



Northern Area Planning Committee

Date: Tuesday, 21 November 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 24th October.

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 17th November 2023.

5. PLANNING APPLICATIONS

To consider the applications listed below for planning permission.

6. P/RES/2023/02376 - WEST OF SHAFTESBURY ROAD (LAND ON HAM FARM), LAND SOUTH OF GILLINGHAM, SHAFTESBURY ROAD, GILLINGHAM 13 - 48

Erect 34 No. dwellings (including show homes / sales area) and associated infrastructure including formal and informal public open space, following the grant of Outline Planning Permission No. 2/2018/0036/OUT. (Reserved Matters application to determine access, appearance, landscaping, layout, and scale).

7. P/FUL/2022/07360 - LOWER WOODBRIDGE FARM, PEACEFUL LANE, KINGS STAG, DT10 2BD 49 - 62

Demolish existing timber barn. Erect new structure to the same footprint to be used as a Micro-brewery.

8. P/FUL/2023/05810 - FAIRFIELD CAR PARK, FAIRFIELD ROAD, DORCHESTER 63 - 74

Construct footway along Fairfield Road and carry out vehicle restrictions works. Form pedestrian access from Weymouth Avenue.

9. 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.

10. 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.

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 24 OCTOBER 2023

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

Apologies: Cllrs Emma Parker and Val Potheary

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

Jim Bennett, Philip Crowther (Legal Business Partner - Regulatory), Alison Curtis, Mike Garrity (Head of Planning), Joshua Kennedy (Apprentice Democratic Services Officer), Robert Lennis (Lead Project Officer) and Megan Rochester (Democratic Services Officer)

30. Declarations of Interest

Cllr David Taylor and Cllr Tim Cook declared an interest to agenda item 6. It was agreed that they would not take part in the debate or discussion.

31. Minutes

The minutes of the meeting held on Tuesday 26th September were confirmed and signed.

32. Registration for public speaking and statements

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.

33. Planning Applications

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

34. P/OUT/2020/00026- Land At E 389445 N 108065 North and East of the Blandford Bypass, Blandford Forum, Dorset

The Case Officer provided the following update sheet:

- Cranborne Chase AONB had written to say that if members were minded approving the application, then some of the conditions should be tightened up. This suggestion is reflected below.

- Cranborne, as in Cranborne Chase, was misspelt as Cranbourne several times in the report. The correct spelling is Cranborne.
- DC Street Lighting Team's comments were omitted; top of page 9. They had no objections to the proposed development whilst noting the necessity for new lighting along the A354 bypass to access the site; the need for roads and footpaths to require lighting if they are to be adoptable; and they encourage the applicant to use horizontal traffic calming features as they don't not require lighting by statute. These comments were from 2022 and the applicant has since engaged with this Team to demonstrate how their landscaping and Lighting Strategy Plan can work together.
- Stour Paine Parish Council though not consulted have submitted comments: raising objections questioning the need for more housing, a poor road network in Dorset, a shortage of school spaces, impact on the CC AONB, and the climate emergency more generally.
- Conditions had been amended or added to the following five slides.

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. Members were informed that the site was within Blandford Forum however a section was within Pimperne Parish. He discussed both neighbourhood plans within the presentation. Photographs of the proposed development site, access and layout plan were shown. The history of Cranborne Chase and Blandford AONB were also highlighted as well as their location in relation to the site. The presentation confirmed that part of the application site was within the AONB (the proposed school and the allotments), and the remainder being within the setting of the AONB, and thus the relevant paragraphs of the NPPF would apply accordingly.

The Case Officer referred to NPPF policies and discussed flood zones, dwelling mix, tree protection plans and the parameter plan which included details of the landscape and open space strategy. Illustrative masterplans were also shown. The recommendation was to approve subject to the completion of Section 106 agreement within 6 months of a committee decision.

Alison Curtis (Development Team Leader) discussed access to the development. A priority junction onto the A354 Salisbury Road was proposed which had provided access to existing allotments. She informed members that a shared use path was also proposed to link the development to the town centre. Members were assured that signalised crossings would be implemented to ensure safety of pedestrians and cyclists crossing the A354 and A350. In addition to this, vehicular access to the southern development was presented as the proposed roundabout. The Development Team Leader also discussed the Transport Assessment and highlighted key points to members. Vehicle speeds, car and cycle parking were also discussed. In conclusion, the Highway Authority considered that the submitted Transport Assessment was satisfactory.

Public Participation

Residents of Pimperne spoke in objection to the application. They felt as though the neighbourhood plan had been ignored and did not feel as though the site proposed had sufficient benefits. They did not feel as though there was a need for more housing in this location and believed it would negatively impact the AONB. Mr O'Connell felt that officers had dismissed the concerns raised by residents and did not believe that there was sufficient need for housing. Objectors also highlighted that the proposal was situated within the countryside and felt that the bypass would be non-existent, simply a road through a housing estate. Mr Richley discussed the school which in the officer's report was described as a public benefit. He felt that it would be more beneficial to improve existing schools rather than building a new one.

Mr Burden felt that harm outweighed public benefits and believed that it would be detrimental to the AONB as developers would be converting good agricultural land. He referred to the NPPF which he felt gave reason for refusal. Mr Hardy also spoke in objection, highlighting that housing needs had been met in North Dorset, therefore there wasn't a local need. He discussed the significant number of homes being built in the countryside and felt that the proposal contradicted Pimperne's local plan. Objectors felt that granting planning permission would cause harm and increase traffic. They urged members to refuse.

Mr Carter spoke in support of the development. He discussed the benefits of an additional community hall, shop, and potential school. Mr Carter also highlighted the need for affordable housing and felt as though the proposal was a sustainable development which would expand the town of Blandford. He felt as though Dorset Council had worked closely with developers to present a sustainable development. He hoped members would approve the officer's recommendation.

Mr Wyatt and Mr Ward spoke on behalf of the applicant. They highlighted to members that Blandford was a sustainable town for growth and they felt that they would be creating a community rather than a housing estate through the inclusion of large parks and wetlands whilst future proofing the site with the inclusion of cycle paths. Mr Wyatt informed members that he was a Dorset based builder who had designed quality homes and created community facilities. He informed members that officers had worked hard with local communities to create a well-designed sustainable development, with the inclusion of a school. He highlighted to members that all homes would be sustainable, with energy efficient facilities, solar panels, and EV charging points. Mr Wyatt discussed sustainable drainage strategies and tree plantation. They hoped members would support the officer's recommendation.

The Blandford Parish Council spoke in support of the application. Cllr Cross felt as though the proposal was an exciting development which made many improvements and links to the town centre. He did not feel as though the site would be visible to Pimperne and would not have adverse impacts. Cllr Cross also explained that the site would be beneficial to residents as it would have local immunities. Blandford Parish Council supported the officer's recommendation.

Pimperne Parish Council spoke in objection to the application. Cllr Slocombe noted that Dorset had met its 5-year housing supply and therefore did not see the

need for further development. He also highlighted the effort which had gone into the neighbourhood plan and was disappointed that it had not been a consideration. Pimperne Parish Council did not feel as though there were any benefits to residents of Pimperne and if approved it would have put more pressure on already stretched services. Cllr Slocombe discussed the local primary school and adverse impacts. He felt that the development was destroying valuable farmland and if approved, faith in neighbourhood plans and planning officers would be lost. He strongly objected to the proposal.

The Local Ward member spoke in objection to the application. Cllr Quayle felt as though Blandford had already been overdeveloped and disagreed with further expansion. He also highlighted the North Dorset land supply and stressed the importance of neighbourhood plans. The Local Ward member was in favour of development but only in the right locations where there's a need and good infrastructure. He hoped members would refuse the officer's recommendation.

Members questions and comments

- Clarification on sufficiency of school places and likelihood of the school being built.
- Members referred to paragraphs 5.35 of the officer's report.
- Members applauded the inclusion of 5% self-build.
- Members applauded the inclusion of 5% self-build properties. They questioned as to whether they would have to fit the design code.
- Clarification regarding safety of pedestrian crossings.
- Maintenance of trees and the management of replacement plans.
- Confirmation as to how the AONB designation related to the application site.
- Any consultation with Pimperne regarding the neighbourhood plan
- Members were pleased to see the inclusion of affordable housing. They asked for clarification as to how much social housing would be included.
- Questions relating as to whether there would be other nearby sites appropriate to build a school.
- Management and maintenance of the current proposed school site.
- Members noted the concerns raised from residents.
- The application had significant benefits including well designed affordable housing and felt that it was well designed and was a high-quality proposal.

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

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, subject to the section 106 legal agreement heads of terms (set out in section 14 of the report), and that the self-build units should be as near to zero-carbon as possible, was proposed by Cllr Carole Jones, and

seconded by Cllr Jon Andrews subject to conditions set out in the officers report and the additional updated conditions.

Prior to the vote the Chairman reminded members of the committee that the proposal was contrary to the Pimperne Neighbourhood Plan and that we currently have a 5-year housing land supply and that members therefore consider whether material considerations in its favour outweigh harm to AONB and being contrary to the neighbourhood plan.

Decision: To grant the officer's recommendation for approval subject to conditions / s106 heads of terms set out in the officer's report, and an informative regarding self-build houses and carbon, and a caveat to allow amendments to conditions to be agreed by the Head of Planning in consultation with Chairman and Vice-Chairman of the committee.

35. **P/FUL/2022/06095- Land South of Motcombe Road, Motcombe, Dorset**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site which was situated with an existing residential development and explained the proposal and relevant planning policies to members. Photographs of the proposed site layout plan, distant views towards the site location and initial and amended street scenes were also included. The landscape scheme was also discussed, and members were informed that there were no issues regarding design and appearance. The Case Officer's presentation also highlighted parking which was considered acceptable by highways. The recommendation was to grant subject to conditions and completion of section 106 agreement or refuse if the development failed to secure obligations by 24th April 2024 or such extended time as agreed by Head of Planning.

Public Participation

Residents of Motcombe spoke in objection to the application. They highlighted their concerns regarding pedestrian safety as Motcombe was surrounded by narrow country roads which weren't safe to walk. The development of more houses would add to road traffic due to additional residents and construction workers. Flooding and sewage were also another concern for residents. They felt as though this had been ignored and were not satisfied by the planning officer's response. The management of the attenuation pond and an increase in surface water flooding due to climate change were also a cause of discussion. Residents explained that flooding was already an issue due to other developments and an additional would be unforgiveable. In addition to this, residents also raised concerns regarding the proposed materials. They did not feel as though they were in keeping with the area and were disappointed that there was no inclusion of solar panels or electrical charging points. On balance, residents felt that another development would impact privacy of neighbouring properties, additional road users would impact the climate and an increasing danger for road users. They also did not feel as though there was a sufficient drainage strategy, and the development would impact the character of the area. They hoped members would refuse the officer's recommendation.

The agent spoke in support of the application. He commended the quality of the officer's report and presentation. Mr Miell informed members that the site was intended to be a high-quality residential development. He highlighted to members that the economy had changed and there had been a gap within the housing market, therefore the proposal was not viable to include affordable housing. Mr Miell discussed the housing mix and the character of the development. The site was not within the flood zone and was supported by drainage strategy. He hoped members would support the officer's recommendation.

Cllr Dunlop spoke in objection to the application. He referred to the neighbourhood plan and had concerns regarding the deliverability of the proposal. He did not feel as though residents' sewage and flooding concerns had been addressed and felt as though there would be significant damage to properties from overlooking and flooding. Cllr Dunlop reiterated concerns regarding road safety. He had noted the objections from residents and did not have confidence in the proposal and could not identify any public benefits.

Members questions and comments

- Clarification regarding safety of road users and nutrient neutrality.
- Confirmation on proposed materials for the road surface and surface water drainage.
- Queried flooding assessments and drainage strategies.
- Clarification on the location of attenuation pond.
- Concerns regarding an increase in flooding.
- Members did not feel as though the design and materials were in keeping with the area.
- Lack of affordable housing

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **REFUSE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Les Fry, and seconded by Cllr David Taylor.

Decision: To refuse the application for reasons of inappropriate design (cladding materials and layout) and landscape, being too formalised, linear and urban in character which was not appropriate to an edge of village setting, and that insufficient details of the surface water drainage have been submitted to satisfy concerns that the development could lead to unacceptable impacts by exacerbating surface water/sewage in the locality.

36. P/OUT/2022/04243- Wessex Park Homes, Shillingstone Lane, Okeford Fitzpaine, Blandford Forum, DT11 0RB

This application has come back to committee as the proposal is subject to vacant building credits for brownfield sites. The site has a fallback situation for prior approval for residential conversion to 47 dwellings. This requires the affordable housing contribution to be reduced by a proportionate amount (as it is government

policy to encourage reuse of brownfield sites). 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.

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. Details of the existing layout and illustrative plans were included. In addition to this, the Case Officer showed members photographs of the site as well as views from the eastern boundary. The recommendation was to grant subject to conditions and completion of section 106.

Public Participation

The agent spoke in favour of the proposal. He reiterated to members that the site was a Brown Field site and that there had been difficulties in the cost of developing the site. Mr Parke highlighted to members that the proposal was for residential development and had the inclusion of a different housing mix despite no affordable housing. He hoped members would support the officer's recommendation to grant planning permission.

Members questions and comments

- Clarification as to whether the site was abandoned and whether pollution had been considered.
- It was confirmed by the officer that they would not be classed as abandoned, and there was a condition requiring a remediation scheme.

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 Belinda Rideout.

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

37. **P/FUL/2022/02607- Cerne Abbas Church of England First School, Duck Street, Cerne Abbas, Dorset, DT2 7LA**

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. Illustrative designs and street scenes were also included as well as photographs of the existing site. The officer explained that the design had been amended to incorporate a pitched roof so that it was more in keeping with the conservation area, and that in certain respects the proposal would improve the appearance of the site. The recommendation was to grant subject to conditions.

Public Participation

There was no public representation.

Members questions and comments

- Cllr Carole Jones commended the design of the proposal.

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 Stella Jones.

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

38. **Urgent items**

There were no urgent items.

39. **Exempt Business**

There was no exempt business.

Duration of meeting: 2.00 - 6.35 pm

Chairman

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Application Number:	P/RES/2023/02376		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	West Of Shaftesbury Road (Land on Ham Farm), Land South of Gillingham, Shaftesbury Road, Gillingham		
Proposal:	Erect 34 No. dwellings (including show homes / sales area) and associated infrastructure including formal and informal public open space, following the grant of Outline Planning Permission No. 2/2018/0036/OUT. (Reserved Matters application to determine access, appearance, landscaping, layout and scale).		
Applicant name:	Redrow Homes Ltd		
Case Officer:	Ross Cahalane		
Ward Member(s):	Cllr Val Potheary, Cllr Belinda Ridout, Cllr David Walsh		
Publicity expiry date:	15 June 2023	Officer site visit date:	19 May 2023
Decision due date:	08 August 2023	Ext(s) of time:	

1.0 Referred to committee in view of the strategic nature of the site.

2.0 Summary of recommendation:

2.1 GRANT subject to conditions

3.0 Reason for the recommendation:

- The principle of residential development on this site has already been established
- 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 proposal is acceptable in its design, scale, layout and landscaping
- There is not considered to be any significant harm to residential amenity
- 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 was agreed through the grant of Outline planning permission (2/2018/0036/OUT) and a Local Plan allocation supported by the Gillingham Neighbourhood Plan.

Layout	The layout provides sufficient open space, natural surveillance and pedestrian/cycle linkages throughout.
Scale	The proposal is of acceptable scale, complying with the Outline parameters.
Appearance	The materials palette and mix is considered acceptable, providing variation while avoiding a discordant appearance. Several dwellings now have chimney features and side windows to add some distinction to key corner plot locations.
Landscaping	The case officer considers that the scheme provides a sufficient amount of street trees and planting throughout the site. The proposed specification of the Locally Equipped Area of Play (LEAP) and formal kickabout area is also considered acceptable and complies with the Outline s106 Agreement.
Affordable Housing	20% (7 dwellings) of the current proposed phase is Affordable Housing to be managed by a Registered Provider. This complies with the Outline s106 Agreement which requires a minimum 10% AH in this first phase.
Highway safety and parking	Following the submission of a speed reduction measure for the main spine road, along with some other technical amendments, the Highway Authority has raised no objections on highway safety, policy or capacity grounds, subject to compliance with the Outline conditions.
Residential amenity	It is not considered that the proposal would lead to adverse impact on surrounding residential amenity. A new planning condition can be imposed to confirm the final acoustic mitigation measures for the dwellings.
Flood risk and drainage	The proposed dwellings remain outside of the flood risk zones. The Outline Conditions 16 and 17 governing Ordinary Watercourse crossings, High-Level Drainage Strategy & Flood Risk Assessment have now been discharged under separate applications.
Environmental Impact Assessment (EIA)	The outline planning application included an Environmental Statement (ES). It is considered that there would be no material change to the findings of the ES.
Other matters	Other key planning issues are controlled by the conditional and s106 legal requirements of the Outline permission.

5.0 Description of Site

5.1 The application site comprises an area of approximately 3.1 hectares, which is wholly within the Gillingham Southern Extension Strategic Site Allocation as set out in the North Dorset Local Plan (Policy 21). Gillingham is located to the north of the North Dorset District Boundary. It is recognised as one of the main towns in North Dorset and serves a wide catchment of surrounding villages and settlements.

- 5.2 The application site is specifically identified as part of 'Land to the South of Ham' under Policy 21 and is located to the southeast of Gillingham town, to the immediate south of Ham and the St Mary the Virgin Primary School. It comprises an area of open fields, divided by a series of mature trees and hedgerows. There are no existing buildings within the site, which slopes down gradually from the north.
- 5.3 The proposal is submitted as "Phase 1a" of the Ham Farm development, which benefits from Outline planning permission (2/2018/0036/OUT) for up to 961 dwellings and a new local centre (please see Section 7 planning history below).
- 5.4 The site will have access from both New Road (B3092) to the west and Shaftesbury Road (B3081) to the east, via the Principal Street which has been granted separate planning permission (2/2020/0379/FUL) and is at the final stages of full completion. The Principal Street lies to the south of the site, with further open land beyond to Cole Street Lane where 108 dwellings are currently proposed under P/RES/2022/04960.
- 5.5 The River Lodden runs along the north-western boundary of the wider Ham Farm site. The land on the other side of this river also forms part of the Gillingham Southern Extension Strategic Site Allocation (SSA), part of which is currently being developed (Lodden Lakes Phase 1 – 90 dwellings). Further permission has been granted (Phase 2 – 115 dwellings) further south nearer to the Ham Farm site.
- 5.6 The other part of the SSA lies to the northeast of the current proposal site, at the other side of Shaftesbury Road (Land at Park Farm/ Kingsmead Business Park). This site benefits from Outline planning permission for 634 dwellings, a primary school and sports pitches.

6.0 Description of Development

- 6.1 This application seeks approval of reserved matters for appearance, landscaping, layout and scale in relation to outline approval 2/2018/0036/OUT. This application proposes an initial parcel of 34 dwellings, comprising:

Market Housing

- 11 x 3-bed houses
- 15 x 4-bed houses
- 1 x 5-bed house

Affordable Housing

- 2 x 1 bed units
- 2 x 2 bed units
- 3 x 3 bed units

- 6.2 The proposed dwellings would all be two storey in form, comprising four maisonettes, three terraced dwellings, two semi-detached dwellings and 25 detached dwellings.
- 6.3 There will be three vehicular access points off the Principal Street, which has been approved under 2/2020/0379/OUT and built out to include wide footpaths for pedestrian and cycle use, crossing points and bus stops. Its eastern junction with Shaftesbury Road (B3081) has yet to be completed. Parking spaces are generally located on-plot in front of the dwellings, many of which also feature garages.
- 6.4 The proposed landscaping includes areas of public open space to be delivered as part of the development:
- A Locally Equipped Area for Play (LEAP) of 0.12ha, impact absorbing surface beneath and around playing equipment, seating and litter bin surrounded by fencing with pedestrian gate(s) and a buffer zone (including planting).

- An informal kickabout open space area of approx. 0.2ha in the northwest corner of the application site;
 - Additional informal public open space along the northern boundary, including a 3m wide cycle/pedestrian shared path.
- 6.5 The proposed open space would allow the existing Public Rights of Way network to continue from Gillingham town to the north to Cole Street Lane beyond the south of the site.
- 6.6 The proposal also includes connections into two surface water attenuation ponds, outside of the current proposed phase but within the wider Outline approved site. One is to the south of the southernmost residential parcels, located in the amenity open space and outside the flood zone and the climate change buffer, and the other is to the north-west on the northern side of the Principal Street.
- 6.7 The proposed show home/sales area would use plots 5-9 to the east for the show homes and a 'customer experience suite', with associated landscaping and a temporary car parking area as shown on the submitted plans. The Plot 5-8 floor plans and elevations will remain unchanged from the proposed reserved matters house types. Plot 9 will be used as the 'customer experience suite' which means, while in use, it will have a different internal layout than the proposed drawing. Following completion of the phase scheme, Plot 9 will be converted into the dwelling as shown on the plans.
- 6.8 This Reserved Matters application is supported by the following technical documents:
- Planning Statement
 - Design and Access Statement
 - Stage 1, 2 & 3 Arboricultural Impact Assessment and Method Statement
 - Landscape Ecological Management Plan (LEMP)
 - Biodiversity Mitigation and Enhancement Strategy (BMES)
 - Biodiversity Construction Environment Management Plan (CEMP)
 - Drainage Statement (including assessment of flood risk)
 - Transport Statement
 - Energy Statement

Submission of condition details

- 6.9 The Reserved Matters application also includes details submitted to seek discharge of the following conditions that are relevant to this phase of development:

- **Condition 7** – Palette of materials;

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

- **Condition 8** – Updated Arboricultural Impact Assessment;

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

– **Condition 10** – Landscape Management Plan

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

- **Condition 23** - Landscape and Ecological Management Plan

Prior to the commencement of any development comprised in a phase (or a parcel or parcels therein) a landscape and ecological management plan (LEMP) relating to the relevant phase shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following;

a) Strategic landscaping proposals to deliver the mitigation identified in Chapter 6 (Landscape and Visual) of the WYG Environmental Statement submitted in support of this application, and specifically;

· Clarifying the length and quality of hedgerow to be removed and the amount and location of onsite replanting to be undertaken.

b) Proposals to deliver the biodiversity mitigation identified in Chapter 7 (Ecology) of the WYG Environmental Statement submitted in support of this application, and specifically;

· A method statement for the maintenance and enhancement of the Great Crested Newt population.

· Details of otter holts to be provided along the river Lodden corridor

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

- **Condition 32** - Construction Environment Management Plan (CEMP)

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

a) details of the layout of the site including generators, pumps, silos, site office, staff car parks and storage;

b) storage of plant, materials and waste;

c) the erection and maintenance or security hoarding;

d) details of a scheme for the prevention of disturbance/nuisance caused by noise, vibration, dust and dirt to sensitive properties during construction;

e) a scheme for recycling/disposing of waste resulting from construction works;

f) the operation of plant and machinery associated with engineering operations;

g) site security;

h) fuel, oil and chemicals storage, bunding, delivery and use;

i) how both minor and major spillage will be dealt with; containment of silt/soil contaminated run-off;

j) disposal of contaminated drainage, including water pumped from excavations;

k) site induction for workforce highlighting pollution prevention and awareness;

l) a scheme to dispose of surface water run-off during the construction phase;

m) construction operating hours;

- n) details of intrusive construction practices and methods such as piling and the subsequent control measures that will be implemented;*
- o) the type of plant to be used;*
- p) details of construction methods*
- q) construction vehicle details (number, size, type and frequency of movement)*
- r) a programme of construction works and anticipated deliveries*
- s) timings of deliveries so as to avoid, where possible, peak traffic periods*
- t) a framework for managing abnormal loads*
- u) contractors' arrangement plan showing; compound, storage, parking, turning, surfacing and drainage*
- v) wheel cleaning facilities*
- w) vehicle cleaning facilities*
- x) 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*
- y) a scheme of appropriate signing of vehicle route to the site*
- z) a route plan for all contractors and suppliers to be advised on*
- aa) temporary traffic management measures where necessary*

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

6.10 The above condition details are considered at Appendix 1 at the end of this report.

Section 106 requirements

6.11 The Outline planning permission is also subject to a completed S.106 Agreement (dated 3rd September 2021) which contains the following planning obligations that must be delivered:

– Minimum 10% affordable housing in the first phase with a 25% provision of affordable homes across the whole development: tenure split - Affordable Rent to Intermediate Units – 50:50

– Public Open Space: Allotments; 2 x Local Areas of Play (LAP); 2 x Local Equipped Areas of Play (LEAP); Incidental Public Open Space; Informal Open Space; 1 x Neighbourhood Area of Play (NEAP); Pavilion no less than 133m² GEA or pavilion financial contribution triggered at 70% occupation of a Phase or Part of a Phase

– Financial contributions towards infrastructure:

- Gillingham Library
- Riversmeet Leisure Centre Community Hall
- Primary and secondary education
- New clinical rooms at Gillingham Medical Centre
- Household Recycling Facilities

- Transport infrastructure:

- improvements to the B3081 Shaftesbury Road / B3092 New Road junction including Old Manse
- improvements to the mini roundabout at the B3081 Le Neubourg Way / Newbury (High Street) junction
- Off-site pedestrian/cycle link improvements (Newbury - High Street - Hardings Lane - Gillingham School)

- Principal Street and Principal Street Footway contributions

- Bus Service and Bus Stop Community Transport contributions

- Gillingham Rail Station improvements, including cycle parking
- Enmore Green link road contribution
- Residential Travel Plan including travel voucher
- SCOOT installation (Split Cycle Offset Optimisation Technique) at the following junctions:
 - B3081 Le Neubourg Way / Station Road
 - B3081 Le Neubourg Way / Newbury (High Street)
 - B3081 Shaftesbury Road / B3092 New Road
 - B3081 Shaftesbury Road / King John Road
 - B3081 Le Neubourg Way / B3081 Wyke Road

Proposed Deed of Variation

6.12 An amendment to the S.106 Agreement has been submitted to simplify the affordable housing requirements to ensure the delivery of a policy compliant 25% quantum across the site as whole, and to amend the approved Phasing Plan. This removes the requirement for a viability assessment for each phase of development, to be replaced with a requirement for a site wide policy compliant 25% affordable housing provision. This will provide far greater certainty to the Council that affordable housing will be delivered across the site, and without the need for viability appraisals. The case officer considers that this proposed amended s106 would not lead to a reduction in community benefits and in all other respects, is considered acceptable.

Amended plans

6.13 Amendments to the proposed layout were received following issues raised by various consultees. These amendments are referred to in the planning assessment below.

7.0 Relevant Planning History

Ham Farm site

7.1 2/2014/1315/SCOEIA - Request for scoping opinion relating to proposed mixed-use sustainable urban extension regulation 13 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended (S.I. 2011/1824) ("THE REGULATIONS")

Response Date: 12 December 2014

7.2 2/2018/0036/OUT - Develop land by construction of an urban extension to the south of Gillingham between Shaftesbury Road (B3081) and New Road (B3092). The urban extension would comprise up to 961 dwellings. Up to 2,642 sq. m. in a new local centre providing retail, community, health and leisure uses, new and enhanced pedestrian/cycle routes, open spaces, roads, car parking and vehicular access. To include all ancillary works and associated infrastructure (Outline application to determine access only).

Decision: Granted Decision Date: 09/09/2021

- 7.3 2/2020/0077/SCREIA - Request for EIA Screening Opinion under Section 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 to construct 1.3km long link road between the B3092 New Road, and the B3081 Shaftesbury Road, Gillingham.
Decision: Not EIA Development Decision Date: 05/02/2020
- 7.4 2/2020/0379/FUL - Construction of a Principal Street, associated access, landscaping and infrastructure works at land to the East of New Road (B3092), Gillingham.
Decision: Granted Decision Date: 18/11/2020
- 7.5 P/FUL/2020/00282 - Form a temporary access for the construction of the Gillingham Principal Street.
Decision: Granted Decision Date: 13/04/2021
- 7.6 P/FUL/2021/00063 - Form a floodplain compensation area as part of land adjacent to Gillingham Principal Street.
Decision: Granted Decision Date: 09/09/2021
- 7.7 P/VOC/2021/01567 - Construction of a Principal Street, associated access, landscaping and infrastructure works at land to the East of New Road (B3092), Gillingham. (Variation of Condition No. 3 of Planning Permission No. 2/2020/0379/FUL to allow an alternative location for the site compound).
Decision: Granted Decision Date: 29/06/2021
- 7.8 P/NMA/2022/04874 - Non-material amendment to Outline Planning Permission No. 2/2018/0036/OUT to vary Condition No. 4 by substituting the approved plans with amended plans to allow the alignment with the Principal Street (approved under Planning Permission No. 2/2020/0379/FUL) and the approved SuDS infrastructure, and to amend the parameters to be in line with the Reserved Matters submissions.
Decision: Granted Decision Date: 02/11/2023
- 7.9 P/RES/2022/04960 - Erection of 108 dwellings and associated infrastructure including informal and formal public open space pursuant, (reserved matters application to determine access, appearance, landscaping, layout and scale) following the grant of outline planning permission 2/2018/0036/OUT.
Decision: Pending
- 7.10 P/MPO/2022/05586 - Modification of S106 Agreement dated 3 September 2021, on Planning Permission 2/2018/0036/OUT - up to 961 dwellings, to remove the requirement for a viability assessment for each phase of development and instead commit to a site wide

policy-compliant 25% affordable housing provision, in accordance with a site wide plan and amendment to approved Phasing Plan.

Decision: Pending

7.11 P/ADV/2022/05420 - Display 2no. non-illuminated totem signs

Decision: Granted Decision Date: 08/12/2022

7.12 P/ADV/2022/07358 – Erect 2 No. totem signs.

Decision: Granted Decision Date: 12/01/2023

7.13 P/FUL/2022/07873 - Installation of a Sewage Pumping Station (SPS)

Decision: Granted Decision Date: 20/04/2023

[East of Junction between B3092 and Cole Street Lane]

7.14 P/NMA/2023/0156 - Non material amendment - To amend the approved access plan to include a 3m cycleway replacing a 2m footway and the addition of a maintenance bay to outline consent 2/2018/0036/OUT (Develop land by construction of an urban extension to the south of Gillingham between Shaftesbury Road (B3081) and New Road (B3092). The urban extension would comprise of up to 961 dwellings, up to 2,642 sq.m in a new local centre providing retail, community, health, and leisure uses, new and enhanced pedestrian/cycle routes, open spaces, roads, car parking and vehicular access. To include all ancillary works and associated infrastructure.)

Decision: Granted Decision Date: 18/05/2023

7.15 P/RES/2022/07808 - Erection of 280 dwellings and associated parking, landscaping and infrastructure (reserved matters application to determine appearance, landscaping, layout and scale) following grant of outline planning permission 2/2018/0036/OUT).

Decision: Pending

7.16 P/RES/2023/00628 - Construct loop road and associated drainage to facilitate future reserved matters applications in line with grant of Outline Planning Permission No. 2/2018/0036/OUT.

Decision: Pending

Other parts of the Gillingham Strategic Site Allocation

Land at Park Farm/Kingsmead Business Park

7.17 2/2018/0077/OUT - Develop land by the erection of up to 634 dwellings (use class C3), a primary school (use class D1), sports pitches with floodlighting, public open space, play facilities, access and internal estate roads, internal footpaths and cycleways, sustainable drainage system with ponds, landscaping, utility

connections and associated/infrastructure. (Outline application to determine access only).

Decision: Granted Decision Date: 22/11/2021

Lodden Lakes Phase 1

7.18 2/2014/0968/OUT- Develop the land by erection of up to 90 No. dwellings with public open space and create access from Addison Close, (outline application to determine access).

Decision: Granted Decision Date: 11/05/2015

7.19 2/2018/0483/REM - Erect 90 No. dwellings with garages, bin / cycle store, building to house electricity sub-station and associated infrastructure, including play areas and public open space. (Reserved Matters application to determine appearance, landscaping, layout and scale, following the grant of Outline Planning Permission No. 2/2014/0968/OUT).

Decision: Granted Decision Date: 27/02/2019

Lodden Lakes Phase 2

7.20 P/OUT/2020/00495 - Develop land by the erection of up to 115 No. dwellings, form vehicular access from New Road and Lodden Lakes Phase 1, form public open space. (Outline application to determine access)

Decision: Granted Decision Date: 06/01/2022

7.21 P/RES/2022/00263 - Develop land by the erection of up to 115 no. dwellings, form vehicular access from New Road and Lodden Lakes Phase 1, form public open space. (Outline application to determine access) (reserved matters application to determine appearance, landscaping, layout & scale following the grant of outline planning permission P/OUT/2020/00495)

Decision: Granted Decision Date: 14/07/2022

7.22 P/VOC/2022/06094 - Develop land by the erection of up to 115 No. dwellings, form vehicular access from New Road and Lodden Lakes Phase 1, form public open space. (Outline application to determine access). (With variation of Condition Nos. 4 & 17 of Planning Permission No. P/OUT/2020/00495 to amend the access junction and visibility splays).

Decision: Granted Decision Date: 06/02/2023

7.23 P/VOC/2023/01213 - Develop land by the erection of up to 115 no. dwellings, form vehicular access from New Road and Lodden Lakes Phase 1, form public open space (variation of condition 2 of planning permission P/RES/2022/00263 to amend layout plans with revised access arrangements, house type elevations & apartment building).

Decision: Granted Decision Date: 11/05/2023

7.24 A Screening Opinion request (P/ESC/2022/06824) was submitted by Wessex Water for upgrade works across all parts of the Gillingham Strategic Site Allocation. The works comprise the proposed installation of 2 No. lengths of water main, 2 No. lengths of sewage rising main, and a Sewage Pumping Station that is subject of application P/FUL/2022/0798 (see 7.12 above). The Local Planning Authority hereby issued a screening opinion on 18th November 2022 that an Environmental Impact Assessment was not required.

8.0 List of Constraints

Within Settlement Boundary

Gillingham Strategic Site Allocation

Agricultural Land Grade: 3/4 and Low likelihood of Best and Most Versatile (BMV) agricultural land

Public Rights of Way - Route Code: N64/35 (Footpath)

Public Rights of Way - Route Code: N64/78 (Footpath)

Public Rights of Way - Route Code: N62/1 (Footpath)

Public Rights of Way - Route Code: N64/33 (Footpath)

Public Rights of Way - Route Code: N64/34 (Footpath)

EA - Risk of Surface Water Flooding Extent 1 in 1000

9.0 Consultations

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

Consultees

9.1 Dorset Police: Comments:

- Proposed rear parking court by the northern terraced dwellings not overlooked by an active room such as a kitchen or lounge in a dwelling

- Concerns in relation to kickabout area as it is positioned away from the houses and not overlooked. Also hidden by the existing hedge running through the centre of the development

- Are pathways going to be lit at night? If it is expected that this footpath will be in constant use not only now but in the future with further development then it should be as straight as possible, wide, devoid of potential hiding places (bushes etc), overlooked by surrounding buildings and have good natural surveillance along the path. It should also be lit to standard BS 5489-1:2020. This is for the safety of all the residents now and in the future.

- Existing hedgerow running through centre –how high will this hedge be and who will be responsible for maintaining it in the future?

- Also recommend that all rear gates are key lockable from both sides and the security of the development meets the standards laid out in the Secured By Design Homes 2023 document

[Case Officer Comment: The pedestrian links to and around the public open space areas have been improved, including an opening through the hedge between the play facility and kickabout areas with benches to allow for intervisibility. It is considered that sufficient natural surveillance to the parking court is provided by Plots 23 and 34 opposite. Section 16 (Landscaping) below addresses the hedgerow query.]

9.2 Dorset Council (DC) - CIL and Planning Team: Comments:

- On the understanding that this application will be determined in line with the financial and other obligations included in the S106 agreement dated 3 September 2021 (outline application 2/2018/0036/OUT), no further comments from this perspective

9.3 DC Environmental Protection: Comments, with conditions recommended *[See Section 16 below – Residential amenity]*

9.4 DC Flood Risk Management Team: No objection - proposed layout of this part of the site is consistent/compatible with the approved High Level Drainage Strategy and other stage specific drainage related documentation

9.5 DC Highways: No objection, subject to compliance with the Outline conditions *[See Section 16 below - Highway safety and parking]*

9.6 DC Housing Enabling Team: Comments:

- Layout needs to be reconsidered to present a more integrated scheme, with affordable homes spread across the development to ensure a balanced community where no tenure is disadvantaged

- Disappointing that the 2-bedroom properties are only for 3 people. These should be increased to accommodate 4 people to allow a family of 3 to increase to a family of 4 without the need for them to move

- Would look to the rest of the scheme to offer a wider range of affordable accommodation for families and to include some four-bedroom houses

[Case Officer Comment: It is considered that the amended layout provides a sufficiently integrated scheme. Larger two-bed dwellings have also been provided.]

9.7 DC Senior Landscape Officer: Unable to support

- Would not meet the requirements of condition 4 (parameter plans) and 23 (LEMP) of the outline planning permission

- Cannot therefore support the discharge of Landscape as a reserved matter for conditions 4 and 23 unless and until the Strategic Landscape Masterplan (Figure 2) is revised so that it accords with the approved Landscape Strategy Plan (Figure 1), or the Non Material Amendment application is approved

- There would appear to be a reduction in the quantum of informal Public Open Space (POS) on the northern and western boundaries of the proposed scheme and an additional area of hedge removal within the application parcel

- Discrepancies noted in terms of the quantum of Informal Public Open Space between the Strategic Landscape Masterplan submitted with this application (P22-1067_EN_0012 Rev: - Date 12/04/2023) and the Landscape Strategy Plan (01050_PP_06 Rev 2) approved at Outline (2/2018/0036/OUT) remain, pending the determination of the NMA application

Pedestrian/Cycle Access and Circulation Adjacent to the Proposed Play Area

- Pedestrian/cycle shared access routes to and around the proposed play area and kickabout area are below 3m in width in some locations
- Layout would lead to conflicts between users of the play area and cyclists
- Suggest that the removal, repositioning or reduction in width of the shallow segment of shrub planting on the eastern boundary of the play area, the re-positioning of the three benches adjacent to the southeastern entrance to the play area to the west of their current location, and the reduction in the path width in this location from 3m to 2m - would allow the 3m wide shared pedestrian/cycleway path to be routed round the perimeter of the play area rather than in front of the seating/entrance
- The above would resolve the potential conflict between cyclists accessing the cycle parking north of the play area, pedestrians accessing the play area from the southeastern entrance, and pedestrians accessing the seating opposite.
- Also suggest that 3No. 2m wide openings are created in the knee rail at the pedestrian access point opposite unit 19, opposite the central parking bay in the northern visitor parking spaces, and centrally between the two southern visitor parking spaces to allow for easy access from visitor parking to the play area

Refuse collection point adjacent to unit 3

- The bin collection point for units 1 and 2 is positioned close to and opposite the entrance to and front door of unit 3 and - may be a future point of tension between neighbours. It might instead be positioned on the opposite side of the road and in line with the parking area and driveway to unit No. 3 rather than its front entrance?

Detailed Hard and Soft Landscaping

- Some of the trees would appear to be in public open space rather than on-plot
- There would appear to be an opportunity to plant two more trees in between the parking bays to the west of units 29 to 33 but they would need engineered tree pits
- There would appear to be space to plant a larger trees near units 1, 29 and 34 though again an engineered tree pit may be required depending on available tree soil volume and species selected
- Given its likely temporary nature, no comment to make about the layout or hard materials and species proposed within the sales area.

Tree lined streets in accordance with NPPF 131

- With the possible exception of the shared surface street to the south of units 10 to 18, none of the streets appear to be tree lined
- The majority of the length of streets within the proposed development are not 'tree-lined' because they do not have trees on both sides
- The submission does not contain clear, justifiable and compelling reasons why streets within the development being tree lined would be inappropriate
- Also concerned that two of the trees shown on the submitted Planning Layout plan are too close to the facade of buildings (Units 9 and 18) and there is no evidence that the proposed indicative location of trees has been coordinated with lighting, drainage and below ground services to ensure that any conflicts would be avoided or mitigated

- Therefore not in accordance with NPPF paragraph 131
- Lack of intervisibility between the play area and the mini soccer pitch given that parents may wish to supervise children using both facilities concurrently. No seating is proposed at the point of potential inter-visibility between the two sites. Suggest that the tree and possibly the hedge planting on the southern boundary of the kickabout area are omitted and that consideration is given to the location of additional seating on one or both sides of the proposed central access between the two areas as an aide to parental oversight.

[Case Officer Comment: Many of the above concerns are considered to have been addressed by the amended layout, discussed further in Section 16 (Landscaping) below, with the other concerns raised addressed in Paras 16.10-16.11. The case officer also considers that the P/NMA/2022/04874 NMA submission (since amended to address officer concerns) does not represent a material change to the Outline approved parameters.]

9.8 DC Natural Environment Team

Ecology comments:

- The content of the Construction Environment Management Plan appears to be largely acceptable
- Proposal will achieve a gain in both habitat units and hedgerow units, but 'Species-rich native hedgerow' habitat (at least 5 woody species) should be provided for the replacement hedgerow
- Regarding long-term management and corrective measures, would usually expect more detail as in a LEMP but given the nature of the landscaping in this phase, and the habitats retained and created, this is sufficient
- It is appropriate to conclude that the application provides a biodiversity gain

[Case Officer Comment: Species-rich native hedgerow can be secured as part of the proposed Condition 8, which also secures the requirements of the Biodiversity Mitigation and Enhancement Plan – including: establishment of amenity grassland, species-rich grassland, wildflower meadow, woodland, and shrub planting; establishment of biodiversity corridors; a suitable lighting plan taking bats into consideration, and; installation of bat, bird and insect boxes.]

Public Open Space comments:

- Overall recommendation: - acceptable. Key comments:
- Advise referring to the following guidance when looking at the practical design details of the Public Open Spaces to ensure that they are built to be accessible and maintainable, taking note of the points raised about Play design.
- Would also advise liaising with any future managing organisation about maintenance access, to ensure their equipment and resources are able to service this design.
- Take note of the Natural Environment Team Advice Note for Greenspace Management Plans for developers and land managers
- Also recommend the Play England advice on planning design for play
- Early consultation with the future manager is advised. They may have policies which, for instance, require the play to be fenced or have equipment suitable for wheelchair users.

[Case Officer Comment: It is considered that the open space meets the aims of the above guidance. The submitted landscape management plan includes long term design objectives, management responsibilities and maintenance schedules for all landscape

areas, and is thus considered sufficient to discharge Outline Condition 10. Future maintenance will be undertaken by a Management Company.]

9.9 DC Rights of Way Officer: Comments:

- Footpaths N64/33 and N64/78 are affected by this development. Temporary closures and diversion applications must be made.

9.10 DC Street Lighting Team: Comments:

- Any of the new estate being proposed for adoptable as public highway must be lit, as per Dorset Council Street Lighting Policy POLS900, for areas where most roads are already lit

- Some areas of the estate have arrangements for off street parking and/or tree planting that will not allow any locations for a system of street lighting to be achieved, which will conflict with the adoption of its roads as public highway

- The use/absence of generic tree symbols on the highway layout drawings makes the evaluation of their impact on highway lighting difficult. Instead the as planted & mature tree canopy size should both be shown for each tree location and to the same drawing scale

- Use of vertical traffic calming features will require permanent all-night street lighting, to comply with the Road Hump Regulations, rather than part night street lighting which would otherwise apply to the estate if horizontal or other measures were employed.

[Case Officer comment: The submitted Biodiversity Mitigation and Enhancement Strategy [27.09.2023] includes a lighting plan [Appendix D] and it appears that no conflicts between the proposed landscaping and street lighting would arise. The full and final lighting strategy can be secured by planning condition.]

9.11 DC Trees Team: Comments:

- Agree with Arboricultural Consultant's view that Dutch Elm disease resistant Elm trees, Lime, Oak and London Plane would make suitable large tree planting. Likewise Hornbeam and Field and their cultivars could also prove really useful

- Supportive of proposed tree protection methodology by way of protective "Heras" or "Stock Proof" fencing solutions as well as proposed Construction Exclusion Zones (CEZ). Dissemination of this information to site operatives is also supported

- Appears that hedge H2 is to be removed (running in an east-west direction) between proposed LEAP and kickabout areas, and clarity is required if this is to be removed

[Case Officer Comment: An amended Arboricultural Impact Assessment has been provided to confirm that the abovementioned hedge will be retained and protected. The proposed tree protection measures can be secured by means of planning condition.]

9.12 DC Senior Urban Design Officer: Unable to support:

Context and character

- This element of phase 1 is characterised by larger detached dwellings; with a regular, suburban layout and the dwellings seek to replicate elements of 1930s architecture in their styling, albeit without regular use of chimneys that tended to be a feature in this period

- Going forward it will be important to ensure that there are distinct elements to the design and layout of the rest of the phase to ensure that defined character areas are created rather than a blanket approach to development form

Movement and connections

- Although there are routes provided for pedestrians and cyclists along the western side of the site, they are dictated by the shape of the play space which often makes them awkward, especially when linking through to the kickabout area and into phase 2 (Places for People). Consideration should be given to making these routes a constant width and less circuitous, especially for cyclists; this is a key route away from the main vehicular street, its usability and directness is important in ensuring it is well used.
- Elsewhere, the layout is dominated by cul de sacs that limit pedestrian permeability and relies on engineered solutions to provide appropriate turning heads that cut into areas of open space (for example opposite plots 4 and 5). There is the opportunity to connect the private drive adjacent to plot 1 with the east-west footpath/ cycleway which would improve connections for this part of the site.

Streets and spaces

- Currently, there is little difference in the design of streets; they should show, through all elements of their design, a clear hierarchy of spaces that supports the creation of defined character areas. This should be an integrated approach with the remainder of phase 1 and with other phases of the scheme as well
- Current shape of the play space is not conducive to providing routes that follow natural desire lines for pedestrians and cyclists. Creates pinch points and awkward routes that should be more direct. Advised that this area is designed to be more functional as a destination space as well as a through route for pedestrians and cyclists, rather than concentrating on the form and shape of the space.

Homes

- All but 2 open market dwellings are detached properties. Some smaller house types have now been included (Amberley and Warwick) but all are at least 3 beds, and the balance is still tilted towards larger dwellings
- The Lincoln house type (plots 29 and 30) is the only 2 ½ storey element within a street scene that consists of only 2 storey properties. In addition to this, the pitched roof design is out of character with the rest of the scheme that comprises solely of hipped roofs. Throughout the rest of the scheme, the style of housing is very similar in its form and architectural approach, so this house type appears an incongruous addition
- The affordable units (Avon HT - plots 31 and 32) and Dart HT (units 25-27) fall below the minimum gross internal area (GIA) as recommended in the Nationally Described Space Standards. 2 bed 3 person dwellings (Avon) measure 62.39m² and should be a minimum of 70m² and the 3 bed 5 person dwellings (Dart) measure 83.2m² and should be a minimum of 93m²
- The parking for these units is different to the open market housing and architecturally they lack the level of detailing that open market houses have. Their design and layout is therefore contrary to the National Design Guide para 116
- Proposed materials include 3 different brick colours and white render with some tile hanging on feature gables. Roofing materials vary between brown and grey roof tiles. While there is an element of consistency in the materials used on along the southern street and within the scheme, along the eastern edge there is considerable variety. 1930s housing is characterised by a degree of uniformity, both in terms of architecture and in the materials used. It would be a more faithful reflection of the design approach if the distribution of materials was more considered.

Parking

- Mainly provided in plot, however along the secondary street the affordable units (plots 31-33) and plots 29 and 30 have frontage parking. Will result in cars dominating the street as there is insufficient planting to reduce their impact. This type of parking design also reduces the ability for occupiers to install electric vehicle charging points contrary to NPPF para 112 e)
- To ensure a more cohesive approach (and better integration of affordable units), parking should be taken away from the frontage and provided in plot or additional tree planting included to break up the dominance of parked cars and EV charge points
- Along the eastern access route that serves units 1- 9, there is a lack of visitor parking designed into the street. The lack of verges and street trees along this route, that would provide informal parking management, means that parked cars will likely over run and block the footway – a more considered design approach to the overall street hierarchy would ensure that these issues are addressed
- The rear courtyard parking for units 25-27 could be improved if the 2 spaces that are adjacent to plot 28 are relocated adjacent to rear of plot 25; this would facilitate an area of green space that could accommodate a larger tree, reducing the visual impact of the parking court.

[Case Officer Comment: Many of the above concerns are considered to have been addressed by the amended layout, discussed further in Section 16 (Layout, Scale, Appearance) below, with the other concerns raised addressed in the Highway safety and parking section.]

- 9.13 **Gillingham Town Council:** No objection (following submission of amendments), subject to:
- sufficient traffic calming measures on the road adjacent to the proposed play area, and
 - the 3m wide cycleway extending around the western boundary of the kickabout area so that it links to the 3m wide pedestrian/cycle path on the eastern side of the triangular Public Open Space proposed in application P/RES/2022/07898.

10.0 Representations received

- 10.1 At time of preparation of this report, one neighbouring representation has been received, providing the following comments:

- During the course of the building of Principal Street residents along Cole Street Lane have suffered with construction vehicles using the lane, which we had been given to believe they were not allowed to
- We had been told that once construction began our lane would be closed to through traffic and Principal Street would be opened
- It now seems Redrow will not open Principal Street until the first phase is complete. Concerned by heavy vehicles using a totally unsuitable lane adding to those already using it as a rat run. Concerned there will be a serious injury soon

Officer comment: Condition 32 (Construction Environmental Management Plan) of the Outline permission still requires the following details to be submitted and agreed upon by the Local Planning Authority:

- a)** details of the layout of the site including generators, pumps, silos, site office, staff car parks and storage;
- b)** storage of plant, materials and waste;

- c) the erection and maintenance or security hoarding;*
- d) details of a scheme for the prevention of disturbance/nuisance caused by noise, vibration, dust and dirt to sensitive properties during construction;*
- e) a scheme for recycling/disposing of waste resulting from construction works;*
- f) the operation of plant and machinery associated with engineering operations;*
- g) site security;*
- j) disposal of contaminated drainage, including water pumped from excavations;*
- k) site induction for workforce highlighting pollution prevention and awareness;*
- l) a scheme to dispose of surface water run-off during the construction phase;*
- o) the type of plant to be used;*
- p) details of construction methods*
- q) construction vehicle details (number, size, type and frequency of movement)*
- r) a programme of construction works and anticipated deliveries*
- s) timings of deliveries so as to avoid, where possible, peak traffic periods*
- t) a framework for managing abnormal loads*
- u) contractors' arrangement plan showing; compound, storage, parking, turning, surfacing and drainage*
- v) wheel cleaning facilities*
- w) vehicle cleaning facilities*
- x) 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*
- y) a scheme of appropriate signing of vehicle route to the site*
- z) a route plan for all contractors and suppliers to be advised on*
- aa) temporary traffic management measures where necessary*

Total - Objections	Total - No Objections	Total - Comments
0	0	1

11.0 Relevant Policies

Development Plan

- 11.1 The North Dorset Local Plan Part 1 (LPP1) was adopted by North Dorset District Council (NDDC) on 15 January 2016. It, along with policies retained from the 2003 North Dorset District-Wide Local Plan, 1 and the 'made' Gillingham Neighbourhood Plan, form the development plan for North Dorset. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 11.2 Relevant applicable policies in the LPP1 are as follows:
- Policy 1: Presumption in Favour of Sustainable Development
 - Policy 2: Core Spatial Strategy
 - Policy 3: Climate Change
 - Policy 4: The Natural Environment
 - Policy 5: The Historic Environment
 - Policy 6: Housing Distribution
 - Policy 7: Delivering Homes
 - Policy 8: Affordable Housing
 - Policy 11: The Economy

Policy 12: Retail, Leisure and Other Commercial Developments
Policy 13: Grey Infrastructure
Policy 14: Social Infrastructure
Policy 15: Green Infrastructure
Policy 17: Gillingham
Policy 21: Gillingham Strategic Site Allocation
Policy 23: Parking
Policy 24: Design
Policy 25: Amenity

Neighbourhood Plan

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

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

Other Material Considerations

National Planning Policy Framework (NPPF):

11.4 The NPPF has been updated with a revised version published in September 2023. The following sections and paragraphs are relevant to this outline application:

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

The presumption in favour of sustainable development

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development [...]

For decision-taking this means:

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

Current housing land supply

- 11.5 The Council has recently published the new five-year housing land supply and housing delivery test for the North Dorset Plan area. The new supply is 5.74 years, and the Housing Delivery Test is at 110%. This latest housing completion data is a material consideration. It demonstrates that housing delivery is back on track. In view of this, the development plan policies relating to housing provision are no longer considered to 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 with the plan.
- 11.6 It is important to note that there is still a requirement to meet the Council’s ongoing housing need. This must be met through development such as this that benefits from Outline approval and accords with the Council’s spatial strategy.

Dorset Council Local Plan (Consultation version January 2021)

- 11.7 Dorset Council have produced a draft Local Plan containing proposals for guiding future development over the whole of the Dorset Council area up to 2038. The initial consultation period ran until the 15 March 2021. Given its early stage of consultation the weight to be given to it is very limited.
- Relevant Policies:
- DEV4: Growth in the northern Dorset functional area
 - DEV9: Neighbourhood plans
 - ENV1: Green infrastructure: strategic approach
 - ENVV4: Landscape
 - ENV8: The landscape and townscape context
 - ENV11: Amenity
 - ENV13: Flood risk
 - ENV14: Sustainable drainage systems (SuDs)
 - HOUS1: Housing Mix
 - HOUS2: Affordable housing
 - COM4: Recreation, sports facilities and open space
 - COM8: Parking standards in new development
 - COM9: Provision of infrastructure for electric and other low emission vehicles
 - COM12: The provision of utilities service infrastructure
 - GILL2: Gillingham Southern Extension

Master Plan Framework (MPF), August 2018

- 11.8 The Master Plan Framework (MPF) was prepared by a consortium of three developers Taylor Wimpey, CG Fry and Welbeck over the period 2015-2018, working with and in consultation with the officers at North Dorset District Council (now Dorset Council). The MPF is a requirement of Policy 21 of the NDLP. It covers the whole SSA and was a pre-requisite to the submission and consideration of any planning applications for development.

11.9 The MPF sets out the overall vision for the SSA, from which an analysis of constraints and opportunities provides the basis of a Framework Masterplan in the MPF. The analysis covered the key planning, transport, landscape and delivery aspects of the various land parcels. The site investigations led to a series of plans that set out the site opportunities and responses to constraints in terms of topography, views to/from the site, green infrastructure, walkable neighbourhoods, transport links, density, form and open space.

North Dorset District Council Landscape Character Assessment (2008)

11.10 The site lies within the Dorset Landscape Character Assessment 'Clay Vale' landscape character type and the North Dorset District Council Landscape Character Assessment 'Blackmore Vale' landscape character type. The area forms of a broad expansive clay vale with a mosaic of woods and pastoral fields bounded by straight hedgerows dotted with mature Oaks. Open layered views are possible across the gently undulating landscape to the low hills of the chalk escarpment which forms a backdrop. The area has a dense network of twisting lanes often with grass verges and sharp double 90 degree bends. It is also characterised by a network of ditches, streams and brooks which drain into the tributaries of the River Stour. There are numerous small villages and hamlets across the area built with distinctive mix of materials such as stone, red brick, tile and thatch.

Gillingham Town Design Statement (adopted 2012)

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

12.0 Human rights

12.1 Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

13.0 Public Sector Equalities Duty

13.1 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:-

- 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.

- 13.2 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.
- 13.3 The application site is located in line with the spatial strategy of the local plan, which seeks to locate development close to services. Occupiers of the dwellings would have access to open space and to health and other facilities that are contained within the town.
- 13.4 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 public open space and connections to the local rights of way network, to ensure the needs of people with disabilities or mobility impairments or pushing buggies are met. This will be through accommodation of appropriate off road footpath links, shared surfaces 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 the County Highway Authority (where applicable).
- 13.5 Officers have considered the requirement of the duty, and it is not considered that the proposal would give rise to specific impacts on persons with protected characteristics.

14.0 Financial benefits

What	Amount / value
Material Considerations	
Affordable housing	7 units - 10% of the overall number of proposed dwellings, which is permitted in the s106 agreement for this first phase
Quantum of greenspace	Public Open Space provision: an approx. 0.12ha Locally Equipped Area of Play (LEAP) and an informal kickabout area of approx. 0.2ha.
Employment created during construction phase	The proposal will support local jobs in the construction sector 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 proposal will support the local economy, providing housing required to support the long-term economic 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

15.0 Climate Implications

- 15.1 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.

15.2 The submitted Design and Access Statement advises that the development will achieve sustainability building construction in line with current Building Regulations. The development will also seek to:

- Enhance existing habitat and create new habitat through retention of existing trees/hedgerows and provision of new native planting throughout
- Improve energy efficiency through siting, design and orientation of buildings, and
- Use simple traditional construction detailing and materials.

15.3 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 were assessed at Outline stage and found to be acceptable.

15.4 Outline Condition 31 requires details of a scheme to install infrastructure to facilitate charging for plug-in and other ultra-low emission vehicles to be submitted to and agreed in writing by the Council prior to the commencement of development.

16.0 Planning Assessment

16.1 The principle of development was agreed through the grant of Outline planning permission (2/2018/0036/OUT) and a Local Plan allocation (Policy 21) supported by the Gillingham Neighbourhood Plan. This permission also approved the means of access to the site.

16.2 The main issues of this reserved matters application are considered to relate to:

- Affordable Housing
- Layout
- Scale
- Appearance
- Landscaping
- Highway safety and parking
- Residential amenity
- Flood risk and drainage
- Biodiversity

Affordable Housing

16.3 20% (7 dwellings) of the current proposed phase is Affordable Housing - 4 of which are Affordable Rent, and the other 3 are Shared Ownership - to be managed by a Registered Provider. The Affordable units would comprise 2 x 1 bed units (Affordable Rent), 2 x 2 bed units (Affordable Rent) and 3 x 3 bed units (Shared Ownership). The above provision complies with the Outline s106 legal agreement, which requires a minimum 10% Affordable Housing provision across the first phase. The wider delivery of 961 dwellings will provide the required 25% affordable housing as required by the Outline s106 agreement.

16.4 The initially proposed Affordable two-bedroom terraced properties were designed for 3 people to occupy, with a floorspace of 62sq m. These have now been replaced with larger dwellings for 4 occupants, with a floorspace of 76sq m. Although these would still be slightly below the nationally prescribed minimum space standards (3sq m shortfall), these standards were considered through the North Dorset Local Plan Examination and the Council decided not to incorporate these into the Local Plan. The case officer considers that the above dwellings, along with the overall proposed Affordable units, would be provided

with sufficient internal living space and would also have sufficient private garden space. In this respect, the Affordable Housing complies with Policy 8 of the North Dorset Local Plan. Their layout relative to the open market dwellings is considered below.

Layout

- 16.5 As defined in planning legislation, for the purposes of a Reserved Matters application “layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 16.6 The proposed development parcel is north of the Principal Street and east of the Outline approved LEAP/kickabout areas – which is on the other side of a secondary vehicular route looping around the north side of the Principal Street. This loop road reflects the layout shown on the Outline approved Illustrative Masterplan and the Outline approved density plan would allow for up to 45 dwellings per hectare (dph) within the current proposal site. The current proposal would provide a noticeably lower density of approx. 27dph. However, this site is west of the proposed mixed use/residential phase towards the junction with B3081 Shaftesbury Road and south of the proposed Phase 2 residential development (P/RES/2022/07808 - 280 dwellings), which is on the other side of an east/west pedestrian/cycle route bisecting the phases. It is anticipated that these adjacent phases will provide an appropriately higher density.
- 16.7 The above surroundings, along with the relatively small size of the current proposal for 34 dwellings, somewhat restricts the layout solutions for the site. Inevitably, this includes cul-de-sacs off the Principal Street and the loop road. However, this would avoid a “rat run” route and the easternmost cul-de-sac turning head will eventually link to the mixed use/residential phase. The applicant has chosen not to provide a public link from the private drive adjacent to plot 1 with the east-west footpath/ cycleway. There would however be an opportunity to secure such a link within the adjacent mixed use/residential phase, which would provide appropriate pedestrian connectivity across the overall site.
- 16.8 The site size and location also restricts the design options for the streets within, in terms of hierarchy and character areas. Since the initial submission as part of the overall Phase 1 proposal (P/RES/2022/04960), the current proposed layout has however been amended and the case officer considers this now provides a sufficient provision of street trees, having regard to the site’s size and context.
- 16.9 Four of the Affordable Housing dwellings would also now face the secondary street and open space, with the other three Affordable dwellings facing the east-west pedestrian/cycle route with pedestrian accesses from this route. Although their parking layouts would differ from those of the open market dwellings, this is due to their smaller terraced size and plot form. It is nonetheless considered that the location and layout of the proposed Affordable dwellings would provide a sufficiently integrated layout, having regard to the size/location of the overall proposal. Although the Affordable units lack some of the design detail of the open market units, they are of traditional design that broadly reflects the design cues of the wider proposed development. It is therefore considered that a sufficiently tenure-blind appearance would be achieved, despite the obvious size differences between the open market and Affordable dwellings.
- 16.10 The 3m wide cycleway running northwards from the Principal Street has now been extended fully through the site towards the northern boundary with Phase 2, around the western sides of the LEAP and kickabout areas and linking to the 3m wide east-west

pedestrian/cycle path that bisects this application site and these open space areas. Dwellings would face on to, and responding positively to, these public areas and would offer good surveillance. These route links also now reflect the Outline approved Access and Movement Parameter Plan.

- 16.11 The size and location of the LEAP play space is dictated by the s106 requirement to provide at least 0.12ha of appropriate play/circulation space. The applicant has chosen to provide a circular layout for both the LEAP and informal kickabout areas. While this requires the pedestrian/cycle routes to meander around this, it is considered that this layout would naturally reduce cycle speeds and would therefore provide an appropriate shared-use network route.
- 16.12 As already mentioned, the current proposal site is bordered on all sides by the highway/footpath network of the wider Outline approved scheme and other development phases beyond. As such, no material impacts on existing neighbouring buildings would arise. The proposed internal layout of dwellings would provide sufficient garden sizes and separation distances to ensure that a good standard of residential amenity will be provided for future occupiers.
- 16.13 In light of all the above, the case officer considers that the proposed layout for this specific 34 dwelling parcel is acceptable and meets the aims and requirements of the overall Outline approved scheme, Policies 7, 21, 24 and 25 of the North Dorset Local Plan, the Gillingham Neighbourhood Plan and the Gillingham Town Design Statement.

Scale

- 16.14 "Scale" is defined as meaning the height, width and length of each building proposed within the development in relation to its surroundings.
- 16.15 The Outline approved Building Heights Plan permits dwelling heights of up to 3 storeys (12m to top of ridge line) within the application site area. The proposed dwellings would however all be 2 storey in form and height, apart from plots 29 and 30 which are 2 ½ storey in form with front dormer windows in the roof facing the loop road. Although these are the only 2 ½ storey dwellings within the proposed street scene, they provide some variation in height/roof form and their location adjacent the cul-de-sac junction would provide a reference point for this entrance location.
- 16.16 These dwellings, along with the lower 2-storey dwellings to their immediate north, would also provide an appropriate increase in density northwards to the proposed Phase 2 parcel (P/RES/2022/07808), which is anticipated to contain a significant amount of semi-detached and terraced dwellings, as well as three storey apartment buildings. It is also anticipated that a higher (2.5 storey) building height and density frontage along the southern side of the Principle Street is to be provided as part of the larger Phase 1 parcel (P/RES/2022/04960).
- 16.17 It is accepted that 25 of the proposed 34 dwellings would be of two storey detached form and it is accepted that their heights, widths and lengths would be similar. However, having regard to the abovementioned surrounding context and the small size of the proposal site relative to the Outline approved scheme of 961 dwellings, the scale of the dwellings is considered to be acceptable. The proposal therefore complies with Policies 7, 21 and 24 of the North Dorset Local Plan, the Gillingham Neighbourhood Plan and the Gillingham Town Design Statement.

Appearance

- 16.18 “Appearance” is defined as meaning the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 16.19 Condition 7 of the Outline approval requires each Reserved Matters proposal to reflect a palette of materials referenced in the Outline Design & Access Statement (D&AS), Design Coding Section 8.16 (Material Palettes). It is stated here that the code does not seek to prescribe a particular architectural style, but rather to develop a distinctive ‘Gillingham’ colour and materials palette that can be used on different styles of building as the development grows over time. The palette includes enough variety to create unity without uniformity, allowing each character area and key grouping to develop an individual identity but still be recognisably part of the greater whole, and of the town. The above D&AS also indicates the application site to be in the “formal” character area. The building materials considered acceptable within this area include brown and red brick colours for the elevations, along with white render, weatherboarding and tile hanging. The above forms the predominant materials palette for the proposed elevations. The applicant has chosen to provide brown and grey tiles for the roof materials.
- 16.20 The above D&AS Section 8.16 advises that dark red plain clay tiles and grey slates (natural or reconstituted) are acceptable for the formal character area. No precise specifications for the above proposed materials have been provided and it is also noted that along the eastern edge run of nine dwellings, three would predominantly contain yellow stock bricks, which departs from the rest of this proposed parcel and also from the materials palette listed in the Outline D&AS. However, this row would include five temporary show homes for the wider scheme (and then used as dwellings upon wider completion) and the case officer therefore considers that the overall materials mix here is acceptable in this specific context. It is considered necessary and reasonable to impose a planning condition to confirm the precise details for all external materials, to ensure that they reflect the palette of materials considered acceptable within the Outline D&AS.
- 16.21 The case officer also considers that the amended frontage parking and parking court areas for the affordable units are now sufficiently dispersed and broken up by greenery to mitigate their visual impact on the streetscene. It is also accepted that the proposed open market units share many similarities in terms of appearance and plot layout. However, the amended scheme includes chimney features in several key locations along the Principal Street and its road junctions, which adds some variation to these landmark locations. All dwellings at corner plots now provide sufficient natural surveillance on each side and all dwellings facing the open space areas have active frontages. This means that the streetscenes will now positively engage with their surrounding public open spaces. The proposal therefore complies with Policies 21 and 24 of the North Dorset Local Plan, the Gillingham Neighbourhood Plan and the Gillingham Town Design Statement.

Landscaping

- 16.22 “Landscaping” is defined as meaning the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—
- (a) screening by fences, walls or other means;
 - (b) the planting of trees, hedges, shrubs or grass;
 - (c) the formation of banks, terraces or other earthworks;
 - (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and

(e) the provision of other amenity features.

- 16.23 As previously outlined, the amendments now provide a continuous 3m-wide shared surface route through the public open space areas. The access arrangements for these areas have also been amended. The pinch points along the footway between the loop road and the LEAP area have been removed, so that a continuous 2m width is provided.
- 16.24 The pathways and three benches adjacent to the play area have also been amended to avoid potential conflict between pedestrians and cycle users. 3No. 2m wide openings are now also provided to provide pedestrian access points from the central visitor parking spaces to the play area. It is considered that this provides sufficient access for parents with pushchairs or those with mobility restrictions.
- 16.25 It is also considered that sufficient intervisibility would now be provided between the play area and the kickabout area to allow parents to supervise children using both facilities concurrently. This includes a footpath with two benches through the centre of the retained hedge to link these two public open space areas. The retained hedge is to be maintained at a height below average adult standing eye level (approximately 1.6m).
- 16.26 Following concerns raised by the Council's Senior Landscape Architect, amended on-plot landscape details for the dwellings have now also been provided, along with details of the underground drainage service routes to indicate where trees can and cannot be planted. The case officer considers that it has been adequately demonstrated that conflicts between the proposed landscape and drainage services can be avoided, and that sufficient landscaping will be provided having regard to the abovementioned site constraints. The proposed Extra Heavy Standard trees are now specified as 14 – 16cm girth and 3.5 – 4m in height as requested by the SLA. Adequate establishment of the overall proposed landscaping can be secured by planning condition.
- 16.27 The Senior Landscape Architect has also raised concern regarding vehicular access to the shared surfacing south of unit Nos 10 to 18, as it may allow rat running between the vehicular access points to the Spine Road at its western and eastern end and may be detrimental to pedestrian safety. The bin collection point for units 1 and 2 are also considered by the Senior Landscape Architect to be positioned close to and opposite the entrance to and front door of unit 3, creating a future point of tension between neighbours. However, the Highway Authority has raised no objection on safety or policy grounds, including refuse collection which has also been fully considered by the LHA to be acceptable. The case officer considers that the abovementioned route would not amount to a significant or widely used shortcut around the Principal Street/Loop Road junction, given the close proximity of the Loop Road entry/exit point to the main Principal Street junction. The proposal complies with Policies 4, 21 and 24 of the North Dorset Local Plan, the Gillingham Neighbourhood Plan and the Gillingham Town Design Statement.

Highway safety and parking

- 16.28 The proposed layout would provide allocated parking spaces and allocated garages, along with eight visitor spaces distributed throughout the site. Each one bedroom dwelling is provided with one parking space. All two bedroom – five bedrooms dwellings are provided with at least 2 external surface parking spaces, with each 3-5 bed dwelling also provided with an integral or detached garage. A planning condition can secure appropriate cycle parking space to be provided for each unit.

- 16.29 The Local Highway Authority (LHA) has commented that the previously requested amendments to the submitted layout have been made and that the geometry is such that the road layout can be considered for adoption under s38 of the Highways Act. There is no objection subject to compliance with the Outline planning conditions, which include provision of acceptable details regarding access, geometric highway layout, turning and parking areas, and provision of visibility splays.
- 16.30 The Council's Senior Urban Design Officer has advised that along the eastern access route that serves units 1- 9, there is a lack of visitor parking designed into the street, meaning that parked cars will likely over run and block the footway. The rear courtyard parking for units 25-27 could also be improved if the two spaces adjacent plot 28 are relocated adjacent to the rear of plot 25, to facilitate an area of green space that could accommodate a larger tree, reducing the visual impact of the parking court.
- 16.31 The LHA has however commented that the overall car parking provision is satisfactory and at a level compliant with the Authority's guidance. The case officer also considers that there is sufficient space within the longer driveways along Plots 1-9 for visitor parking. The courtyard area by Plots 25-28 is designed to provide emergency access and as such, cannot be redesigned as suggested above.
- 16.32 In light of all the above, the proposal complies with Policies 21, 23 and 24 of the North Dorset Local Plan and the Gillingham Neighbourhood Plan. Matters regarding: vehicle access and visibility splay provision; improvement works to the B3081 Shaftesbury Road and B3092 New Road; pedestrian/cycle access; cycle parking details, and; electric vehicle charge point details, are subject to the conditions attached to the Outline planning permission and where necessary, also secured by the s106 agreement (which also requires a Travel Plan).

Residential amenity

- 16.33 The Council's Environmental Health Officer (EHO) has commented that the location of the electrical substation to northwest of the site has the potential to cause noise and is close to residential properties. To ensure the equipment will not have an adverse effect on nearby residents, a condition will be imposed to confirm the likely external noise impact on sensitive receptors in the area and provide sufficient mitigation to prevent an adverse effect.
- 16.34 A further condition to secure a final Acoustic Design Statement for the dwellings is also needed, in order that the necessary noise mitigation measures can be agreed, implemented and maintained. The Outline noise assessment was undertaken on an indicative basis before the housing design was available. The noise model therefore needs to be run on the proposed layout of houses and roads, to ensure that noise mitigation chosen is suitable and sufficient for both internal and amenity areas. The Acoustic Design Statement will also need to ensure that the mitigation won't conflict with ventilation requirements.
- 16.35 If air source heat pumps (ASHP) are to be installed, a noise assessment will also be needed to demonstrate there will be no adverse noise effect from the proposed ASHP. This can also be secured by planning condition.
- 16.36 Condition 32 of the Outline permission requires the submission of a Construction Environmental Management Plan (CEMP) to be agreed upon by the Council to include,

amongst other things, hours of construction, construction vehicle and delivery details and measures to control noise, vibration, dust and dirt. A CEMP has been submitted with this application, but this only covers biodiversity matters and doesn't cover impacts such as noise and dust on nearby residents. As such, the above outstanding Condition 32 requirements are still to be agreed before development commences. A planning condition can also be imposed to ensure that the hours of demolition and construction are limited to Monday – Friday 0700 – 1900 Saturday 0800 – 1300, with no activity on Sundays or Bank Holidays, to ensure neighbouring amenities are protected.

16.37 The EHO has also commented that the Air Quality Assessment (AQA) undertaken for the Outline application has not been updated with current data. At Outline stage, the conclusions of the AQA were accepted by the Council. The EHO has advised that as the reports were completed in 2017, it would be good practice for the applicant to refresh and update the reports to make use of current data. However, the AQA did not inform a conditional requirement of the Outline permission, nor was a condition imposed requiring an updated AQA. As such, the case officer considers that it would be unreasonable to impose a planning condition in this regard.

16.38 The case officer considers that future occupiers would be afforded with sufficient internal living and storage space. It is also considered that the built form relationships within the scheme would afford future occupiers with sufficient light, outlook and privacy. In light of all the above, the proposal complies with Policy 25 of the North Dorset Local Plan, the Gillingham Neighbourhood Plan and the Gillingham Town Design Statement.

Flood risk and drainage

16.39 The proposed residential development will continue to avoid development in Flood Zones 2 and 3 plus a climate change sensitivity buffer. Surface water attenuation will be achieved via attenuation basins and an underground crated storage unit beyond this site.

16.40 The Council's Flood Risk Management Team (FRMT) has raised no objection, commenting that the proposed layout is consistent/compatible with the approved High Level Drainage Strategy and other stage specific drainage related documentation. The proposal therefore complies with Policy 21 of the North Dorset Local Plan and the Gillingham Neighbourhood Plan.

Biodiversity

16.41 An updated Biodiversity Mitigation and Enhancement Plan (BMES) has been provided along with a Biodiversity Metric calculation tool, as requested by the Council's Natural Environment Team (NET). The NET has now commented that the proposal will achieve a gain in both habitat units and hedgerow units, subject to provision of new 'Species-rich native hedgerow' which the applicant has agreed to be secured by planning condition. Hedgerows will be managed to provide an increase in biodiversity, with hedgerows allowed to grow to a minimum of 3m wide and 3m high. The identified exception to this is the section of hedgerow between the kickabout pitch and the play area, which will be maintained at 1.6 m in height to maintain visibility between the two areas.

16.42 The BMES includes a lighting plan for the new adopted road scheme (Appendix D). However, no lighting details for the public open space areas have been provided. As such, it is considered necessary and reasonable to impose a pre-commencement planning condition requiring submission of such details, to ensure that biodiversity is sufficiently

protected. The proposal therefore complies with Policies 4 and 21 of the North Dorset Local Plan and the Gillingham Neighbourhood Plan.

17.0 Conclusion

- 17.1 Outline planning permission for the construction of 961 dwellings and a local centre, with details of access and the provision of 25% affordable housing, was granted with s106 legal agreement in September 2021. The principle of development is therefore established subject to the details of reserved matters relating to layout, scale, appearance, and landscape – all of which make up this application.
- 17.2 The applicant has amended the details of the original submission to take account of concerns and comments raised in consultation. It is considered that the revised proposal accords with the terms of the Outline permission, along with the overall aims of the Development Plan, supporting guidance and the NPPF, having due regard to the context of this site. This proposal therefore complies with the Development Plan as a whole.

18.0 Recommendation

A) Approval of Reserved Matters, subject to the following conditions:

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

Reason: To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990 (as amended).

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

General arrangement (Drawing No. A409-RM-01 Rev D);
Longitudinal sections Sheet 1 (Drawing No. A409-RM-15 Rev B);
Drainage layout (Drawing No. A409-RM-41 Rev C);
Engineering layout (Drawing No. A409-RM-41 Rev D);
Drainage construction details Sheet 1 (Drawing No. A409-RM-55 Rev B);
Drainage construction details Sheet 2 (Drawing No. A409-RM-56 Rev B);
Drainage construction details Sheet 3 (Drawing No. A409-RM-57 Rev B);
Highway construction details Sheet 1 (Drawing No. A409-RM-41 Rev B);
Materials layout (Drawing No. A409-RM-71 Rev D);
Large refuse vehicular tracking (Drawing No. A409-RM-81 Rev F);
Fire tender vehicular tracking (Drawing No. A409-RM-82 Rev F);
Standard car vehicular tracking (Drawing No. A409-RM-83 Rev F);
Strategic Landscape Masterplan Sales Arena (Drawing No. P22-1067_EN_0005 Rev B);
Detailed Planting Plan Sales Arena (Drawing No. P22-1067_EN_0006 Rev B);
Hard Landscape Plan Sales Arena (Drawing No. P22-1067_EN_0007 Rev B).
All received on 21st April 2023

House type Warwick B1 (Drawing No. A1071 12);
House type Amberley A1 (Drawing No. A1071 13);

House type Shrewsbury 3 B1 (Drawing No. A1071 14);
House type Leamington Lifestyle B1 (Drawing No. A1071 15);
House type Oxford Lifestyle B1 (Drawing No. A1071 16);
House type Oxford Lifestyle A1 (Drawing No. A1071 17);
House type Stratford B1 (Drawing No. A1071 18);
House type Stratford A1 (Drawing No. A1071 19);
House type Lincoln 3 (Drawing No. A1071 20);
House type Lincoln 3 A1 (Drawing No. A1071 21);
House type Marlow A1 (Drawing No. A1071 22);
House type Cambridge A1 (Drawing No. A1071 23);
House type Harrogate B1 (Drawing No. A1071 25);
House type Harrogate A2 (Drawing No. A1071 26);
House type Ledsham (Drawing No. A1071 27);
House type Ledsham B1 (Drawing No. A1071 28);
House type Hampstead B1/A1 (Drawing No. A1071 29);
House type Hampstead A1 (Drawing No. A1071 30);
House type Dart 3 block floor plans (Drawing No. A1071 33);
House type Dart 3 block elevations (Drawing No. A1071 34);
Single garage floor plans and elevations (Drawing No. A1071 35);
Twin garage floor plans and elevations (Drawing No. A1071 36).
All received on 28th April 2023

House type Spey/Tavy 3 block floor plans (Drawing No. A1071 39);
House type Spey/Tavy 3 block elevations (Drawing No. A1071 40).
All received on 10th July 2023

Massing plan (Drawing No. A1071 03 Rev C);
Housing plan (Drawing No. A1071 04 Rev C);
Affordable Housing plan (Drawing No. A1071 05 Rev C);
Material plan (Drawing No. A1071 06 Rev D);
Enclosures plan (Drawing No. A1071 07 Rev C);
Parking plan (Drawing No. A1071 08 Rev C);
Refuse plan (Drawing No. A1071 09 Rev C);
Hard surfacing plan (Drawing No. A1071 09 Rev C);
All received on 11th August 2023

House type Shaftesbury A1 (Drawing No. A1071 24 Rev B);
House type Harrogate A2 Showhome (Drawing No. A1071 26 Rev B);
House type Harrogate B1 (Drawing No. A1071 38 Rev A);
House type Harrogate A2 (Drawing No. A1071 41 Rev A).
All received on 15th August 2023

Planning layout (Drawing No. A1071 010 Rev i);
Street scenes A-A, B-B & C-C (Drawing No. A1071 11 Rev E);
Detailed soft on-plot landscaping proposals (Drawing No. P22-1067_019 Rev A);
Strategic Landscape Masterplan (Drawing No. P22-1067_EN_0012 Rev G).
All received on 11th September 2023

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

3. The sales area hereby approved (Drawing Nos. P22-1067_EN_0005 Rev B; P22-1067_EN_0006 Rev B; P22-1067_EN_0007 Rev B) shall be limited to the period ending 31 December 2036, or upon completion of all development approved under 2/2018/0036/OUT and all subsequent Reserved Matters), whichever is the sooner; by which date the use of the buildings and land as show home(s)/marketing suite(s) shall have been discontinued.

At such time as the relevant temporary time period expires:

- a) the parking area and vehicular access and highway crossing (as shown within Drawing Nos. P22-1067_EN_0005 Rev B; P22-1067_EN_0006 Rev B; P22-1067_EN_0007 Rev B) must be fully removed;
- b) all hard and soft landscaping within the sales arena area shall be instated and reconfigured as per any relevant Reserved Matters details that have been approved by the Local Planning Authority, or to a specification which must first be submitted to, and agreed in writing, by the Planning Authority.

Reason: To reserve the Planning Authority control over the long term use of the land and ensure the proper and appropriate reinstatement of the adjacent highway.

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

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

5. Notwithstanding the details shown within the Strategic Landscape Masterplan (Drawing No. P22-1067_EN_0012 Rev G), all playing equipment and play features within the Locally Equipped Area for Play (LEAP) shall be provided with impact absorbing surfaces beneath and around them in accordance with specific material and specification details to be submitted to and approved in writing by the Local Planning Authority prior to first use of the LEAP play facilities.

Reason: To ensure that the approved play facilities are fully in accordance with the requirements of the s106 agreement.

6. No development shall proceed beyond damp proof course level until full specification details of all external facing materials (including, walls, roofs and fenestration detail) have been submitted to, and approved in writing by, the Local Planning Authority.

Thereafter, the development shall proceed in accordance with the approved materials and shall also comply with the approved materials distribution plan (Drawing No. A1071 06 Rev D).

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

7. Prior to the commencement of the development above damp course level, a scheme showing precise details of all external lighting within all of the public open space areas (including appearance, supporting columns, siting, technical details, power, intensity,

orientation and screening of the lamps) shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall reflect the need to assist public safety whilst also minimising light spill to avoid harm to protected species. The approved scheme shall be implemented before the development is occupied and shall be permanently maintained thereafter. No further external lighting shall be installed on site without the prior approval, in writing, of the Local Planning Authority.

Reason: In the interest of the amenity of the area, public safety, protected species and biodiversity.

8. The development hereby approved shall be undertaken in accordance with the detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the Biodiversity Mitigation and Enhancement Plan (RSK Biocensus – Project No. 2483600 Rev 05 27/09/2023), subject to all new hedgerows to be species-rich native hedgerow that includes at least 5 woody species.

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

9. Before installation of the electrical substation as shown on the approved site plans, a noise assessment shall be submitted to, and approved in writing by, the Local Planning Authority. The assessment shall include: background sound measurements at times the plant will be in operation; a comparison with the operational plant sound level; the likely external noise impact on sensitive receptors in the area, and; mitigation to prevent an adverse effect. The assessment shall be undertaken in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound, and also include penalties for any tonality, impulsivity, or intermittency of the plant.

The development shall be completed in accordance with the approved details and the noise attenuation measures shall be retained thereafter.

Reason: In order to protect the living conditions of future occupiers of residential properties.

10. Before installation of any air source heat pumps or similar equipment, a noise report from a suitably qualified/experienced person shall be submitted to and agreed in writing by the Local Planning Authority. The written report shall follow the BS4142:2014 format and contain details of background sound measurements at times when the plant is likely to be in operation, against the operational plant sound level(s). The report shall predict the likely impact upon sensitive receptors in the area and all calculations, assumptions and standards applied shall be clearly shown. Where appropriate, the report shall set out appropriate measures to provide mitigation to prevent loss of amenity and prevent creeping background noise levels. The agreed mitigation measure shall be fully implemented and permanently retained thereafter.

Reason: In order to protect the living conditions of future occupiers of residential properties.

11. Prior to any occupation of development hereby approved, a final Acoustic Design Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall demonstrate how occupiers of the approved dwellings will be protected

from their noise climate, including anticipated traffic noise and where necessary, noise mitigation measures for the dwellings. Any such noise mitigation measures must be fully established, implemented, and maintained for the lifetime of the development, and avoid conflict with ventilation requirements.

Reason: In order to protect the living conditions of future occupiers of residential properties.

12. Prior to use or occupation of development hereby approved, a scheme showing details of the proposed cycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved details shall be maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure provision of adequate cycle parking to support sustainable transport; in the interests of highway safety and residential amenity.

13. The development hereby approved shall be undertaken in accordance with the details set out in the submitted Stage 1, 2 and 3 Arboricultural Impact Assessment and Arboricultural Method Statement Report (RSK Biocensus – Project No. 2483604 Rev 1 04/07/2023). All trees and hedges shown to be retained in the Appendix 5 Tree Protection Plan (Dwg. No. 2 Rev 2 04/07/2023) shall be fully safeguarded during the course of site works and building operations.

Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.

14. The construction of the development hereby approved shall be limited to between the hours of 07:00hrs – 19:00hrs on Mondays to Fridays, 08:00hrs – 13:00hrs on Saturdays, with no activity on Sundays or Public Holidays.

Reason: To safeguard the amenity of the area and living conditions of any surrounding residential properties.

Appendix 1 – Details submitted to seek discharge of Outline Condition nos. 7 (Palette of materials), 8 (Updated Arboricultural Impact Assessment), 10 (Landscape Management Plan), 23 (Landscape and Ecological Management Plan) & 32 (Construction Environment Management Plan) of Outline Planning Permission No. 2/2018/0036/OUT

It is considered that the proposed external material types are sufficient to discharge Condition 7, given this parcel's location near the Principal Street and at some distance from the countryside edge. A new condition (No. 6 above) is proposed to secure the precise specifications for these external materials.

The Arboricultural Impact Assessment has been corrected to retain the hedgerow between the LEAP and kickabout areas, and the Council's Tree Officer has raised no other concerns. Condition 8 can therefore be discharged.

Condition 10 requires Reserved Matters to include a landscape management plan, to include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The Council's Landscape Architect considers that the landscape management details submitted with this application are considered sufficient to discharge Condition 10.

Condition 23 requires Reserved Matters to include a landscape and ecological management plan (LEMP). The Council's Landscape Architect and Natural Environment Team has raised no objection to the submitted LEMP for this phase. Condition 23 can therefore be discharged.

A Biodiversity Construction Environment Management Plan (CEMP) has also been submitted to seek part-discharge of Condition 32. This is considered acceptable by the Council's Natural Environment Team and therefore discharges the biodiversity requirements of Condition 32 (Construction Environment Management Plan).

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Agenda Item 7

Application Number:	P/FUL/2022/07360		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Lower Woodbridge Farm, Peaceful Lane Kings Stag DT10 2BD		
Proposal:	Demolish existing timber barn. Erect new structure to the same footprint to be used as a Micro brewery.		
Applicant name:	Mr Jack Langmead		
Case Officer:	Andrew Amery		
Ward Member(s):	Cllr Legg		
Publicity expiry date:	7 July 2023	Officer site visit date:	Various including 22.09.2023 with new case officer.
Decision due date:	31 August 2023	Ext(s) of time:	31 August 2023

1.0 Reason for member referral

1.1 There is a sustained objection from the Parish Council.

2.0 Summary of recommendation

2.1 Grant permission subject to conditions.

3.0 Reason for the recommendation.

3.1 This is a development plan policy compliant proposal that involves the reuse of a redundant agricultural site for an employment use (including the demolition of the existing building and the erection of a new building).

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable
Scale, design, impact on character and appearance	The new building and external hardstanding would assimilate into the landscape with negligible harm subject to the implementation of appropriate soft landscaping of native field species.

Impact on residential amenity	The use falls within class B2 (General Industrial) of the amended Use Classes Order 1987. There are dwellings outside of the applicant's control within the locality and, conditions are required in terms of operating hours and times of deliveries. The applicant has agreed to restrictions preventing retail sales from the site and the originally shown tap room has been deleted from the proposals.
Economic benefits	Employment during construction and operational phases, albeit the latter is a relocation from within Dorset.
Access and Parking	Acceptable in terms of trip rates generated for this modest scale of development which will be limited by condition to a brewery without ancillary facilities, public visits or retail sales. Conditions are required to secure visibility splays and on-site parking and manoeuvring. The proposals do not include any public facilities or arrangements for visits . Parking on site is for staff only.
Biodiversity	A Biodiversity Plan has been agreed by the Council's Natural Environment Team. The implementation of the identified mitigation and net gain measures can be secured by condition.

5.0 Description of Site

- 5.1 The site extends to approximately 0.1 ha of land on the eastern side of Peaceful Lane. Peaceful Lane is a narrow, unlit but surfaced public road in an area of countryside characterised by dispersed clusters of buildings including dwellings, farmsteads and commercial units.
- 5.2 The land is relatively level and is currently occupied by a disused former intensive livestock building (chickens) dating from the mid C20th. It has clearly been vacant for some time and redundant to modern agricultural practices. However, it remains of a permanent construction despite its poor state of repair.

6.0 Description of Development

- 6.1 The application seeks the demolition of the existing building and the erection of a new building to house a micro-brewery (general industrial use). The building was originally shown to accommodate a small tap-room element, ancillary in function and scale to brewery use. However, in response to local concerns regarding amenity, character and highway safety this element of the proposals have been removed. The proposals are therefore purely for a micro-brewery. There will be no public visits or on-site retail sales. The finished product will be transported away from the site for sale and consumption.

- 6.2 The new building would be rectangular in plan (26m x 9.9m) with a single, steel framed gabled roof spanning the open-plan floorspace. The roof would rise to eaves and ridge heights of 3.74m and 5.5m above ground level respectively. It would be clad in profiled, steel sheeting. In size and appearance it would be similar to the original building.
- 6.3 Externally, 6 parking spaces are proposed, a service bay and a staff seating area as well as soft landscaping.
- 6.4 The existing farm access would be amended and metalled for use by the brewery (with a retained easement through the site to permit farm traffic to gain access to the fields to the east).

7.0 Relevant Planning History

- 7.1 There is no relevant planning history but the site has been granted a premises licence. It was the existence of this concurrent licencing application that prompted queries about whether a public house was being proposed but it is not the case; Whilst it is common for breweries to have both an on and off-licence to permit occasional consumption of drinks by customers (such as a local CAMRA group visit) or ancillary direct sales to the public for consumption elsewhere, the applicant has amended the original plans to delete these elements from the proposals. The applicant has agreed to the imposition of a condition restricting the use as such.

8.0 List of Constraints

- 8.1 The application site lies adjacent to the Site of Nature Conservation Interest (SNCI); ST71/031 Peaceful Lane, cited for its road verge & hedgebank with neutral grassland flora.

9.0 Consultations

Councillor Robin Legg

- 9.1 Councillor Legg has raised queries in relation to the nature of uses proposed as part of the development (similar to the Parish Council's comment below) and the accordence or otherwise with development plan policies.

Holwell Parish Council, Object:

- 9.2 It appears to councillors that stating that they are reverting to the original application does not remove the potential for the on-site sale and/or consumption elements of this application; this possibility is supported by the licensing approval granted to Woodshedding in April 2023 for use of a tap room on site.
- 9.3 Our key point is that we remain unconvinced that this site on a small rural lane is appropriate for a licensed premises which has retail potential which the associated impact on a rural location.
- 9.4 The West Dorset Local Plan (LP) at SUS2 point (iii) has a list of those developments that are permitted in an area without a defined development boundary such as Holwell and a microbrewery is not one of them. Referring to LP Policy SUS4, it is not

believed that this application constitutes a substantial planning benefit. Further, on environmental issues the application gets no support from ENV10, ENV 13, ENV15 and ENV 16, the latter in part.

- 9.5 The Holwell Neighbourhood Plan in EB1 states that development should not detract from the rural character of the countryside. There are a number of areas of impact where no plans has been offered by the applicant e.g. lighting, noise and smells, etc.
- 9.6 As such, the Parish Council will not support this application and would request that it is reviewed by the relevant Planning Committee members where a site visit would be strongly recommended.

DC Highways

- 9.7 No objection on the assumption that the proposal is for the brewery with no trips by visiting members of the public.

DC Natural Environment Team

- 9.8 A Biodiversity Plan has been approved.

Dorset Wildlife Trust

- 9.9 The submitted Ecological Assessment Report (dated November 2022) outlines measures that are designed to protect the SNCI from indirect harm during the works. If these measures are correctly implemented, DWT consider it unlikely that the development will have any adverse impacts upon the SNCI.
- 9.10 These should be secured through inclusion in the Biodiversity Plan (officer's note – they now have been).

Other representations

Total - Objections	Total - No Objections	Total - Comments
1	0	1

- 9.11 Objection:-

Principle

- a) While it is recognised that the derelict building is not fit for any purpose and has a detrimental impact on the local environment and we understand that some form of "improvement" will enhance the location. We do not believe the proposed use is appropriate for this location.

Highways

- b) Peaceful Lane is a quiet country single track lane with "unsuitable for HGV" signs at each end of lane. There is a narrow stone bridge to the south of the proposed site and an aged culvert to the north. See attached photos below looking North along the lane towards the junction with A3030, where unsuitable passing places have already been created and collapsed the verge towards the drainage ditches, damaging the flora and fauna.
- c) The HGV deliveries will be restrictive due to the narrowness of the lane, it will also add to the flow of vehicles on the lane. This in turn causes us a concern for the foundations of Lower Woodbridge House, situated close to Peaceful Lane.

Biodiversity

- d) The site has had an ecological survey completed. There are however, parts of it we would have to question the validity; casual observations over the years, make it clear that the population is far greater than in the report particularly in the late summer evenings (23:00 hours rather than at 20:41 as stated in the survey).
- e) We believe there is a real importance to conserving not only the hedgerow but the woodland to the north of the proposed development. The trees must be protected against damage during development and remain as a screen for light, sight and sound pollution between the proposed development and Lower Woodbridge House.

Flooding

- f) The stream to the east of the proposed development has flooded more frequently, which in its self has become a concern. The flow rate within the stream clearly does not have enough capacity for present natural run off without additional input.

Amenity

- g) Have a particular concern that the proposed ridge height of 5500mm which is 1500mm higher than the existing 4000mm ridge height, according to the published drawings.
- h) Concerns in relation to light pollution, flood lighting and security lighting Sound pollution - daily working hours, production and machinery running hours, delivery, shop opening hours, licensing hours and waste disposal and removal.

10.0 Duties

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

11.0 Relevant development plan policies

Holwell Neighbourhood Plan – Review Version September 2021

11.1 The site is outside of the defined development boundaries. The following policies are therefore considered relevant: -

EB1 – Locations for employment and business

West Dorset, Weymouth & Portland Local Plan 2015

11.2 The site is outside of the defined development boundaries (DDBs). The following policies are therefore considered relevant:-

INT1 – Presumption in favour of sustainable development.

ENV2 – Wildlife and Habitats

ENV5 – Flood risk

ENV10 – Landscape and townscape setting.

ENV12 – The design and positioning of buildings.

ENV13 – Achieving high levels of environmental performance.

ENV15 – Efficient and appropriate use of land.

ENV16 – Amenity

SUS2 – Distribution of development.

SUS4 – The replacement of buildings outside of defined development boundaries.

ECON1 – Provision of employment.

COM9 – Parking standards in new developments.

12.0 Other material considerations

National Planning Policy Framework 2021

12.1 The NPPF is a material consideration and following paragraphs are particularly relevant to the application: -

84 Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

85. Planning policies and 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.
218. The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this Framework has made.
219. However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

13.0 Human Rights

13.1 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 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.

14.0 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:-

- 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.

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. There are no known impacts on persons with protected characteristics.

15.0 Planning Assessment

Principle

- 15.1 Policy SUS2 of the Local Plan restricts development outside of the defined development boundaries i.e. in the countryside to specified types of development and requires that regard is had to the “protection of the countryside and environmental constraints.”
- 15.2 The specified types of development under Policy SUS2 include new employment development. The policy is consistent with the NPPF, specifically paragraph 84. The development accords in principle with this policy.
- 15.3 Policy SUS4 of the Local Plan advises that the replacement of a building should be permitted where the existing building is of permanent and substantial construction, and its continuing use would otherwise be consistent with other policies in the Plan. The former chicken coop is clearly of a permanent and substantial construction and its use for agriculture would clearly be consistent with the Local Plan’s other policies. The principle of its conversion to an employment use would also be consistent with the Local Plan, the issue being that its form and construction are not appropriate for C21st use for such purposes.
- 15.4 Policy SUS4 allows for the demolition and replacement of existing buildings which is rather unusual in its approach, but there is nothing to say that the basic principle of replacing a building in the countryside is inconsistent with the provisions of the NPPF. Again, there is no reason why full weight cannot be afforded to this policy and the case officer considers that the development accords with its provisions.
- 15.5 Policy EB1 of the Neighbourhood Plan advises that new employment premises should either:
- be well-related to existing buildings and the highway network
 - be part of a farm diversification scheme, or
 - re-use an existing building and comprise sensitive, small-scale development that would not be intrusive in the landscape or cause harm to protected species or designated wildlife habitats.
- 15.6 The case officer notes there is no use of the word “or” between the first and second bullet-points but there is the explicit use of the word “either” before them. Officers therefore concluded that accordance with just one of the criteria is sufficient to accord with this part of the policy and this is consistent with the supporting text for the policy.

15.7 In this context, it is considered that the development accords with the first bullet-point. As third parties' reference, there are businesses in the immediate vicinity of the site; Woodbridge Bespoke/Jamie Ross cabinet makers and Dorset Blue Vinny cheese makers. Indeed, the cluster of buildings and uses that make up Woodbridge has a sustainable mix of uses and access from Peaceful Lane onto the A3030 offer good visibility (on the outside of a bend) and this main road is within 300m of the site entrance. Therefore, the proposal would comply with the relevant local and neighbourhood plan policies outlined above.

Highway safety and Parking

15.8 The Council's Highways Manager has advised that the access arrangements are acceptable, the case officer noting the proximity to the A3030, the acceptable visibility afforded at the point of access as well as the Peaceful Lane/A3030 junction and the ability for delivery vehicles and cars to enter, manoeuvre and park within the site safely.

15.9 The Highway Manager's comments are predicated on there being no visiting members of the public. During the course of the application, it was clarified that the proposal is for just a brewery.

15.10 There are breweries in the region that operate under a planning permission purely for a brewery use with a layout and appearance that suggests nothing else is happening at the site other than the brewing of beer. However, whilst anecdotally they are the subject of limited visits from members of the public buying products for consumption off the premises or occasional group visits (such as the local CAMRA group) with members consuming beer on the premises, in this case the applicant has agreed that arrangements for such visits will not be made available at this site. There is nothing to suggest from the proposed layout, floor plans and elevations that this site would generate any activity and trips beyond the brewing process itself.

15.11 In response to third party comments in relation to the standard of Peaceful Lane (single land width, no formal passing places etc.) it is noted that the modest, scale of the use (minor in planning terms) would not result in any determinative implications in terms of highway safety and the need for widening or provision of formal passing places (or additional reliance on the informal passing places. There would be sufficient parking provide for the intended use. The proposal would comply with policy COM.9 of the local plan.

Flood risk and drainage

15.12 The site is at the lowest risk of flooding from any source and is therefore the sequentially preferred location for development.

15.13 Third parties have raised concerns about flooding, specifically in Peaceful Lane. The case officer notes the photographic evidence provided by a third party and noted lying water in the same location when he visited the site following heavy rain. The site itself was not flooded or characterised by lying water. The baseline nature of the site is defined by the existence of the former chicken coop building and some non-

porous areas of hardstanding. However, the proposed layout clearly shows an increase in the area of impermeable surfacing, including the requirement by the Council's Highways Manager for the access onto Peaceful Lane to be metalled. This could give rise to increase in runoff onto Peaceful Lane increasing the risk of flooding further along this highway.

- 15.14 Given the low risks of flooding identified within the site and its immediate vicinity and that areas of the site will remain undeveloped, it is reasonable to conclude that a surface water drainage scheme can be devised to ensure no increases on and off site (allowing for increases of up to 45% as a result of climate change). It would be unreasonable to require such detail prior to determination and it can be secured by a condition. The proposal would comply with ENV.5 of the local plan.

Residential amenity

- 15.15 Whilst the proposed development is modest in scale, it is nevertheless a general industrial use that could give rise to adverse residential amenity impacts arising from HGV deliveries and operations at the site itself.
- 15.16 The nearest and only dwelling that could be affected is Lower Woodbridge House. The dwelling is 100m to the north and there is currently a clear line of sight between the site and its south facing elevation.
- 15.17 It has been noted that the Jamie Ross site is directly opposite and nearer to Lower Woodbridge House. Permission for the Jamie Ross site was originally granted in 2005 for light industrial use but subsequent permissions, most recently in 2020 (WD/D/20/000334) granted a more open approval for workshops. In the officer's report for that application, the case officer advised the following: -
- "The officer has considered whether an operating hours condition would be required, however due to the small scale nature of the business, and the limitations of the business to expand or increase due to limitations on the size of the site and number of employees, combined with the distance and separation by the intervening road between the application site and the dwelling opposite, it is not considered necessary in this instance to limit the hours of operation on the site with a planning condition. The proposed development would not have a significant adverse impact on the living conditions of occupiers of residential properties."
- 15.18 Notably, there is a similar open line of sight between the Jamie Ross site and Lower Woodbridge Farmhouse, a conduit for any noise transmission. The vehicular access is also directly opposite, in contrast to this application site's location 100m to the south.
- 15.19 It would therefore be unreasonable to secure a condition limiting operations or operating hours based on the singular impact from the proposed development given the nearer proximity of the Jamie Ross workshops and access to this nearest sensitive receptor.

- 15.20 It has been suggested that the cumulative impact of Jamie Ross and the brewery could have a significant impact due to the noise and disturbance coming from two different directions to the Farmhouse; there could be a sense of not being able to “escape” the noise.
- 15.21 This sense and impact is difficult to quantify but the proposed acoustic fence and the fact that the brewing, by its very nature, takes place indoors will be sufficient to respond to this consideration rather than the requiring hours of operation or delivery times conditions. Conditions are recommended to require a specification for the acoustic fence and requiring its implementation before first use of the brewery and retention thereafter.
- 15.22 The proposed development is considered to be of sufficiently modest scale (5.5m high and 26m long) not result in any overshadowing impacts given the distance to Lower Woodbridge Farmhouse.
- 15.23 External lighting has the potential to impact this neighbouring dwelling if of certain intensity and angled towards them. It could also, as identified in the applicant’s biodiversity plan, result in adverse impacts to bats and other nocturnal species. A condition requiring details of any external lighting to be approved and lighting to be limited to such an approved scheme is, therefore, a reasonable and necessary inclusion. The proposal would comply with policy ENV.16 of the local plan.

Landscape and visual impact

- 15.24 The site sits within a shallow valley in the wider Blackmore Vale. The existing landscape is countryside predominantly in agricultural use characterised by a patchwork of fields and interspersed with buildings and small copses. There are modern buildings within the vicinity that are prominent and of no particular architectural quality or historic value. The existing chicken coop is a particularly prominent and unsightly example. There are structures of much more architectural, aesthetic and historic value amongst these modern examples. There are also some public footpaths in the locality but, overall, this is a landscape of low sensitivity to change.
- 15.25 In this context and, given that the proposal will see the welcome removal of the chicken coop, the proposal will result in low harm to the landscape and visual amenity of the area albeit the implementation of a soft landscaping scheme is necessary to ensure that the parking and servicing area is appropriately screened from the south, east and west. This can be secured by condition. The proposal would comply with policy ENV.10 of the local plan.

Biodiversity

- 15.26 A third party, based on their own sightings, questions the robustness of the applicant’s ecologist’s finding in relation to bats.
- 15.27 The applicant’s ecologist concludes that, based on a low number of bat droppings, and the lack of bat evidence from their static monitoring device, the existing chicken coop is considered to support a historical day roost for an individual/low numbers of

brown long eared bat, but is not active at this present time. Therefore, they opine, it is considered highly unlikely that a bat would be using the roost at the time of the proposed works. They recommend some precautionary measures be undertaken prior to commencing development and during the development phase. They also suggest some compensatory and biodiversity measures. These are included with their submitted Biodiversity Plan.

15.28 This Plan has been approved by the Council's Natural Environment Team. The precautionary mitigation, compensatory and net gain measures can be secured by condition. The proposal would comply with policy ENV.2 of the local plan.

16.0 Conclusion

16.1 The development proposed, subject to the imposition of conditions, is considered to be development plan compliant when considered against the plan as a whole. Of note is that the development is considered to accord with the locational policies of both the Neighbourhood Plan and Local Plan. With the imposition of conditions, the proposal is not contrary to any of the subject specific criteria within the locational policies or the other development management policies which address matters such as amenity, landscape etc.

16.2 There are no material considerations relevant which affect the weight afforded to the development plan policies to the extent that a decision should be made contrary to the plan's provisions (the plan comprising of the made Neighbourhood Plan and adopted Local Plan).

Recommendation: Grant, subject to the following conditions:

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

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

2. The use hereby approved shall be limited to that of a brewery. No additional ancillary facilities or activities including tap room, bar, public visits and retail sales shall take place from the site.

Reason: In the interests of the character of the area, to protect the amenity of nearby residential occupiers and in recognition of the narrow width of the access track and the limited area available for on-site parking.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:
1201-6 The location plan
1201-6 A The location plan
1201-7 A Block plan of the site
1201-7 Block plan of the site

1201-3 D Proposed ground floor and roof plan
1201-4 B Proposed elevations
1201-5 B Proposed Section A-A
1201-8 A Proposed external layout

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

4. The pre-development, development and post development precautionary and mitigation measures set out within sections D and F the approved Biodiversity Plan (ref DBAP22462NH) certified by the Dorset Council Natural Environment Team on 30th November 2022 must be implemented in full and accordance the specified timetable specified in the Plan.

Reason: There is a low risk that bats may be present on site and such measures are necessary in the interests of biodiversity.

5. Prior to first use of the building hereby approved, one Improved Cavity Bat Box as detailed in the approved Biodiversity Plan, shall be installed on its southwest upper gable within 1m of the gable's apex. The said bat box shall remain in place for the lifetime of the development.

Reason: This is a necessary biodiversity compensatory measure.

6. One Eco Sparrow Tower as detailed in the approved Biodiversity Plan, shall be installed on the northeast gable apex of the building hereby approved prior to the building's first use and thereafter retained for the lifetime of the development.

Reason: This is necessary biodiversity net gain.

7. Within 6 months from the date of the first use of the development hereby approved soft landscaping shall have been planted in accordance with a scheme and schedule to include two fruit trees as required by the approved Biodiversity Plan. The scheme shall be submitted to the local planning authority for approval in writing prior to first use of the development. The approved landscaping shall be retained and maintained for a period of not less than 10 years from the date of the first use of the building and, if either of the trees die, are removed or become seriously damaged or diseased within that 10 year time period, they shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: This is necessary for biodiversity net gain and to maintain an appropriate balance between the natural and built environment in this countryside location given that the impact of the parking and serving areas would not be acceptable without this landscaping.

8. Prior to the first use of the development hereby approved an acoustic fence shall be erected on the northern boundary as shown on the approved drawing

1201-8 A Proposed external layout in accordance with details first submitted to and approved in writing by the local planning authority. The approved fence shall be retained thereafter for the lifetime of the development.

Reason: In the interests of the residential amenity of the dwelling to the north of the site.

9. Upon and following the first use of the building hereby approved external lighting within the site shall be restricted to that included within a lighting scheme first submitted to and approved in writing by the local planning authority.

Reason: In the interests of biodiversity.

10. Prior to the first use of the building hereby permitted the parking, manoeuvring and vehicular access routes within the site and the visibility splays, shall have been completed, including the carriageway top surface, in accordance with the details provided on the approved drawing 1201-8 A. The parking, manoeuvring, access routes and visibility splays shall be retained thereafter for the lifetime of the development.

Reason: In the interests of highway safety.

Informative Notes:

1. Informative: National Planning Policy Framework Statement

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

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

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

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

Agenda Item 8

Application Number:	P/FUL/2023/05810		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Fairfield Car Park Fairfield Road Dorchester		
Proposal:	Construct footway along Fairfield Road and carry out vehicle restrictions works. Form pedestrian access from Weymouth Avenue.		
Applicant name:	Dorset Council		
Case Officer:	Jim Bennett		
Ward Member(s):	Cllr Canning and Cllr Fry		
Publicity expiry date:	10 November 2023	Officer site visit date:	17/10/2023
Decision due date:	30 November 2023	Ext(s) of time:	
No. of Site Notices:	3		
SN displayed reasoning:	Notices posted at x3 entrances to the site, closest to the proposed works.		

1.0 The application is made by Dorset Council on land owned by Dorset Council and is reported to committee in accordance with the requirements of Dorset Council's Constitution for committee determination.

2.0 Summary of recommendation:

GRANT, subject to conditions.

3.0 Reason for the recommendation:

- The location is considered to be sustainable and the proposal is acceptable in its design, general visual and heritage impacts.
- The proposal will provide significant benefits in terms of pedestrian permeability, safety and accessibility and there is not considered to be any significant harm to highway safety, flood risk, biodiversity or neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

- Principle of development
- Impact on character and appearance of the area
- Impact on heritage assets and archaeology
- Impact on neighbouring amenity
- Impact on protected species
- Highway Impacts
- Flood Risk and Drainage
- Public Consultation

5.0 Description of Site

Fairfield Road is privately owned by the Council, with parking spaces along it provided as part of the off-street Fairfield Car Park provision. It is an important route for pedestrians moving around the town, is the most direct, signposted route between the railway stations and the most direct route between Dorchester South station and the hospital.

The site is within Dorchester Conservation area, within the setting of the listed Brewery buildings opposite, within the defined Dorchester Roman Town Area, and Dorchester Town Centre Boundary.

6.0 Description of Development

Dorset Council seek to enhance active travel and improve pedestrian safety on Fairfield Road, Dorchester, having received grant funding from the Department for Transport's (DfT) Active Travel Fund, by improving pedestrian accessibility and safety to/from Fairfield Car Park. Funding for the proposal is time-limited and needs to be built in this financial year to meet an agreement with DfT. With almost 600 spaces, Fairfield Car Park generates substantial levels of vehicular and pedestrian traffic along the road, but has no dedicated pedestrian footway, with walkers and wheelchair-users forced to use the road.

A footway separated from traffic will give pedestrians, particularly disabled people, a safe route between the car park and town centre amenities. The proposed design would improve the accessibility and safety of the route by:

- Creating a wide footway along the length of Fairfield Road
- Providing safer crossing points across Fairfield Road at junctions
- Installing a new access into the car park directly from the railway station (from Copper Street)
- Providing better street lighting on Fairfield Road
- Restricting vehicle access to Fairfield Road at the Weymouth Avenue end, creating a pedestrianised space in this busy area. This is largely due to collision records indicating a problem in this location, where three pedestrians

have been injured, two seriously, in collision with vehicles turning out of Fairfield Road.

- Drivers would access the car park from Maumbury Road or Upper Fairfield Road. It is proposed to remove 21 existing car parking spaces from the car park in order to facilitate the development.
- Providing environmental enhancements.
- A detailed design for the public realm area will be confirmed once a second round of funding is in place. Initial discussions have included a rain garden and/or additional street trees to act as a sustainable drainage system, together with benches, cycle parking and an enhancement to the setting of the granite horse trough.

7.0 Relevant Planning History

WD/D/18/001414 - Decision: GRA - Decision Date: 11/10/2018 - Erect gates, replace ridge to main building, replace cladding to gable ends, erect fence to front of North Linney and move pedestrian gate to Weymouth Avenue

P/PAP/2023/00199 - Dorset Highways sought pre-application advice from the LPA on Fairfield Road access improvements in May 2023. The proposals were acceptable in principle and a planning application supported by appropriate details was suggested as the next step to enable formal consideration.

8.0 List of Constraints

Grade: II Listed Building: GATEPIERS BETWEEN OFFICE BLOCK AND OLD BOTTLING STORES List Entry: 1290748.0; - Distance: 19.81

Application is within a Dorchester Conservation Area - Distance: 0

Risk of Surface Water Flooding Extent 1 in 100 and 1 in 1000- Distance: 0

Risk of Groundwater Emergence; Groundwater levels are between 0.5m and 5m below the ground surface.; There is a risk of flooding to subsurface assets but surface manifestation of groundwater is unlikely.; - Distance: 0

Scheduled Monument: Henge, Romano-British amphitheatre and Civil War fieldworks known collectively as Maumbury Rings; - Distance: 13.4

9.0 Consultations

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

Consultees

DC - Highways - Following confirmation on 18/10/2023 for the slight change in the plan, drawing number HI 1290_1_101_DD_General Arrangement to introduce signs

showing no U-turn on Fairfield Road, the proposal does not present a material harm to the transport network or highway safety and consequently has no objection.

Dorchester Town Council – No objection

DC Archaeology - Previous archaeological trial trenching in Fairfield Car Park and other archaeological work in the vicinity has demonstrated the presence of burials of the Roman period also the Weymouth Avenue frontage (Weymouth Avenue being the line of the Roman road running south from Roman Dorchester). These burials seem to be around 600mm below the modern ground surface. The trial trenching also indicated that there was little of archaeological significance elsewhere in the car park, though. Looking at the details of the proposed scheme it is unlikely to have a significant effect on archaeological remains. However, I agree with the statement in paragraph 7.4 of the Design and Access Statement that future works that would not be part of the current application could well have an archaeological impact, and I would be happy to discuss these with all concerned in due course.

Representations received

Dorchester Civic Society supports this scheme which will provide a safer and more enjoyable experience for locals and the multitude of tourists visiting the market. For new-comers the mix of traffic and pedestrians has been confusing. Now would be a good time to complete the recent improvements in this area by not laying standard materials but echoing the feeling of Brewery Square in its choices of finishes. Section 106 or CIL money - from the proposed Maltings scheme - should be employed now. At the west end the speed of cars entering from the traffic lights to the north is unacceptable. Different colours and surfaces should be employed to highlight the priority of pedestrians, particularly of those, walking southward, whose eyes are fixed on the public conveniences to the south. These variations will enhance the safety and comfort of all.

Comments have been received from two other notified parties, raising the following points:

- The application does not deal with the issue of pedestrians crossing both ways directly between Dray Horse Yard and Fairfield Road, rather than using the puffin crossing located 20 metres or so away on Weymouth Avenue.
- What are the proposals for dealing with the regular flooding on the corner of Fairfield Road, which may impact on pedestrian routes.
- The improvements are generally supported, leading to a better and safer environment for local residents and visitors.
- The decision to use 'standard' materials is understandable but the conservation area status demands the use of 'non-standard' detailing to

coordinate with the quality materials used in Brewery Square. CIL funds or unspent S106 payments could supplement the restricted budget.

- In respect of the Copper Street exit/crossing works, the proposed location of the exit away from the Puffin crossing is potentially dangerous, as people exiting the car park are likely to follow their 'desire line' and attempt to cross Weymouth Avenue at the centre of the junction. If the exit was placed in-line with the Puffin crossing then people would 'naturally' use the crossing in front of them in the way envisioned.

Dorchester Transport Action Group – support, but note that the scheme could have been improved by the removal of redundant car parking spaces and extending a safe cycling path along the South side of Fairfield Road to assist with facilitation of a safe cycleway from Dorchester South Station to the Hospital.

10.0 Duties

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

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 16 requires that in considering whether to grant listed building consent, special regard is to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11.0 Relevant Policies

Development Plan

Adopted West Dorset and Weymouth & Portland Local Plan: The following policies are considered to be relevant to this proposal:

- INT1 - Presumption in favour of Sustainable Development
- ENV2 - Wildlife and Habitats
- ENV3 – Green Infrastructure Network
- ENV4 - Heritage assets
- ENV5 – Flood Risk
- ENV10 - The landscape and townscape setting
- ENV11 – The pattern of streets and spaces
- ENV16 - Amenity

- COM7- Creating a safe & efficient transport network
- DOR3 – Dorchester Roman Town Area
- DOR6 - Weymouth Avenue Brewery Site

Material Considerations

Emerging Dorset Local Plan

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.

Supplementary Planning Documents

- Dorchester Conservation Area Appraisal
- Weymouth Avenue Development Brief

National Planning Policy Framework:

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

Other relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 176). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 173). Paragraphs 179-182 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 203).

12.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

13.0 Public Sector Equalities Duty

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

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

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

A footway separated from traffic will give pedestrians, particularly disabled people, people with mobility impairments or pushing buggies a safe route with level crossing points between the car park and town centre amenities. The proposed design would improve town centre accessibility and safety for all pedestrians.

14.0 Planning Assessment

Principle of development

The principle of development is in line with Policy DOR6 (Weymouth Avenue Brewery Site), which seeks provision of effective open spaces and pedestrian cycle links connecting the Brewery Site with adjoining areas, subject to the material planning considerations set out below.

Impact on the character and appearance of the area

The proposal site is currently hardstanded in its entirety, comprising parking, access and turning arrangements for the existing car park. Overall the proposal represents an opportunity to introduce a design that will enhance pedestrian permeability and safety as well as the character and appearance of the area. A Design and Access Statement is submitted with the application to explain the design rationale of the proposal and to demonstrate the benefits of the scheme.

The application site does not contain any significant landscaping features that would be lost as a result of the development. Unfortunately the plans do not provide details of any landscaping features or planting. The applicant explains that a detailed design for the public realm area will be confirmed once funding is in place. Initial discussions have included a rain garden and/or additional street trees to act as a sustainable drainage system, together with benches, cycle parking and an enhancement to the setting of the granite horse trough, but these do not form part of the submission.

What is known at this stage is that surfacing on the western side of Weymouth Avenue will be made up of buff-coloured slabs, used as a footway surface on many recent schemes in the central part of Dorchester. The proposed scheme extends this surface southwards across the mouth of Fairfield Road, where the footway continues as an asphalt footway southwards towards Maumbury Cross junction. The new footway from the carpark entrance west to the Maumbury Road junction will be surfaced as asphalt, matching much of the rest of the footways in the area. Bollards to protect footways from incursions and to restrict vehicle movement will use the typical 'cannon' style currently used in Dray Horse Yard in the Brewery Square area and along Weymouth Avenue. These will be fixed where no vehicle access is required, and demountable where needed to permit access. Details of surfacing materials, paving slabs, tactile paving, kerbs, bollards and lamp standards have been provided by the applicant.

A section of iron railing will be removed from Weymouth Avenue to facilitate pedestrian access from the car park opposite Copper Street, rather than directly opposite the Puffin Crossing. The applicant explains that this access point into the car park was chosen to minimise level changes to the adjoining footway, the car park being at a higher level adjoining the Puffin crossing. The proposal would not impact on any of the protected Lime Trees on Weymouth Avenue to any significant degree.

While the submitted proposal does not include hard and soft landscaping arrangements that would result in an enhancement to the character and appearance of the area, the proposal would not result in any detrimental impact and it should be noted that landscaping benefits will be delivered within the 'public realm area' by a subsequent phase of development, subject to a separate tranches of DfT and other funding. These details will be secured through the discharge of condition 3 recommended below. Overall the proposal would be acceptable in respect of its impact on the character and appearance of the area, in accordance with Policies ENV10 and ENV11 of the West Dorset and Weymouth & Portland Local Plan.

Impact on heritage assets and archaeology

The site is within Dorchester Conservation area, within the setting of the listed Brewery buildings, where there is a statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990). It is also opposite and the defined Dorchester Roman Town Area.

The submitted Design and Access Statement acknowledges heritage impacts and potential for archaeological interest on the site. The Council's Archaeologist does not raise any concerns over the proposal and agrees with the statement in paragraph 7.4 of the Design and Access Statement that future works that would not be part of the current application could well have an archaeological impact, and would be happy to discuss these in due course.

While the proposal does not include details of arrangements that would result in an enhancement to heritage assets in the area, the proposal would not result in any detrimental impact on heritage assets. Environmental benefits will be delivered within the 'public realm area' by a subsequent phase of development. Overall the proposal would be acceptable in respect of its heritage and archaeology impacts, in accordance with Policies ENV4 of the Adopted West Dorset and Weymouth & Portland Local Plan.

Impact on neighbouring amenity

The proposal will have no adverse impact upon adjoining amenity being well separated from adjoining residential occupiers. The relationship of the proposal to Dukes Auctioneers appears to be acceptable, with existing access and egress arrangements retained and uninterrupted. The proposal complies with Policy ENV16 of the Adopted West Dorset and Weymouth & Portland Local Plan.

Impact on protected species

The Council has a legal duty to conserve and enhance biodiversity. The proposal will not adversely impact upon biodiversity, due to limited opportunity for wildlife currently on the site, which is confirmed by an Ecology Report prepared by the Council's Natural Environment Team. The report makes recommendations for biodiversity enhancements to the site, which will be provided as part of the public realm area, proposals for which will be submitted in discharging condition number 4, to bring the proposal into accordance with Policy ENV2 of the Local Plan.

Highway Impacts

The current circulation arrangements will be affected, primarily by stopping up vehicular egress onto Weymouth Avenue from Fairfield Road and there will be a loss of 21 parking spaces. It is understood that a few hundred vehicles a day use Fairfield Road as a through route, when the road is open, which would need to find an alternative route.

The Highway Engineer considers the proposal does not present a material harm to the transport network or highway safety and raises no objection. Overall, the benefit of improving the safety of the route for all pedestrians and suggested environmental improvements, outweighs the disbenefit of a little extra driving for some people in getting to the car park, as a cut through and loss of 21 car parking spaces.

Flood Risk and Drainage

The proposal site is in an area at Risk of Surface Water Flooding Extent 1 in 100 year and 1 in 1000 year and the JBA Ground Water Mapping service identifies a Risk of Groundwater Emergence with groundwater levels between 0.5m and 5m below the ground surface. However, the proposal is not flood vulnerable and does not propose a level of operational development that would increase the risk of flooding elsewhere.

The area is not within Floodzones 2, 3 nor in an area susceptible to groundwater flooding. However, the area near the Weymouth Avenue junction is subject to a low risk of surface water flooding. Reduction in runoff here might help mitigate the more severe risk of surface water flooding. However, this proposal does not include major resurfacing works to the carriageway and there are no realistic opportunities at this stage to reduce runoff through changes to surface drainage. The only change to the area is the creation of a footway, which will alter the location of the where surface water drains. One gully will be moved to the front of the new footway near the junction with Weymouth Avenue.

Drainage arrangements are set out in a drainage drawing, which indicates that the public realm drainage will be subject to design by others. Contingent on design and funding, the public realm area could incorporate features to reduce water intake through the inclusion of rain gardens, tree pits or another sustainable urban drainage

systems. Overall and subject to discharge of condition 3, the proposal complies with Policy ENV5 of the Local Plan on flood risk.

Public Consultation

A consultation exercise was carried out earlier this year with over 400 responses received. Every aspect of the scheme was supported by most respondents, ranging from 89% for the provision of a footway, to 65% to the proposal to restrict vehicle access at the eastern end at Weymouth Avenue. In every case, those expressing disagreement was low, from 22% disagreeing with the vehicle restriction to 3% disagreeing with improved street lighting or safer crossing points of the road at junctions.

17.0 Conclusion

- The location is considered to be sustainable and the proposal is acceptable in its design, general visual and heritage impacts.
- The proposal will provide significant benefits in terms of pedestrian permeability, safety and accessibility and there is not considered to be any significant harm to highway safety, flood risk, biodiversity or neighbouring residential amenity.
- Overall and subject to the discharge of conditions, the proposal complies with the policies of the Development Plan and there are no material considerations which would warrant refusal of this application.

18.0 Recommendation

Grant, subject to conditions

Recommendation: Approve subject to the following conditions:

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

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

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

HI1290_Location plan Location plan
HI1290_1_101_DD_General Arrangement Site plan - Fairfield Road
HI1290_1_102_DD_GA Copper Street Site plan - Copper Street
HI1290_1_501_DD_Drainage Drainage drawing
HI1290_1_1202_DD_Signage Signage Drawing
HI1290_1_401_DD_Street Furniture Street Furniture drawing
HI1290_1_1301_DD_lighting Street Lighting drawing
HI1290_1_701_DD_Surfacing Footways and Carriageway surfacing drawing
HI1290_1_1101_DD_Kerbing Kerbing drawing

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

3. Within two years of the date of the permission hereby approved, a soft and hard landscaping scheme, to include details of planting, surface treatments, street furniture and sustainable urban drainage measures to be incorporated, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within a timescale to be agreed in writing with the Local Planning Authority.

Reason: In the interests reducing floor risk and of enhancing the visual amenity and character of the area in accordance with Policies ENV5, ENV10 and ENV11 of the Adopted West Dorset and Weymouth & Portland Local Plan.

4. Within two years of the date of the permission hereby approved, details of biodiversity enhancement measures shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed measures shall be installed/provided in accordance with a timescale to be agreed in writing with the Local Planning Authority.

Reason: To enhance biodiversity in accordance with Policy ENV2 of the Adopted West Dorset and Weymouth & Portland Local Plan.

Informative Notes:

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

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

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

In this case: The applicant was provided with pre-application advice and was updated of any issues and provided with the opportunity to address issues identified by the case officer.