understanding of the existing flood risk and in turn inform the production of the finalised surface water management scheme design.

3) New site layout shown on latest proposed site plan (Oct 2022) - the 'preliminary drainage strategy drawing W554/02 (Oct. 2019)' features an access road that intersects the site from Motcombe Road all the way to the open field south of the site. This plan differs to the previous layout by introducing this link road from one side of the site to the other but does not include the proposed bunding. This potentially impermeable hard surface risks creating a conduit for surface water. The existing un-modelled spring-fed surface water flows could end up being redirected straight onto Motcombe Road increasing the speed at which surface water could travel downstream of the site and potentially increase flood-risk elsewhere. As described above an increased understanding of these existing flows will allow for appropriate mitigation measures to be put in place. However, it is also not clear from this drawing alone whether the bund is still proposed for the whole length of the site which would mitigate for this risk.

4) Climate change allowances - Proposed attenuation volumes must be updated to current standards so that 1-in-100 year rainfall event plus 45% must be considered in the calculation of attenuation volumes.

5) Exceedance plans should be included with final submission.

3. Dorset Highways advise that the vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

As the new road layout does not meet with the Highway Authority's road adoption standards or is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.

The highway (footway) improvements referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Development team. They can be reached by

email at dli@dorsetcc.gov.uk, or in writing at Development team, Infrastructure Service, Dorset Council, County Hall, Dorchester, DT1 1XJ.

The applicant is advised that, notwithstanding this consent, before commencement of any works Dorset Council Waste Services should be consulted to confirm and agree that the proposed recycling and waste collection facilities accord with the "guidance notes for residential developments" document ([https://www.dorsetcouncil.gov.uk/bins-recycling-and-litter/documents/guidance-fordevelopers-](https://www.dorsetcouncil.gov.uk/bins-recycling-and-litter/documents/guidance-fordevelopers-a4-booklet-may-2020.pdf)

[a4-booklet-may-2020.pdf](https://www.dorsetcouncil.gov.uk/bins-recycling-and-litter/documents/guidance-fordevelopers-a4-booklet-may-2020.pdf)). Dorset Council Waste Services can be contacted by telephone at 01305 225474 or by email at bincharges@dorsetcouncil.gov.uk.

4. Building Control advise that the depth of foundations in clay may need to be deeper than normal, subject to distance from existing trees and proposed planting. Consideration to be given to radon in this area and a BRE radon level report is recommended.

Case Officer Signature:	Jim Bennett	Authorising Officer Signature:	
Date:	4 th October 2023	Date:	

Agenda Item 8

Reference No: P/OUT/2022/04243
Proposal: Demolish existing industrial buildings and erect 47 dwellings (outline application to determine access only)
Address: Wessex Park Homes Shillingstone Lane Okeford Fitzpaine Blandford Forum DT11 0RB
Recommendation: Grant, subject to conditions and completion of s.106 agreement
Case Officer: Jim Bennett
Ward Members: Cllr Batstone
CIL Liable: N

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

UPDATE REPORT

Members will recall that it was resolved to grant planning permission in support of the officer's recommendation for the demolition of industrial buildings and redevelopment of this site for the erection of 47 dwellings at the committee meeting of 11th April 2023. The original report is set out below.

Affordable Housing and Vacant Building Credit

A key point of discussion at the previous meeting was the matter of affordable housing and whether it would be forthcoming on the site, as Policy 8 of the North Dorset Local Plan requires 40% of new residential developments in this part of the District to be 'affordable'.

Throughout the application process the applicant stated that they would seek to provide policy compliant levels of affordable housing. However, it was not made clear to Members that the Vacant Building Credit (VBC) needed to be applied when they made their decision. For the purposes of transparency, Members are made aware that the VBC needs to be applied.

Paragraph 64 of the NPPF states:

To support the reuse of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution should be reduced by a proportionate amount.

The amount of reduction is clarified by footnote 30 of the NPPF as being equivalent to the existing gross floorspace to the existing buildings, unless the buildings have been abandoned. While the buildings are vacant, they are not abandoned and could readily be re-occupied or indeed converted under the prior approval procedure.

The applicants have been clear throughout that the amount of affordable housing needs to be calculated in accordance with the relevant policy approach. The application of VBC is a matter of Government Policy, imposed by the NPPF and not something that the applicants are seeking to introduce. Rather, in stating that policy compliant levels of affordable housing will be provided there was an assumption that VBC would be applied in accordance with the NPPF.

All aspects of the proposals remain as previously accepted. The only difference is that the VBC is required to be applied as part of the calculation of affordable housing, acknowledging that the whole purpose of the VBC is to encourage a development first approach to previously developed sites.

The detailed layout of the development is not yet fixed. The outline nature of the application was to establish a layout with an indication of how 47 dwellings would be accommodated on the site in terms of the overall character and functionality of the development. However the applicant has put forward in a document provided since the April committee meeting outlining the implications of VBC. The affordable housing reduction is clarified by the NPPF as being equivalent to the existing gross floorspace to the existing buildings.

The existing gross floorspace of vacant buildings on the site is 5854 m². The actual mix of dwellings is not yet determined, but for the purposes of analysis, the applicant set out the scenario where the total gross existing floorspace divided by the number of dwellings approved equates to an average dwelling size of 124.55m², equivalent to 47 large 4 bedrooms homes. While it will be desirable to both the applicant and Council to have a mix of housing types and sizes on the site, the VBC is equivalent to 47 large 4 bedrooms homes, the upshot is that no affordable housing would be required, the total proposed floorspace being less than the existing floorspace.

A Section 106 (S.106) obligation is recommended along with the other obligations approved under the Committee's previous resolution allowing the VBC to be applied and the amount of affordable housing calculated accordingly. The S.106 will set out the specific amount of existing floorspace which will represent the VBC to be applied. It will also include a mechanism by which an affordable housing contribution would be forthcoming should the average dwelling size exceed 124.55m² or cumulative floor space of the residential development exceed 5854m².

The financial benefits outlined in Section 13 of the original report below, in respect of open space, education, healthcare, rights of way etc, will still be delivered by the S.106. Unfortunately as the mix of housing required to be provided is unlikely to exceed the existing amount of floor space, VBC will result in no affordable homes being provided.

Housing Land Supply

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. However, as of 19th September 2023 this situation changed. The new housing land supply is 5.74 years and the Housing Delivery Test is at 110%. Consequently the Council now benefits from a five year housing land supply and delivery test. Paragraph 74 of NPPF states that there should be a minimum of five years' deliverable housing supply (plus a buffer) against the housing requirement, which is now met. The deliverable housing supply for North Dorset consists of 1,585 dwellings at the four main towns, and 662 dwellings at Stalbridge, the 18 larger villages and the countryside. This means that the total deliverable supply for North Dorset is 2,247 dwellings.

While weight was given in the planning balance in order to support the supply of new homes, the resolution previously passed to grant planning permission, was not as a consequence of the tilted balance, but rather the weight applied to the fall back position, as the site already benefitted from permissions amounting to 47 dwellings and the proposal would result in visual enhancements and other benefits, including redevelopment of a brownfield site, between two of the 18 larger villages (Shillingstone and Okeford Fitzpaine). Accordingly the recommendation is unaltered in respect of the recent change to the housing land supply position.

Conclusion

Other than housing land supply position, the circumstances have not changed in relation to the recommendation of the original report and all issues save affordable housing remain the same. The proposal complies with the development plan as a whole and in the context of the change to affordable housing it complies with the NPPF it complies with paragraph 64. The recommendation remains as one to approve, but the justification needed to acknowledge the impact of VBC on the delivery of affordable housing, as well as the changed housing land supply position.

Recommendation

Recommendation A: **GRANT**, subject to the conditions below and to the prior completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

- Affordable housing provided in line with Council Policy and Paragraph 64 and footnote 30 of the NPPF
- 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

And the following conditions and their reasons:

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 may 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. The development shall then be carried out in accordance with the agreed details.

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

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

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, a Remediation Scheme to address any potential on site pollution and contamination shall be submitted to and agreed in writing by the Local Planning Authority and shall include:

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.

Recommendation B; **Refuse** permission for failing to secure the obligations above if the agreement is not completed by 24th April 2024 or such extended time as agreed by the Head of Planning.

ORIGINAL REPORT

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) in a form to be agreed by the legal services manager 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 Dwellinghouses 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 despoiled, 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) in a form to be agreed by the legal services manager 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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Application Number:	P/FUL/2022/02607		
Site Address:	Cerne Abbas Church of England First School, Duck Street, Cerne Abbas, Dorset, DT2 7LA		
Proposal:	Erect building for use as Learning Resource Centre		
Applicant:	Dorset Council		
Case Officer:	Huw Williams, Lead Project Officer – Corporate Projects		
Ward Member(s):	Cllr Jill Haynes, Chalk Valleys Ward		
Webpage:	The application and other information about the application may be inspected online through the application webpages accessible via https://planning.dorsetcouncil.gov.uk/ .		
Publicity Expiry:	20 October 2023	Officer Site Visit:	16 May 2022
Decision Due:	25 October 2023	Extensions of time:	Yes

1. Reason Application Reported to Committee

- 1.1 The application is made by Dorset Council ('the Applicant') and relates to land that is owned by Dorset Council. The application is reported to committee in accordance with requirements of Dorset Council's Constitution for committee's consideration and determination.

2. Summary of Recommendation

- 2.1 That planning permission be granted subject to the conditions set out in paragraph 22.3 of this report.

3. Reason for the Recommendation

- 3.1 The recommendation to grant planning permission is made following consideration of:
- (i) the application;
 - (ii) the development plan;
 - (iii) national planning policy and guidance;
 - (iv) consultation responses and other representations made about the application;
 - (v) relevant legislation; and
 - (vi) other matters set out in this report.
- 3.2 The application falls to be considered having regard to the provisions of the development plan, so far as material to the application, and to other material considerations, with the determination to be made in accordance with the development plan unless material considerations indicate otherwise.

3.3 At the time of writing, consultation on the application is ongoing. Without prejudice to any matters that may yet be raised in representations about the application, it is considered that the application proposal is in general accordance with the development plan and that there are no material considerations warranting or requiring that the application be determined other than in accordance with the development plan. Subject to recommended conditions, it is considered that planning permission should be granted. Any relevant and material representations made during the ongoing consultation period will be summarised in an update for members prior to the committee meeting.

4. Summary of Conclusions on Key Planning Issues

4.1 The table below provides a summary of the conclusions drawn in relation to the main planning issues assessed in subsequent sections of this report.

Issue	Conclusion
Acceptability in principle of proposed development	Suitable and sustainable location for proposed development to which there is no in principle land use objection.
Flood risk, climate change and the natural environment	Sustainable form of development that responds positively to the climate emergency and which meets or exceeds development plan requirements for climate change, flood risk and for conserving and enhancing the natural environment.
Impact on character and appearance of application site and surroundings	Proposal is in accordance with most relevant design related policies of the Adopted Local Plan.
Impact on Heritage Assets	No harm to either character or appearance of Cerne Abbas Conservation Area and no harm to significance of known heritage assets.
Impact on amenity	No unacceptable impact on amenity or use of any property.

5. Background and Description of the Site

5.1 Planning permission is sought for the erection of a learning resource centre on land at Cerne Abbas Church of England First School.

- 5.2 The application was submitted on 21 April 2022 but has since been amended most recently through the submission on 07 September 2023 of amended plans and further supporting information.
- 5.3 The submitted Location Plan (DWG No. 4651-BB-XX-XX-DRA-A-01 Rev A dated 29/03/22) identifies the extent of the planning application site ('the Application Site') edged red and other land in the applicant's ownership or control edged blue.
- 5.4 The Application Site comprises approximately 250 sqm of hard-surfaced playing field land to the north of the main school building on the western side of Duck Street and mostly comprises a small playground.
- 5.5 The playground is slightly elevated above Duck Street and is enclosed from Duck Street by a brick wall and railings inside of which is a higher wire mesh fence. Within the playground are a number of ancillary structures including a pergola/canopy and a timber shed.
- 5.6 The blue edged land shown on the Location Plan contains the associated school buildings and further playing field land including:
- (i) the main school building fronting the western side of Duck Street;
 - (ii) rising land and other school facilities to the rear (west) of the main school building; and
 - (iii) playing field land on the eastern side of Duck Street including a grass playing pitch, an equipped play area and a hard-surfaced multi-use games area.
- 5.7 The main school building is partly of Victorian construction, stands immediately adjacent to the pavement in Duck Street, adjoins a residential property (No.11 Duck Street) to the south and has been extended to the rear.
- 5.8 The western edge of the playground comprises a retaining wall above which is a timber fence that defines the curtilage of a residential property (No 2 Springfield).
- 5.9 To the north of the Application Site is the residential curtilage of No. 13 Duck Street, the adjacent area of curtilage including a detached garage, a substantial tree and some shrubs.
- 5.10 A stream runs alongside the eastern side of Duck Street.
- 5.11 Pedestrian access to the playing field land beyond the stream can be gained via a footbridge opposite the main school building, the footbridge forming part of a public footpath route linking to the Abbey precinct beyond the school grounds.
- 5.12 Also opposite the main school building is another residential property (No. 22 Duck Street).

6. Description of the Proposed Development

- 6.1 In addition to the requisite forms, plans and drawings the application is supported by:

- (i) a Planning Statement prepared by Boon Brown (the Applicant's Agent);
 - (ii) a Design and Access Statement prepared by the Applicant's Agent;
 - (iii) a Heritage Statement prepared by Land Use Consultants Limited;
 - (iv) a Biodiversity Check List completed by the Applicant's Agent;
 - (v) a Road Safety Risk Assessment prepared by Dorset County Council; and
 - (vi) a Flood Risk Assessment and Drainage Strategy prepared by RMA Environmental Limited.
- 6.2 The proposed learning resource centre would comprise a light weight, single storey, building that would be positioned between the main school building and No 13 Duck Street and that would be set back from the road frontage.
- 6.3 The building would provide approximately 83sqm of floorspace that would be used as ancillary teaching space and office space.
- 6.4 The Planning Statement submitted in support of the application explains that there is a need within the school to provide additional teaching space, not only to better the current facilities but also to ensure the school is able to achieve its critical mass in terms of number of pupils in attendance.
- 6.5 Provision of the proposed building would allow for the repurposing of the existing learning resource centre as a classroom and provide a new approach to the school, ensuring better visibility of those approaching and entering the school site, and the ability to segregate visitors from the main school building, enhancing security and safeguarding.
- 6.6 Due to the constraints of the site, a lightweight modular construction is favoured to ensure an efficient delivery with little disruption to the school.
- 6.7 The Design and Access Statement notes that the proposed building has been designed to be a low-profile addition to the school, with its height limited to sit below the eaves and ridge level of the existing school building. It is further stated that the mass of the building has been set back into the site to reduce the visual impact of the proposed and to ensure the original school building remains the dominant presence on the street scene and that:
- “The proposed LRC is contemporary in nature yet takes influence from Architectural features seen on the original school building and responds with a sympathetic aesthetic. This has been achieved with the use of complimentary materials and accents, large window openings with feature surrounds, and matching of roof pitch with the existing.”
- 6.8 To address concerns raised by Dorset Council's Conservation Officer, the form of the building has been reviewed, introducing pitched roofs and amended detailing to ensure that it does not detract from the main school building and remains subservient from views within the Conservation Area. The building height has been kept to a minimum, with both eaves and ridge of the proposed to sit beneath the eaves and ridge line of the main school building.

6.9 Externally, the building would be part rendered and part clad in grey brick slip cladding with aluminium windows and doors, fibre cement slates, black rainwater goods, and photo voltaic panels.

7. Relevant Planning History

7.1 The main school building has been extended through various additions to its rear and further school facilities have been provided by the construction of detached lightweight buildings to the rear of the main school building.

7.2 In January 2022, planning permission was granted for the installation of roof mounted solar photovoltaic (PV) panels on the main school building (Application P/FUL/2021/03872).

8. Designations and Constraints

8.1 The Application Site is located within the designated Cerne Valley Neighbourhood Area wherein the development plan includes:

- (i) the West Dorset, Weymouth & Portland Local Plan 2015 adopted by the former West Dorset District Council in October 2015 ('the Adopted Local Plan'); and
- (ii) the Cerne Valley Neighbourhood Plan issued September 2014 ('the Made Neighbourhood Plan').

8.2 The Application Site is not subject to any site specific development plan policy or land use allocation but is located entirely within the development boundary for Cerne Abbas as defined in Adopted Local Plan. The Application Site is further located:

- (i) entirely within the designated Dorset Area of Outstanding Natural Beauty (the Dorset AONB);
- (ii) entirely within the designated Cerne Abbas Conservation Area;
- (iii) entirely with the Lower Magiston Groundwater Protection Zone;
- (iv) located within an area with potential for groundwater flooding to occur at the surface; and
- (v) with an area identified to be at high risk of foul sewer inundation.

8.3 The Environment Agency's flood map for planning indicates that the majority of the Application Site lies within Flood Zone 1, but with an area along the south-eastern corner of the Site located within Flood Zone 2.

8.4 The Environment Agency's risk of flooding from surface water mapping identifies that the majority of the site has a very low risk of flooding from surface water and two limited areas of low surface water flood risk are located along Duck Street.

8.5 There are no statutorily listed buildings either within or adjoining the Application Site, but, in reference to the main school building and the attached dwelling, the Cerne Abbas Conservation Area Appraisal identifies 'The Primary School and

former schoolhouse' as Locally Important Buildings, the citation in the Conservation Area appraisal noting:

“... an essay in Tudor Revival, with flint and chalk block banding and Hamstone dressings, render and stone on the attached schoolhouse, attractive a good entry feature when entering Duck Lane from the north.”

- 8.6 As an identified Locally Important Building, the main school building and the attached dwelling constitute non-designated heritage assets.
- 8.7 The nearest statutorily listed buildings are located approximately 100 metres from the Application Site on the east side of Duck Street.
- 8.8 The nearest scheduled monument and further statutorily listed buildings including the Grade I listed Cerne Abbey are located in the Abbey Precinct.
- 8.9 The Application Site is not located within and does not adjoin any statutorily designated nature conservation site but is located entirely within the Poole Harbour Nutrients Catchment Area.

9. Consultations

- 9.1 The application has been advertised on site and in the local press.
- 9.2 Consultation responses and other representations made about the application may be inspected online on the application webpages accessible via <https://planning.dorsetcouncil.gov.uk/> and are summarised below.
- 9.3 The application was re-advertised following the amendment of the application. At the time of writing the consultation period is ongoing and will end on 20 October 2023. Any further consultation responses and other representations made about the application will be reported at committee.
- 9.4 Cerne Valley Parish Council
Responded on 13 May 2022 indicating that the Parish Council supports this application.

Further response received 13 October 2023 indicating support for the amended proposal.
- 9.5 Wessex Water
- 9.6 Responded on 24 May 2022:
- (i) advising that there are no recorded public sewers or water mains within the Application Site;
 - (ii) noting that that the site is located in an area prone to sewer flooding caused by high levels of ground water during prolonged periods of wet weather;
 - (iii) advising that separate systems of drainage on site must be completely watertight and vent stacks rather than durgo valves must be used to prevent restricted toilet use during these prevailing conditions;
 - (iv) noting that there are no surface water drainage plans available to view;

- (v) stating that surface water must be disposed of via the SuDS Hierarchy which is subject to Building Regulations;
- (vi) noting that there is a water course in close proximity; and
- (vii) providing a copy Wessex Water's surface water policy for minor developments.

Further response received 04 October 2023 noting that the applicant now is proposing to direct surface water to rain gardens and rain butt and that this is acceptable to Wessex Water as there are no proposals to connect surface waters to the foul network.

9.7 Dorset Council - Ward Member

No response received.

9.8 Dorset Council – Transport Development Management

Responded on 20 May 2022 advising that the Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection.

9.9 Dorset Council – Building Control

No response received.

9.10 Dorset Council – Conservation and Design Officer

Responded to the original application proposal on 14 June 2022 indicating that the proposal would cause harm to the distinctiveness and special character of the Conservation Area and the main school building but that following a revision of design and material, this harm could be overcome and the application could be fully supported. Response further indicated that:

- (a) The proposed materials do not reflect the existing material palette of the non-designated heritage asset (i.e. the main school building) nor of the conservation area.
- (b) The proposed “stone-like cladding” is not considered to be of high quality and not a traditional material. It is therefore not appropriate for Cerne Abbas Conservation Area.
- (c) The design with the flat roof is too “boxy” and would become dominating.
- (d) The main elevation should be in keeping with the main school building.
- (e) Further stated that the following design amendments are requested:
- (f) The materials used should reflect the local distinctiveness and be in keeping with those found in the Conservation Area and the main school building. They should also be traditional materials. Therefore, for instance, flint and chalk block banding should be used.
- (g) A more traditional design with a double pitch roof should be introduced to avoid the “boxy” appearance.

- (h) For the main elevation to sit more comfortably with the non-designated heritage asset we recommend moving the entrance door to the side so that only windows are kept on the front elevation. This would create a visual continuity with the school and minimise the visual impact of a new building.
- (i) Window frames should not be painted black but in light grey or white, in keeping with the colours found in the conservation area and in particular along this street.

Following initial amendments made to the application proposals, further commented that

“... the revised drawings make little changes to the initial proposed design, and the boxy appearance will still lead to less than substantial harm to the special character of the conservation area and the setting of the listed building. Timber cladding is not found around Cerne Abbas Conservation Area and therefore would not be an appropriate material as required by Policy 2 of Cerne Valley Neighbourhood Plan.

“The building as it stands would stand out too much in the street scene which would have a detrimental impact.

“I understand the budget constraint the school is working with which prevents for more elaborate design and the use of local materials. If another location could be found, for instance much further from the street and behind the school (towards the existing teaching shed), the current design and material could remain unchanged.”

The latest amendments were developed with further input from the Conservation Officer who considers that the now proposed design and materials are a lot more in keeping with the character of the conservation area, and who now considers that there is no harm. Conditions are recommended for approval of external materials and rainwater goods.

9.11 Dorset Council - Waste Services

No response received.

10. Other Representations Made About the Application

10.1 Letters of support for the application were received from Year 3 pupils at the school and the Chair of the School’s Governing Body explaining the need for the development, and the benefits for education, the local community and well-being.

10.2 No other representations have been received relating to the application.

11. Duties

11.1 Section 38(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.

- 11.2 The Planning Listed Buildings and Conservation Areas Act 1990 (as amended) provides that:
- (i) in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (section 66(1)); and
 - (ii) in the exercise of planning control with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (section 72(1)).
- 11.3 Section 85 of the Countryside and Rights of Way Act 2000 provides that in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.
- 11.4
- 11.5 Under section 40(1) of the Natural Environment and Rural Communities Act 2006 (as amended), in exercising its functions in relation to England, public authorities must, in so far as is consistent with the proper exercise of those functions, have regard to the purpose of conserving biodiversity.
- 11.6 Section 149 of the Equalities Act 2010 (as amended) provides that in the exercise of its functions a public authority must have due regard to the need to:
- (i) eliminate discrimination, victimisation and any other conduct that is prohibited by or under the Act;
 - (ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.7 Commonly referred to as ‘the Public Sector Equalities Duty’, the relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

12. Relevant Policies

Development Plan Policies

- 12.1 The Adopted Local Plan addresses the period to 2031 and sets out a vision for the former District of West Dorset as well as strategic and detailed development management policies for realising that vision.
- 12.2 Having regard to the location of the Application Site and to the nature and details of the application proposal, the most relevant policies of the Adopted Local Plan are:
- INT1. Presumption in Favour of Sustainable Development;

- SUS2. Distribution of Development;
 - ENV1. Landscape, Seascape and Sites of Geological Interest;
 - ENV2. Wildlife and Habitats;
 - ENV4. Heritage Assets;
 - ENV5. Flood Risk;
 - ENV10. The Landscape and Townscape Setting;
 - ENV11. The Pattern of Streets and Spaces;
 - ENV12. The Design and Positioning of Buildings;
 - ENV13. Achieving High Levels of Environmental Performance;
 - ENV15. Efficient and Appropriate Use of Land; and
 - ENV16. Amenity.
- 12.3 The Made Neighbourhood Plan identifies the Cerne Valley as a very special place to live and visit and aims to retain this status by protecting the environment and communities whilst seeking to encourage change which will enhance the appeal and sustainability of the area.
- 12.4 The policies of the Made Neighbourhood Plan are consistent with the policies of the Adopted Local Plan. Policy 2 of the Made Neighbourhood Plan is relevant and provides that all applications for new development should demonstrate high quality of design, use of materials and detail, which reflect local distinctiveness; and also have regard to prevailing scale, massing and density and other design principles as set in the Plan.
- 12.5 Policy 6 of the Made Neighbourhood plan states that planning applications must consider all flood risk issues, including surface water, flood zones and flood inundation areas, to ensure there is no adverse impact on local flood risk through development.

Supplementary Planning Policy and Guidance

- 12.6 Relevant supplementary policy or guidance is set out in:
- (a) the Dorset Area of Outstanding Natural Beauty Management Plan 2019-2024 sets out an approach to and management policies for conserving and enhancing the AONB's natural beauty;
 - (b) the Cerne Abbas, Charminster, Sydling St Nicholas and Godmanstone Conservation Area Appraisal adopted by the former West Dorset District Council in December 2006;
 - (c) the Biodiversity Net Gain Guidance for Applicants and Agents v1.0 issued by Dorset Council in July 2023 v1.0 which sets out current policy on biodiversity net gain ('BNG');
 - (d) the Planning for Climate Change Interim Guidance and Position Statement Consultation April 2023 issued for consultation by Dorset Council in April 2023 to help decision makers weigh up the benefits of addressing climate change with other material considerations and addressing sustainable design and construction and planning for renewable energy scheme; and

(e) the Design and Sustainable Development Guidelines adopted by the former West Dorset District Council in February 2009.

National Planning Policy and Guidance

- 12.7 Government planning policy as set out in the National Planning Policy Framework issued by the Department for Levelling Up, Housing and Communities in September 2023 ('the NPPF') is material to planning decisions in England.
- 12.8 The NPPF includes pertinent policy on the purpose of the planning system, on decision taking and making, and on a range of other matters including:
- (i) promoting healthy and safe communities;
 - (ii) making effective use of land;
 - (iii) achieving well-designed places;
 - (iv) meeting the challenge of climate change, flooding and coastal change;
 - (v) conserving and enhancing the natural environment; and
 - (vi) conserving and enhancing the historic environment.

Emerging Planning Policy

- 12.9 Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:
- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - (b) 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
 - (c) 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).
- 12.10 The Dorset Council Local Plan options consultation took place between 15 January and 15 March 2021. Being at a very early stage of preparation, the Dorset Council Local Plan Consultation January 2021 (the Emerging Draft Local Plan') should be accorded very limited weight in decision making.

13. Human Rights

- 13.1 The Human Rights Act 1998 (as amended) imposes an obligation on public authorities not to act incompatibly with the European Convention on 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.

13.2 The 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.

14. Public Sector Equalities Duty

14.1 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:-

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

14.2 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.

14.3 No material change is proposed to the existing site access arrangement and the internal configuration of the proposed building will be subject to regulation under the Building Regulations. Access to the application site is impacted by the topography of the site but considered that reasonable provision has been made for people with disability. It is not considered that people with other protected characteristics will be affected by the proposal.

15. Local Finance Considerations

15.1 For the purposes of section 70(2) of the Town and Country Planning Act 1990 (as amended) “local finance consideration” means:

- (i) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (ii) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

15.2 To be material to the determination of an application for planning permission, a local finance consideration must have the potential to help make development acceptable in planning terms. Accordingly, the consideration must have a planning purpose and must fairly and reasonably relate to the development.

15.3 The Community Infrastructure Levy (CIL) is operated in the former district area of West Dorset but the proposed development is not of a type for which CIL is levied. The submitted application does not refer to any other grant or financial assistance that would constitute a local finance consideration.

16. Main Issues to Be Considered

- 16.1 Having regard to the location of the Application Site, to the nature of the proposed development and to the representations made about the application, the main issues in the determination of the application relate to:
- (i) the acceptability in principle of proposed development;
 - (ii) climate change and flood risk;
 - (iii) the impact of the proposed development on the character and appearance of the Application Site and its surroundings;
 - (iv) impact on the historic environment, heritage assets and heritage significance; and
 - (v) impact on the amenity of neighbouring residents.

17. Acceptability In Principle of the Proposed Development

- 17.1 The Application Site is not subject to any site specific development plan policy or land use allocation but is located entirely within the development boundary for Cerne Abbas as defined in Adopted Local Plan and wherein Policy SUS2 of the Adopted Local Plan provides that residential, employment and other development to meet the needs of the local area will normally be permitted.
- 17.2 The proposed learning resources centre would be constructed on previously developed land within the existing school grounds. The application proposal provides for the development of additional teaching and administration space in place of a hard-surfaced playground. Construction of the proposed learning resource centre would be to the benefit of education services.
- 17.3 Policy INT1 of the Adopted Local Plan states that there will be a presumption in favour of sustainable development that will improve the economic, social and environmental conditions in the area and Policy 8 of the Made Neighbourhood Plan states:
- “No development will take place in areas designated as Local Green Spaces in this Plan except where such development demonstrably enhances the use of the space. In addition Community Facilities highlighted in the Plan must be protected, recognising their importance to the sustainability of the area.”
- 17.4 Policy COM2 of the Adopted Local Plan provides that proposals for new, replaced or improved local community buildings or structures will be permitted providing the proposal is within or adjoining an existing settlement and Policy COM6 of the Adopted Local Plan states that proposals for new/replacement facilities or the expansion of existing education and training facilities will be supported, provided that:
- (i) the location is well linked in terms of accessibility to the local catchment (taking into account how this may change through the development of strategic housing sites); and
 - (ii) any loss of facilities consequential to the development is re-provided to the same or higher standard.

- 17.5 Policy COM5 of the Adopted Local Plan provides that development on, or change of use of open spaces of public value and recreational facilities (including school playing fields) will not be permitted unless it can be demonstrated that the open space, buildings or land are surplus to requirements and there is no need for alternative open space of public value or recreational uses which could reasonably take place at the site.
- 17.6 Policy ENV15 of the Adopted Local Plan states that development should optimise the potential of the site and make efficient use of land, subject to the limitations inherent in the site and impact on local character.
- 17.7 Loss of the existing playground to the proposed development would reduce the total extent of playing field land within the school grounds but would not result in the loss of a playing pitch and remaining provision of playing field land would be sufficient to meet the sport and recreational requirements of the school. By reason of its size and positioning, the playground has limited potential for alternative recreational use.
- 17.8 Government planning policy set out in paragraph 95 of the NPPF makes clear that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities and that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education and should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.
- 17.9 The First School is well served by other outdoor space and play facilities, such that the application site represents a sustainable, suitable and appropriate location for the development proposed to which there is no in principle land use objection.

18. Flood Risk, Climate Change and the Natural Environment

- 18.1 The application proposal provides for a sustainable form of development that responds positively to the climate emergency and which meets or exceeds development plan requirements for climate change, flood risk and for conserving and enhancing the natural environment.
- 18.2 Paragraph 152 of the NPPF states:
“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”
- 18.3 Policy ENV5 of the Adopted Local Plan states that new development or the intensification of existing uses should be planned to avoid risk of flooding (from

surface water run-off, groundwater, fluvial and coastal sources) where possible and that the risk of flooding will be minimised by:

- steering development towards the areas of lowest risk and avoiding inappropriate development in the higher flood risk zones;
- ensuring development will not generate flooding through surface water run-off and/or exacerbate flooding elsewhere.

18.4 Policy ENV5 further states that in assessing proposals for development in an area with a medium or higher risk of flooding, the council will need to be satisfied that:

- there are no reasonably available alternative sites with a lower probability of flooding adequate measures will be taken to mitigate the risk and ensure that potential occupants will be safe, including measures to ensure the development is appropriately flood resilient and resistant; and
- safe access and escape routes are provided where required.

18.5 Policy ENV13 of the Adopted Local Plan provides that new buildings and alterations / extensions to existing buildings are expected to achieve high standards of environmental performance.

18.6 The building would be constructed from highly insulated modular timber frame panels with an emphasis on low air permeability detailing. Ventilation would be provided through a mechanical ventilation system with heat recovery, reducing the energy required to heat the building. Solar PV panels are proposed on the rear roof slopes providing a sympathetic and sustainable source of energy generation.

18.7 The Application Site is located partly within and adjacent to areas at acknowledged risk of flooding, but the Flood Risk Assessment and Drainage Strategy presented in support of the application demonstrate compliance with Policy ENV5 of the Adopted Local Plan and with government planning policy for flood risk set out in the NPPF.

18.8 Due to the highly constrained nature of the site and the low existing runoff rates, the proposal is that runoff from the roof of the proposed building be attenuated within a green roof, water butt and rain garden. Whilst the proposed arrangement will not limit runoff equivalent greenfield runoff rates the strategy will provide a significant betterment on the existing runoff rates.

18.9 The Application Site has offers very little of ecological value such that the proposed green roof and water garden would result in a net gain for biodiversity. No trees or other features of ecological importance would be lost the proposed development.

19. Impact on Character and Appearance of Application Site and its Setting

19.1 As amended, the proposed development is considered to be in accordance with most relevant design related policies of the Adopted Local Plan.

- 19.2 The Dorset AONB is a nationally important landscape of more than 1,100 square kilometres that has many special qualities including a collection of fine landscapes, each with its own characteristics and sense of place; wildlife of national and international significance; and an exceptional wealth of heritage including a rich legacy of historical associations, 82 designated conservation areas and over 4,000 listed buildings.
- 19.3 Section 6.3.3 of the Dorset AONB Management Plan notes that the marks of human occupation are integral components of the 'natural' landscape; a record of how people have used the environment and the resources it provides over time, giving an insight into the lives of previous occupiers of the landscape and providing a sense of time depth and contributing to uniqueness in a sense of place.
- 19.4 The proposed development would not harm the character, special qualities or natural beauty of the Dorset AONB nor interrupt panoramic views of individual landmarks.
- 19.5 The Cerne Abbas Conservation Area was designated in 1971 and covers an area of approximately 28 hectares, making a notable contribution to the cultural heritage of the Chalk Valley and Downlands landscape character area and to the Dorset AONB more generally.
- 19.6 The key characteristics of the Cerne Abbas Conservation area are identified in the Cerne Abbas Conservation Area Appraisal to include:
- (i) a fine landscape setting, with dramatic topography, an attractive river course, mature trees, hedged lanes and views out from the settlement core;
 - (ii) good clean edges to the settlement to the north and NE and a potentially strong boundary to the south;
 - (iii) well defined entry points;
 - (iv) a rich archaeological heritage, with prehistoric earthworks and settlement sites, the Giant, the Abbey site and surviving buildings, an intact village plan and many plot divisions, post-medieval larger houses and cottages and industrial sites;
 - (v) 74 listed building entries, including a Grade I church, former Abbey buildings and Abbey Farm, several large gentry houses, and a strong underpinning of smaller cottages and public buildings;
 - (vi) about 15 important local buildings of character and/or group value;
 - (vii) coherent groups of listed and unlisted buildings, boundary walls, trees and details; and
 - (viii) consistent use of local flint and chalk block, thatch and vernacular buildings that give an overall unity to the village.
- 19.7 The landscape setting of the designated Conservation Area is an important element of the area's significance contributing to its archaeological and historic value, as well as its scenic characteristics. Views down into the settlement from

the surrounding environs allow for the appreciation of its historic planform, which furnishes illustrative value.

- 19.8 The quality of the architecture is appropriate to its setting next to the main school building and being set back from the road frontage is well related to and does not overpower the original building or neighbouring properties.
- 19.9 The proposed building is of modest proportions and, as amended, the proposed design is considered to be of an appropriate quality, and to provide for an acceptable, sustainable and inclusive school facility with siting, appearance, scale, mass and materials that respect and which would complement the character the surrounding area.

20. Impact on Heritage Assets

- 20.1 As amended, the application proposal is considered to be in accordance with Policy ENV4 of Adopted Local Plan in that it would not harm either the character, the appearance or the heritage significance of the Cerne Abbas Conservation Area or any other designated heritage assets including the listed buildings along Duck Street and more distant scheduled monuments and their associated listed buildings.
- 20.2 Concerns raised regarding the potential for harm to the character and appearance of the conservation area have been addressed and resolved through amendment made to the application proposal.
- 20.3 Presence of the proposed learning resource centre would result in slight detriment to the setting of the main school building (a non-designated heritage asset) by reason of loss to the proposed development of the majority of the associated playground area, but would not prevent appreciation of the school's architectural, historic or cultural importance and would therefore not detract from asset's heritage significance. Provision of the proposed learning resource centre would also help to sustain the use of the heritage asset as a school, the purpose for which it was constructed.

21. Impact on Amenity

- 21.1 Policy ENV16 of the Adopted Local Plan states that proposals for development should be designed to minimize their impact on the amenity and quiet enjoyment of both existing residents and future residents within the development and close to it. The application proposal is sympathetic to the site context and neighbouring properties. The proposed development will not have any unacceptable impact on the amenity or use of any third party property.

22. Conclusion and Recommendation

- 22.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

22.2 The application proposal provides for an appropriate and sustainable form of development that is considered to in general accordance with relevant provisions of the development and national planning policy. With no social, environmental, economic or other material planning considerations either warranting or necessitating that the application be determined other than in accordance with the development plan, conditional planning permission should be granted.

22.3 Accordingly it is recommended that planning permission be granted subject to the following conditions:

(1) Time Limit – Commencement of Development

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended).

(2) Development in Accordance with Approved Plans

Unless otherwise required by the conditions of this permission, the development hereby permitted shall be carried out in accordance with the following plans submitted as part of the application:

- (i) DWG No. 4651-BB-XX-XX-DRA-A-01 Rev A dated 29/03/22 titled "Location Plan";
- (ii) DWG No. 4651-BB-XX-00-DR-A-02 Rev C dated 11/08/23 titled "Proposed Site Plan and Ground Floor Plan;
- (iii) DWG No. 4651-BB-XX-XX-DR-A-03 Rev C dated 11/08/23 titled "Proposed Roof Plan";
- (iv) DWG No. 4651-BB-XX-XX-DR-A-04 Rev E dated 11/08/23 titled "Proposed Elevations"; and
- (v) DWG No. 4651-BB-XX-XX-DR-A-07 dated 14/08/2023 titled "Proposed Sections".

Reason: To regulate the development in accordance with the application proposal having regard to Policies ENV1, ENV2, ENV4, ENV5, ENV10, ENV11, ENV12, and ENV13 of the adopted West Dorset, Weymouth & Portland Local Plan 2015 and to government planning policy set out in the National Planning Policy Framework (September 2023).

(3) External Materials – Samples to be Submitted and Approved

Prior to the construction of the building hereby permitted details and samples of all external facing materials for the walls, roofing and any other external surfaces shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development in the in relation to existing development and the designated Cerne Abbas Conservation Area having regard to Policies ENV1, ENV4, ENV10 and

ENV12 of the adopted West Dorset, Weymouth & Portland Local Plan 2015 and to government planning policy set out in the National Planning Policy Framework (September 2023).

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