



Northern Area Planning Committee

Date: Tuesday, 5 March 2024
Time: 10.00 am
Venue: Stour Hall - The Exchange, Old Market Hill, Sturminster Newton, DT10 1FH

Members (Quorum: 6)

Belinda Ridout (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Toni Coombs, Les Fry, Brian Heatley, Carole Jones, Stella Jones, Emma Parker, Val Potheary 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 - 10
- To confirm the minutes of the meeting held on Tuesday 19th December 2023.
4. **REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS**
- Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the Guide to Public Speaking at Planning Committee. [Guide to Public Speaking at Planning Committee](#)
- The deadline for notifying a request to speak is 8.30am on Friday 1st March 2024.
5. **PLANNING APPLICATIONS**
- To consider the applications listed below for planning permission.
6. **P/FUL/2021/04205 - SAXON MAYBANK EAST FARM GRAIN MILLS, BRADFORD ABBAS, SHERBORNE, DT9 6JN** 11 - 30
- Station 3 holiday lodges and install a package treatment plant and associated works.
7. **P/FUL/2023/05314 - LAND AT MAMPITS LANE, SHAFTESBURY, SP7 8GL** 31 - 50
- Erection of Community Centre with associated parking & landscaping.
8. **P/FUL/2023/06670 - LAND AT MAMPITS LANE SHAFTESBURY, SHAFTESBURY TOWN COUNCIL** 51 - 70
- Change of use of land and erect community hub/cafe building with offices over, form vehicular access, car parking and associated public amenity park.
9. **P/FUL/2023/04880 - SHILLINGSTONE STATION, STATION ROAD, SHILLINGSTONE, BLANDFORD FORUM, DT11 0SA** 71 - 90
- Carry out engineering and landscaping works to create a car park and vehicular access for use by North Dorset Railway.
10. **P/FUL/2023/01342 - LAND AND BUILDINGS NORTH OF CUTLERS CLOSE SYDLING ST NICHOLAS** 91 - 106
- Demolish agricultural buildings and erect 3 No. dwellings with garages. Form new vehicular access.
11. **P/RES/2023/03735 - LAND AT E373160 N117864 POND WALK** 107 -

STALBRIDGE DT10 2PY

124

Erect 9 No. dwellings. (Reserved matters application to determine access, appearance, landscaping, layout and scale, following the grant of Outline Planning Permission No. 2/2018/0372/OUT).

12. **P/RES/2022/04960 - WEST OF SHAFTESBURY ROAD (LAND ON HAM FARM), LAND SOUTH OF GILLINGHAM, SHAFTESBURY ROAD, GILLINGHAM** 125 - 160

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.

13. **P/RES/2023/00628 - WEST OF SHAFTESBURY ROAD (LAND ON HAM FARM), LAND SOUTH OF GILLINGHAM, SHAFTESBURY ROAD, GILLINGHAM** 161 - 180

Construct loop road and associated drainage and substation to facilitate future reserved matters applications in line with grant of Outline Planning Permission No. 2/2018/0036/OUT.

14. **P/LBC/2023/00884 - CROCKERS FARM, CROCKERS FARM LANE, TWYFORD, DORSET, SP7 0JF** 181 - 186

Demolition & removal of 2no. timber sheds attached to listed building.

15. **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.

16. **EXEMPT BUSINESS**

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended). The public and the press will be asked to leave the meeting whilst the item of business is considered.

There are no exempt items scheduled for this meeting.

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 19 DECEMBER 2023

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

Apologies: Cllrs Tim Cook and Emma Parker

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

Lucy Bruce (Conservation and Design Officer), Philip Crowther (Legal Business Partner - Regulatory), Jane Green (Planning Officer), Joshua Kennedy (Apprentice Democratic Services Officer), Pete Markham (Planning Officer), Hannah Smith (Development Management Area Manager (North)) and Megan Rochester (Democratic Services Officer).

51. Declarations of Interest

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

52. Minutes

The minutes of the meeting held on Tuesday 21st November 2023 were confirmed and signed.

53. 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.

54. Planning Applications

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

55. P/FUL/2023/02639 - Turks Garage, Marnhull Road, Hinton St Mary

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the location plan, proposed floor plans and elevations were shown. Details of the conservation area, nearby listed buildings and the history of the site were provided. The presentation also included information regarding footpaths and public rights of ways. Members were also

informed that there had been no objections from highways regarding site access and parking. The Area Manager also discussed the proposed materials and discussed the planning considerations. The recommendation was to refuse.

Public Participation

The agent spoke in support of the proposal. He praised the applicant for engaging with officers and felt that the proposal encouraged biodiversity. Mr Moir discussed the loss of unemployment and the enhancement of the conservation areas well as the immunity space which was considered adequate. The agent informed members that the proposal would have a positive impact to the area and would be a good use of an abandoned building. He referred to policy 25 of the local plan and commented on the lack of objections. He hoped members would support.

The Parish Council spoke in support of the proposal. She discussed the housing mix of Hinton St Mary and the number of residents. She discussed the conservation area and noted the material concerns. Cllr Wright felt that the existing site doesn't enhance the village and felt that the development met the guidance and noted that there were no objections from residents.

Members questions and comments

- Clarification regarding comments made from residents.
- Confirmation on pathway ownership and rights of way as well as harm to the Conservation Area.
- Questions regarding cladding.
- Risk of chemical contamination
- Clarification on overlooking of listed buildings and neighbouring properties.
- Question regarding pre application advice that was sought.
- Amenity area of the rear of the property and plantation requirements.
- Members felt that the existing building was causing visual harm to the area and the proposal would be an improvement to the area.
- No harm to the setting of the listed buildings.
- Members felt that the amenity area was considered acceptable.
- Design and materials do not mitigate the existing level of harm.
- Construction method plan.
- Concerns regarding lack of amenity space.

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 overturn the officer's recommendation for refusal and a recommendation to **grant** planning permission, was proposed by Cllr Carole Jones, and seconded by Cllr Les Fry subject to conditions.

Decision: To overturn the officer's recommendation and grant planning permission subject to conditions and to delegate condition wording to officers after the meeting in consultation with the Chairman and Vice-Chair.

56. **P/HOU/2023/03822- 2 Long Street, Cerne Abbas**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the existing and proposed front, side, and rear elevations as well as roof plans were shown. Members were also provided with details of the proposed staircase, front door, and interior plans. The officer's presentation also included impacts on amenity, heritage assets and scale, design, impact on character and appearance. The recommendation for planning application P/HOU/2023/03822 was to refuse and the officer's recommendation for application P/LBC/2023/03823, listed building consent was to refuse.

Public Participation

The agent spoke in support of the proposal. He highlighted that the existing property had been neglected and the current condition was not liveable. Mr Stone informed members of the applicants' intentions and highlighted that the original staircase didn't conform with regulations. A relocation of the staircase would improve the interior. The agent felt that the proposal supported evolution and felt that the alterations needed outweighed the harm. He noted that there would be no impact to the street scene and hoped the committee would support the application.

The applicant addressed committee and informed them of their intentions of making a family home. Mr Gueterbock highlighted the sites heritage and informed members that the proposed changes were in accordance with the NPPF. He respected the work of planners, but changes were needed. It was a modest extension which would make it fit and comply with the 21st century whilst providing safe first floor access.

Cllr Jill Haynes spoke in support of the proposal. She noted that she was surprised by the interior and did not agree with the officer's recommendation for refusal. Cllr Haynes felt that the public benefit outweighed any concerns and that moving the staircase was essential. She noted that Historic England raised no objections and that the rear of the building needed work. This was a property that needed to be lived in and it was essential that someone that cared would bring it back to use. Cllr Haynes urged the committee to support the application.

Members questions and comments

- Clarification regarding the listed building in the conservation area and the historical use.
- Clarification regarding the building footprint.
- Members felt that the proposal was an improvement and development was needed.

- Confirmation on the level of harm if approved.
- Alterations are considered to provide better living conditions and would be a public benefit that outweighed the less than substantial harm.

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 overturn the officer's recommendation to refuse and **grant** planning permission, was proposed by Cllr Les Fry, and seconded by Cllr Carole Jones subject to conditions.

Decision: To overturn the officer's recommendation and grant permission and to delegate condition wording to officers after the meeting in consultation with the Chairman and Vice-Chair.

57. **P/LBC/2023/03823 - 2 Long Street, Cerne Abbas**

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 overturn the officer's recommendation to refuse and **grant** planning permission, was proposed by Cllr Valerie Pothecry, and seconded by Cllr Brian Heatley, due to there being no substantial harm to the significance of the asset.

Decision: To overturn the officer's recommendation and grant permission subject to conditions.

58. **P/HOU/2023/06349 - 10 Herrison Road Charlton Down**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. Photographs of the rear of the property, existing and proposed plans as well as views from the bridge of Herrison Road were included. Members were informed of the key planning considerations, particularly highlighting the impacts on visual and neighbouring amenities. The Case Officer informed members that the Parish Council wished to make no comments and the recommendation was to approve subject to conditions set out in the officer's report.

Public Participation

There was no public participation.

Members questions and comments

- There were no questions or comments from members.

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 Stella Jones.

Decision: To grant the officer's recommendation for approval subject to conditions set out in the officer's report.

59. **Urgent items**

There were no urgent items.

60. **Exempt Business**

There was no exempt business.

Decision Sheet

Duration of meeting: 2.00 - 4.08 pm

Chairman

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Officer Report

Application Number:	P/FUL/2021/04205		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Saxon Maybank East Farm Grain Mills Bradford Abbas Sherborne DT9 6JN		
Proposal:	Station 3 holiday lodges and install a package treatment plant and associated works		
Applicant name:	Saxon Holiday Lodges Ltd		
Case Officer:	Steven Banks		
Ward Member(s):	Cllr Legg		
Publicity expiry date:	15 December 2023	Officer site visit date:	21/06/2022
Decision due date:	19 January 2024	Ext(s) of time:	19 January 2024

1.0 Reason for Referral

This application is referred to committee under scheme of delegation process. The recommendation of officers is that planning permission should be granted subject to conditions and completion of a S.106 agreement.

2.0 Summary of recommendation:

Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to:

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

B) Refuse to grant planning permission if a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) is not completed by 05/09/2024 or such extended time as agreed by the Head of Planning.

3.0 Reason for the recommendation:

- The principle of the proposed development taking place is accepted by policy.
- The proposed development would respect the character of the area.
- The proposal would not have an unacceptable impact on highway safety or the efficiency of the transport network.
- The proposal would not harm biodiversity.
- An acceptable level of residential amenity would result.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of the proposed development for holiday purposes taking place, by reason of its nature and location, is accepted by policy. This

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	<p>is an existing site, and the proposal would represent a small-scale addition to the existing holiday provision.</p>
Biodiversity and Nutrient Neutrality	<p>A certificate of approval of a Biodiversity Plan, issued by the Dorset Natural Environment Team, has been submitted as part of the application.</p> <p>Natural England have confirmed that they concur with the Appropriate Assessment, of the proposal, which concluded that the proposal would not have an adverse effect on the integrity of the Somerset Levels and Moors Ramsar Site. It is, therefore, considered that the proposal would not harm biodiversity or water quality.</p>
Impact on amenity	<p>Occupiers of the proposed and existing units of holiday accommodation would not be subject to a harmful overlooking, overbearing or overshadowing effect.</p> <p>The residential use of the proposed holiday units would not introduce noise that would harm residential amenity.</p> <p>A sufficient area of outdoor amenity space would serve the proposed and existing units.</p>
Character and appearance	<p>The proposed holiday lodges, by reason of their form, scale, design, materials, and positioning, would maintain the character of the area where similar units form a characteristic feature.</p>
Financial benefits	<p>The proposed development, by reason of its nature and scale, would: require and support a modest amount of labour from the construction industry; and accommodate a small number of people who would, in turn, make a small contribution, through expenditure, to the viability of local retailers and service providers.</p>
Environmental Implications	<p>Any occupier of the proposed holiday units would be reliant on the private car. The proposal would not contribute to a reduction in emissions. However, the principle of the type of development which is proposed is accepted by policy.</p>

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Rights of way	The proposed development would not affect a bridleway, byway open to all traffic, footpath or restricted byway.
Highway safety	<p>There would not be an unacceptable impact on highway safety and the residual cumulative impacts on the efficiency of the transport network would not be severe.</p> <p>The development would be served by a sufficient level of parking.</p>
Trees	A Tree Officer, of the Council, considered that the proposal would not harm any trees, subject the imposition of conditions.
Ground stability	The site does not comprise of land which has been identified as being unstable.
Flood risk	The application site does not comprise of land which has been assessed as having medium to high probability of flooding and is classed as low risk.
Light pollution	The development of three lodges, by reason of the amount of development, would not result in a harm full increase in light, which would harm the area which includes units used for residential purposes.
Emergency vehicle access	The proposed units, by reason of their positioning, would not prevent emergency vehicles accessing proposed and existing properties.
Site licence	<p>The Caravan Sites and Control of Development Act, which requires the gaining of a site licence by relevant parties, is separate from planning legislation.</p> <p>The site licence covers matters which relate to electricity and foul drainage.</p>
Sites of Special Scientific Interest	It is considered that the proposal, by reason of its location and nature, would not harm the Sites of Special Scientific Interest referred to in

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	the Sites of Special Scientific Interest part of this report.
Scheduled Monuments	Given the separation distance between the proposed development and the scheduled monuments it is considered that the proposed development would not harm the significance of the monuments.

5.0 Description of Site

The application site can be found to the east of Yeovil, to the north of the main built settlement of Bradford Abbas and to the south of Over Compton and the A30. The area is characterised by a development, which comprises of holiday lodges and barn conversions, and agricultural fields.

6.0 Description of Development

It is proposed to station 3 holiday lodges and to install a package treatment plant.

7.0 Relevant Planning History

1/D/07/001761- Decision: REF- Decision Date: 21/02/2008

Change of use from redundant grain mill to 7No sustainably built timber holiday lodges and 4No holiday barn conversions

An appeal against the refusal to grant planning permission was allowed on 16/12/2008 and planning permission for a change of use from redundant grain mill to 7 sustainably built timber holiday lodges and 4 holiday barn conversions at East Farm Grain Mills, Underdown Hollow, Bradford Abbas, Dorset, DT9 6JN was allowed subject to conditions.

1/D/08/000573 - Decision: REF - Decision Date: 28/07/2008
Re-develop land for the siting of 10No. timber holiday lodges (with existing consent for office and holiday use)

1/D/08/000825 - Decision: WIT - Decision Date: 23/02/2009
Develop land for the siting of 7No timber holiday lodges and formation of associated access and parking areas

1/D/08/000826 - Decision: WIT - Decision Date: 23/02/2009
Change of use of redundant grain mill buildings to 4No holiday barn conversions and 1No storage barn conversion and formation of associated access and parking areas

1/D/09/001339 - Decision: GRA - Decision Date: 11/11/2009
Use land for 3 holiday lodges. Convert part of remaining building to office/store (Use Class B1)

WD/D/18/000095 - Decision: RES - Decision Date: 29/01/2018
Pre-application consultation: Change of use from barn (B1) to residential letting

WD/D/19/000169 - Decision: GRA - Decision Date: 12/03/2019

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Change of use from (B1) office to (C3) 2 no.dwellings with associated works to include raised decking; change of use from agricultural storage building to (B1) office with associated works; retention of existing temporary building to be used as site accommodation for the Client/Contractor whilst works are done.

WD/D/19/002472 - Decision: GRA - Decision Date: 16/01/2020
Demolition of existing extensions and outbuilding. Erect 2 storey and single storey extensions and erection of a single storey annexe.

8.0 List of Constraints

Tree Preservation Order (TPO/2022/0004) - Distance: 0

Land Outside of any Defined Development Boundary - Distance: 0

Nutrient Catchment Areas - Distance: 0

Somerset Levels Hydrological Catchment (Phosphates) - Distance: 0

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

Scheduled Monument: Roman temporary camp at East Farm (List Entry: 1456547) - Distance: 53.81

Scheduled Monument: Roman villa SE of East Farm (List Entry: 1002414) - Distance: 168.68

Groundwater Source Protection Zone - Distance: 0

Groundwater Source Protection Areas - LOWER MAGISTON - Distance: 0

9.0 Consultations

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

Consultees

Parish Council - Object

- DMMO T474 The Parish Council submitted a DMMO in 2008 and in 2015 an order was made to record a footpath from East Lane (D20502) to the road by Coombe Cottages (D20503), Bradford Abbas. This case (T474) remains in a queue to be submitted to the Planning Inspectorate. Given the close proximity of the proposed dwelling No 18 there is concern it could be encroaching on the footpath. This DMMO must be considered when reviewing this application all information should be available on the Dorset Council website.

- Overdevelopment of the site that is outside of defined development boundaries. This new proposal takes development out into previously undeveloped land and would impact the character of the area. The original application, granted on appeal was for 11 properties/holiday homes in 2008.

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- *Traffic: Unsuitable access from East Farm. The narrow single-track lane is currently coping with the increased agricultural vehicles since the fertiliser store was built in 2019 and the additional dwellings will exacerbate the issues.*

Ward Member – Object

The proposal would harm the character and appearance of the area.

The location is unsustainable.

Highways Officer - No objection

A condition, relating to turning and parking areas, should be imposed on any permission.

Tree Officer - No objection

Conditions, relating to the arboricultural method statement and supervision, should be imposed on any permission.

Natural Environment Team

The proposal triggers the need for the submission of relevant ecological material.

Natural England – No objection

A condition, relating to the package treatment plant, should be imposed on any permission.

Building Control – No comment

Senior Ranger – No objection

Senior Definitive Map Technical Officer

Refers to the consultation response from the Senior Ranger.

If the planning application is approved, please could you append an informative note to draw the applicant's attention to the requirement to seek a Public Path Order to divert the footpath (if added to the Definitive Map by Modification Order), either by TCPA or Highways Act depending on the timescales of the planning application and the Definitive Map Modification Order.

Housing

No objection subject to the imposition of conditions, relating to the use of the lodges, on any permission.

A site licence, in respect of Saxon Maybank Underdown Hollow Bradford Abbas Sherborne Dorset DT9 6JN, pursuant to Section 3 of the Caravan Sites and Control of Development Act 1960, subject to conditions, exists. The licence would need to be amend if it is intended to implement any permission.

Landscape

No objection subject to the imposition of a condition, relating to landscaping details, on any permission.

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Representations received

Total - Objections	Total - No Objections	Total - Comments
9	0	0

The authors of the statements of objection, to the proposed development, expressed concerns that the proposed development would:

Harm the appearance of the area.

Result in the over development of the site.

Introduce a level of overlooking, of existing properties, which would harm the residential amenity of the occupiers of existing properties.

Introduce a level of overshadowing, of existing properties, which would harm the residential amenity of the occupiers of existing properties.

Have an overbearing effect which would harm the residential amenity of the occupiers of existing properties.

Introduce noise levels which would harm the amenity of the occupiers of units.

Harm highway safety.

Result in a lack of recreational space serving the site.

Result in a decrease in value of existing properties.

Obstruct views.

Have an adverse effect on the integrity of the Somerset Levels and Moors Ramsar Site.

Harm biodiversity

Result in the overdevelopment of the site.

Take place on unstable ground.

Include land outside of the applicant's control.

Take place in an unsustainable location.

Create light pollution.

Place additional demand on electricity and drainage/sewage infrastructure.

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Not be easily accessed by emergency service vehicles.

Harm the safety of disabled people.

Not provide a sufficient level of parking.

Not provide an acceptable standard of parking.

Harm a tree.

Not satisfy Policy ECON7.

Fail to meet the requirements of building regulations.

Not result in, material, economic benefits.

Not meet site licence conditions.

Result in the extinguishing of a right of way.

Result in an increase in flood risk.

Reference was also made to inaccuracies in the application.

10.0 Duties

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

11.0 Relevant Policies

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
ENV1	-	Landscape, Seascape and Sites of Geological Interest
ENV2	-	Wildlife and Habitats
ENV4	-	Heritage Assets
ENV10	-	The Landscape and Townscape Setting
ENV 12	-	The design and positioning of buildings
ENV 16	-	Amenity
SUS2	-	Distribution of development
ECON6	-	Built Tourist Accommodation
ECON7	-	Caravan and camping sites
COM7	-	Creating a safe & efficient transport network
COM9	-	Parking Standards in New Development

Material considerations

National Planning Policy Framework:

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

- 2 - Achieving sustainable development
- 4 - Decision-making
- 6 - Building a strong, competitive economy
- 12 - Achieving well-designed and beautiful places
- 15 - Conserving and enhancing the natural environment
- 16 - Conserving and enhancing the historic environment

Emerging Dorset Council Local Plan:

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

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

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

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 these policies would 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.

Those with impaired mobility would not be able to access the proposed units via public transport. Ramped accesses to the proposed units have not been proposed. Those with impaired mobility would not be able to access the proposed units, in the absence of ramps. Private transport, for those with impaired mobility, to and from

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the application site, could be arranged. The use of temporary access ramps, to the proposed units, should be considered.

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

14.0 Financial benefits

The proposed development, by reason of its nature and scale, would: Require and support a modest amount of labour from the construction industry; and accommodate a small number of people who would, in turn, make a small contribution, through expenditure, to the viability of local retailers and service providers.

15.0 Environmental Implications

Any occupier of the proposed holiday units would be reliant on the private car. The proposal would not contribute to a reduction in emissions. However, the principle of the type of development which is proposed is accepted by policy.

16.0 Planning Assessment

Principle

Policy INT1 of the Local Plan sets out a presumption in favour of sustainable development. Policy SUS2 of the Local Plan contains the settlement hierarchy which directs new development to the most sustainable locations. The main towns of Dorchester and Weymouth are identified as being the highest priority locations for new development. It is identified, at the second tier, that elsewhere, in the plan area, the settlements of Beaminster, Bridport, Lyme Regis, Portland, Sherborne and Crossways will be the focus for future development. At the third tier, it is identified that development, in rural areas, will be directed to the settlements with defined development boundaries and will take place at an appropriate scale to the size of the settlement. It is also identified that settlements with no defined development boundary may also have some growth to meet their local needs. The settlement hierarchy aims to achieve a distribution of development, across the plan area, which meets local needs, enables economic growth, and safeguards the special environment of the plan area.

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

The application site falls outside of any defined development boundary and the proposed development is tourism related.

It is identified in part i) of Policy ECON6, amongst other things, that new built tourist accommodation will be supported through the replacement, intensification or extension of existing premises where the expansion would improve the quality and appearance of the accommodation and site.

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Policy ECON7, amongst other things, requires a clear demonstration that proposals for the expansion of existing caravan and camping sites form part of a long-term management plan to improve the quality and appearance of the accommodation and site.

The proposed units, which fall within the definition of a caravan, as defined in subsection 29 (1) of the Caravan Sites and Control of Development Act 1960 and subsections 13 (1) and (2) of the Caravan Sites Act 1968, would form part of a site which comprises of both built tourist accommodation and mobile units.

It is proposed to install a new package treatment plant which would serve the proposed units and six existing units. It is expressed, in the submitted material, that the proposed package treatment plant would be more efficient than the current septic tank of which it is proposed to abandon.

As noted by a Senior Landscape Officer, of the Council, the site includes mown grass banks, remnants of hawthorns, maintained grass areas, areas of gravel, specimen trees, a mature oak tree which is protected by a TPO, ash trees, and a horse chestnut tree. Reference was also made to the boundaries being largely fenced but unplanted.

An attractive external environment can result in therapeutic benefits and encourage exercise. A contribution to emotional and physical wellbeing can be made. The implementation and maintenance of a successful landscaping scheme, which would create a more attractive external environment, would improve the way that residents would experience the site both from within and outside of the units of accommodation. The securing of a landscaping scheme and its maintenance would ensure that the quality and appearance of the site and accommodation would be improved.

A scheme for the landscaping of the Saxon Maybank site has been submitted as part of the application, which is the subject of this report. It should be noted that some of the proposed measures fall outside of the red line of the application site. In order to ensure that a landscaping scheme and its maintenance is secured it is recommended that a planning obligation, under Section 106 of the Town and Country Planning Act 1990 (as amended) should be completed.

Subject to the completion of a planning obligation, it is considered that the development would form part of a long term management plan to improve the quality and appearance of the accommodation and site.

Paragraph 85 of the NPPF, amongst other things, applies an obligation on decision makers to place significant weight on the need to support economic growth. An obligation, on decision makers to enable: The sustainable growth and expansion of all types of businesses in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings; and to enable sustainable rural tourism developments which respect the character of the countryside, can be found in paragraph 88 of the NPPF.

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The proposed development represents a proposal to expand a rural tourism based business in the countryside. The proposed buildings are well designed and would respect the character of the part of the countryside concerned.

In light of the above, it is concluded that the principle of the development taking place complies with policy ECON6 and ECON7 of the Local Plan.

Nutrient neutrality

The Somerset Levels and Moors are designated as a Special Protection Area under The Conservation of Habitats and Species Regulations 2017 (as amended) and are listed as a Ramsar Site under the Ramsar Convention. The Somerset Levels and Moors habitat site is in an unfavourable condition due to high levels of phosphorus. The phosphorus causes eutrophication. Development should not result of an increase in phosphorus entering, and causing harm to the integrity of, the habitat site. The application site falls within the Somerset Levels and Moors hydrological catchment. It is therefore necessary for the proposed development, by reason of its nature, to demonstrate that it would not harm the integrity of the habitat site.

A Nutrient Assessment has been submitted as part of the application. The assessment details the proposal to install a 30 PE Marsh Ensign package treatment plant which would serve the proposed, three, units and six existing units. It is proposed that the proposed package treatment plant would be more efficient, than the existing septic tank, at removing phosphates from wastewater. It is expressed that the proposed package treatment plant would result in a decrease of between 0.6kg and 1.27kg of phosphorus entering the environment per year. It is further identified that discharging to ground via a drainage field would present a low risk.

An Appropriate Assessment concluded that the proposal would have no adverse effect on the integrity of the habitat site. Natural England concurred with the conclusion.

It is recommended that conditions, relating to the package treatment plant, should be imposed on any permission, in order to ensure that the proposal would not result in an adverse effect on the integrity of integrity of the habitat site.

The proposal would comply with policy ENV2 of the Local Plan.

Biodiversity

A certificate of approval of a Biodiversity Plan, issued by the Dorset Natural Environment Team, has been submitted as part of the application.

It is recommended that a condition, relating to the Biodiversity Plan, should be imposed on any permission, in order to ensure that the proposal would not harm the natural environment.

The proposal would comply with policy ENV2 of the Local Plan.

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Character and appearance

The proposed holiday lodges, by reason of their form, scale, design, and positioning, would maintain the character of the area where similar units form a characteristic feature.

The proposal would comply with policy ENV1 and ENV10 of the Local Plan.

Amenity

The Saxon Maybank development is a holiday park. The siting of the units of the holiday park reflect this. The level of amenity afforded to the occupants of the units is typical of a holiday park.

Holiday lodge 18, 19 and 20 are of a single storey design. It is proposed to site holiday lodge 18 approximately 34m from number 7 and approximately 10.76m from number 10. It is proposed to site holiday lodge 19 approximately 9.5m from number 10 and approximately 7.57m from number 11. It is proposed to site holiday lodge 20 approximately 14.61m from number 11. Given the nature of the site, occupiers of the proposed and existing units of holiday accommodation would not be subject to an overbearing or overshadowing effect, which would harm their amenity, due to the size and form of the buildings concerned and their separation distance from each other.

It is proposed to site the three holiday lodges in locations where occupiers of existing properties on Saxon Maybank could stand. The siting of the holiday lodges would not introduce views which are not currently possible. It should be noted that the north west elevations of the proposed lodges do not include openings. Occupiers of the existing units of holiday accommodation, would not be subject to a harmful increase in overlooking, which would harm their amenity, due to the views that would be possible from proposed openings and vantage points.

Given the nature of the site, occupiers of the proposed holiday units, would not be subject to an overlooking effect, which would harm their amenity, due to the views that would be possible from openings and vantage points.

The residential use of the proposed holiday units would not introduce noise that would harm residential amenity.

A sufficient area of outdoor amenity space would serve the proposed and existing units.

The proposal would comply with policy ENV16 of the Local Plan.

Rights of way

An order has been made and not yet confirmed to record a public footpath within the site. At present, no recorded rights of way would be affected. If permission is granted and the order to record the footpath is confirmed, the applicant would need to apply to divert the footpath if it is affected by the development.

Highway safety

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Development should only be refused, on highways grounds, if there would be an unacceptable impact on highway safety or if the residual cumulative impacts on the efficiency of the transport network would be severe. The Highway Authority considered that the provision of passing places along the access road would have been desirable. However, in light of the amount of development proposed and the straight nature of the access road, the Highway Authority, subject to the imposition of a condition, relating to parking and turning, on any permission, did not object to the proposal on the grounds that there would be an unacceptable impact on highway safety or that the residual cumulative impacts on the efficiency of the transport network would be severe. Neither did the Highway Authority object to the application, subject to imposition of the recommended condition on any permission, on the grounds that there would be an insufficient level of parking serving the development. It is recommended that that the condition, which has been recommended by the Highway Authority, should be imposed on any planning permission. It is therefore concluded that the proposal should not be refused on highways grounds.

Letters of representation raise comments over access for emergency vehicles. The highways authority did not raise an issue in this regard and by reason of their positioning the proposed units, would not prevent emergency vehicles accessing proposed and existing properties.

The proposal would comply with policy COM9 of the Local Plan.

Trees

Tree Preservation Order TPO/2022/0004 was placed on an Oak Tree, which can be found in the southern part of the site, on 04/02/2022. A Tree Officer, of the Council, on 10/01/2023, considered that the proposal would not harm any trees, subject the imposition of conditions. It is recommended that the recommended conditions should be imposed on any permission, in order to ensure that the proposed development would not harm the tree which is subject to the Tree Preservation Order and other trees

Scheduled monuments

Scheduled monument 1456547, the buried remains of a Roman temporary camp, dating probably to the C1 AD, can be found approximately 53.81m to the east of the application site.

Scheduled monument 1002414, Roman Villa SE of East Farm, can be found approximately 168.68m to the southeast of the application site.

Given the separation distance between the proposed development and the scheduled monuments it is considered that the proposed development would not harm the significance of the monuments.

Sites of Special Scientific Interest

The Bradford Abbas Railway Cutting Site of Special Scientific Interest can be found approximately 950m to the south of the application site. One Babylon Hill Site of Special Scientific Interest can be found approximately 859m to the west of the

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application site. One Babylon Hill Site of Special Scientific Interest can be found approximately 714m to the northwest of the application site. Halfway House Quarry Site of Special Scientific Interest can be found approximately 1394m to the northeast of the application site.

It is considered that the proposal, by reason of its location and nature, would not harm these Sites of Special Scientific Interest.

Flood risk

In the letter of representation comments have been raised over flooding on the site. The application site does not comprise of land which has been assessed as having medium to high probability of flooding.

Ground stability

In a letter of representation comments have been made over land stability. The site does not comprise of land which has been identified as being unstable.

Light pollution

The development of three lodges, by reason of the amount of development, would not result in a harmful increase in light, which would harm the area which includes units used for residential purposes.

Ownership of land

The agent, acting on behalf of the applicant, has completed certificate B which certifies, amongst other things, that the requisite notice has been given to everyone else who, on the day 21 days before the date of the application was the owner of any part of the land to which the application relates.

Other Legislation

Letters of representation have referred to both Building Regulations and the Site Licence.

The building regulations are separate from planning legislation. Compliance with building regulations is not being considered under this application for planning permission.

The site is a registered caravan site and therefore requires a site licence. There is an existing site licence for the site. The Caravan Sites and Control of Development Act 1960, which requires the gaining of a site licence by relevant parties, is separate from planning legislation. The licence in place controls the site boundaries, density and space between caravans, roads, gateways and footpaths, hard standings, telephones, the storage of LPG, electrical installations, water supply, drainage, sanitation and washing facilities, refuse disposal, parking, and recreational space. Compliance with the conditions imposed on the site licence is, therefore covered by this legislation. Any increase in the number of caravans on the site or increase in site area would result in the need for a new site licence.

The value of existing property

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Letters of representation have raised concerns over the impact that proposed development would have on the value of existing property. This does not represent a material planning consideration and cannot be given any weight in the consideration of this planning application.

The extinguishing of a private right of way

The right of pedestrian access is a private property matter and not a material planning consideration.

17.0 Conclusion

The proposal is considered to be an appropriate holiday use on an established tourism site. The comprehensive landscaping scheme would improve the visual appearance of the site, and enhance the amenity afforded to the site as a whole.

For the reasons outlined it is recommended that conditional planning permission should be granted subject to the completion of a planning obligation, under Section 106 of the Town and Country Planning Act 1990 (as amended), concerning landscaping. If the obligation is not signed within six months of a committee resolution to grant permission, the planning permission should not be granted.

18.0 Recommendation

Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to:

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

B) Refuse to grant planning permission if an obligation, under Section 106 of the Town and Country Planning Act 1990 (as amended), concerning landscaping, in a form to be agreed by the legal services manager, is not signed within six months of a committee resolution to grant permission.

Written agreement to the pre-commencement condition was received from the agent on 23/02/2023.

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 documents:

Proposed site plan - 4777/02 E – Received 20/06/2023

Proposed elevations and proposed floor plan – Received 22/10/2021

Location plan and proposed block plan – 4777/01 C – Received 06/09/2022

Arboricultural Report – Received 09/08/2022

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Nutrient Assessment – Received 22/09/2022

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

3. The measures set out within the approved Biodiversity Plan, certified by the Dorset Council Natural Environment Team, on 24/01/2023 must be strictly adhered to. The units of holiday accommodation hereby approved must not be occupied until the measures detailed in the approved Biodiversity Plan have been completed in full and evidence of compliance, in accordance with section J of the approved Biodiversity Plan, has been supplied to the Local Planning Authority. Thereafter, the approved measures must be permanently maintained and retained in accordance with the approved details.

Reason: In the interest of biodiversity.

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

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

5. Prior to the occupation of any of the units of holiday accommodation hereby approved the turning/manoeuvring and parking areas shown on approved document 4777/02 E must have been constructed. Thereafter, these areas must be maintained, kept free from obstruction and made available for the turning/manoeuvring and parking of vehicles in perpetuity.

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

6. No more than 3 holiday lodges shall be sited within the boundary of the land edged in red on the location plan and block plan of approved document 4777/01 C. The accommodation hereby approved shall be occupied for holiday purposes only; shall not be occupied as a person's sole, or main place of residence; and the owners/operators must maintain an up-to-date register of the names of all owners/occupiers of the units of accommodation and of their main home addresses, and must make this information available at all reasonable hours at the request of a duly authorised officer of the Local Planning Authority.

Reason: To ensure that approved dwellings are not used for unauthorised permanent residential occupation.

7. Prior to the commencement of any development hereby approved, above ground level, details of the finished floor levels of all of the buildings hereby approved shall have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be relative to an ordnance datum or such other fixed feature as

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may be agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity.

8. Prior to the commencement of any development hereby approved, an arboricultural supervision statement, shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such details as have been agreed.

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

9. Prior to the occupation of the development, hereby approved, the 30 PE Marsh Ensign package treatment plant, hereby approved, shall have been installed.

Reason: In the interest of nutrient neutrality.

10. Prior to the occupation of the development, hereby approved, a maintenance plan for the 30 PE Marsh Ensign package treatment plant, hereby approved, shall have been submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be adhered to for the lifetime of the 30 PE Marsh Ensign package treatment plant, hereby approved.

Reason: In the interest of nutrient neutrality.

11. Any replacement wastewater treatment systems shall achieve the equivalent or better effluent phosphorus concentration as the 30 PE Marsh Ensign package treatment plant. Any replacement wastewater treatment system shall be maintained so as to ensure that the equivalent or better effluent phosphorus concentration as the 30 PE Marsh Ensign package treatment plant is achieved.

Reason: In the interest of nutrient neutrality.

Informative Notes:

1. 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.

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2. The applicant is reminded of their responsibility to submit evidence of compliance with the Biodiversity Plan to Dorset Natural Environment Team in order to comply fully with requirements of condition 3.

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Agenda Item 7

Officer Report

Application Number:	P/FUL/2023/05314		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land at Mampits Lane Shaftesbury SP7 8GL		
Proposal:	Erection of Community Centre with associated parking & landscaping		
Applicant name:	Mampits Lane Community Land Trust CIO		
Case Officer:	Fiona McDonnell		
Ward Member(s):	Councillor Cook and Councillor Beer		
Publicity expiry date:	7 December 2023	Officer site visit date:	30 th January 2024
Decision due date:	8 January 2024	Ext(s) of time:	EOT requested
No of Site Notices:	2 notices have been displayed.		
SN displayed reasoning:	1 notice was attached to a lamp post adjacent to Mampits Green area; and a second notice was attached to a lamppost at the seated area adjacent Mampits Green – to ensure all those who are impacted are aware of proposal.		

1.0 Shaftesbury Town Council have requested that the application is heard at the Northern Area Planning Committee.

2.0 Summary of recommendation:

GRANT subject to conditions.

3.0 Reason for the recommendation: as set out in paragraph 17 at end:

- The proposal is considered to be acceptable in respect of its layout, design, and landscaping.
- The proposed development improves and enhances its surroundings; acceptable separations distances are in place to ensure no negative impact on residential amenity.

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- Secure generous parking provision is made, and road safety would not be compromised.
- The development would provide a much-needed community facility and no harm has been identified which would warrant refusal.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Principle accords with local and national plans and policy.
Scale, design, impact on character and appearance	Community hall building is of good design. Proposal enhances local character; it is compatible with its surroundings.
Impact on the living conditions of the occupants and neighbouring properties	Acceptable separation distance with parking area sufficient to ensure no disturbance or harm to residential amenity. Enhanced community space will improve amenity for all residents.
Flood risk and drainage	Flood risk is low.
Highway impacts, safety, access and parking	Parking provision is good and highway safety is protected.
Biodiversity & Impact on trees	DCNET biodiversity enhancement plan & certificate of approval received. No loss of trees, all trees will be protected throughout construction

5.0 Description of Site

The site is located on the eastern edge of Shaftesbury settlement close to but not within the Cranborne Chase AONB. The site is made up of Mampits Green and Mampits Meadow, and is located to the southeast of Maple Road, south of Snowdrop Wynde and at the east end of Mampits Lane.

Mampits Meadow is mainly rectangular in shape and Mampits Green is a circular space that juts from the southwest corner onto Mampits Lane. Mampits Green and Mampits Meadow have a combined area of 0.7hectares

The Green area is a maintained area of open space where children play, it is occasionally used for community events. It also provides visual relief from built form. The meadow area is fenced off from the green and enclosed by scrub, it is not utilised. It provides ecological value and is a gateway to the countryside and AONB beyond.

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The site is broadly level with a gentle slope downwards to the east. A band of trees and scrub that runs along the southern boundary of the site adjacent to Mampits Lane is protected by Tree Preservation Orders.

Description of the area

Mampits Road and its environs is situated on the eastern edge of the market town of Shaftesbury. The suburban development provides around 670 homes was constructed between 2011 and 2016. The area is predominantly residential and displays a mix of property types with three storey buildings located towards the centre of the site and mainly 2 storey houses beyond the centre.

The residential character changes at the junction of Maple Road and Mampits Lane where there is more a community emphasis. A pedestrianised space with seated area is located opposite to Mampits Green. A convenience store and bus stop area are central focus of the estate, and the proposed community hub would sit well in this central location.

Private amenity space provision is minimal across the development with most properties having only small outdoor space available. Front garden space is modest, and there is minimal provision of defensible space or less between dwelling and footpath, with some dwellings opening directly onto the street. There would appear to be a shortfall of soft landscaping in the Mampits area. Emphasis in the past appears to have been on built form and hard landscapes, there is a need for community green space and meeting place.

6.0 Description of Development

Planning permission is sought for a community centre with associated parking and landscaping.

A gated access from Maple Road leads to a dedicated car parking area located to the north within the site. Provision is made for 23 standard parking spaces and 1 x disabled parking space. An enclosed area for waste storage is located close to the access and a bicycle shelter adjacent to the community hall.

The single storey community building sits mid plot and adjacent to the parking area. It will accommodate a main hall (12m x 7m) and additional meeting room (7m x 5m). The meeting room will have a mezzanine floor (5m x 3.5m). A café and kitchen area are included, and space retained for a storeroom, shower room and toilet facilities. The building is orientated so the main hall is located to the south and bifold doors will open from the hall onto a landscape area and overlook a toddlers play area.

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To the north of the Green area, it is proposed to construct an oak framed gazebo (4m X 4m) which will be situated within a newly landscaped zone of rough grass, wildflower, trees and shrubs.

A comprehensive network of pathways constructed in self-binding gravel is well placed to provide easy access to the community hall from Maple Road, Mampitts Lane and Allen Road.

An open area to the east of the site is to be used as an events area. The 'main field' will be used for fetes, sport, games, picnics, fitness clubs and other community events. It is of a suitable size that it can also provide safe landing area for Air Ambulance. It will be maintained with mown amenity grass.

Trees and hedgerow that defines the southern boundary of the plot is to be retained and improved landscaping scheme incorporated to create a nature park area.

7.0 Relevant Planning History

- **2/2002/0415** - Land at Salisbury Road. Mampitts Road and Gower Road, Shaftesbury, Dorset. Develop land for residential and mixed use purposes with associated open space, create vehicular and pedestrian accesses This application was refused and allowed at appeal ref: **APP/N1215/1191202**
Decision: GRANTED - Decision Date: 03/05/2007
- **2/2002/0800** – Land adjacent to Greenacres, Salisbury Road, Shaftesbury, Dorset. Develop land for residential, business and retail purposes, form vehicular and pedestrian access. This application was refused and allowed at appeal ref: **APP/N1215/1191206**
Decision: GRANTED - Decision Date: 03/05/2007
- **2/2008/1137** - Phase 1 Land at East Shaftesbury, Gower Road, Shaftesbury, Dorset. Erect 75 dwellings with associated works including parking, garage blocks, access roads and highway works (reserved matters for outline application 2/2002/0415, seeking consent for landscaping details). Phase 1A.
Decision: GRANTED - Decision Date: 18/03/2009
- **2/2010/1101/PLNG** - Phase 1 Land at East Shaftesbury, Gower Road, Shaftesbury, Dorset. Erect 96 dwellings, estate roads, landscaping, open space and SUDS corridor at Phase 3 - Parcel 2. Reserved Matters application

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following Outline Permission No 2/2002/0415 to determine appearance, landscaping, layout and scale.

Decision: GRANTED - Decision Date: 16/03/2011

- **2/2012/0310/PLNG** - Phase 1 Land at East Shaftesbury, Gower Road, Shaftesbury, Dorset. Erect 238 No. dwellings with associated parking, estate roads, open space, suds corridor, and form vehicular and pedestrian access. (Reserved Matters to determine Appearance, Landscaping, Layout and Scale following Outline Permission No. 2/2002/0415). Parcels 3 and 5.
Decision: GRANTED - Decision Date: 25/07/2012
- **2/2016/0658/PAEIA** - Legal Agreement Signed: 04/09/2017
Erect 97 No. dwellings on land east of Shaftesbury (Parcels 6 & 7), with associated access, parking, open space and landscaping.
- **2/2016/1898/OUT** - Land At Langdale Farm, Mampitts Lane, Shaftesbury, Dorset Develop land by the erection of 20 No. dwellings, (outline application with all matters reserved).
Decision: REFUSE - Decision Date: 10/10/2017

8.0 List of Constraints

TPO (TPO-573-2017)

TPO - TPO (NDDC/TPO-573-2017)

Legal Agreements S106

Nutrient Catchment Areas

Wiltshire - Distance: 161.86m

Shaftesbury Parish/Town Council

Right of Way: Footpath N1/7; - Distance: 18.37m

Right of Way: Footpath N1/39; - Distance: 1.16m

9.0 Consultations

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

Consultees

1. **P - Shaftesbury TC**

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No comment. (received 06.12.2023)

It is requested that this application is called to the Northern Area Planning Committee for consideration.

2. DC - Rights of Way Officer

Comment received 07.12.2023.

Please to see the formalised link onto FP. N1/39 and N1/7 in the SE corner of the site, However, the land is for the time being at least still under the control of Persimmon Homes so their permission will be required. The SUDS corridor is due to transfer to Dorset Council in the near future.

3. DC - Highways

No objection (received 07.02.2024)

The submitted parking layout has been revised to provide an arrangement that meets with safety criteria. The number of parking spaces to be provided is acceptable, as is the proposed cycle shelter and barrier.

Representations received

Total - Objections	Total - No Objections	Total - Comments
1	2	3

Petitions Objecting	Petitions Supporting
0	0
0 Signatures	0 Signatures

Summary of comments of objections:

- The community hall is sited on the wrong side of the trees.
Case officer assessing current application location of hall appears to be acceptable.
- There is a safety concern that it is sited to close to the road and will be dangerous for children etc.
Hub building not sited close to road. Highway Authority are satisfied there are no safety problems.
- The land at the back would be better suited to hall location.
Case officer required to assess current application.
- The parking facility is not adequate for the amenities and will restrict its usage due to limited parking spaces.

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Proposal accords with Dorset Councils parking standards. Highway Authority raise no objection.

- There needs to be a 'green fields' covenant on the land at the back.
Not a material planning consideration.
- It is well known that a property developer is trying to gain access to the land at the rear for development.
Not a material planning consideration.

Summary of comments of support:

- Makes maximum use of the site by not encroaching on Mampitts Green which will be preserved for outdoor community events and use as an emergency helicopter landing zone
Noted.
- it preserves the wishes of the community that no additional roads will be required
Noted.
- The trust have charitable status maximises the value of expenditure
Noted.
- Safe Parking arrangement, guaranteeing access rather than risk incursion of residential parking overnight/weekends.
Noted.
- It has been well thought out and takes full account of existing and future needs of the community.
Noted.

Community Involvement

The Community Land Trust advised that they conducted extensive community consultation in 2020, 2021, and 2022 to inform the proposal. It submitted a petition of 760 residents who supported the proposal for a community hall and nature park.

10.0 Duties

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

11.0 Relevant Policies

North Dorset Local Plan Part One

Sustainable Development Strategy
Policy 1 – Presumption in favour of sustainable development

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Policy 2 – Core Spatial Strategy

Environment and Climate Change

Policy 3 – Climate Change

Policy 4 - The Natural Environment

Sustainable Infrastructure

Policy 14 (J & K) – Social Infrastructure Paragraphs 7.107 & 7.110

Policy 15 – Green Infrastructure

Market Towns and the Countryside

Policy 18 - Shaftesbury

Development Management Policies

Policy 23 – Parking

Policy 24 – Design

Policy 25 – Amenity

Neighbourhood Plans

Shaftesbury Town Council Neighbourhood Plan 2019-2031

Dorset Council agreed with the findings of the Examiner's Report and agreed that a referendum should take place on Thursday 6 May 2021. The Shaftesbury Neighbourhood Plan was made (adopted) by Dorset Council on 22 June 2021. Following a majority 'yes' vote in the referendum, the [decision](#) was taken to make the Shaftesbury Neighbourhood Plan part of the development plan for the Shaftesbury neighbourhood area.

Relevant Policies:

Green Infrastructure

Policy SFGI1 - Protect important and locally valued green spaces

Design policies

SFDH3 The scale and positioning and orientation of buildings

SFDH4 A range of open areas and enclosed spaces should be incorporated into the design of new places

SFDH5 – Provision must be made for cars.

SFDH7 – Development should use materials that respect the areas heritage.

Community and Leisure

Policy SFCL1 – Community Facilities

Policy SFCL3 – Support safe walking and cycling routes.

Material Considerations

Emerging Local Plans:

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

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

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making. However, the production of the Draft Local Plan has significant implications for the assessment of housing land supply.

The emerging Local Plan has reached Regulation 18 of the (Town and Country Planning (Local Planning) (England) Regulations 2012 stage and includes a policies map and proposed allocations towards meeting housing need. Therefore, as detailed under Paragraph 226 of the NPPF (December 2023), for decision-making purposes only, the Council is only required to identify a minimum of 4 years' worth of deliverable housing sites.

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

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visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 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 14 'Meeting the challenges of climate change, flooding and coastal change'.
- 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 183). Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

Cranborne Chase National Landscape Management Plan (2019 – 2024)

Cranborne Chase AONB Landscape Character Assessment

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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:-

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

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

In this regard a disabled parking space is suitably located adjacent to the entrance of the hall. Within the facility provision is made for a disabled persons WC separate to general facilities for able persons.

14.0 Financial implications

It is not expected that the facility will financially benefit the community. Nevertheless, money has been set aside in line with 2007 s106 legal agreement to construct the facility and that will soften the financial impact for Dorset Council.

The facility is expected to have charitable status and would pay business rates at a reduced rate when operational.

15.0 Environmental Implications

It is considered that that long term ramifications of the development are positive in terms of impact on the environmental. The proposed timber construction material is most sustainable. Solar panels and inclusion of air source heat pump units ensure no external power source is required. The DCNET is satisfied that hard and soft landscape proposals will result in biodiversity net gain on site.

16.0 Planning Assessment

Principle of development

The site is located on the eastern edge of the market town of Shaftesbury within the settlement development limit in an area that is the focus for new development as set out in the Shaftesbury (East) Masterplan 2004. Community facilities are sparsely spread throughout the residential estate with no central community hub within this

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area. Land which is the subject of this proposal is designated for community facility within the masterplan therefore the principle of development is acceptable provided the proposal complies with all other material planning matters.

Section 106 agreement

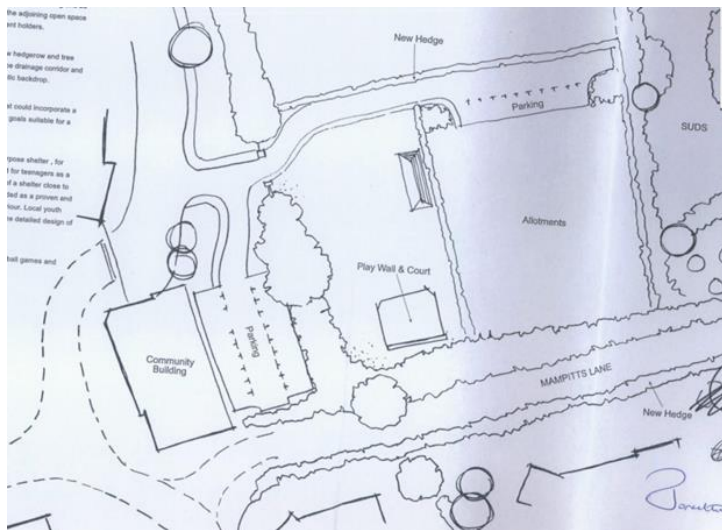
A legal agreement, pursuant to section 106 of the Town and Country Planning Act 1990 relating to the land north of A30 Salisbury Road, north and south of Mampits Lane, east of Shaftesbury - was made on 12th January 2007 between Dorset Council and developers, secured planning obligations. It relates to planning application 2/2002/0415 – the over-arching planning application to develop land for residential and mixed-use purposes which now forms the Mampits lane/ Maple Road/ Allen Road area. In addition to securing affordable housing and off-site play area contribution amongst other benefits, a contribution was secured to provide a community facility.

An area of land to be used for community and recreational purposes was designated 'Neighbourhood Hall Site'. An area of land was set aside 'to be used for community and recreational purposes ...suitable for a building to be used as a neighbourhood hall incorporating appropriate areas for parking, servicing, an ancillary landscaped area and allotments or cemetery if required'. This is the site proposed for this application. Additionally, an index linked 'neighbourhood hall contribution' was made towards construction costs of the neighbourhood hall or for the improvement of an existing neighbourhood hall, or other facility within the town of Shaftesbury.

Impact on the character of the area

The car park area (35m x 16m) is contained to the north of the plot. It is accessed by a controlled gate and this associates use of the car park specifically by those using the community hall. It is positive that it is not visible from the street scape and allows for meaningful landscaping on Maple Road which softens the character of the area. The parking arrangement is in keeping with the indicative layout of neighbourhood hall site plan (s106 2007) when it was considered that parking would be best placed out of sight. It is considered that communal parking area at this location is efficient use of land and enhances local character.

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(Indicative neighbourhood hall site secured by S106 agreement associated with 2/2002/0415 – sealed in January 2007)

The proposal merges Mampits Green and Meadow to create a wider useable area of parkland. Existing landscaping trees, scrub and hedgerow is retained, and additional meaningful planting proposed. A line of trees along Maple road creates a leafy character and improves the quality of the area in which it is located. The existing Mampits Green area is enhanced by further tree planting, wildflower and rough grassland that integrates well with amenity grass area currently in place . A gazebo is well placed with the existing 'green' and helps providing surveillance. The park will be laid mown amenity grass with rough grass/wild flower area feature to the south and encompassing existing hedgerow to the west of the site. Purposeful self-binding gravel pathways meander from access points to the community hall and to the events area. The events area will be a mown amenity grass area flat green useable space available for sports and community events, its upgrade from rough ground will enhance local character.

The proposed community hall building will assimilate with its surroundings, with only glimpses of the building visible from the west or south. It would be camouflaged by retained and proposed landscaping. The building is visible from property to the south in the Allen Road area. The facility is clad in horizontal timber planks, detailed with stainless steel fixing bolts. It is considered that timber will allow the building to sit comfortably within its natural landscaped site.

It is officer opinion that various elements would integrate well to improve local character and the design of the proposal conforms with design policy 24 and design principles set out in the NPPF.

Impact on Amenity

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The car park with 24 spaces is located adjacent and to the south of residential dwellings on the south side of Snowdrop Wynde and an assessment of the impact of the parking arrangement on the amenity of residents of Snowdrop Wynde is necessary.

Properties on this side of Snowdrop Wynde have gardens that project rearwards 10m. A band of landscaping/ native hedge, with a width of 2m will sit along the southern boundary of these houses beyond the rear gardens. It is considered that a separation distance of 12m incorporating a 2m wide hedge is sufficient to ensure that general disturbance, noise nuisance and emission from cars will not result in an unacceptable level of disturbance to the occupants of nearby properties when the facility becomes operational.

The Mampits development area offers apartment living with no private open space and some dwellings have confined outdoor space. Provision of useable outdoor public space including the gazebo has high amenity value for these residents.

The events area measures 60m x 30m and this is sufficient space to accommodate emergency Air Ambulance landings. Dorset air ambulance was contacted and confirmed it would be useful to preserve an area (60m x 30m) in this location. It has been appropriately landscaped to ensure safe landing during the day and night. The events area is available for sports, recreation and other community activities and will benefit the community.

The cafe will be appreciated by locals providing a warm social space for people to meet; and the hall will be used by community groups to host yoga, craft events and charity functions. It opens onto a veranda and toddler play area where parents can relax and oversee their children play safely. A smaller meeting room with mezzanine provides additional space for community groups to meet and varied activities.

The newly created parkland, community hall and gazebo improve amenity for all residents.

Highways and Parking

The Highway Officer initially had concerns with a proposed echeloned parking arrangement. Amendments were made and the proposal now conforms with Dorset Councils parking standards. There is a sufficient quantity of parking spaces, provision is made for those with mobility issues and a secure cycle shelter is included at a suitable location to the west of the community hall. The officer is content satisfied that the access barrier arrangements is suitable and appropriate for the proposed use of the site.

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Biodiversity and trees

The application is supported by a biodiversity mitigation enhancement plan (BMEP) and certificate of approval signed by DCNET on 2nd November 2023. A condition will be included to ensure compliance with the enhancement plan. Survey work was undertaken and revealed no badgers, breeding birds or reptiles on site; a toad was recorded in the southwest corner of the site. Mitigation measures agreed include fixing light emission levels to protect bats traversing the site; ensuring grass is kept low prior to development to discourage reptiles from using the area; and excavations should be covered at night to prevent entrapment, and ramps should also be placed in excavations to provide a way out if animals become entrapped.

All trees are to be retained and protected throughout construction phase, and at least 20 additional new trees are to be planted. Conditions will be included to ensure proper means of tree protection of on-site throughout the construction phase; and to ensure suitable specific tree and shrub types of additional planting is secured.

Flood Risk

The site is located in flood zone 1 and in an area that is not susceptible to flooding due to high levels of ground water. Flood maps indicate that there is a low risk of flooding due to surface water with the extent of surface water run off 1 in 1000.

This risk is relatively low and can be readily managed. Discussion with Dorset Councils Flood risk engineer revealed that there is a sewer which runs across the site and a simple scheme whereby water is transferred by down pipe from the roof and from pathed areas, attenuated and connected to the sewer. A condition will be included for the application to ensure that the developer submits a suitable surface water drainage strategy prior to commencement of development.

17.0 Conclusion

The proposal is considered to be acceptable in respect of its layout, design, and landscaping. The proposed development improves and enhances its surroundings; acceptable separation distances are in place to ensure no negative impact on residential amenity. Secure generous parking provision is made, and road safety would not be compromised. The development would provide a much-needed community facility and no harm has been identified which would warrant refusal.

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The application accords with the Development Plan as a whole.

18.0 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Site Plan

P2144/04 – proposed elevations

P2144/03 – proposed floor plans

P2144/05 – proposed roof plan

BE 01 4F – landscape plan

BE 01 5 – Block Plan

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

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

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- delivery, demolition and construction working hours

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

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

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4. Prior to commencement of development, a Landscape Management Plan, including long term design objectives, management responsibilities, maintenance schedules and a timetable for implementation and/or phasing; for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Landscape Management Plan shall be implemented as approved.

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

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

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

6. No works or development shall take place before a scheme for the protection of the existing trees and hedges shown on approved tree plans TCP-2 7 TPP1 has been submitted to and approved in writing by the the local planning authority. Such a scheme will comply with the provisions of BS5837:2005 (Trees in relation to construction) or any replacement standard that may be in force at that the development commences. The approved scheme for the protection of the existing trees shall be implemented before development commences and be maintained in full until the development has been completed.

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

7. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan or Landscape Ecological Management Plan (LEMP) certified by the Dorset Council Natural Environment Team on 02.11.2023 must be strictly adhered to during the carrying out of the development.

The development hereby approved must not be first brought into use unless and until:

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

ii) evidence of compliance in accordance with section J of the approved Biodiversity Plan/the LEMP has been supplied to the Local Planning Authority.

Thereafter the approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details.

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

8. Before the development is occupied or utilised the first 5.00 metres of each vehicular access, measured from the rear edge of the highway, must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.

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

9. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number BE/10/5 rev 1 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

10. Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number BE/10/5 must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

11. No works or development shall take place before a scheme for the protection of the existing trees and hedges shown on approved tree plans TCP-2 7 TPP1 has been submitted to and approved in writing by the the local planning authority. Such a scheme will comply with the provisions of BS58372005 (Trees in relation to construction) or any replacement standard that may be in force at the that the

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development commences. The approved scheme for the protection of the existing trees shall be implemented before development commences and be maintained in full until the development has been completed. 12. Prior to development above damp proof course level, details (including colour photographs) of all external facing materials for the wall(s) and roof(s) shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

12. Details including layout of toddlers play area including specification of equipment; and details of the gazebo including an elevational plan shall be submitted for approval by the LPA prior to the installation of the equipment. The development shall be carried out in accordance with the approved details.

Reason: in the interest of health and safety.

13. Prior to development above damp proof course level, a hard and soft landscape scheme shall be submitted to and approved in writing by the Local Planning Authority showing details of all trees and other planting to be retained; a planting specification and plan to include numbers, size, species, positions of all new trees and shrubs; details of existing and proposed levels, walls, fences and other boundary treatments and surface treatments of the open parts of the site; details of any structures, street furniture, lighting and play equipment; and a programme of implementation.

Reason: to ensure the adequate mitigation of the landscape and visual impact of the proposals and the provision of an appropriate hard and soft landscape scheme prior to the commencement of the development.

14. Hard and Soft Landscape Implementation (pre-commencement)

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the use of the site or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: to ensure that the agreed hard and soft landscape scheme is implemented.

15. Hard and Soft Landscaping Maintenance to Completion (compliance)

Any trees or other plants indicated in the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced (and if necessary continue to be replaced) during the next planting season with other trees or plants of a species

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and size to be first approved in writing by the Local Planning Authority. Hard landscape features will be maintained in perpetuity.

Reason: to ensure that the agreed hard and soft landscaping scheme is established and maintained.

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
- 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

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Application Number:	P/FUL/2023/06670		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land At Mampits Lane Shaftesbury		
Proposal:	Change of use of land and erect community hub/cafe building with offices over, form vehicular access, car parking and associated public amenity park.		
Applicant name:	Shaftesbury Town Council		
Case Officer:	Fiona McDonnell		
Ward Member(s):	Councillor Cook and Councillor Beer		
Publicity expiry date:	7 February 2024	Officer site visit date:	30 th January 2024
Decision due date:	10 January 2024	Ext(s) of time:	EOT requested
No of Site Notices:	2 notices were displayed.		
SN displayed reasoning:	Both notices were displayed on the fence that separates Mampits Green and Mampits Meadow. 1 notice was displayed at the end of the fence adjacent to the pedestrian link south of the site; the other at the opposite end of the fence to ensure as many people are aware of the proposal.		

1.0 The application is for a change of use of land and to erect a community hub/cafe building with offices over, form vehicular access, car parking and associated public amenity park is brought forward by Shaftesbury Town Council. In the interests of fairness and openness, Shaftesbury Town Council has requested this proposal is heard at Northern Area Planning Committee.

2.0 Summary of recommendation:

GRANT subject to conditions.

3.0 Reason for the recommendation: as set out in paragraph 16:-

- The proposal is acceptable in respect of its layout and design.

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- It will have a positive impact on local character.
- There is not considered to be any significant harm to neighbouring amenity.
- Provision is made for a sufficient level of parking.
- The development will provide a much-needed community facility and no material considerations have been identified which would warrant refusal.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Principle accords with local development plan and national and local policies.
Scale, design, impact on character of the area and appearance	Community hub building is acceptable in scale and design. Proposal has a positive impact on local character -it is compatible with its surroundings.
Impact on residential amenity	No harmful overlooking, good separation distance with neighbours.
Highway impacts, safety, access and parking	No harm – adequate parking provision, unlikely to result in adverse impact on road safety.
Flood risk and drainage	Flood risk low.
Impact on trees	No loss of trees, all trees will be protected throughout construction.
Biodiversity	DCNET biodiversity enhancement plan & certificate of approval received.

5.0 Description of Site

The site is located on the eastern edge of Shaftesbury within the settlement boundary, it is located close to, but not within the Cranborne Chase AONB. The site is made up of Mampits Green and Mampits Meadow, and is located to the southeast of Maple Road, south of Snowdrop Wynde and at the east end of Mampits Lane.

Mampits Meadow is mainly rectangular in shape and Mampits Green is a circular space that juts from the southwest corner onto Mampits Lane.

Mampits Green and Mampits Meadow have a combined area of 0.7hectares
The Green area is a maintained area of open space where children play, it is occasionally used for community events. It also provides visual relief from built form.
The meadow area is fenced off from the green and enclosed by scrub, it is not

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utilised. It provides ecological value and is a gateway to the countryside and AONB beyond.

The site is broadly level with a gentle slope downwards to the east. A band of trees and scrub that runs along the southern boundary of the site adjacent to Mampits Lane is protected by Tree Preservation Orders.

Description of the area

Mampits Road and its environs is situated on the eastern edge of the market town of Shaftesbury. The suburban development provides around 670 homes was constructed between 2011 and 2016. The area is predominantly residential and displays a mix of property types with three storey buildings located towards the centre of the site and mainly 2 storey houses beyond the centre.

The residential character changes at the junction of Maple Road and Mampits Lane where there is more a community emphasis. A pedestrianised space with seated area is located opposite to Mampits Green. A convenient store and bus stop area are central focus of the estate, and the proposed community hub would sit well in this central location.

Private amenity space provision is minimal across the development with most properties having only small outdoor space available. Front garden space is modest, and there is minimal provision of defensible space or less between dwelling and footpath, with some dwellings opening directly onto the street. There would appear to be a shortfall of soft landscaping in the Mampits area. Emphasis in the past appears to have been on built form and hard landscapes, there is a need for community green space and meeting place.

6.0 Description of Development

A 1½ storey community hub building is proposed with first floor dedicated office space (70sqm). At ground floor level (150sqm) a café is provided. Additional space which can be screened off is available so that the café area can also be used as an informal community venue. The café would have bifold doors opening onto a covered outdoor seating area to the front of the building, facing toward the centre of the Mampits development. This allows residents to enjoy both indoors and outdoors, whilst maintaining surveillance at the heart of the community. The building has been located toward the back of the available land to maintain as much of 'Mampits Green' so that useable green amenity space remains to the front of the hub.

In addition to useable green space to the front of the community hub building, public outdoor amenity space is proposed to the east behind the community building. Immediately to the rear of the facility, existing trees and scrub are to be retained, rough

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grassland is to be improved and a bespoke shelter/social space is to be included. Behind this area – a larger useable circular amenity lawn with islands of shrubs is to be landscaped; and this area would be enclosed by an accessible self-binding gravel pathway, and picnic tables, seated areas, and children’s play area.

Provision is made for on street parking adjacent to the community hub building.

7.0 Relevant Planning History

- **2/2002/0415** - Land at Salisbury Road. Mampits Road and Gower Road, Shaftesbury, Dorset. Develop land for residential and mixed use purposes with associated open space, create vehicular and pedestrian accesses This application was allowed at appeal ref: **APP/N1215/1191202**

Decision: GRANTED - Decision Date: 03/05/2007

- **2/2002/0800** – Land adjacent to Greenacres, Salisbury Road, Shaftesbury, Dorset. Develop land for residential, business and retail purposes, form vehicular and pedestrian access. This application was allowed at appeal ref: **APP/N1215/1191206**

Decision: GRANTED - Decision Date: 03/05/2007

- **2/2008/1137** - Phase 1 Land at East Shaftesbury, Gower Road, Shaftesbury, Dorset. Erect 75 dwellings with associated works including parking, garage blocks, access roads and highway works (reserved matters for outline application 2/2002/0415, seeking consent for landscaping details). Phase 1A.

Decision: GRANTED - Decision Date: 18/03/2009

- **2/2010/1101/PLNG** - Phase 1 Land at East Shaftesbury, Gower Road, Shaftesbury, Dorset . Erect 96 dwellings, estate roads, landscaping, open space, and SUDS corridor at Phase 3 - Parcel 2. Reserved Matters application following Outline Permission No 2/2002/0415 to determine appearance, landscaping, layout, and scale.

Decision: GRANTED - Decision Date: 16/03/2011

- **2/2012/0310/PLNG** - Phase 1 Land at East Shaftesbury, Gower Road, Shaftesbury, Dorset. Erect 238 No. dwellings with associated parking, estate roads, open space, suds corridor, and form vehicular and pedestrian access.

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(Reserved Matters to determine Appearance, Landscaping, Layout and Scale following Outline Permission No. 2/2002/0415). Parcels 3 and 5.

Decision: GRANTED - Decision Date: 25/07/2012

- **2/2016/0658/PAEIA** - Legal Agreement Signed: 04/09/2017

Erect 97 No. dwellings on land east of Shaftesbury (Parcels 6 & 7), with associated access, parking, open space, and landscaping.

- **2/2016/1898/OUT** - Land At Langdale Farm, Mampits Lane, Shaftesbury, Dorset Develop land by the erection of 20 No. dwellings, (outline application with all matters reserved).

Decision: REFUSE - Decision Date: 10/10/2017

8.0 List of Constraints

TPO (TPO-573-2017)

TPO (NDDC/TPO-573-2017)

Settlement Boundary (inside); Policy 2 and 18; Shaftesbury

Legal Agreements S106

Nutrient Catchment Areas

Wiltshire - Distance: 161.86m

Right of Way: Footpath N1/7; - Distance: 18.37m

Right of Way: Footpath N1/39; - Distance: 1.16m

9.0 Consultations

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

Consultees

1. Shaftesbury Town Council

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- The Town Council returned with 'No comment - The committee requests for this application to be called to the Northern Area Planning committee for consideration'

2. Dorset Council - Natural Environment Team

- A biodiversity plan and certificate of approval relating to the biodiversity plan is submitted in accordance with Dorset Biodiversity Appraisal Protocol. It is signed by the Natural Environment Team (NET) and dated 14th December 2023.

3. Dorset Council – Highways

- The proposal provides 15 spaces, a level of on-site car parking that complies with the Council's guidance for the types of development proposed. This includes 2 x disabled parking spaces, located near the entrance to the building, that are appropriately dimensioned.
- Cycle parking is adequately catered for with 6 covered bike storage racks to be provided.
- Conditions and informatives are recommended.

Representations received

Total - Objections	Total - No Objections	Total - Comments
10	0	0

Petitions Objecting	Petitions Supporting
0	0
0 Signatures	0 Signatures

Summary of comments of objections:

- Preference expressed to alternative scheme by community interest group.
Case officer response - Each application is considered on its individual planning merits
- Attempt by Shaftesbury Town Council (STC) to block an application submitted by the committed residents with community support.
Case officer response – this is not a material planning consideration.
- Loss of community space for outdoor events.
Case officer response - Sufficient space for outdoor events remains.
- Loss of village green.

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- *Case officer response - Sufficient space on the green remains.*
- Loss of protected trees.
Case officer response – no trees will be lost
- Loss of views of trees and countryside.
Case officer response – no significant loss of views.
- Random footpaths and trees make the site unusable for community activities.
Case officer response – Case officer disagrees- an abundance of space remains available for community activities.
- Poor design and siting of building within the site.
Case officer response - Design and siting of building considered to be acceptable and in keeping with character of the local area
- Encourage anti-social behaviour.
Case officer response - good siting of building enables natural surveillance
- Air ambulance will no longer be able to land at this location.
Case officer response – suitable area/ space located immediately adjacent to the east of the hub plot.
- Parking is dangerous, insufficient, and inadequate.
Case officer response – Highway Authority (HA) raise no objection in terms of safety – HA content with level of parking
- Highway safety issues located close to a blind bend.
Case officer response – Highway Authority (HA) raise no objection in terms of safety – HA content with level of parking
- Traffic management survey should be undertaken.
Case officer response – Highway Authority (HA) raise no objection in terms of safety – HA content with level of parking
- Concern raised regarding access to Langdale farm.
Case officer response – proposal will not impact Langdale Farm
- STC want a commercial business which is contrary to 2007 s106 Agreement
Case officer response – s106 does not inhibit office use.
- Concern raised regarding STC handling of finances.
Case officer response – not a material planning consideration.

Summary of comments of support: None

Community Involvement

The application is supported by a 'Statement of Community Involvement'. This is not a statutory requirement for this size of development. Nevertheless, it is positive that a wide section of the community was involved and inputted to the proposal.

Leaflets were distributed and the design team engaged with 100 residents during a pop-up event which took place on Mampits Green. STC engaged with the wider community – they leafleted shoppers at the weekly farmers market, Shaftesbury youth council, parents of three local primary schools, the

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local youth club, football club, open house and Shaftesbury carnival club. Social media engagement reached 17,000 people.

445 responses were received and analysed to prioritise what type of facility the community needed. Outdoor space, wildness/ woodland area, a walking trail, sports area/multi use games area (MUGA) and a youth club were responders' preference.

It is positive that the community has been involved and that the proposal delivers the main part of their needs.

10.0 Duties

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

11.0 Relevant Policies

North Dorset Local Plan Part One

Sustainable Development Strategy

Policy 1 – Presumption in favour of sustainable development

Policy 2 – Core Spatial Strategy

Environment and Climate Change

Policy 3 – Climate Change

Policy 4 - The Natural Environment

Sustainable Infrastructure

Policy 14 (J & K) – Social Infrastructure Paragraphs 7.107 & 7.110

Policy 15 – Green Infrastructure

Market Towns and the Countryside

Policy 18 - Shaftesbury

Development Management Policies

Policy 23 – Parking

Policy 24 – Design

Policy 25 - Amenity

Neighbourhood Plans

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Shaftesbury Town Council Neighbourhood Plan 2019-2031

Dorset Council agreed with the findings of the Examiner's Report and agreed that a referendum should take place on Thursday 6 May 2021. The Shaftesbury Neighbourhood Plan was made (adopted) by Dorset Council on 22 June 2021. Following a majority 'yes' vote in the referendum, the [decision](#) was taken to make the Shaftesbury Neighbourhood Plan part of the development plan for the Shaftesbury neighbourhood area.

Shaftesbury Town Council Neighbourhood Plan 2019 - 2031

Green Infrastructure

Policy SFGI1 - Protect important and locally valued green spaces

Design policies

SFDH3 The scale and positioning and orientation of buildings

SFDH4 A range of open areas and enclosed spaces should be incorporated into the design of new places

SFDH5 – Provision must be made for cars.

SFDH7 – Development should use materials that respect the areas heritage.

Community and Leisure

Policy SFCL1 – Community Facilities

Policy SFCL3 – Support safe walking and cycling routes

Material Considerations

Emerging Local Plans:

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

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

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making. However, the production of the Draft Local Plan has significant implications for the assessment of housing land supply.

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The emerging Local Plan has reached Regulation 18 of the (Town and Country Planning (Local Planning) (England) Regulations 2012 stage and includes a policies map and proposed allocations towards meeting housing need. Therefore, as detailed under Paragraph 226 of the NPPF (December 2023), for decision-making purposes only, the Council is only required to identify a minimum of 4 years' worth of deliverable housing sites.

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 131 – 141 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 14 'Meeting the challenges of climate change, flooding and coastal change'.
- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty great weight should be given to conserving and

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enhancing the landscape and scenic beauty (para 183). Paragraphs 185-188 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

Cranborne Chase National Landscape Management Plan (2019 – 2024)

Cranborne Chase AONB Landscape Character Assessment

Dorset Council Interim Guidance and Position Statement , Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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.

In this regard 2 disabled persons parking spaces are included adjacent to community hub. WC facilities are particularly well situated to the front of the hub, with access directly from the green.

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14.0 Financial benefits

It is not expected that the facility will bring about financial benefits for Dorset Council and residents of the local community.

The community café may create 2 full time positions with regard to the running of the café and additional revenue can be secured from the letting of office space on the first floor. Potential profits from the office space and community café may help with costs to run the facility, but this financial gain is not a material planning consideration.

The facility will pay business rates when up and running which will benefit the public purse.

15.0 Planning Assessment

Principle of development

The site is located on the eastern edge of the market town of Shaftesbury within the settlement development limit in an area that is the focus for new development as set out in the Shaftesbury (East) Masterplan 2004. Community facilities are sparsely spread throughout the residential estate with no central community hub within this area. Land which is the subject of this proposal is designated for community facility within the masterplan therefore the principle of development is acceptable provided the proposal complies with all other material planning matters.

Submitted plans for the hub building include office space on the first floor. An objector is concerned that an office use is prohibited at this site under the terms of a section 106 agreement signed in 2007 (see below for more detail). The section 106 agreement does set out at paragraph 15.8, that 'the Developers and District Council covenant that ...the neighbourhood hall shall not be used for any purposes other than as a creche nursery school public hall or for purposes within D2 of the use classes order 1987 (as amended)...'. This does not preclude the grant of planning permission, an ancillary office use is considered to be acceptable in line with Policy 1 – Presumption in favour of sustainable development of the North Dorset Local Plan Part One, 2016.

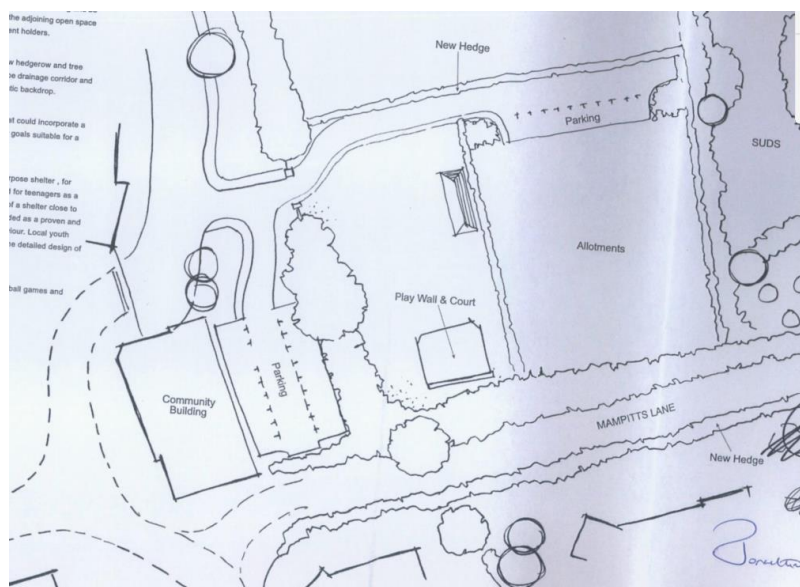
In line with Policy 1 – Presumption in Favour of Sustainable Development of the North Area Local Plan Part One it is considered that both a community use and an office use are acceptable at this location.

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Section 106 agreement

A legal agreement was made in January 2007 between Dorset Council and developers secured planning obligations. It relates to planning application 2/2002/0415 – the over-arching planning application to develop land for residential and mixed-use purposes which now forms the Mampits lane/ Maple Road/ Allen Road area.

In addition to securing affordable housing and off-site play area contribution amongst other benefits, a contribution was secured to provide a community facility. An area of land to be used for community and recreational purposes was designated- this is the site proposed for this application; and a neighbourhood hall contribution sum was secured to be used towards construction costs. An indicative plan for the Neighbourhood Hall Site was drafted and is shown below.



(Indicative neighbourhood hall site secured by S106 agreement associated with 2/2002/0415 – sealed in January 2007)

Impact on the character of the Area

The community hub site is laid out so that the hub building is situated to the rear of Mampits Green. The location was chosen to maintain the Mampits Green area to the front; and retain open space to the east. The siting of the building at this location is similar to that set out in the indicative plan (see above), although the proposed location is preferable as it sits further into the site retaining useable green space to the front where local people can relax.

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The building is well placed and orientated so that it incorporates an element of natural surveillance, creating a coherent sense of place yet retaining the green as a landscape feature reinforcing the existing local pattern of development.

The height of the building and finish allows the building to assimilate with its surroundings. The building is 1 ½ storeys and clad with timber, similar cladding is evident at adjacent apartment developments. It is lower in height than neighbouring buildings so will appear neither overbearing nor incongruous. It is proposed that the building will be heated by energy efficient air source heat pump system and that solar panels will be incorporated into the roof to reduce reliance on imported energy.

The building is located so that there is ease of movement in and around the building with paved areas and landscaped areas to the east providing a new park facility for the community. A step free accessible path encompasses an amenity lawn area. Picnic benches and seats are provided; and a children's playable structure is included. A bespoke shelter/social space is located to the rear of hub building within an area of rough grassland, adjacent to a walkway, providing shelter in the rain. Existing trees and shrubs will be protected and additional trees, scrub island beds and meadow will be introduced onto site.

The newly created public space is safe, uncluttered and would work effectively for all sections of the community including the mobility impaired with disabled parking spaces situated close to the entrance of the hub building.

It is proposed that a band of parking spaces is located adjacent to the hub building to the north. The band is at a curved section of Maple Road which reduces the visual impact of the parking spaces when approaching the site from Mampits Lane, yet also provides good access for disabled residents. The Shaftesbury Neighbourhood Plan policy SFDH5 advises that if communal car parking areas are proposed it should not result in extensive areas of uninterrupted parking and will need to be landscaped with planting. Sensitive placement of trees and wildflower meadow are included and will ensure that the parking arrangement is permeable and relates well to the hub building. It is considered that all features of the proposal conform with the relevant aspects of the Councils design principles set out in policy 24 – Design of the Northern Area Plan part one; and design policy set out in the NPPF paragraph 131-141.

Impact on amenity

The proposal seeks to secure a good standard of amenity for all neighbours and future users of the community hub facility. A well designed building and sensitive management of scrub land, trees and bushes will improve the appearance of the amenity land.

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There would be no loss of privacy with the hub building situated 20m from the closest building- its orientation and height (1.5 storey - 6.7m) ensure no harmful overlooking, or loss of light.

Initially the café plans to open from 8am – 6pm x 5 days a week, moving to some evening openings for supper clubs, community events, Friday night specials for teenagers and similar may be arranged. Shorter hours may operate during the winter months and longer hours in the Summer. It is not considered necessary to include a condition to restrict opening hours as it is unlikely that noise nuisance will arise the use of the facility and separation distance from residential property. No negative impact from noise or smells is expected , however, a condition will be included to ensure that if hot food is to be provided appropriate ventilation will be required.

A secured bin store located behind an area of wildflower meadow, is neither highly visible nor expected to cause harm to amenity in terms of smell. There will be a marginal increase in traffic because of provision of the community hub, but it is not considered to be harmful to residential amenity. A sufficient number of parking spaces is provided in accordance with Dorset Councils Parking Standards Guide. There is an apartment building on the opposite side of Maple Road to where parking is proposed, but the orientation of the building towards the Green will ensure visual amenity for residents is protected.

The intension of the proposal is provision of a peaceful space that will improve residential amenity and it is considered that the proposal conforms with Policy 25 - Amenity and NPPF.

Highways and Parking

In line with Dorset Council's Parking Standards guidance - 3 parking spaces are required for office space at first floor level (90sqm); Ground floor space measures approximately 140sqm, therefore an additional 10 spaces are needed for the café space. 2 further spaces for full time staff. A total of 15 spaces are required.

Provision is made for 3 x disabled parking spaces and 12 regular sized space (2m x 4.8m). It is considered that an acceptable level of parking provision is made. Parking standard figures provide an indication of the level of parking required. This is a community facility – located in the heart of the community, it is expected that most patrons would walk to the unit.

Furthermore, the Highway Authority (HA) have been consulted and have raised no objection in terms of highway safety. The highway officer is content with level of

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provision, including disabled parking provision particularly as it is located close to the entrance of the hub building; and as bicycle parking with 6 covered bike storage racks are to be provided. The HA has no objection subject to inclusion of a number of conditions.

Biodiversity, Trees, and Landscaping

The application is supported by a Biodiversity mitigation plan and certificate of Approval signed by DCNET on 14th December 2023.

An ecological impact assessment and reptile survey were undertaken and submitted. It is considered that native hedgerow and tree lines potential for foraging bats so measures to reduce light emissions are included within the environmental plan which will be secured by way of condition. Loss of grassland and bramble scrub will be mitigated through a landscaping scheme which provides enhancement to remaining grassland and creation of scrub areas set out in the accompanying landscape plan. Clearance of bramble will only be allowed outside the bird breeding season and protective fencing will be put in place. Measures will be put in place to protect badgers and hedgehogs passing through the site and excavations should be covered at night to prevent entrapment and ramps should also be placed in excavations to provide a way out if animals become entrapped.

All trees are to be retained and protected throughout construction phase, an additional 21 trees are to be planted. A condition will be included to ensure a site visit with tree officer is undertaken to ensure proper means of protection of on-site trees and scrub is in place.

Flood risk

The site is in flood zone 1 and in an area that is not susceptible to flooding due to high levels of ground water. Flood maps indicate that there is a low risk of flooding due to surface water with the extent of surface water run off 1 in 1000.

This risk is relatively low and can be readily managed. Discussion with Dorset Councils Flood risk engineer revealed that there is a sewer which runs across the site and a simple scheme whereby water is transferred by down pipe from the roof and from pathed areas, attenuated and connected to the sewer. A condition will be included for the application to ensure that the developer submits a suitable surface water drainage strategy prior to commencement of development.

15.0 Environmental Implications

It is considered that that long term ramifications of the development are positive in terms of impact on the environmental. The proposed timber construction material is

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most sustainable. Solar panels and inclusion of air source heat pump units ensure no external power source is required. The DCNET is satisfied that hard and soft landscape proposals will result in biodiversity net gain on site.

16.0 Conclusion

The proposal is acceptable in respect of its scale, layout, design, and landscaping. The proposed development is compatible with surroundings, and acceptable separations distances are in place to ensure no harmful overlooking nor negative impact on amenity. Adequate parking provision is made and it is unlikely to have an adverse impact on road safety. The development will provide a much-needed community facility and no harm has been identified which would warrant refusal. The application accords with the Development Plan as a whole.

17.0 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 development hereby permitted shall be carried out in accordance with the following approved plans:

5166/SO3 - Location Plan

5166/P06 B - Proposed site plan

5166/P01 – Proposed Ground Floor Plan

5166-P02 -Proposed first floor plan

5166-P04 – Proposed south west and north west elevations

5166-P05 – Proposed South east and north east elevations

5166-P03 – Proposed roof plan, bin store and elevations

5266-P11 rev C – Landscaping Layout

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

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

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- delivery, demolition, and construction working hours

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

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

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4. Prior to commencement of development, a Landscape Management Plan, including long term design objectives, management responsibilities, maintenance schedules and a timetable for implementation and/or phasing; for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Landscape Management Plan shall be implemented as approved.

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

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

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

6. No works or development shall take place before a scheme for the protection of the existing trees and hedges to be retained shown on drawing number 5266-P11 rev C – Landscaping Layout has been submitted to and approved in writing by the the local planning authority. Such a scheme will comply with the provisions of BS5837:2005 (Trees in relation to construction) or any replacement standard that may be in force at the time that the development commences. The approved scheme for the protection of the existing trees shall be implemented before development commences and be maintained in full until the development has been completed.

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

7. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan or Landscape Ecological Management Plan (LEMP) certified by the Dorset Council Natural Environment Team on 14.12.2023 must be strictly adhered to during the carrying out of the development.

The development hereby approved must not be first brought into use unless and until:

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

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ii) evidence of compliance in accordance with section J of the approved Biodiversity Plan/the LEMP has been supplied to the Local Planning Authority.

Thereafter the approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details.

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

8. Before the development is occupied or utilised the first 5.00 metres of each vehicular access, measured from the rear edge of the highway, must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.

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

9. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number P11 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

10. Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number P01 must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

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

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

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

12. Prior to development above damp proof course level a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees and other planting to be retained; a planting specification and plan to include numbers, size, species, positions of all new trees and shrubs; details of existing and proposed levels, walls, fences and other boundary treatments and surface treatments of the open parts of the site; details of any structures, street furniture, lighting and play equipment; and a programme of implementation.

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Reason: to ensure the adequate mitigation of the landscape and visual impact of the proposals and the provision of an appropriate hard and soft landscape scheme prior to the commencement of the development.

13. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the use of the site or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: to ensure that the agreed hard and soft landscape scheme is implemented.

14. Any trees or other plants indicated in the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced (and if necessary continue to be replaced) during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. Hard landscape features will be maintained in perpetuity.

Reason: to ensure that the agreed hard and soft landscaping scheme is established and maintained.

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.

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Application Number:	P/FUL/2023/04880		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Shillingstone Station, Station Road Shillingstone Blandford Forum DT11 0SA		
Proposal:	Carry out engineering and landscaping works to create a car park and vehicular access for use by North Dorset Railway.		
Applicant name:	North Dorset Railway		
Case Officer:	Cass Worman		
Ward Member(s):	Cllr Batstone		
Publicity expiry date:	16 January 2024	Officer site visit date:	November 2023
Decision due date:	12 March 2024	Ext(s) of time:	12 March 2024
No of Site Notices:	3		
SN displayed reasoning:	1 adjacent to location of proposed entrance gate, one on entrance to trailway from highway next to site, one on fence overlooking site from trailway above. Maximise public visibility		

1.0 Reason for committee consideration:

- Council owned land

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation:

- the heritage attraction does not currently have sufficient on-site parking provision for visitors, staff & volunteers. The proposals would facilitate the expansion & growth of this established community project, and there would be social and economic benefits associated with the expansion of the heritage railway (community engagement, education, health & wellbeing, tourist income etc)
- car park location has been carefully considered following an options appraisal, & the proposal site represents best options in terms of flood risk, highways & access, impacts on biodiversity, and landscape impact
- proposals are acceptable to Highways Engineers with satisfactory visibility splays
- proposals would not increase the risk of flooding elsewhere, a flood management plan would ensure car park does not pose an unacceptable risk to people or property

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- biodiversity mitigation & enhancements are proposed both on and off-site

4.0 Key planning issues

Issue	Conclusion
Principle of development	Expansion of the heritage railway supported in principle
Scale, design, impact on character and appearance	Acceptable – the site is adjacent to an existing pumping station, and an area of hardstanding used for informal parking by the adjacent landowner. The site is close to the existing Trailway car park and near to the edge of the village envelope
Impact on amenity	Acceptable – the car park is not adjacent to any residential properties. Additional vehicle movements from the car park would not adversely impact occupants of nearby dwellings.
Impact on heritage assets	There are no designated heritage assets in the vicinity. The ongoing restoration of the heritage railway is broadly supported by Conservation Team.
Economic benefits	Expansion & continued growth of the visitor attraction would bring about associated tourist spend both at the attraction and in the local area
Access and Parking	The proposal would provide much needed parking and the arrangements are acceptable in terms of highways safety
Flooding	Much of the site is within Flood Zone 3b, the functional flood plain; the Environment Agency maintain an objection to the scheme in that less vulnerable developments are not acceptable in Zone 3b. The applicant has demonstrated that there would be no increase in ground levels and the proposals would not increase the risk of flooding elsewhere; adherence to a flood risk management plan would reduce risk to people & property (the car park would not be open to the general public, closed at time of flood, flood risk, and when the railway is closed). On balance, it is considered that the benefits of the scheme outweigh the flood risks, and that a less vulnerable use is acceptable in this instance
Impacts on Biodiversity	The application is accompanied by a Biodiversity Plan signed & certified by the Natural Environment Team. Both on and off-site mitigation & compensation would be provided, and a traditional meadow management regime would be implemented in areas surrounding the car park, improving the condition of the neutral grassland.
Rights of Way	The scheme links to the existing North Dorset Trailway, and offers some improvements to the sloping section which joins the Trailway to the proposed car park via provision of an off road footway

5.0 Description of Site

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The proposed Car Park would occupy part of a triangular-shaped area of rough grassland adjacent to Hayward Bridge on the River Stour on the north of Shillingstone. The land wraps around a Wessex Water pumping station, to the western side is an area of track/layby used for parking by the adjacent landowner. The North Dorset Trailway which runs north south along the western side of the site links the proposal site to the heritage railway.

The site proposed for the car park is owned by Dorset Council, and would be leased to the North Dorset Railway should permission be forthcoming (a conditional lease agreement has been drawn up and agreed in principle with the Assets & Property Team, and if planning permission is granted, will then subsequently be signed & come into effect).

The site is outside the Conservation Area and outside the AONB.

6.0 Description of Development

North Dorset Railway (NDR), is an established heritage railway museum based at Shillingstone Station. It is a Charitable Trust run entirely by volunteers. A community venture, it provides a visitor attraction & source of education and experience for both local people and visitors to the area.

Shillingstone Railway and the North Dorset Trailway was formerly part of the Somerset and Dorset Joint Railway, which ceased in 1966.

Shillingstone Station was opened on 31 August 1863 and is the last surviving station built to an earlier Dorset Central Railway design.

Since the acquisition of Shillingstone Station in 2005, NDR has focused on restoring the station and its surroundings to how they looked in the decade before closure in the 1960s. As well as renovating the station building there is a gift shop, cafe, museum and model railway. The signal box, platform shelter and greenhouse have been renovated, track to the mainline and sidings has been relaid, and the station gardens restored. Drainage and other engineering works have improved the safety and security of the station environment and trackbed.

NDR is progressing with the ongoing restoration of Shillingstone Station and extending the trackbed, with a view to running operational passenger trips in a few years' time. Most recently permission was granted to restore a section of the previous track bed and Lamb House Bridge (over Haywards Lane), reinstatement of the former embankment at Bere Marsh as features of heritage interest, as well as landscaping works, and reorientation of the North Dorset Trailway to facilitate this.

The ongoing expansion and growing popularity of the NDR as a place to volunteer and to visit, prompts this application for dedicated car parking for the facility, as parking in the adjacent industrial estate relies on an informal third party agreement, and is not secured in the long term with imminent sale of the former Perkins owned site.

The application follows a thorough options appraisal of a number of potential sites in the vicinity, and has been drawn up following pre-application discussions with the Dorset Council Highways Engineer, and other stakeholders (North Dorset Trailway).

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The proposals involve the change of use of a triangle of land, and the establishment of 46 parking spaces via the removal of compacted topsoil, laying a permeable geotextile membrane, over which permeable MOT Type 3 granular sub-base would be laid. A new access from the highway would be established, the first 5m which would be constructed to highways specification, (e.g. bitumen macadam) and secured with a lockable height barrier so that use of the car park can be controlled by the NDR.

Trees and shrubs would be established around the parking area to offer screening & softening (as well as delineation) of the parking area, and to separate cars from the pedestrian link out of the car park. A new off-road 2m wide footpath would be created alongside the highway to join the carpark with the Trailway.

The tip of the triangle adjacent to the river and the southern edge of the site would be planted with meadow grassland and trees in accordance with the approved Biodiversity Plan. Creation of an offsite meadow on land owned by the NDR is also to be established as biodiversity mitigation & enhancement.

7.0 Relevant Planning History

2/2008/0704: Decision: GRA – Decision Date: 17/09/2008

Erect 1 No. Engine shed, Signal box, greenhouse, bike shed, and platform shelter.
Create parking area formed of 16 No. parking spaces and form picnic area

2/2015/0027/DCC - Decision: Dorset County Notification - Decision Date: 26/01/2015
Replacement of Hayward Main bridge deck and improvements to adjoining retaining walls.

2/2018/110/FUL – Decision: GRA: Decision Date: 02/10/2018

Engineering operations to re-grade and re-surface an existing embankment to enable the diversion of the North Dorset Trailway.

2/2020/0078/FUL – Decision: GRA – Decision Date: 10/07/2020

Erect a restoration shelter and form railway track. Reposition 2 No. storage containers and erect a first floor extension above to provide a mess/welfare and administration facility.

P/FUL/2020/00440 – Decision: GRA – Decision Date: 30/04/2021

Carry out engineering and landscaping works, to reinstate the historic track bed and re-lay railway track between Shillingstone Station and Bere Marsh (Cattle Creep Underpass)

2/2020/0936/SCREIA - Decision: Not EIA Dev - Decision Date: 28/02/2022

Request for EIA Screening Opinion under Section 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for the restoration of a length of track to the north of its current site at Shillingstone Station.

P/ESC/2023/05570 - Decision: Not EIA Dev - Decision Date: 12/10/2023

Request for EIA Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for the proposed change of use from a mixed use of a museum and restored railway embankment and trackbed to an operational heritage railway.

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8.0 List of Constraints

LP - North Dorset Local Plan Part 1 (2011-2031); Adopted; Outside settlement boundaries (countryside); Policy 2, 20; NULL - Distance: 0

LP - North Dorset District-Wide Local Plan (1994-2011); Saved Policies; River Valleys; 1.12; NULL - Distance: 0

NPLA - Type: Neighbourhood Plan - Made; Name: Shillingstone NP; Status 'Made' 21/02/2017; - Distance: 0

PROW - Right of Way: Footpath N50/3; - Distance: 15.71

PROW - Right of Way: Bridleway N50/2; - Distance: 21.9

EA - Risk of Surface Water Flooding Extent 1 in 30; Extent 1 in 100; Extent 1 in 1000 - Distance: 0

DESI - Dorset Council Land (Freehold): Site compound for Hayward Main Bridge, Bere Marsh, Shillingstone - Reference 10275 - Distance: 0

DESI - Dorset Council Land (Freehold): North Dorset Trailway including former railway station and bridges 180,182 & 183), Shillingstone, Blandford Forum - Reference 05345 - Distance: 0

DESI - Dorset Council Land (Freehold): Site compound for Hayward Main Bridge, Bere Marsh, Shillingstone - Reference 10275 - Distance: 0

DESI - Dorset Council Land (Freehold): North Dorset Trailway including former railway station and bridges 180,182 & 183), Shillingstone, Blandford Forum - Reference 05345 - Distance: 0

DESI - Dorset Council Land (Freehold): Site compound for Hayward Main Bridge, Bere Marsh, Shillingstone - Reference 10275 - Distance: 0

DESI - Dorset Council Land (Freehold): North Dorset Trailway including former railway station and bridges 180,182 & 183), Shillingstone, Blandford Forum - Reference 05345 - Distance: 0

DESI - Existing ecological network (Lines) - Distance: 0

DESI - Higher Potential ecological network - Distance: 0

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

DESI - Scheduled Monument: Moated site 130m west of Bere Marsh Farm (List Entry: 1016897); - Distance: 248.63

EA - Main River Consultation Zone - Distance: 0

FLD - Flood Zone 2 and Flood Zone 3 - Distance: 0

DESI - Minerals and Waste Safeguarding Area - ID: 2737; Sand and Gravel - Name: NULL; - Distance: 0

9.0 Consultations

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

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Consultees

W - Blackmore Vale Ward – no response received

P - Shillingstone PC – No formal response to the consultation has been received, however we have received the following confirmation from the Parish Council Clerk: *“The proposed car park layout was considered by the Parish Council at last night’s (1/06/23) meeting. There were no objections to the plan as it stands - in fact it was unanimously supported.”*

Wessex Water – no comment

Environment Agency – OBJECT most of the car park is shown to be located within Flood Zone 3b (functional floodplain). ‘Less Vulnerable’ development is not suitable in Flood Zone 3b.

National Highways - no comment (it does not affect the strategic road network; nearest sections of the SRN comprise the A303 and A35/A31 which pass some distance to the north and south respectively of the application site).

Natural England – concerns that alternative less damaging sites have not been considered, and that condition of species rich unimproved neutral grassland could be improved with proper management, and that proposals would harm wildlife interests.

Dorset Wildlife Trust - insufficient information provided re consideration of alternative sites; choice of preferred site is not supported by ecological evidence. Concerns that encroachment into the floodplain is not appropriate in Floodzone 3b.

North Dorset Trailway – Whilst this proposal does not involve any changes to the route of the Trailway, the Trustees of the North Dorset Trailway Network are pleased to note the proposed improvements on the access slope of the Trailway, south of Hayward Lane, as set out in PA/RSCP/10, and that their previous feedback has been taken into consideration.

DC - Rights of Way Officer – *“My Comments have been included in the plans” – this comment refers to a site meeting with NDR, Graham Stanley (Dorset Council Senior Ranger North) and Jan Wardell (Secretary to the North Dorset Trailway Network) on 30th May 2023 where the design of the proposed link with the lower end of the Trailway Slope was discussed)*

DC - Highways – No objection subject to conditions

DC - Minerals & Waste Policy – No comment

DC - Trees (North West Weymouth) - Support retention & enhancement of existing tree & hedging; the tree survey style document is sufficient in this case when read in conjunction with the landscaping plan. Conditions re tree & hedgerow protection, and provision of soft landscaping & planting suggested.

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DC - Env. Services – Protection – Requestion Condition: Reporting of Unexpected Contamination

Representations received

Total - Objections	Total - No Objections	Total - Comments
4	94	2

Objectors to the scheme raise the following summarised concerns:

- Light pollution from car park lighting will have a negative impact upon the environment
- The railway is already being adversely affected by the extension of the railway, and the proposals would increase noise, disturbance, pollution and loss of habitat in & around the railway.
- Visitors to NDR should be encouraged to walk, cycle or use public transport to visit the station – encouragement of car use by providing car parking will increase traffic in Shillingstone and should be resisted.
- Alternative parking sites away should be fully explored, a car park next to a nature reserve is inappropriate
- Road safety & access concerns. Increased traffic will impact highway safety. Proximity of site access to Lamb House bridge, Newman's Drove & Hayward Lane will cause congestion and increase accident risk.
- Design and appearance concerns - the car park would be an incongruous addition into the countryside, and degrade the landscape, which the restoration of the Railway should be opening up to visitors, not destroying. The view from the railway and railway would be degraded.
- Flood risk - the site is subject to regular yearly flooding, which will in turn damage the site and require constant repair, concerns proper maintenance would not be carried out.
- Extension of railways is contrary to the fight against climate change.
- The railway will be compromised by continued & future expansions of the railway
- The additional car parking facility is not needed, there aren't enough visitors to justify the proposals
- Adverse impacts on wildlife
- The railway will be unsafe (*this is a comment on the wider NDR operations, not in response to the application for a car park*)

Supporters of the scheme mention the following summarised points:

- Car park much needed addition to enable the heritage railway to continue to expand & improve.
- An ever-important tourist destination should not have to rely on third party goodwill, they need their own car park
- Without a car park, the viability of the expansion would be compromised
- As well as encouraging visitors to the railway, it will benefit the Railway
- Will benefit locals by reducing on-street & inconsiderate parking in residential streets within the village

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- Good for tourism in the wider locality, good for economy & community (volunteering).
- Especially good for North Dorset tourism
- Good for the village (Community / volunteering opportunities – associated health & wellbeing advantages)
- Landscape impact would be minimal, design is sustainable and flood compatible
- Matches the Trailway car park opposite
- Location is good, away from main road with good off-road pedestrian access (with no need for users to cross the highway)
- Ecological issues have been addressed
- Dorset Railway have a proven track record of completing civil engineering tasks to a high standard and in compliance with regulations as seen by previous work carried out to divert the trailway around the platform and up to Lambs House bridge.

10.0 Duties

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

11.0 Relevant Policies

North Dorset Local Plan Part 1 2011-2031

Policy 1 - Sustainable Development

Policy 2 - Core Spatial Strategy

Policy 3 – Climate Change

Policy 4 - The Natural Environment

Policy 5 - The Historic Environment

Policy 11 – The Economy

Policy 12 – Retail, Leisure and Other Commercial Developments

Policy 13 – Grey Infrastructure

Policy 20 - The Countryside

Policy 25 - Amenity

Policy 27 - Retention of Community Facilities

National Planning Policy Framework (2023)

1. Introduction

4. Decision-making

6. Building a strong, competitive economy

8. Promoting healthy and safe communities

9. Promoting Sustainable transport

11. Making effective use of land

12. Achieving well-designed & beautiful 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

Shillingstone Neighbourhood Plan 2016 to 2031 (made 2017)

Regard has been had to the made Shillingstone Neighbourhood Plan, which does not elaborate on the endeavours of the North Dorset Railway. It is considered that

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the proposal would not undermine the aims of the Neighbourhood Plan (NP), which focuses on protecting and enhancing the rural village character of Shillingstone.

The Trailway is clearly an important asset to the Plan Area, mentioned numerous times throughout the plan, and this scheme links with the Trailway, and provides some improvements to the existing ramped section leading up from Hayward Lane, and the proposal is not considered to be contrary to Neighbourhood Plan *Policy 2. Rural lanes and tracks*, which rejects development that would noticeably detract from the rural character of the lanes and tracks around the village and countryside. The scheme is considered to be in accordance with *NP Policy 3. The character and design of new development* in that a modestly sized and well landscaped car parking area would be appropriate to the rural setting and relates positively to public routes and local green spaces.

Other Policies

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Material Considerations

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.

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Considerations under PSED discussed below in the planning assessment are:

- Access
 - The scheme has been arranged to ensure people with disabilities or mobility impairments (inc mobility scooters), those pushing buggies & cyclists have been accommodated by provision of a wide, off road footpath link from the car park to the Trailway.
 - Widening of the existing Trailway on the slope up from the highway where it is currently less than 2.0m wide forms part of the scheme, and provision of staggered safety barriers & gates on approach to the Highway which are navigable by those with mobility impairments, cyclists and horse riders, and is appropriately signed to advise users of the junction with the Highway, also provides a safe and navigable link between the proposed car park and Trailway.
 - Access is level from the proposed car park to the Trailway.

14.0 Financial benefits

Expansion & continued growth of the visitor attraction would bring about associated tourist spend both at the attraction and in the local area.

15.0 Environmental Implications

The scheme is supported by a Biodiversity Plan, certified by the Natural Environment Team. Both on and off-site mitigation & compensation would be provided, and a traditional meadow management regime would be implemented in areas surrounding the car park, improving the condition of the neutral grassland, & provide foraging for birds and attract moths for bats.

16.0 PLANNING ASSESSMENT

Principle

The North Dorset Railway Trust (NDR) is progressing with the ongoing restoration and expansion of the station and surrounding site.

Parking in the industrial estate adjacent to the station itself currently relies on an informal third party agreement, which is not secured in the long term with imminent sale of the former Perkins owned site. The NDR itself currently only provides 14 car parking spaces on land it controls. The NDR does not currently have sufficient on-site parking provision for visitors, staff & volunteers. Therefore provision of a new car park, controlled by the NDR is considered to be vital to the continued expansion & growth of this established community project

The positive impacts of the NDR can be summarised by the letter of support provided by Jack Bath, Training and Volunteer Manager/Coordinator at the North Dorset Railway:

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“As Volunteer Manager/Coordinator at the Shillingstone Station site I witness the joy and benefit provided for both volunteers and visitors alike. For volunteers by contributing either worthy skills or learning new ones and for visitors the recreational experience of relaxing in an educational heritage environment.

We cater for many individuals who derive both mental and physical reward from the immense interaction when either deploying or learning practical and assisting roles. We also cater for visitors who not only, by their patronage, support the railway but also get great pleasure from a worthy tourist attraction.

Without the provision for adequate parking and therefore without compromising either the minimal nearby village or Trailway car park facilities all the benefits of this now recognised social amenity and tourist attraction would be unable to satisfactorily operate.”

There would be social and economic benefits associated with the expansion of the heritage railway (community engagement, education, health & wellbeing, tourist income etc). The principle of the scheme is therefore considered acceptable, taking into account the below considerations:

Impact on character of the area, & setting of the AONB

The site is adjacent to an existing pumping station, and an area of hardstanding used for informal parking by the adjacent landowner. The site is close to the existing Trailway car park (on the other side of the railway bridge) and near to the edge of the village envelope. To the east of the site is Hayward Bridge, a vehicular bridge over the River Stour. A recently approved scheme for an informal, occasional/periodic use unsurfaced car park use was recently approved ref P/FUL/2022/07963, diagonally opposite the site at Bere Marsh Farm.

The site at the being adjacent to an existing built form of the pumping station, and alongside an area of hardstanding used for informal parking by the adjacent landowner does not feel particularly remote or exposed. Its proximity to the Trailway car park on the other side of the railway bridge and road junction with the A357 also contributes to the site not feeling particularly open or visible.

Currently the site is unmanaged grassland with trees and hedging around the edges. The existing trees & hedging along the southern and eastern boundary would be retained, and these would help to act as a foil for the development and would contribute to enhanced greening of the site, new tree & shrub planting, in addition to wildflower meadow management which is detailed within the certified Biodiversity Plan.

Planting is proposed within the car parking area to help break up the visual impact of the natural gravel surfaced area and to help define parking spaces, the parking spaces would not be formally marked out on the ground. A mixed row of Willow/Alder trees would be planted on the north east side of the field, between the car park fence and the river, to provide a natural screen to help mitigate the impact of the proposed

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development on views from the east from Hayward Bridge, and in particular the long distance, but elevated, viewpoint of Hambledon Hill.

The area of the site which would be used for parking, would be surfaced with a free draining Type-3 sub-base material, of a mottled light grey/buff colour, to represent the look of an alluvial material (river gravel).

In order to control use of the car park, a height restricted barrier of a bespoke design resembling a traditional Railway Crossing gate is proposed. On either side of the barrier would be wicket fencing. The visibility splay on either side of the barrier would be a grassed verge.

It is considered that the modest size of the car park, in combination with its location adjacent to the pumping station and existing farm access used for parking, in combination with the existing Trailway car park on the other side of the railway bridge, would not be an incongruous intrusion into the landscape, and is an acceptable form of development in this location on the edge of the village, read in combination with other infrastructure features.

Trees

As above, existing trees and hedging are to be retained, with additional planting outlined in the supporting documents. No topsoil is to be removed or construction material to be placed within the area of new tree and shrub planting. The application is supported by a Tree Survey style document which the Tree Officer is satisfied that when read in conjunction with the landscaping plan provides sufficient detail to be conditioned to appropriately protect existing & new planting.

Flooding

Much of the site is within Flood Zone 3b, the functional flood plain; the Environment Agency maintain an objection to the scheme in that less vulnerable developments are in principle not acceptable in Zone 3b.

As a change of use application, a sequential test for the application is not required. The applicants have applied a sequential approach to location options for the new car park by undertaking an options appraisal of potential options for a NDR carpark (Report No.2 - Car Parking Needs Assessment and Sequential Site Test). Because of the general location of the NDR adjacent to the River Stour, all site options involve land which are within Flood Zones 2, some options being within both Flood Zones 2&3. The preferred site, which is subject to this application, offers the best functional combination of highways safety, accessibility (inc pedestrian safety), size, impacts on biodiversity and land availability.

A sequential approach has been used when designing the proposed car park site: The access from the highway into the site is in an elevated area which is less vulnerable to flooding, and the parking area itself would be located on the 'hump' within the site which is less vulnerable to flooding. The design & construction methodology also takes into account site specific constraints, and has been designed so as not to increase the risk of flooding elsewhere, and which would be safe for the duration of its lifetime:

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There would be no increase in ground levels, where surfacing is proposed, compacted soil would be removed to a depth of 200mm, & replaced with a free draining material as a running surface. Around 1/3 of the site would be 'surfaced' for car parking the rest planted as meadow planting, which is flood compatible.

The barrier at the access from the highway would not impede flood waters. Areas around proposed planting & fencing would be lowered and landscaped into the original ground level to compensate for any small loss of flood storage capacity. As such, the flood storage capacity of the land would be unaffected (or perhaps even marginally improved as compacted soil would be replaced by free draining stone) as there would be no increase in site levels and no obstructions to flood waters.

The topography of the site and configuration of the car parking areas ensures that, should water levels rise, the access road to the public highway, which is at the highest point of the site, would allow straightforward egress for vehicles.

A flood risk management plan is presented to ensure risk to people & property is diminished. The car park would remain privately operated & controlled, it would be closed at time of flood, at times of flood risk, and when the railway is closed (including overnight). A lockable height restriction barrier would prevent entrance by camper vans/caravans.

A site-specific flood risk assessment has satisfactorily demonstrated the development would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.

A series of planning conditions are proposed to ensure the development proceeds in accordance with the flood risk management plan and construction methods outlined to ensure the scheme achieves the flood compatibility as outlined, and that flood risk and risk to property is minimised.

Being minor development for change of use, an exception test is not required.

Officers are therefore satisfied that the proposal is in accordance with paragraphs 173 & 174 of the NPPF in that it has been satisfactorily demonstrated that the development would be made safe for its lifetime without increasing flood risk elsewhere. Implementation of the recommended construction methods to ensure a flood risk compatible development, and adherence to the flood risk management plan which would protect people & property, would be made conditions of any forthcoming permission to ensure flood risk is properly managed and mitigated.

Officers are satisfied that the development would provide wider sustainability benefits to the community that outweigh the flood risk, and notwithstanding the EA's objection, is therefore recommended for approval. The Environment Agency have been notified of this recommendation to approve contrary to their recommendation as per their request. There is no requirement to notify The Secretary of State (as required The Town and Country Planning (Consultation) (England) Direction 2021 as amended) as the development does not constitute "flood risk area development" as the scheme is not defined as major development.

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Biodiversity

Dorset Wildlife Trust (DWT) and Natural England (NE) are critical of the application, stating that insufficient information has been provided with regards to the alternative sites which were considered at the options appraisal stage. These consultees highlight how the Council's Biodiversity Appraisal Protocol and National Planning Policy requires applicants to apply the mitigation hierarchy to development proposals impacting biodiversity. Para 186 NPPF states *"if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*. It should be noted that the applicant did not have to disclose the options appraisal that they undertook to come to the preferred site (Report No.2 - Car Parking Needs Assessment and Sequential Site Test). The preferred site, which is subject to this application, offers the best functional combination of highways safety, accessibility (inc pedestrian safety), size, impacts on biodiversity and land availability.

In specific response to DWT & NE's comments, the applicants have submitted supporting commentary as to why, from a biodiversity point of view, the alternative sites were not progressed, which does demonstrate that all constraints (including biodiversity) were considered at the options appraisal stage, for example Bere Marsh Field would have required removal of a significant amount of hedgerow.

It is also acknowledged that as the other sites were not in the NDR's control or ownership, a full biodiversity survey of these sites could not be undertaken (and due to the NDR being a charitable trust, finances & resources are understandably limited during the options appraisal stage).

It should also be acknowledged that the application is accompanied by a Biodiversity Plan certified by the Natural Environment Team, and therefore the application accords with the Dorset Biodiversity Appraisal Protocol. Biodiversity mitigation & compensation is to be delivered on site, and biodiversity gains & enhancement off-site forms part of the application via improvements at the Bere Marsh site controlled by NDR. It is considered that the Biodiversity Plan approved by the Natural Environment Team reflects what was raised in the Natural England response, in that the footprint of the scheme has been kept as small as possible, and that the Biodiversity Plan secures good mitigation and compensation for the loss of grassland and any impacts to wildlife.

Prior to this committee meeting, noting Natural England's concerns, the Natural Environment Team have had further informal discussions about the scheme with Natural England. Natural England Officers have confirmed that they are happy in principle with the mitigation & compensation measures secured in the Biodiversity Plan, subject to the assessment in the "planning balance" that the benefits of the scheme merits the loss of part of the field. Natural England also suggest that if the recommendation is to approve the application, that the applicant might be asked to put in an artificial otter holt (not currently secured in the approved Biodiversity Plan),

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as these are useful as bolt holes for animals disturbed by increased activities in their foraging habitat.

Officers are satisfied that the footprint of the scheme has been kept to an absolute minimum to deliver the required objectives of the scheme (justification is provided in supporting Report No 2), and all mitigation and compensation measures, which are approved by the Natural Environment Team, would be secured via compliance with the certified Biodiversity Plan which would be secured by condition.

Highways Safety

The preferred site has been subject to pre-application advice from the Council's Highways Engineer.

Highways have confirmed that the proposals deliver satisfactory visibility splays in each direction along the carriageway, and Engineers are supportive of the new off-highway 2m wide footpath which would link the car park to the proposed pedestrian link south to the NDR Station. The proposed car park is laid out so as to separate pedestrians from vehicles, providing a pedestrian gate out from the car park separated from the vehicle barrier.

The Council Highways Engineer has no objection to the scheme, subject to conditions.

Highways have suggested that the new carpark include provision for cycle parking. There are 14 cycle spaces in total on designated cycle racks provided at the NDR site itself, and there are other cycle parking spaces on the platforms that may also be used informally should the racks become full. Taking into account the desire to keep infrastructure to a minimum at the application site for flood risk reasons, it is considered that taking into account existing cycle provision at the Station itself, and that a cycle parking scheme at the new car park is not required in this instance.

Rights of Way

The plans have been finalised following discussions with the North Dorset Trailway & Dorset Council Ranger. The proposal does not require any changes to the route of the Trailway, but does provide improvements on the access slope of the Trailway leading up from Hayward Lane, by widening the route where it is currently less than 2.0m. The route would therefore be improved for all users, including those with mobility requirements, cyclists and horse riders. The off-road footpath, 2.0m wide would provide level access for pedestrians, linking the proposed car park to the Trailway, which then links to the NDR. These improvements to the Trailway and off-road link from the proposed car park are supported.

Heritage & Conservation Area

The application site itself is outside the Conservation Area. The proposed car park would have no direct impact on the station building (itself a non-designated heritage asset), nor Conservation Area.

Scheduled Monument

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To the north, beyond the application site adjacent to Bere Marsh Farm, is The Moat, a Scheduled Monument. Due to the distances involved, and its relative position/location in relation to the monument, coupled with its modest size, it is considered that the Monument and its immediate surroundings would not be directly affected by this application.

17.0 Conclusion

The car park location has been carefully considered following an options appraisal, & the proposal site represents best options in terms of flood risk, highways safety, accessibility, impacts on biodiversity, and landscape impact.

The heritage attraction does not currently have sufficient on-site parking provision for visitors, staff & volunteers. The proposals would facilitate the expansion & growth of this established community project, and there would be social and economic benefits associated with the expansion of the heritage railway (community engagement, education, health & wellbeing, tourist income etc). These significant benefits are considered to outweigh the flood risk. The application has sufficiently demonstrated that the proposals would not increase the risk of flooding elsewhere, would be safe for the lifetime of the development, and adherence to the flood management plan would ensure car park does not pose an unacceptable risk to people or property.

The proposals are acceptable to Highways Engineers with satisfactory visibility splays. Biodiversity mitigation & enhancements are proposed both on and off-site, and the benefits of the scheme are considered to outweigh the loss of part of the field.

18.0 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 development hereby permitted shall be carried out in accordance with the following approved plans:

- PA/PSCP/001 Location plan
- PA/RSCP/02 Block plan/land use
- PA/RSCP/03 Sequential test plan
- PA/RSCP/04 Access arrangements
- PA/RSCP/05 Block plan & general arrangement
- PA/RSCP/06 Landscaping proposals
- PA/RSCP/07 Construction methodology & environmental management plan
- PA/RSCP/08 Flood risk assessment & management plan
- PA/RSCP/09 Ecology & biodiversity plan
- PA/RSCP/10 Pedestrian connection between trailway & car park
- PA/RSCP/11 Tree survey plan
- PA/RSCP/12 Car park cross section & contours
- PA/RSCP/08 Flood Management Plan

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

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

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

4. Prior to the commencement of development on the site, a Construction Management Plan (CMP) addressing both Biodiversity, Plant, Materials & Traffic Management, must be submitted to and approved in writing by the local Planning Authority. The CMP must include the following:

- Risk assessment of potentially damaging construction activities
- Identification of "biodiversity protection zones" (inc use of protective fences, exclusion barriers and warning signs)
- Parking of vehicles of site operatives and visitors
- Storage of plant and materials & details of loading & unloading
- Delivery and construction working hours
- The location and timing of sensitive works to avoid harm to biodiversity features
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

Thereafter the scheme shall proceed in strict accordance with the approved CMP.

Reason: To protect biodiversity during the construction phase and to minimise the likely impact of construction traffic on the surrounding highway network.

5. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 18.09.2023 must be implemented in accordance with any specified timetable and completed in full (including photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan) prior to the substantial completion, or the first bringing into use of the development hereby

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approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

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

6. Before first use of the car park hereby approved, the vehicular entrance barriers as shown on approved plan PA/RSCP/10 shall be installed and fully operational, and thereafter maintained in perpetuity in such condition so as to be able to prevent unauthorised access. The car park hereby approved shall be operated in accordance with Report No.3 Flood Risk Assessment and Management Plan, and may only be open & accessible for parking on days when the North Dorset Railway heritage site is open to the public and/or volunteers. The barriers must be locked & secured no later than 10pm on any day.

Reason: In the interests of amenity of the area and to protect people & property from impacts of flooding

7. The parking hereby approved shall be constructed, managed and operated in strict accordance with the layout shown on approved plan PA/RSCP/08 Version 3 and detailed in Report No.3 Flood Risk Assessment and Management Plan, and "Supplementary Statement on behalf of North Dorset Railway" dated December 2023 and Report No.4 Construction Methodology and Environmental Management Plan.

Reason: in the interests of visual amenity and reduce risk of flooding

8. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number PA/RSCP/05 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

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

9. Before the development hereby approved is occupied or utilised any entrance gates must be set back a minimum distance of 5.00 metres from the edge of the carriageway and hung so that the gates can only open inwards. Thereafter, the gates must be retained at their approved position, maintained and kept free from obstruction.

Reason: To enable a vehicle to be parked clear of the public highway whilst the gates are opened or closed, preventing possible interruption to the free flow of traffic

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

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

11. The scheme shall proceed in strict accordance with the Construction Methodology and Environmental Management Plan (Report No.4)

Reason: in the interests of amenity, and to protect Biodiversity interests

12. The soft landscaping works detailed on approved drawing PA/RSCP/06 and as described in the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 18.09.2023 and Landscape and Visual Impact Assessment (Report No.5) must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

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.

2. INFORMATIVE NOTE: Dorset Highways

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be

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constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

3. The applicant is reminded of their responsibility to submit photographic evidence of compliance with the Biodiversity Plan or LEMP to Dorset Natural Environment Team in order to comply fully with requirements of condition 05.

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Application Number:	P/FUL/2023/01342		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land And Buildings North of Cutlers Close Sydling St Nicholas		
Proposal:	Demolish agricultural buildings and erect 3 No. dwellings with garages. Form new vehicular access.		
Applicant name:	4 A's Developments Ltd		
Case Officer:	Jennie Roberts		
Ward Member(s):	Cllr Haynes		
Publicity expiry date:	23 April 2023	Officer site visit date:	03/08/2022 & 28/11/2023
Decision due date:	17 May 2023	Ext(s) of time:	29/03/2024

1.0 Reason for Committee

The Landowner is a Councillor

2.0 Summary of recommendation: REFUSE

3.0 Reason for the recommendation:

- The site is located in an unsustainable location, outside of any defined development boundary (DDB) and the principle is therefore unacceptable
- The proposal is harmful to the character and appearance of the conservation area
- The proposal is harmful to the National Landscape (AONB)
- It has not been demonstrated that the proposed development is acceptable from a flood risk perspective
- The proposal does not mitigate against phosphates in the Poole Harbour Catchment Area

4.0 Key planning issues

Issue	Conclusion
Principle of development	Sydling St Nicholas is considered an unsustainable location, with no DDB and poor facilities and a lack of access to services

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	without relying on vehicle trips. The principle of the proposal is therefore unacceptable.
Scale, design, and impact on character, appearance and setting of heritage assets	It is considered that the development of the site will alter the character of this rural, edge of village site to the detriment of the character and appearance of the conservation area.
Impact on amenity	Given the distance between neighbouring housing and the proposed dwellings, along with window siting and orientation, the proposal does not present any neighbour amenity issues.
Impact on the National Landscape (AONB)	It is considered that the development of the site will alter the character of this agricultural, edge of village site to the detriment of the setting of the Dorset National Landscape.
Flooding	The southwest corner of the site is within an area susceptible to groundwater flooding. The submitted Flood Risk Assessment (FRA) does not adequately address this flood risk, nor does it demonstrate that a viable and deliverable surface water drainage scheme can be achieved.
Access and Parking	The access and parking provision is considered to be acceptable and the necessary highway requirements can be secured by condition.
Biodiversity	A biodiversity plan has been submitted to and approved by the Natural Environment Team.
Affordable Housing	Affordable housing is not required to be provided on a scheme of this size.

5.0 Description of Site

The c 0.17ha site is located outside of any defined development boundary (DDB) and within the Sydling St Nicholas Conservation area on the northeastern outskirts of the village. It is within the Dorset National Landscape (Area of Outstanding Natural Beauty (AONB)) and comprises an agricultural site, containing two relatively modern barns with concrete hardstanding around and between the buildings, with the rest laid to grass. There are residential properties to the south and west of the site, including two Grade II listed buildings (5 and 6 Waterside Lane), whilst a field and barn lie to the north, with Back Lane bounding the site to the east. The surrounding land beyond (to the north and east) mostly comprises of open fields.

6.0 Description of Development

The proposal is to demolish the existing barns and erect three detached dwellings and four garages around a courtyard layout. Access would be via a new access off Back Lane and the existing boundary hedges would be retained. Each dwelling would have a lounge, kitchen/diner, study and WC on the ground floor with three

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bedrooms and a bathroom within the roof space. The elevations would be faced in brick and black boarding, under a tiled roof. The single storey garages would have rendered elevations under a slate roof. Windows and doors would be constructed from timber, and each dwelling would have a garden area with additional hedge planting to the Back Lane frontage.

7.0 Relevant Planning History

WD/D/19/002547 – Pre application advice. Advised that there is a concern regarding the location of the proposal in relation to sustainability and that the impact of the proposal on heritage assets would need to be considered.

WD/D/20/001981 - Demolition of existing agricultural barns and erection of 5no. dwellings together with access, parking & landscaping, together with the construction of a replacement barn. Refused within the scheme of delegation (that application should have been taken to Planning Committee, as the site is owned by a councillor, hence the submission of the next application, below (since the consideration of the 2020 application, the Council has achieved a 5 year housing supply and therefore there is no justification to seek (open-market housing) development outside towns and villages without a DDB.)

P/FUL/2022/02326 - Demolition of existing agricultural barns and erection of 5 No. dwellings together with access, parking & landscaping. Erection of a replacement barn. Refused at committee for the same reasons as WD/D/20/001981.

8.0 List of Constraints

Countryside location outside of a Defined Development Boundary (DDB).

Adjacent to Grade II listed buildings (Ham Farmhouse and 5 & 6 Waterside Lane) and within the Sydling St Nicholas Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990).

Within the Dorset National Landscape (Area of Outstanding Natural Beauty) (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000).

Poole Harbour Catchment Area

Right of Way to the east of the site (S42/6)

Groundwater susceptibility to flooding

9.0 Consultations

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

Consultees

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1. **Wessex Water** – No objection, subject to conditions.
2. **Highways Department** – No objection, Subject to conditions.
3. **Conservation** – The proposal would cause less than substantial harm to the character and appearance of the conservation area.
4. **Sydling St. Nicholas Parish Council** – Objects on the following grounds: non-sustainable location; increased flood risk; impact on Poole Harbour; inadequate parking and access; impact on conservation area and AONB; absence of affordable housing provision.
5. **Chalk Valleys Ward Member** - No comments received.
6. **Rights of Way Officer** – No comments received.
7. **Natural England** - a Habitats Regulations Assessment needs to be included which has been informed by the Nutrient Neutrality Methodology (provided within our overarching advice letter). Without this information Natural England will not be in a position to comment on the significance of the impacts.
8. **Natural Environment Team** – have signed off the Biodiversity Plan and any PP should condition its implementation as such.
9. **DC - Dorset Waste Team** - No comments received.
10. **DC - Trees (North/West/Weymouth)** – No comments received.
11. **DC - Building Control West Team** – No comment at this time.
12. **Ramblers Association** – No comments received.

Representations received

Objections received:

- Back lane is not designed for additional traffic
- village sewage system will not be able to cope with additional housing
- Proposals out of keeping for an AONB
- Unsustainable development
- no circumstances that could lead the council to overruling the in-principle objection
- detrimental to the setting of the grade 2 listed buildings at 5 and 6 Water Lane
- does not maintain and enhance the conservation area
- increases flood risk
- Dorset has its quota of houses for the next five years
- No provision of affordable housing
- Parking inadequate

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- parking space is not usable
- people don't use their garages for cars
- delivery vehicles cannot turn into the development so will reverse into back lane
- back lane has not been widened to 5.5 metres for the first six metres to allow for cars to pass
- overflow parking from the site will block back lane and potentially hinder access for
- The Sequential Test is needed in relation to flooding

Support received:

- The existing site consists of dilapidated and unsightly disused farm buildings this is a great development and would tidy up the site and allow for growth in the village
- Additional traffic that would be incurred would be minimal
- New development in Sydling would bring new life to an older generation village
- Proposed development is well thought out and would improve the look of the area
- The three new houses will be a much-needed visual improvement and will provide homes for families

Total - Objections	Total - No Objections	Total - Comments
18	12	3

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 66 includes a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

INT1- Presumption in favour of Sustainable Development

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ENV1 – Landscape, seascape & sites of other geological interest
ENV2 – Wildlife & Habitats
ENV4 – Heritage assets
ENV5 – Flood Risk
ENV10 - The landscape and townscape setting
ENV 12 – The design and positioning of buildings
ENV 16 – Amenity
SUS2 - Distribution of Development
HOUS1 – Affordable Housing
COM7 – Creating a safe & efficient transport network
COM9 - Parking standards in new development
COM10 – The provision of utilities service infrastructure

Material Considerations

NPPF Chapters:

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

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, including brownfield registers and permission in principle, 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.

Other material considerations

- WDDC Design & Sustainable Development Planning Guidelines (2009)
- National Design Guide, Ministry of Housing, Communities and Local Government (2019)
- Cerne Abbas, Charminster, Sydling St Nicholas and Godmanstone Conservation Area Appraisal
- Dorset Area of Outstanding Natural Beauty Management Plan 2019-2024

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.

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

13.0 Public Sector Equalities Duty

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

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

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. The site is remote from services which could give rise to adverse impacts on persons with protected characteristics, in particular, age and disability.

14.0 Financial benefits

What	Amount/Value
Material Considerations	
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	
Community Infrastructure Levy	According to the floor area
Contributions to Council Tax revenue	According to the appropriate charging bands

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15.0 Environmental Implications

The new dwellings would be built to the modern standards of energy efficiency required under Building Regulations.

16.0 Planning Assessment

Principle of development

Policy SUS2 aims to distribute development in accordance with a settlement hierarchy which focuses a greater proportion of development at larger and more sustainable settlements. The policy provides that development in rural areas shall be directed to settlements with Defined Development Boundaries (DDB) and at an appropriate scale to the size of the settlement. Settlements with no DDB may have some growth to meet local needs but is strictly controlled and restricted to those forms set out in paragraph (iii) of the Policy SUS2.

The site is located outside of any defined development boundary (DDB). The proposed development (not being affordable housing or rural workers housing) is not of a form supported by paragraph (iii) of Policy SUS2. The policy reflects the fact that occupiers of the proposed dwellings would be reliant on the private car as the site is not served by public transport. Likewise, there are no services to meet the day to day needs of occupiers, such as shops, health, and education facilities. The village has a Public House, Church and hall, but little else in terms of services.

Housing Land Supply

The revised NPPF was published on 19 December 2023. Para 11 sets out that plans and decisions should apply a presumption in favour of sustainable development.

Para 11(d) states that:

“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

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

Footnote 8 states:

“This includes, for applications involving the provision of housing, situations where: (a) the local planning authority cannot demonstrate a five year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77) and does not benefit from the provisions of paragraph 76; or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years.”

Paragraph 77 states that:

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“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years’ worth of housing, or a minimum of four years’ worth of housing if the provisions in paragraph 226 apply”. Paragraph 226 states that “certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years’ worth of housing”, where they “...have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need”.

The definition of an emerging Local Plan includes a plan that has reached Regulation 18 which includes both a policies map and proposed allocations towards meeting housing needs. Dorset Council Local Plan – Options Consultation (January 2021) meets this criteria. Therefore, the Council’s position regarding paragraphs 77 and 226 of the revised NPPF is that having reached Regulation 18 stage with the emerging Dorset Council Local Plan (through public consultation that included a policies map and housing allocations) the requirement is to demonstrate a minimum of four years’ supply of housing instead of a minimum of five years. The Council (West Dorset and Weymouth & Portland area) can demonstrate a four-year housing land supply (currently published at 5.28 years), with a Housing Delivery Test figure of 118%, and so the tilted balance in para 11(d) of the NPPF is not engaged. The application should therefore be determined in accordance with Policy SUS2.

Having regard to the above, the principle of development is considered to be unacceptable, and the proposal is contrary to policy SUS2 of the West Dorset, Weymouth and Portland Local Plan development plan and the NPPF.

Scale, design, and impact on character, appearance and setting of heritage assets

Towards the edge of this village location, the grain of development becomes looser, and this is apparent when viewed from Back Lane to the south, where views of open countryside beyond the site can be readily achieved. In addition to this, given the site’s existing agricultural use and low-level scale of agricultural - rather than residential - development, there is a gentle ‘transition’ into open countryside. It is considered that this plays an important part in defining the edge of this section of the village and the conservation area (CA).

The Conservation Officer (CO) was consulted upon this application and does not consider that the proposal will be harmful to the setting of the listed buildings. However, she has strong concerns about its impact upon the CA.

The CO states that the CA’s defining characteristics set out in the CA Appraisal (p. 46) include the following relevant elements:

- a distinctive and attractive landscape setting, in a chalk valley set amongst rolling hills and by a river, with some fine trees, within the Dorset National Landscape
- a largely intact village plan;

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- 50 Listed Building entries, of which one is Grade I and four are Grade II*, with a fine Parish Church, several large gentry houses and farmhouses, a late C16 Tithe Barn and a strong underpinning of smaller cottages;
- coherent groups of Listed and good quality unlisted buildings, boundaries, trees and details, particularly on High Street, East Street and the Church, Court House and Tithe Barn; and
- a rich mixture of building materials, with flint, chalk block, imported limestones, render, brick, thatch, tile and slate.

She raises no objection to the demolition of the existing farm buildings, as they are not of any historical or architectural interest and as such do not make a positive contribution to the character of the conservation area.

The CO notes that the scheme has been reduced in terms of dwelling size, site area and numbers from previous applications, but remains concerned about the impact of the scheme, as follows:

- "It is significant that Back Lane represents the boundary of the CA, therefore marking a smooth transition from the village settlement into the open fields. The site should therefore remain primarily an open field.

- The development should better reflect the pattern of development of the street, with dwellings being perpendicular to the lane. As it stands, the tight "U" shape, recreating a courtyard, would appear too urban and create a dense development. This would make a strong contrast between the rural landscape and the village which would negatively impact on the setting and character of the conservation area.

- The frontage of the dwellings will not be facing out anymore for two of them, however, the dwelling in the middle will still create a barrier from views of the historic core of the conservation area from the surrounding landscape. Those see-through views are significant of the character and setting of the conservation area and should be kept.

- The proposed use of red bricks will appear out of place, in a conservation area characterised by chalk and flint buildings with brick quoins."

For the above reasons concerning landscape setting and village plan and design, it is considered that the proposal will result in less than substantial harm to the CA's significance. As such para. 202 of the NPPF is engaged, requiring the harm to be weighed against the public benefits of the proposal (including, where appropriate, securing optimum viable use). However, this balance needs to take into account the need to give 'great weight' to the asset's conservation, irrespective of the level of harm. In this instance, the public benefit is limited to the modest addition of three new houses in a local plan area that is currently meeting its housing targets, and it is considered that this does not outweigh the harm caused to the designated heritage asset; the proposal is therefore contrary to Policy ENV4 of the West Dorset, Weymouth & Portland Local Plan.

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Residential amenity

Given the distances between neighbouring housing and the proposed dwellings, along with window orientation, it is considered that the proposal does not present any overlooking or overshadowing issues to a degree that causes concern. Accordingly, the proposal is considered to sufficiently protect neighbour amenity.

National Landscape (AONB)

The site lies within the Dorset National Landscape (AONB). The land rises towards Cowdown Hill out of the eastern edge of the village, with a public right of way (PRoW) running along the top of Cowdown Hill, which affords longer views back towards Sydling St. Nicholas and the application site; there is little in the way of trees and/or hedging screening the site, which is readily visible from this PRoW, and seen as an introduction to the village when approached from the east.

As previously discussed, given its agricultural use, this is very much an area where open countryside gradually transitions into the village and is considered a strong characteristic within the conservation area.

It is considered that, to replace the existing, low-key agricultural buildings with three dwellings and four garages, with associated residential curtilages, will detrimentally affect the approach into the village from this PRoW; accordingly, it is considered that the proposal would also harm the special qualities and setting of the National Landscape, and the proposal is therefore contrary to Policy ENV2 of the West Dorset, Weymouth & Portland Local Plan.

Flooding and drainage

The southwest corner of the site is in an area susceptible to groundwater flooding. A basic flood risk assessment (FRA) has been submitted, but this does not adequately address this flood risk, nor does it demonstrate that a viable and deliverable surface water drainage scheme can be achieved. As such, in the absence of such information, it cannot be determined whether the proposed development poses a flood risk to the dwellings themselves, or elsewhere; the proposal is therefore contrary to Policy ENV5 of the West Dorset, Weymouth and Portland Local Plan.

Access and Parking

Access to the site will be via a new access off Back Lane and will lead to a shared courtyard where parking will be provided. The Highway Authority is satisfied that the access and parking provision is acceptable and the new access into the site can be secured by the imposition of appropriate conditions. As such, the proposal is considered acceptable in this regard.

Biodiversity

A biodiversity mitigation and enhancement plan has been submitted to and approved by the Natural Environment Team. The plan would secure biodiversity enhancements to the site.

Affordable Housing

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Policy HOUS1 requires all new dwellings to make a 35% contribution towards affordable housing. However, affordable housing contributions will not normally be sought on sites of 5 units or fewer inside designated rural areas. As this site falls below this threshold an affordable housing contribution would not be required.

Nutrient Neutrality: Phosphates

On 16 March 2022, Natural England (NE) notified Dorset Council of their updated advice for development proposals that have the potential to affect water quality resulting in adverse nutrient impacts on internationally protected habitats sites.

This advice applies to nitrogen and phosphorus nutrient deposition in Poole Harbour, an internationally protected habitat site, which is considered by NE to be unfavourable, or at risk, from the effects of eutrophication caused by excessive phosphates, and NE's advice is that additional residential units within the catchment are likely to add phosphates to the designated site via the wastewater treatment effluent, thus contributing to the existing unfavourable condition and further preventing the site in achieving its conservation objectives. As this site has been identified as falling within the Poole Harbour catchment area, it is therefore impacted by this advice.

As Competent Authority, the Council has to carefully consider the nutrient impacts of new development proposals on the integrity of Poole Harbour; all applications for residential development in the catchment area must demonstrate nutrient neutrality before the Council can grant planning permission. The Council's considerations should be informed by the nutrient neutrality methodology set out within NE's March 2022 advice; such information, in the form of a Nutrient Neutrality Assessment and Mitigation Strategy, should be provided by the applicant. However, the applicant has failed to submit such information, and the Council is therefore unable to conclude that the development will be nutrient neutral and that there will be no adverse effect on the integrity of Poole Harbour.

Without being able to demonstrate off-setting to ensure nutrient neutrality, the proposed development is contrary to the provisions of the Habitats Regulations 2017 and guidance contained within the National Planning Policy Framework, policy ENV2 of the West Dorset, Weymouth & Portland Local Plan and Natural England standing advice on nutrient neutrality.

17.0 Conclusion

The village of Sydling St Nicholas does not have a defined development boundary (DDB), having little in the way of public services or facilities. As such, it is an unsustainable location, inappropriate for new residential development.

Additionally, with regard to more site-specific considerations, the proposal is considered harmful to the setting of a Designated Heritage Asset, namely the Sydling St Nicholas Conservation Area and to the special qualities and setting of the National Landscape; this harm is not outweighed by the public benefits of the scheme

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Furthermore, the applicant has failed to demonstrate that the proposed development is acceptable from a flood risk perspective.

Finally, nutrient pollution is an issue within the Poole Harbour Catchment Area, which to date remains unresolved. The applicants have not demonstrated nutrient neutrality or off-setting, and as such, the proposed development is contrary to the provisions of the Habitats Regulations 2017.

The application is therefore unacceptable in planning terms and should be refused.

18.0 Recommendation

Refuse permission for the reasons set out below:

1. Having regard to the site's location outside of any settlement boundary and distant from facilities and services, occupants of the dwellings would be likely to rely upon private motorised vehicles to access facilities and services elsewhere; as such, the proposed development would have a significant, negative impact on the environment and represents an unsustainable form of development. There is no overriding need to allow dwellings in this location nor does the application present a re-use of existing buildings, provide essential rural workers dwellings, or an affordable housing scheme. As such, it is contrary to the provisions of Policy SUS2 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.
2. By virtue of its residential character and layout, the proposal represents an undesirable form of development in this edge of village location, to the detriment of the character and appearance of the conservation area. The proposal is therefore contrary to policy ENV4 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.
3. By virtue of its residential character and layout, the proposal represents an undesirable form of development in this edge of village location, to the detriment of the setting of the Dorset National Landscape. The proposal is therefore considered to be contrary to policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.
4. The site is within the nutrient catchment area of Poole Harbour which is designated as a Special Protection Area under the Habitat Regulations 2017. Poole Harbour is also designated as a Site of Special Scientific Interest under the Wildlife and Countryside Act 1981 (as amended) and a Ramsar site. Natural England has advised that the harbour is Phosphate limited which means that any addition of phosphate either directly or indirectly should be deemed to have an adverse impact on the site's integrity in accordance with recent case law.

The applicant has failed to evidence nutrient neutrality to demonstrate no adverse effects in combination with other plans or projects, on the designated

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site of nature conservation. In the absence of this information, and until demonstrated otherwise, the precautionary principle must prevail in favour of nature conservation. The proposal fails to comply with the provisions of the Habitats Regulations 2017, Policy ENV2 of the adopted West Dorset, Weymouth & Portland Local Plan 2015 and the NPPF.

5. Having regard to the site's partial location within an area susceptible to groundwater flooding, the applicant has failed to demonstrate that the proposed development is acceptable in terms of flood risk. As such, the proposal is contrary to policy ENV5 of the West Dorset, Weymouth and Portland Local Plan 2015 and the NPPF.

Informative Notes:

1. The plans that were considered by the Council in making this decision are:
 - 6360-05 North and South (courtyard) elevations
 - 6360-07 Street Scene - Back Lane
 - 6360-01 Floor plan
 - 6360-02 First floor plans
 - 6360-03 South & East elevations
 - 6360-04 Proposed West and North elevations
 - 6360-09 Location plan
 - 6360-06 Site plan
2. National Planning Policy Framework

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

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

In this case:

 - The applicant was advised that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these concerns.
3. If planning permission is subsequently granted for this development at appeal, it will be subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice will then be issued

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by the Council that requires a financial payment, full details of which will be explained in the notice.

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Application Number:	P/RES/2023/03735		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land at E373160 N117864 Pond Walk Stalbridge DT10 2PY		
Proposal:	Erect 9 No. dwellings. (Reserved matters application to determine access, appearance, landscaping, layout and scale, following the grant of Outline Planning Permission No. 2/2018/0372/OUT).		
Applicant name:	Baddow Estates Limited		
Case Officer:	Jennie Roberts		
Ward Member(s):	Cllr Carr-Jones		
Publicity expiry date:	22 August 2023	Officer site visit date:	18 October 2023
Decision due date:	31 December 2023	Ext(s) of time:	31 December 2023
No of Site Notices:	6		
SN displayed reasoning:	6 notices were displayed on lampposts, signposts and telegraph poles adjacent to the entrance to the site and in surrounding roads, to ensure maximum visibility for members of the public.		

1.0 The application site is within Dorset Council's ownership and the application is therefore referred to Committee in accordance with Dorset Council's Constitution.

2.0 Summary of recommendation:

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

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- The proposal is acceptable with regard to its access, design, scale, layout and landscaping
- There is not considered to be any harm to residential amenity
- There is not considered to be any harm to heritage assets
- There is not considered to be any harm to the natural environment, including biodiversity and important trees
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of development is established by the outline planning permission (2/2018/0372/OUT).
Layout	The layout is acceptable.
Scale	The proposal is of an acceptable scale.
Appearance	The materials palette and design of the dwellings is acceptable.
Landscaping	The scheme will protect key veteran trees within the site and mitigate against the loss of other less valuable specimens through a well-considered planting scheme. Hard landscaping measures are considered appropriate.
Access, highway safety and parking	The proposal is suitable and safe for all road users, and satisfactory provision has been made for parking, turning and access by a refuse vehicle.
Residential amenity	The proposal will have an acceptable impact on the residential amenity of neighbouring properties. It will also provide an acceptable level of residential amenity for the proposed dwellings themselves.
Heritage assets	The proposal will preserve the character and appearance of the conservation area and will not impact negatively upon the neighbouring listed buildings.
Biodiversity	The proposal is acceptable in relation to its impact upon biodiversity and a revised biodiversity plan has been approved by the Natural Environment Team.

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Flood risk and drainage	Pre-commencement condition no.5 of the outline permission requires the submission to and approval by the LPA of a scheme for the disposal of foul and surface water drainage on the site. This condition will need to be complied with prior to the commencement of development.
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5.0 Description of Site

The c. 0.71ha site is located in the north-western part of Stalbridge, within the Stalbridge Conservation Area. Stalbridge is a small town situated in the Blackmore Vale area of North Dorset, close to the border with Somerset. It lies on the A357 north west of Sturminster Newton.

The site is bounded to the south by Local Authority allotments. At the existing end of Pond Walk is a small area of tarmac providing car parking for the use of the allotment holders. To the west of the site is the rear of properties facing Park Grove. To the north of the site is Grove House (Grade II Listed), to the east is the rear of properties facing Grove Lane and the rear garden of Glebe Court (Grade II Listed), and to the south-east is the rear of properties in the older part of Pond Walk.

Mature trees of high amenity value are located to the north east part of the site and are covered by Tree Protection Orders.

The site is currently open space, predominantly grass and is bounded by hedgerows, with a band of mature trees between. The ground level rises, with the existing end of Pond Walk being the low point and the furthest north-western point of the site being the high point. A public footpath (N51/4) runs along the east side of the site from Pond Walk to Grove Lane.

6.0 Description of Development

The site has an extant outline planning permission (application no. 2/2018/0372/OUT) to '*Develop land by the erection of 9 No. dwellings (with all matters reserved)*'. Permission was granted by the planning committee on 9 July 2020, subject to 12 conditions. This established the principle of nine residential dwellings at this location. An indicative sketch proposal accompanied the outline application.

This current reserved matters application seeks approval for layout, scale, appearance, landscaping and access.

Layout

Units 1-3 are two-storey, four-bedroom houses within the southern portion of the site. The remaining units are a mix of two and three-bedroom bungalows, all situated within the northern portion of the site. Each dwelling has two parking spaces, a garage and garden.

Scale

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The proposed gross floor area of the proposed dwellings proposed is c. 0.11ha; this equates to around 16% of the overall plot.

Appearance

The proposed dwellings have been designed having regard to existing development in the surrounding conservation area. They will be constructed from a mix of traditional building materials found in the locality, including local Stalbridge Stone, clay bricks and plain clay tiles. Windows and doors frames will be foil-wrapped uPVC with a grained finish.

Landscaping

The site is currently undeveloped and covered with rough grassland with hedgerows along the site boundaries. Three mature Horse Chestnut trees are to be retained within the site and would be unaffected by the proposed development and safeguarded using protective fencing. Additional native hedgerows, trees and shrubs will be planted within the site, and hard surfaces include a mix of different stone sets, paving slabs and permeable tarmac.

Access

Access is derived from Pond Walk, with an access road running through the site, terminating in a turning head in front of Units 6 and 7.

7.0 Relevant Planning History

2/2018/0372/OUT - Decision: GRA - Decision Date: 09/07/2020

Develop land by the erection of 9 No. dwellings. (Outline application with all matters reserved).

8.0 List of Constraints

- Within the Settlement Boundary
- Grade II Listed Buildings: GLEBE COURT & GROVE HOUSE (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Within the Stalbridge Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Rights of Way: Footpaths N51/4 & N51/89
- Groundwater – Susceptibility to flooding
- Site of Special Scientific Interest (SSSI) impact risk zone

9.0 Consultations

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

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Consultees

1. Dorset Police Architectural Liaison Officer

No comments received.

2. Stalbridge TC

No objection, subject to: use of local stone; that there is a robust construction traffic management plan in place; footpath 4 is 2.5 metres wide, as detailed in 2/2018/0372/OUT 2611-P-03D; there is plan for the future maintenance of the hedge at the boundary with footpath 4. Should there be an opportunity to reconsider the access from Park Grove, members would strongly support this.

3. Stalbridge and Marnhull Ward Member

Objects: Considers that the outline consent lets Stalbridge down and that the access via Barrow Hill and Pond Walk is “beyond comprehension” when a successful land transfer has been made with Grove House and the Council.

4. Rights of Way Officer

No objection. However, requests that footpath N51/4 to east of site is of 2m unobstructed width and a plan put in place to maintain hedges and fences bordering RoW. RoW may need to be temporarily closed for the development to take place which can be applied for through RoW office.

5. Highways

No objection, subject to the same conditions previously imposed upon the Outline permission. The estate road layout provides a low-speed environment that is considered suitable and safe for all road users. Satisfactory provision has been made for parking, turning and access by a refuse vehicle.

6. Dorset Waste Team

No objection; turning circle must be kept clear

7. Conservation Officer

No objection (following submission of revised plans).

8. Trees

No objection (following submission of revised plans).

9. Environmental Services – Protection

Notes pre-commencement condition 11 (Submission of Construction Method Statement (CMS)) of outline permission – advises what CMS should include

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within it. Requests noise assessment conditions relating to electrical substation and Air Source Heat Pumps.

10. Building Control North Team

No comments received

11. Historic England

Advises the Council to seek the views of the conservation officers.

12. Ramblers Association

No comments received

13. Arboricultural Team

No comments received

14. Outdoor Recreation (Natural Environment Team)

No objection. LEMP to be secured by pre-commencement condition.

15. Asset & Property

No comments received

Representations received

1 letter of support received:

- Impressed with contribution development will bring to area.
- Design of properties together with use of local materials, suppliers and labour is an asset to Stalbridge.
- Variety, quantity and planting of mature trees and plants will have positive input to area.

4 objections received:

- Limited access
- Disruption to wildlife
- Noise pollution
- Could restrict access to allotments and public right of way
- Concerns about:
 - o Security/integrity of boundary of Glebe Court and access for maintenance, as proposed plot nearest to Glebe Court appears to have a shared boundary with our outbuildings.
 - o Protection of horse chestnuts and other trees within development area.
 - o Increased noise, light and traffic pollution in a conservation area which borders two grade 2 listed buildings.
 - o Loss of natural wildlife habitat in a conservation area.

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- Area would better serve community of Stalbridge as enlargement of existing allotments

Total - Objections	Total - No Objections	Total - Comments
4	1	0

10.0 Duties

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

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

North Dorset Local Plan Part 1 (2016)

- Policy 1 - Presumption in Favour of Sustainable Development
- Policy 2 - Core Spatial Strategy
- Policy 3 - Climate Change
- Policy 4 - The Natural Environment
- Policy 5 - The Historic Environment
- Policy 6 - Housing Distribution
- Policy 7 - Delivering Homes
- Policy 23 - Parking
- Policy 24 - Design
- Policy 25 - Amenity

Material Considerations

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

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when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4 'Decision making': 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 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-83 reflecting the requirement for development in rural areas.
- Section 12 'Achieving well designed and beautiful 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty (National Landscapes) great weight should be given to conserving and enhancing the landscape and scenic beauty (para 182). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 184). Paragraphs 185-188 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 205). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 209).

Emerging Dorset Council Local Plan:

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

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

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

Other material considerations

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

North Dorset Strategic Landscape and Heritage Study Stage 2 Assessment: Stalbridge. October 2019.

National Design Guide. Updated January 2021.

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

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

14.0 Financial benefits

What	Amount/Value
Material Considerations	
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 Environmental Implications

The submitted Planning Statement sets out that the new dwellings will, where possible, be constructed using sustainably and locally sourced materials, and that recycled materials will be utilised where practicable and possible. The new dwellings will also be built to the modern standards of energy efficiency required under Building Regulations.

16.0 Planning Assessment

Principle of Development

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The principle of development was agreed through the grant of Outline planning permission (2/2018/0372/OUT).

Layout

The site comprises two distinct 'portions' – two fields bounded by hedgerows with a band of mature trees in between. Units 1-3 are two-storey, four-bedroom houses within the southern portion of the site. The remaining units are a mix of two and three-bedroom bungalows, all situated within the northern portion of the site. Each dwelling has two parking spaces, a garage and garden. Access derives from Pond Walk with an access road running through the site, culminating in a turning head to the front of units 6 and 7. The public right of way to the east will remain. It is considered that the proposed layout for this scheme of nine dwellings is appropriate within the context of surrounding development.

Scale and appearance

The proposed gross floor area of the proposed dwellings proposed is c. 0.11ha; this equates to around 16% of the overall plot and the density is considered appropriate for this area. The proposed dwellings have been designed having regard to existing development in the surrounding conservation area (see also 'heritage assets', below). They will be constructed from a mix of traditional building materials found in the locality: the proposed two-storey dwellings will be constructed of local Stalbridge Stone with clay brick quoins, under a plain clay tile roof. The bungalows will be constructed of clay bricks and plain clay tile roofs. Windows and doors for all dwellings will be foil-wrapped uPVC with a grained finish. Having regard to the surrounding context and the size of the proposal site, the scale and appearance of the dwellings is considered to be acceptable.

Landscaping

Key trees to be retained on the site are four veteran horse chestnuts, which are considered highly important due to their size, age and condition. The Tree Officer is satisfied that the measures set out in the submitted Arboricultural Method Statement (AMS) are acceptable and if adhered to will protect these trees – this will be secured by condition.

Other trees on the site are not considered to be of the quality or importance of the veteran horse chestnuts, and the Tree Officer does not, therefore, object to their removal, subject to appropriate mitigation for the losses being provided within communal areas and domestic gardens. Submitted planting plan (391–2–R4) shows the proposed boundary treatment, and domestic and communal area landscaping; there is a mix of six hedgerow species proposed, which the Tree Officer considers to be well-conceived and diverse, all of which are native and suitable for the site conditions.

Initially it was proposed to plant new young horse chestnut trees, however, as they are prone to several diseases and have a high mortality rate until they reach a stem

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diameter of 30cm or greater when measured at 1.5m from ground level, the Tree Officer did not support this. The new tree species proposed instead are small to medium sized species, and the Tree Officer is supportive of this revised approach, as they will not over-dominate the gardens or communal/open spaces and will not conflict with the existing veteran horse chestnuts.

In addition to the soft landscaping, the hard surfaces include a mix of different stone sets, paving slabs and permeable tarmac, which, it is considered, will contribute positively to the character of the area.

Access and Parking

Access is to be derived from Pond Walk, and the access road, with its estate road layout, will lead through the site, culminating in a turning head to the front of Units 6 and 7. Parking spaces for the existing allotments are provided to the north of plot 2 (with a new path and gate constructed to allow access to the allotments). Each dwelling will have two parking spaces and a garage. The Highway Authority considers that the layout provides a low-speed environment that is suitable and safe for all road users, and that satisfactory provision has been made for parking, turning and access by a refuse vehicle. As such, it raises no objection, subject to the same conditions previously imposed upon the outline consent – as these are already on the outline consent, there is no need to repeat them. Dorset Waste Team have raised no objections but stated that the turning head must be kept clear; however, this was discussed with the Highway Authority, who consider that this should not be made a condition of the reserved matters permission, as it would not be enforceable.

Residential amenity

Having regard to the layout, scale and fenestration of the proposed dwellings, it is considered that they would not be overbearing upon, nor overlook neighbouring properties. It is also considered that there is sufficient amenity space for each property, and that the proposed scheme can be accommodated on the site without a detrimental impact on residential amenity for existing and future occupants. The proposal would comply with policy 25 of the Local Plan.

Heritage assets

Based on the context of the application site and its presentation within the localised townscape setting, assets most likely to be affected by the scheme have been limited in identification to Grove House to the north and Glebe Court to the east, both Grade II Listed Buildings, and the Stalbridge Conservation Area, within which the site lies.

Initially, the Conservation Officer raised concerns about the proposed building materials (including artificial slate, render and concrete tiles) and the design of the dwellings, considering that they were not reflective of the local vernacular style, and that they did not preserve nor enhance the character or appearance of the Conservation Area. Amended plans were submitted to address these concerns, and a more quality material palette of local natural stone, clay bricks and plain clay tiles was instead proposed, which the Conservation Officer considers appropriate. Details such as uncharacteristic external chimneys were amended to more traditional internal chimneys, thus improving the appearance of the two-storey dwellings. The

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form of the proposed bungalows in the northern section of the site was amended to a more sympathetic design, and the Conservation Officer is now satisfied that they will preserve the character and appearance of the conservation area. Furthermore, the proposed bungalows, being of an appropriate low-level scale, do not interrupt views to the listed properties to the north and east. While the proposed development would be viewed from these heritage assets it is considered that it would not result in harm to these assets.

The Conservation Officer commented that the windows and doors should be timber, rather than the uPVC proposed. However, it is considered that the proposed foil-wrapped uPVC would have an acceptable appearance that would not be detrimental to the character or appearance of the conservation area. A condition can be attached to require details of the precise design of the windows and doors.

Having regard to the above, it is considered that the proposed development has an acceptable impact upon the setting of the adjacent listed buildings and the character and appearance of the conservation area. No harm would be caused, and the proposal complies with policy 5 of the Local Plan.

Biodiversity

An updated Biodiversity Plan (BP) has been provided, as requested by the Council's Natural Environment Team (NET), as the BP conditioned as part of the outline permission is now out of date. The revised BP has been approved by NET and its implementation will be secured via condition, in accordance with policy 4 of the Local Plan.

Flood risk and drainage

The site is in an area identified as being susceptible to groundwater flooding. Pre-commencement condition no.5 of the outline permission requires the submission to and approval by the LPA of a scheme for the disposal of foul and surface water drainage on the site, to minimise the risk of flooding and/or pollution. This condition will need to be complied with prior to the commencement of development.

Other

Noise

The proposed site plan shows a possible electrical substation to be located in the south east corner of the site and the Environmental Health Officer (EHO) considers that such plant has the potential to cause noise to nearby residential properties. The EHO considers that if the substation is to be constructed, the applicant should submit a noise assessment report that concludes the likely external noise impact on sensitive receptors in the area and provide mitigation to prevent an adverse effect. However, if a substation is required (which is not currently known), it will be the Statutory Undertakers that would undertake this, and it is therefore considered that this condition is not reasonable.

The EHO also considers that if Air Source Heat Pumps (ASHPs) are proposed, a condition requiring the applicant to submit a noise assessment should be imposed. However, as ASHPs are by their nature designed for domestic installations, it is considered that such a condition would not be reasonable or necessary.

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Glebe Court

The occupant of Glebe Court notes the eastern boundary to Plot 9 is immediately adjacent to the rear of their outbuildings, and is concerned about access for their maintenance. However, this is not a material planning consideration and would be a private civil matter.

17.0 Conclusion

The principle of development was established by outline planning permission granted in June 2020, subject to the details of reserved matters relating to access, layout, scale, appearance, and landscape, all of which make up this current application. The proposal accords with the approved outline parameters and is Development Plan-compliant, and as such, the reserved matters should be approved, subject to conditions.

18.0 Recommendation

Grant approval of the reserved matters, subject to conditions.

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

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

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

9719/100 C Location Plan
9719/101 L Proposed Site Plan
9719/102 G Plot 1 - Proposed Floor Plans & Elevations
9719/103 G Plot 2 - Proposed Floor Plans & Elevations
9719/104 G Plot 3 - Proposed Floor Plans & Elevations
9719/105 F Plot 4 - Proposed Floor Plans & Elevations
9719/106 F Plot 5 - Proposed Floor Plans & Elevations
9719/107 F Plot 6 - Proposed Floor Plans & Elevations
9719/108 F Plot 7 - Proposed Floor Plans & Elevations
9719/109 F Plot 8 - Proposed Floor Plans & Elevations
9719/110 F Plot 9 - Proposed Floor Plans & Elevations
9719/111 D Proposed Garages
RNapc/439/TPP 3 Tree Protection Plan
5930/302 D Proposed Highway Entrance Details
391-2 R4 Planting Plan
391-3 R4 Tree Plan
391-1 R5 Landscape Plan

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

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3. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan or Landscape Ecological Management Plan (LEMP) certified by the Dorset Council Natural Environment Team on 12/12/2023 must be implemented in accordance with any specified timetable and completed in full (including photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan/ the LEMP) prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

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

4. The external facing materials for the walls and roofs of the development hereby approved shall be in accordance with the details listed on the approved plans and further detailed within the Materials Schedule (Rev 3), submitted on 04/12/2023

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) or alterations of the dwellinghouse hereby approved, permitted by Class A, Class B or Class C of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the area.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no garages, sheds or other outbuildings permitted by Class E of Schedule 2 Part 1 of the 2015 Order shall be erected or constructed.

Reason: To protect amenity and the character of the area.

7. The development hereby approved shall proceed only in accordance with the details set out in the Arboricultural Method Statement dated 15/11/2023 setting out how the existing trees are to be protected and managed before, during and after development.

Reason: To ensure thorough consideration of the impacts of development on the existing trees

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8. The soft landscaping works detailed on approved drawing 391-1-R5 must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced (and if necessary, continue to be replaced) in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

9. All hard landscape works shall be carried out in accordance with the approved drawing numbered 391-1-R5. No part of the development shall be occupied until work has been completed in accordance with the approved details.

Reason: In the interests of visual amenity.

10. Prior to their installation detailed drawings and specifications showing the design and construction of external doors and windows (at a scale no less than 1:10) shall be submitted to the Local Planning Authority and agreed in writing. Thereafter, the development shall be carried out in accordance with the agreed details.

Reason: To preserve or enhance the character and appearance of the conservation area.

Informative Notes:

1. 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.

2. The applicant is reminded of their responsibility to submit photographic evidence of compliance with the Biodiversity Plan or LEMP to Dorset Natural Environment Team in order to comply fully with requirements of condition 3.

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3. The Council's Environmental Health team advises the following (see consultation response on Council's website, dated 17/07/2023):

The Construction Method Statement (CMS) required to discharge condition 11 of the associated outline permission should set out steps to manage any possible adverse effects associated with the development, to include protection of nearby receptors from dust arising from construction and vehicle movements and storage of waste materials prior to removal from site. The CMS should also include mitigation measures to reduce noise during the build.

4. The free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their rights on the public footpath (N51/4) adjoining the proposed development, then a Temporary Path Closure Order must be obtained. This can be applied for through the Council's Rights of Way team but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application.

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Application Number:	P/RES/2022/04960		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	West Of Shaftesbury Road (Land on Ham Farm), Land South of Gillingham, Shaftesbury Road, Gillingham		
Proposal:	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.		
Applicant name:	Redrow Homes Ltd		
Case Officer:	Ross Cahalane		
Ward Member(s):	Cllr Val Potheary, Cllr Belinda Ridout, Cllr David Walsh		
Publicity expiry date:	1 October 2022	Officer site visit date:	24 October 2023
Decision due date:	16 November 2022	Ext(s) of time:	05/04/2023

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

2.0 Summary of recommendation:

Grant conditional planning permission subject to the completion of a Section 106 legal agreement signed within six months of a Committee resolution to grant. If the S106 is not signed within that time period, then the application shall be refused unless otherwise agreed in writing by the Head of Planning.

3.0 Reason for the recommendation:

- The 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
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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 a positive townscape with the principal street and an acceptable transition towards Cole Street Lane and the countryside beyond. It also provides sufficient natural surveillance and pedestrian linkages throughout.
Scale	The proposal is of acceptable scale. Some taller 2.5 storey buildings are now provided along the principal street, complying with the Outline parameters and providing a more formal character in this area.
Appearance	The materials palette and mix is considered acceptable, providing variation while avoiding a discordant appearance. Some dwellings along the principal street and countryside edge now have chimney features or side windows, to add some distinction to these key quality areas.
Landscaping	The revised scheme now provides a sufficient amount of street trees for the site's context, along with sufficient provision of open space along the development edges.
Affordable Housing	3 units are proposed for Affordable Rent and 4 for Shared Ownership within the current proposal, to be managed by a Registered Provider. This would comprise 6% of the current proposed 108 units, but in combination with the 20% Affordable provision approved under P/RES/2023/02376 to the north, would provide 10% provision across this overall first phase.
Highway safety and parking	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 the residential amenity of surrounding neighbours.
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 application.
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 6.5 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.
- 5.3 The application site slopes down gradually from the spine road in all directions to the southern site boundaries with Cole Street Lane. In the southern parcels of the site, the site also slopes down from the eastern boundary to the west, with the spine road drainage basin having already been constructed at the low (western) point of the site.
- 5.4 The wider Outline approved site has 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.
- 5.5 The proposal is submitted as part of the first phase 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). Within this first phase, 34 dwellings and public open space have recently been granted Reserved Matters approval in November 2023 (P/RES/2023/02376), immediately north of the Principal Street and the current proposal site.
- 5.6 Open fields and public footpaths lie to the north towards St Mary's School and the existing Gillingham townscape, where 280 dwellings are proposed under P/RES/2022/07898 which would form the proposed Phase 2 of the Outline scheme. To the west, a further 151 dwellings are proposed (P/RES/2023/05868) which would form Phase 3.
- 5.7 To the south of the site is Cole Street Lane, with open fields beyond. The River Lodden runs along the north-western boundary of the Ham Farm site. The land on the other side of the 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.
- 5.8 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 for 961 dwellings, a mixed use local centre, new and enhanced pedestrian/cycle routes, and open spaces. This submission is within Phase 1 of the Outline approved site.

- 6.2 The initial proposal was for 139 dwellings but following consultee feedback and negotiation, the red line was amended to only include the land south of the Principal Street. A separate Reserved Matters application for 34 dwellings north of the Principal Street was then submitted (P/RES/2023/02376). The Officer recommendation was agreed upon by Members at November 2023 Committee.
- 6.3 The current application in question proposes a southern parcel of 108 dwellings, comprising:
- Market Housing*
- 23x 3-bed houses (nine semi-detached and 14 semi-detached)
 - 61x 4-bed houses (ten semi-detached and 51 semi-detached)
 - 16x 5-bed detached houses
- Affordable Housing*
- 2x 1-bed maisonettes
 - 4x 2-bed houses
 - 2x 3-bed houses
- 6.4 The proposed 108 dwellings would be mainly two storey and detached in form, but would provide 20 different house types. 20 of the dwellings would be semi-detached – ten of which would be 2.5 storey in form with the provision of front dormers facing the principal street. Three 2.5 storey detached dwellings are also provided along the southern and western edges facing the open space. The proposed Affordable Housing would comprise a row of four 2-bed 2-storey terraced Shared Ownership dwellings, along with another two-storey building comprising two 3-bed dwellings and two 1-bed maisonette units.
- 6.5 Parking spaces are generally located on-plot either in front or to the side of the dwellings, many of which also feature detached or integral garages. 21 visitor spaces are provided throughout the site.
- 6.6 Off the southern side of the principal street, the proposed development will be served by three vehicular access points and three pedestrian/cycle accesses. The vehicular access size and locations are as already set out by the approvals which detailed the spine road. Two pedestrian/cycle access points, linking into the existing Public Rights of Way network, are proposed from Cole Street Lane along the south of the site.
- 6.7 Landscaping is provided throughout the site, including areas of informal public open space along the eastern and southern boundaries. The recently approved 34 dwelling development immediately north of the principal street includes the following public open space as required by the Outline permission:
- 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), and;
 - An informal kickabout open space area of approx. 0.2ha in the northwest corner of the application site.
- 6.8 Additional informal public open space is proposed in the form of a north-south green corridor bisecting the development site, linking northwards across the Principal Street towards the abovementioned LEAP and informal kickabout area. This route includes natural play features comprising boulders, tree trunks and stepping logs.

- 6.9 The proposal also includes two surface water attenuation ponds - one to the south of the residential parcels within the informal open space and outside the flood zone, and one to the north-west of the residential parcel, on the northern side of the Principal Street.
- 6.10 This Reserved Matters application is supported by the following documents:
- Planning Statement
 - Design and Access Statement including Design Compliance Statement
 - Stage 1 and 2 Arboricultural Impact Assessment Report
 - Strategic Landscape Masterplan
 - Landscape Ecological Management Plan (LEMP)
 - Drainage Statement
 - Transport Statement
 - Sustainability Statement
 - Biodiversity Mitigation and Enhancement Strategy
 - Biodiversity Construction Environment Management Plan
 - Biodiversity Net Gain Assessment
 - Site Wide Ecological Mitigation Strategy

Submission of condition details

- 6.11 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.

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

Section 106 requirements

6.13 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

6.14 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

6.15 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/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
- 7.10 P/ADV/2022/05420 - Display 2no. non-illuminated totem signs
Decision: Granted Decision Date: 08/12/2022
- 7.11 P/ADV/2022/07358 – Erect 2 No. totem signs.
Decision: Granted Decision Date: 12/01/2023
- 7.12 P/FUL/2022/07873 - Installation of a Sewage Pumping Station (SPS)
Decision: Pending
[East of Junction between B3092 and Cole Street Lane]

7.13 P/RES/2022/07898 - 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

[Ham Farm "Phase 2" Reserved Matters application]

7.14 P/NMA/2023/01566 - 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/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

7.16 P/RES/2023/02376 - 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).

Decision: Granted Decision Date: 23/11/2023

7.17 P/RES/2023/05868 – Erection of 151 dwellings and associated infrastructure - including informal and formal public open space. (Reserved matters application to determine access, appearance, landscaping, layout and scale following the grant of Outline planning permission 2/2018/0036/OUT)

Decision: Pending

Other parts of the Gillingham Strategic Site Allocation

Land at Park Farm/Kingsmead Business Park

7.18 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

7.19 P/RES/2023/06629 - Erect 316 No. dwellings with associated open space, access, sustainable urban drainage, and infrastructure. (Phase 1 Reserved Matters application to determine appearance, landscaping, layout and scale; following the grant of Outline Planning Permission No. 2/2018/0077/OUT).

Decision: Pending

Lodden Lakes Phase 1

7.20 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

7.21 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

7.22 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

7.23 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

7.24 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

7.25 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

7.26 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)

TPO/2022/0063

EA - Risk of Surface Water Flooding

9.0 Consultations

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

Consultees

9.1 **Historic England:** No comments to make.

9.2 **Natural England:** No comments to make.

9.3 **Wessex Water:** Comments:

- Applicant will need to make temporary arrangements for provision of wastewater and potable water services for any required connections prior to April 2024.

- Unclear where the exact points of connection are for the foul water sewers and how the strategy fits with the wider site. Will require this confirmation to ensure the overall site wide strategy can be realised

- Surface water scheme shows a piped scheme attenuated by below ground tanks and ponds, discharging to land drainage. Recommend property water butts to accommodate initial rainfall and encourage the use of rainwater for garden watering rather than potable supply.

- Applicant has indicated that Wessex Water (WW) will adopt elements of the surface water network. WW is unable to adopt any surface water components without also adopting the foul water network. Confirmation of whether networks are to be adopted by Wessex Water or another Sewerage Undertaker must be confirmed.

[Officer comment: Foul water details have since been submitted to seek discharge of Outline condition 12. The strategy submitted at Outline stage did not include use of water butts and neither was this secured by planning condition.]

9.4 **Dorset Council – Senior Conservation Officer:** No objection.

9.5 **DC - Environmental Health:** No objection, subject to condition

9.6 **DC – Flood Risk Management Team:** No objection, subject to conditions

9.7 **DC – Highway Authority:** No objection, subject to the same conditions previously imposed upon the Outline approval

9.8 **DC - Housing Enabling Team:** Comments:

- It is preferable that affordable homes are tenure neutral and of the same high quality as market housing to ensure a balanced community.

- Will make a useful contribution towards the affordable need in the Dorset Council area.

- Provides a sufficient number of flats, but it is important that the wider affordable development is not too heavily weighted towards the provision of flats as a method to deliver the policy compliant element of the overall scheme.

[Case Officer Comment: The Affordable Housing layout and amount has been amended, as set out in Section 16 below. Additional Affordable Housing is also proposed in Phases 2 and 3, as also discussed below.]

9.9 **DC – Landscape:** Unable to support *[See Section 15 planning assessment below]*

9.10 **DC – Natural Environment Team:** Comments:

- The Biodiversity Net Gain (BNG) Assessment and Metric documents clearly demonstrate a gain in habitat units of 42.68% and a gain in watercourse units of 28.44%

- The gain in hedgerow units is less substantial, at 0.26%, but each habitat will experience a gain which is sufficient to demonstrate that a measurable biodiversity gain is secured. I.e. the gain for these habitats is greater than 0%

- Baseline and habitat creation habitat types and condition assessments appear to be reasonable and appropriate for the site, and therefore don't have any particular concerns

about the BNG Assessment at this time, but will reserve final comment for when the details of future phases are submitted

- The Construction environment Management Plan (CEMP) now includes a plan showing the Biodiversity Protection Zones - this now shows the whole site and extends the dark corridors as requested

- Regarding lighting, the BMES contains a plan showing the proposed S38 streetlighting. A lux contour plan has not been submitted, however it appears more than likely that the defined dark corridor around both existing and proposed habitats will experience unacceptable light spill. This creates a conflict with the proposed mitigation within the BMES and CEMP, which is in line with mitigation identified in Chapter 7 of the Environmental Statement, secured by condition 23 of the outline application.

- To resolve this, recommend that lighting columns adjacent to existing and proposed habitats? are removed, or the applicant may wish to submit a lux contour plan if they feel that the light spill is within acceptable parameters i.e. less than 1lux within the dark corridor.

- The BMES for this phase contains sufficient detail around the post-construction monitoring for bats

[Officer comment: It is considered necessary and reasonable to impose a pre-commencement planning condition (No. 5) requiring submission of lighting details for the whole development, to ensure that biodiversity is sufficiently protected.]

9.11 **DC – Senior Ranger:** No objection

9.12 **DC – Street Lighting Team:** Comments:

- Any of the new estate being proposed for adoption as public highway must be lit, for areas where most roads are already lit.

- Roads and footpaths, adoptable as public highway and hence requiring street lighting, on the periphery or outside of the estate should be avoided or minimised where possible. Instead, adoptable roads and footpaths should be kept to within the built area, using the blocking effect of the houses to reduce outward light pollution, the overall visibility of the estate from a distance at night and also its impact upon bats and other species.

- 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.

- The shared surface areas (roads without any pavements) provide no safe locations for street lighting to be installed. Safety legislation requires a minimum separation of vehicles from highway electrical apparatus which, for lighting columns, is taken as 800mm from a full height kerb. These necessary kerbed and raised islands around each light will reduce the useable width of the highway significantly and conflict with pedestrians and vehicle movements.

- The use of a 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: Amendments have since been made and the Highway Authority has now raised no objection, commenting that the geometry of the layout complies with the guidance provided by Manual for Streets and is considered suitable for public adoption. More detailed landscape plans have also been provided and it appears that no conflicts between the proposed landscaping and street lighting would arise.]

9.13 **DC – Trees:** Comments:

- A number of high quality trees on site and although they are unlikely to be damaged by the construction, the English Oak *Quercus robur* with a stem diameter of 1.4m (noted as Tree 5 on Arboricultural documentation) is now subject of an Individual Tree Preservation Order reference TPO/2022/0063. This veteran / near veteran tree is located in such a place that it is highly visible and in excellent condition and its retention is of paramount importance.

- Once the final construction details are decided, a detailed Arboricultural Method statement (AMS) must be submitted detailing the exact location and nature of protective fencing, ground protection where necessary, tree pruning, signage, timings and methods of works and other protection measures. Once the AMS is agreed with the Council it is imperative that all site operatives be made aware of the nature of the protection detailed in the AMS and it should remain in place throughout the period of construction.

[Case Officer Comment: Following the submission of an Arboricultural Method statement, the Tree Officer has now confirmed that all Outline tree related conditions may now be discharged. Its tree protection measures can be secured by planning condition. See Section 15 planning assessment below for further details.]

9.14 **DC – Senior Conservation Officer:** No objection

9.15 **DC - Urban Design Officer:** Unable to support *[See Section 15 planning assessment below]*

9.16 **Dorset Ramblers:** No objection

9.17 Gillingham Town Council: Objection

Initial comments:

- Proposed layout of high density housing provides inadequate green areas between dwellings. Does not respect character and distinctiveness of the locality, nor does it provide a sensitive transition between the urban and rural environment and will have a detrimental effect on the character of surrounding rural areas
- Proposed landscaping is minimal and will result in a development which will be overbearing. Para. 5.50 of the Masterplan Framework (MPF) refers to green edges and states that low to medium density housing, generously spaced in an informal loose perimeter block form offering expansive views out of the urban area, connected by a number of green spaces will characterise these areas. Low order intimate streets, resembling country lanes, with landscaping and soft boundary treatments will further emphasise the low key nature of this character area. MPF also states that lower densities will occupy the outer edges of the development
- Does not provide any biodiversity net gain and the proposed green infrastructure does not deliver any environmental benefits
- Does not include any energy efficiency or renewable energy measures, nor does it include any measures to mitigate climate change
- Although every property with an off-street parking space will be provided with electric vehicle charging points, the affordable housing units will not have any off-street parking
- Members support the comments of the Tree Officer and agree that a detailed Arboricultural Method statement (AMS) should be submitted.
- Rights of way N64/33 and N64/78 will be directly impacted by the proposed development, and it is proposed that these routes will be re-routed through the public open space surrounding the development. Members supported this proposal.
- Members welcome the affordable housing provision
- Members are concerned that there are insufficient off-street parking spaces which will lead to residents and visitors having to park on the streets. Proposed width of the streets does not allow for on-street parking and this will result in an increased danger to highway users which may result in emergency vehicles and refuse collection vehicles being unable to access properties

Reconsultation comments:

- Objects
- Inadequate energy efficiency & renewable energy measures & the application does not include any measures to mitigate climate change.
- Contrary to Policy 8 of the Local Plan which states: 'affordable housing should be designed to be indistinguishable from other housing on a development site. On a larger site, the affordable units should be pepper-potted amongst the market housing, or where there is a high proportion of affordable housing, grouped in small clusters amongst the market housing'.
- Members noted that the application is in accordance with national policy; however, members are still concerned that there is insufficient off-street parking available.

- Members have concerns over the proposed play trails which have little play value. Concerns have also been raised regarding the design of the public realm which includes bright red urban style dog-waste bins.

10.0 Representations received

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

- The blue site area has been applied to an old map of the area. A bungalow has been built since 2018/2019 and is not showing on the map, neither is the neighbouring bungalow, nor the new house built adjacent to Lockwood Farm house. These properties have been built with access from the lane to Lockwood farm, and behind Copper Coin, which is fronted on to the Shaftesbury Road.
- On the basis of the plan submitted, the blue line appears to run through what would be gardens. Updated location plan is needed with the blue line superimposed after the new properties and their relevant boundaries are included.

[Case Officer Comment: The application site blue line appears to follow the same boundary of the 2018 Outline planning application. Any land ownership dispute would be a private civil matter outside the remit of the Local Planning Authority.]

Total - Objections	Total - No Objections	Total - Comments
1	0	3

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

Material Considerations

National Planning Policy Framework (NPPF):

11.4 The NPPF has been updated with a revised version published in December 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 and beautiful 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 updated its five-year housing land supply and housing delivery test for the North Dorset Plan area. In line with the recently revised NPPF (December 2023), the new supply is 5.02 years and the latest Housing Delivery Test for North Dorset published by the government is 75%. 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 Regardless of the above, 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 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	14 units - 10% of the overall first phase in accordance with the Outline s106 agreement.
Quantum of greenspace	The overall first phase includes 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 amended scheme now includes a Sustainability Statement. This advises that the development will have to comply with Part G of the Building Regulations, which requires homes to achieve an internal water consumption rate of no more than 125 litres per person per day. In response to Part L of the Building Regulations, every home will be constructed to an energy efficient fabric and building services specification capable of complying with the Fabric First Efficiency Standard. In addition, the heating designs of every home will include an air source heat pump. This allows each home to be labelled as “zero carbon ready” from the point of occupation. The heat pumps were considered as feasible within the outline Energy Strategy.
- 15.4 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.
- 15.5 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. The Outline 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
 - Affordable Housing
 - Highway safety and parking
 - Residential amenity
 - Flood risk and drainage
 - Biodiversity
 - Other matters

Affordable Housing

- 16.3 Four units are proposed for Affordable Rent and four for Shared Ownership within the current proposal, to be managed by a Registered Provider. This would comprise a row of four 2-bed 2-storey terraced Shared Ownership dwellings, along with another two-storey building comprising two 3-bed dwellings and two 1-bed maisonette units.

- 16.4 The proposed Affordable Housing would comprise 7% of the current proposed 108 units, but in combination with the 20% Affordable provision approved under P/RES/2023/02376 to the north, would provide 10% provision across this overall first phase. The wider delivery of 961 dwellings will provide the required 25% affordable housing as required by the Outline s106 agreement.
- 16.5 The proposed Affordable two-bedroom terraced properties are designed for 4 people to occupy, with a floorspace of 76sq m. These would be slightly below the nationally prescribed minimum space standards (3sq m shortfall). The proposed 3-bed dwellings have a floorspace of 83sq m and if occupied by four persons, would be 1sq m below the minimum space standards. However, 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 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

- 16.6 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.
- 16.7 The concerns raised by the Council’s Urban Design Officer (UDO) are noted and it is accepted that the proposed Affordable Housing is in one location and form the only terraced properties on the site. 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, facing the main east-west route and which includes some semi-detached open market units adjacent to them. The 7% amount of Affordable Housing in this proposal (on account of the 10% overall requirement for Phase 1) also restricts the extent in which their layout can be pepper-potted throughout the site. The case officer therefore considers that a sufficiently tenure-blind layout would be achieved, despite the obvious size differences between the open market and Affordable dwellings.
- 16.8 The UDO commented that the overall amended layout provides some variation that reduces what was an inherently suburban approach to street design and built form. Along the southern boundary, the layout is more informal and organic to reflect the site’s relationship with the open countryside. There is a greater difference between the southern part of the site and the more formal northern section that fronts onto the main link road. The patterning of house types here gives a stronger rhythm to the street and the addition of the gabled fronted semi-detached houses are a positive addition. The UDO also considers that the changes to the layout have created a more flexible grid structure to the streets, with the number of cul de sacs reduced. Where they are included, there are footpath links to ensure greater permeability for pedestrians and cyclists. The case officer agrees with the above and considers that the current proposed semi-detached dwellings facing the principal street provide a more formal appearance and building line, which defines this area as having a different character to the rest of the proposal, and reflects the existing older regimented layouts along some of the main approaches into Gillingham.

- 16.9 However, given the predominantly detached housing typology proposed, the UDO concludes that it is unlikely that the scheme will fully achieve ‘the more rural feel, suitable for this transitional area between Gillingham and the countryside’ as stated in the Design and Access Statement. The case officer considers that the current layout provides an acceptable transition between the extended town and the countryside to the south. The addition of semi-detached dwellings along the principal street, along with some terraced and semi-detached units immediately to its south, provides a discernibly higher density than the southern development edge facing the countryside, which contains larger detached dwellings. Although the rest of the scheme also contains detached dwellings, the dwellings to the south have more irregular plot layouts and some larger front gardens, to reflect their context facing the rural edge. The case officer also considers that the layout now provides a sufficient provision of street trees, having regard to the site’s location and street hierarchy.
- 16.10 The case officer also anticipates that the proposed Phase 2 parcel (P/RES/2022/07808) to the north, along with the more recently submitted Phase 3 to the northwest (P/RES/2023/05868) contain a significant amount of semi-detached and terraced dwellings for both affordable and open market tenures. Affordable apartments are also proposed within both phases. This gives sufficient assurance that an appropriate mix of housing types can be delivered throughout the wider Outline approved site, to meet the aims of Local Plan Policy 7. This will include smaller one and two bedroomed dwellings.
- 16.11 The UDO states that the design of parking will result in cars dominating the street scene as spaces are not always set back from the building line or are in front of dwellings. The case officer however notes that the proposed frontage parking would mainly be interspersed by gardens or soft landscaped verge, including a number of trees within plot frontages or the verges. Where side-of-plot parking comes forward of the building line, the projection is marginal which is not considered to result in a significant visual impact.
- 16.12 In light of all the above, the case officer considers that the proposed layout is acceptable, as it provides a positive townscape with the principal street, permeable linkages within and throughout the site and an appropriate relationship with the southern and western boundaries facing open space/countryside. This 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

- 16.13 “Scale” is defined as meaning the height, width and length of each building proposed within the development in relation to its surroundings.
- 16.14 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, to the north along the principal street. This then reduces to 2.5 storey (12m to top of ridge line) to the south towards the countryside. The proposed dwellings would all be 2 storey in form and height, apart from ten semi-detached dwellings facing the principal street which are 2 ½ storey in form with front dormer windows in the roof facing the loop road. These provide appropriate formality and variation in height/roof form to respond to the hierarchy of the principal street. Three 2.5 storey detached dwellings are also provided along the southern and western edges facing the open space. These are not of significantly greater height or bulk than the other dwellings facing the informal open space. They are also within the Outline approved building heights and provide some variation of built form.

- 16.15 The dwellings facing the principal street are sufficiently set away to allow provision of a landscaped frontage, to avoid an overly hard urban landscape. The more prevalent use of prominent gable forms and front dormer windows in this location would therefore not lead to an over-dominant impact. The dwellings along the eastern, southern and western edges facing the open space/countryside are of appropriate two storey scale, with front elevations facing these open areas and with many generous separation distances between them. The roof forms comprise full side hipped ends or barn-hips, which also assist in containing the scale of built form facing these green edges.
- 16.16 It is accepted that most of the proposed dwellings would be of two storey detached form with many similar heights. However, given the context of this site along the southern countryside edge and facing open space along the east and west, this scale 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

- 16.17 “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.
- 16.18 The Council’s Urban Design Officer has raised some concern regarding the proposed external material types, including along the countryside edge. Regard must be had to Condition 7 of the Outline approval, as it 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.
- 16.19 The above D&AS also indicates the eastern parcel of the current proposal site to be in the “formal” character area and the western parcel (beyond the north/south green corridor route) to be in the “semi-rural character area. The building materials considered acceptable within the formal area (as defined within Section 8.16 of the abovementioned D&A) include brown and red/orange brick colours for the elevations, along with render. The above forms the predominant materials palette for the proposed elevations. Some yellow brick is proposed along the principal street. However, this is to provide attractive banding features along the front elevation, and is therefore considered acceptable. The proposed render is white and the precise specification of all external materials can be secured by condition.
- 16.20 The building materials considered acceptable within the rural area also include brown and red brick colours for the elevations. The above forms the predominant materials palette for the proposed elevations. Some of the corner plot edge dwellings contain white render which differs from white painted bricks listed in Section 8.16. However, subject to appropriate specification, white render would not be materially different in character than white painted bricks. The proportion of render used along the development edges is slightly less prevalent than along the principal street. Noticeably more weatherboarding and tyle hanging features are however included. This, along with the open porch canopy features, respects the

verdant setting facing the open spaces and countryside. The applicant has chosen to provide brown and grey tiles for the roof materials for both the formal and semi-rural areas, which are also included in Section 8.16 as being acceptable for both these areas.

16.21 Although the Affordable units lack some of the design detail of the open market units, they are nonetheless of traditional design that broadly reflect the design cues of the wider proposed development. It is therefore considered that a sufficiently tenure-blind appearance would be achieved.

16.22 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 semi-detached units in prominent locations and chimney features in several key locations along the Principal Street and its road junction behind it within the site, 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

16.23 “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.

16.24 The Council’s Senior Landscape Architect initially raised concern regarding the reduction of landscape areas from the Outline approved parameters. The proposal has since been amended to reduce the amount of encroachment into the open space areas. The case officer now considers that the separation distances to the eastern open space and southern countryside edge are acceptable, with sufficient space between the development and the pathways/hedgerows within the site to provide appropriate landscaping and green networks. The Non-Material Amendment application (P/NMA/2022/04874) proposing these changes has therefore now been granted.

16.25 The Council’s Urban Design Officer also raised concerns that the scheme lacks adequate street tree planting and has an over-reliance of trees within private areas to provide landscape benefits. The amended scheme has however increased the number of street trees in some key locations, most notably along the principal street. The case officer considers that the proposed tree planting in the landscaped edges of the residential parcel would also effectively create tree-lined streets for the perimeter streets. It is accepted that through the central routes of the development, most of the proposed trees indicated are located within front gardens. 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 service routes restrict the amount of

street trees that can be provided, along with the development parameters that have already been approved at Outline stage.

- 16.26 In light of all the above, 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 street trees will be provided having regard to the site context and hierarchy of streets.
- 16.27 Following concerns raised by Officers, the footpath/cycle link running north-south through the site has been amended so that it forms a continuous green route running along the existing hedgerow to the west. Two pedestrian connections are now provided through this hedgerow to provide appropriate permeability for the western development parcel. This off-road route also turns around and along the southern edge of the site and includes natural play features alongside it, comprising stepping logs, boulders and horizontal tree trunks.
- 16.28 New tree and hedge planting with native species will be provided to create a landscape corridor to frame the development, especially in relation to the southern countryside boundary along Cole Street Lane. The width of the green route pathway increases to 3m as it turns along the eastern development boundary alongside the future formal sports facility s106 requirement. Overall, this green route is considered to be well defined and landscaped. It allows for active use and is overlooked by new development and active frontages throughout. The green route also includes timber seats and picnic benches, wood-effect litter bins and dark green coloured dog waste bins.

Tree impacts

- 16.29 The Council's Senior Landscape Architect initially raised concern regarding additional encroachments within the Root Protection Areas of existing trees, the requirement for additional crown reduction of one tree and the partial removal of sections of existing hedge. The Arboricultural Impact Assessment and Method Statement now submitted demonstrates that subject to safeguards to be secured by condition, there would be no adverse impact on RPAs and no building footprints within RPAs. Apart from small areas of hedgerow removal to facilitate pedestrian/cycle permeability, all other trees and groups are able to be retained. Protective fencing will be required around the retained trees and groups.
- 16.30 Having regard to all the above, the case officer considers that Landscape as a reserved matter can be discharged. In this regard, 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

- 16.31 The Transport Statement advises that the proposed layout would provide a total of 212 allocated parking spaces in the form of driveways or allocated parking bays (excluding garages) and 81 garages. In addition, 21 visitor spaces are provided, distributed throughout the site. This equates to an overall provision of 314 spaces (2.93 spaces per unit). 76 dwellings will have a garage where they can store their bicycle. All remaining properties have their own private garden in which a lockable cycle store can be provided where their bicycle can be safely stored. Precise details of secure cycle parking facilities for each unit can be secured by means of planning condition.

- 16.32 Dorset Council Highway Authority (CHA) have stated that the amendments requested have been made as shown in the current submission. There will be two access points to the development site from the newly constructed principal street. The access point into the Western parcel has been moved slightly further north than that originally envisaged when the principal street was constructed, but is considered acceptable.
- 16.33 The design of the roads within the development encourages low vehicle speeds, through the use of curves and raised tables / surface changes. The Transport Statement advises that its swept path analysis shows that a large refuse vehicle and emergency fire tender accessing the site are able to get within acceptable bin carry / hose length (45M) distance, as required by Parts B and H of the building regulations. The CHA has commented that the geometry of the layout complies with the guidance provided by Manual for Streets (MfS) and is considered suitable for public adoption. Refuse collection has been fully considered and on-site parking numbers, for both cycles and cars, are considered to be appropriate for this location.
- 16.34 No adverse impacts are therefore envisaged in terms of highway safety, capacity or policy. 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

Impact on neighbours

- 16.35 The nearest dwellings to this specific proposal site would comprise those along Cole Street Lane to the south. The proposed dwellings along the southern edge would be sited at sufficient distance from these neighbouring dwellings to avoid any adverse impacts in terms of loss of light, outlook, privacy or overbearing impact.
- 16.36 The Council's Environmental Health Team commented that the location of the electrical substation top northwest of the site has the potential to cause noise and is close to residential properties. The applicant should demonstrate the equipment will not have an adverse effect on nearby residents. An appropriate condition is therefore requested as set out in the conditions list below.
- 16.37 The Sustainability Statement advises that air source heat pumps (ASHP) are to be installed. Consistent with the more recently submitted Reserved Matters approval for 34 dwellings within the northern Phase 1 parcel, 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. 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.

16.38 As required by Condition 32 of the Outline permission, a Construction Environmental Management Plan has been submitted to and agreed upon by the Council's Highways and Environmental officers. This includes, amongst other things, hours of construction, construction vehicle and delivery details and measures to control noise, vibration, dust and dirt.

Impact on future occupiers

16.39 The floorspace of 76sqm for each the two proposed 2-bed Affordable dwellings would not meet the minimum space standard of 79 sqm. The proposed 3-bed Affordable dwellings would also fall 1 sqm short of the minimum space standard. However, this standard was not adopted as policy under the North Dorset Local Plan and additionally, all other proposed dwellings (including the Affordable 1-bed maisonettes) would meet the standards. It is also considered that all proposed dwellings would be provided with sufficient private amenity space commensurate to their size. As such, overall, it is considered that future occupiers would be afforded with sufficient internal living and storage space. The built form relationships within the scheme would also afford future occupiers with sufficient light, outlook and privacy.

16.40 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

16.41 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, permeable paving and cellular storage. The Council's Flood Risk Management Team (FRMT) raised no objection, subject to conditions. However, Surface Water Management Scheme details were subsequently submitted to seek discharge of Outline Condition 18, and these were agreed upon by the FRMT. As such, no new condition is necessary.

Biodiversity

16.42 Following initial comments raised by the Council's Natural Environment Team (NET), a Biodiversity Net Gain (BNG) Assessment and Metric has been provided, along with a Biodiversity Mitigation and Enhancement Strategy and an Ecological Mitigation Strategy for the wider Outline approved site.

16.43 The NET has commented that the BNG Assessment and Metric documents clearly demonstrate a gain in habitat units of 42.68% and a gain in watercourse units of 28.44%. The gain in hedgerow units is less substantial, at 0.26%, but each habitat will experience a gain which is sufficient to demonstrate that a measurable biodiversity gain is secured (i.e. the gain for these habitats is greater than 0%). The NET has commented that the baseline and habitat creation habitat types and condition assessments appear reasonable and appropriate for the site and for the Outline approved site as a whole and as such, the matter of biodiversity gain is now covered off for each phase. The biodiversity mitigation, compensation and enhancement/net gain strategy set out within the Biodiversity Mitigation and Enhancement Plan can be secured by means of planning condition.

16.44 Some lighting details and post-construction mitigation for bats have also been provided within the site-wide Ecological Mitigation Strategy. This indicates the provision of dark corridors along the retained hedgerows. However, no lux contour plan details of the lighting

layout have been provided. As such, it is considered necessary and reasonable to impose a pre-commencement planning condition requiring submission of full lighting details for the whole site, to ensure that biodiversity is sufficiently protected.

16.45 The NET has also advised that as part of the Great Crested Newt District Licence requirements, a conservation payment of £113,659.63 towards the Great Crested Newt licensing scheme is required for the whole of the Outline approved Ham Farm site. The applicant has stated that this can be secured via separate legal agreement.

16.46 In light of all the above and subject to conditions and the Great Crested Newt District Licence requirements, the proposal 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 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

Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to:

A) Approve of Reserved Matters, subject to the completion of a Unilateral Undertaking under section 106 of the Town and Country Planning act 1990 (as amended) in a form to be agreed by the legal services manager to secure the great crested newt conservation payment of £113,659.63 – required as part of the Great Crested Newt District Licence requirements for the whole of the Outline approved Ham Farm site.

Or,

B) Refuse, if the s106 Agreement is not completed within 6 months of the date of decision or such extended time as agreed by the Head of Planning.

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:

- Leamington floor plans and elevations (Drawing No. A1023 18 Rev A)
- Leamington floor plans and elevations (Drawing No. A1023 19 Rev A)
- Stratford floor plans and elevations (Drawing No. A1023 20 Rev A)
- Stratford floor plans and elevations (Drawing No. A1023 21 Rev A)
- Windsor floor plans and elevations (Drawing No. A1023 22 Rev A)
- Windsor floor plans and elevations (Drawing No. A1023 23 Rev A)
- Marlow floor plans and elevations (Drawing No. A1023 25 Rev A)
- Oxford floor plans and elevations (Drawing No. A1023 26 Rev A)
- Cambridge floor plans and elevations (Drawing No. A1023 28 Rev A)
- Shaftesbury floor plans and elevations (Drawing No. A1023 30 Rev A)
- Harrogate floor plans and elevations (Drawing No. A1023 33 Rev A)
- Harrogate floor plans and elevations (Drawing No. A1023 34 Rev A)
- Hampstead floor plans (Drawing No. A1023 38 Rev A)
- Hampstead elevations (Drawing No. A1023 39 Rev A)
- Hampstead elevations (Drawing No. A1023 40 Rev A)
- Single garage floor plans and elevations (Drawing No. A1023 46)
- Double garage floor plans and elevations (Drawing No. A1023 47)
- Overton floor plans and elevations (Drawing No. A1023 50 Rev A)
- Letchworth floor plans (Drawing No. A1023 61 Rev A)
- Letchworth elevations (Drawing No. A1023 62 Rev A)
- Letchworth elevations (Drawing No. A1023 63 Rev A)
- Letchworth floor plans (Drawing No. A1023 64 Rev A)
- Letchworth elevations (Drawing No. A1023 66 Rev A)
- Letchworth floor plans (Drawing No. A1023 67 Rev A)
- Letchworth elevations (Drawing No. A1023 68 Rev A)
- Letchworth floor plans (Drawing No. A1023 69 Rev A)
- Letchworth elevations (Drawing No. A1023 70 Rev A)
- Leamington floor plans and elevations (Drawing No. A1023 71 Rev A)
- Stratford floor plans and elevations (Drawing No. A1023 72 Rev A)
- Stratford floor plans and elevations (Drawing No. A1023 73 Rev A)
- Lincoln floor plans (Drawing No. A1023 74 Rev A)
- Lincoln elevations (Drawing No. A1023 75 Rev A)
- Overton floor plans and elevations (Drawing No. A1023 76 Rev A)
- Cambridge floor plans and elevations (Drawing No. A1023 77 Rev A)
- Shaftesbury floor plans and elevations (Drawing No. A1023 78 Rev A)
- Henley floor plans (Drawing No. A1023 79 Rev A)
- Henley elevations (Drawing No. A1023 80 Rev A)
- Highgate floor plans (Drawing No. A1023 81 Rev A)
- Highgate elevations (Drawing No. A1023 82 Rev A)
- Grantham floor plans (Drawing No. A1023 84 Rev A)
- Grantham elevations (Drawing No. A1023 85 Rev A)
- Grantham elevations (Drawing No. A1023 86 Rev A)
- Grantham floor plans (Drawing No. A1023 87 Rev A)
- Harrogate floor plans and elevations (Drawing No. A1023 87 Rev A)
- Grantham elevations (Drawing No. A1023 88 Rev A)

- Tavy floor plans (Drawing No. A1023 88 Rev A)
 - Tavy elevations (Drawing No. A1023 89 Rev A)
 - Dart and Spey floor plans (Drawing No. A1023 90 Rev A)
 - Dart and Spey elevations (Drawing No. A1023 91 Rev A)
 - Double garage floor plans and elevations (Drawing No. A1023 92)
 - Highway Longitudinal Sections Sheet 1 (Drawing No. A409-RM1-15 Rev A)
 - Highway Longitudinal Sections Sheet 2 (Drawing No. A409-RM1-16 Rev A)
 - Highway Longitudinal Sections Sheet 3 (Drawing No. A409-RM1-17 Rev A)
 - Highway Longitudinal Sections Sheet 4 (Drawing No. A409-RM1-18 Rev B)
 - Drainage Construction Details Sheet 1 (Drawing No. A409-RM1-55 Rev A)
 - Drainage Construction Details Sheet 2 (Drawing No. A409-RM1-56 Rev A)
 - Drainage Construction Details Sheet 1 (Drawing No. A409-RM1-57 Rev A)
 - Drainage Construction Details Sheet 1 (Drawing No. A409-RM1-58 Rev A)
- (all received on 10th October 2023)

- Materials Plan (Drawing No. A1023 01 Rev F)
 - Occupancy Plan (Drawing No. A1023 05 Rev F)
 - Massing Plan (Drawing No. A1023 06 Rev F)
 - Tenure Plan (Drawing No. A1023 07 Rev F)
 - Parking Plan (Drawing No. A1023 09 Rev F)
 - Refuse Plan (Drawing No. A1023 10 Rev F)
 - Street Scenes (Drawing No. A1023 56 Rev E)
 - General Arrangement (Drawing No. A409-RM1-0 Rev C)
 - Engineering Layout (Drawing No. A409-RM-41 Rev C)
 - Drainage Layout (Drawing No. A409-RM1-51 Rev D)
 - Highways Materials Layout (Drawing No. A409-RM1-71 Rev C)
 - Large Refuse Vehicular Tracking (Drawing No. A409-RM1-81 Rev C)
 - Fire Tender Vehicular Tracking (Drawing No. A409-RM1-82 Rev C)
 - Standard Car Vehicular Tracking (Drawing No. A409-RM1-83 Rev B)
 - Strategic Landscape Masterplan (Drawing No. P22-1067-EN-016 Rev B)
 - Concept On-plot Landscape Proposals (Drawing No. P22-1067-EN-017 Rev C)
- (all received on 27th October 2023)

- Planning Layout (Drawing No. A1023-01 Rev RR)
 - Enclosures Plan (Drawing No. A1023-08 Rev G)
 - Landscape Proposals Sheet 1-3 (Drawing No. P22-1067-EN-20 Rev C)
- (all received on 30th January 2024)

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

3. 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.

4. No development shall proceed beyond damp proof course level until full specification details of all external facing materials (including, walls, roofs and fenestration detail) has 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.

5. Prior to the commencement of the development above damp course level, a scheme showing precise details of all external lighting (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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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 03 20/10/2023).

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

11. 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 0 31/07/2023). All trees and hedges shown to be retained in the Appendix 5 Tree Protection Plan (Dwg. No. 3 Rev 4 26/07/2023) 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.

12. 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 Condition nos. 7 (Palette of materials), 8 (Updated Arboricultural Impact Assessment), 10 (Landscape Management Plan) & 23 (Landscape and Ecological Management Plan) of Outline Planning Permission No. 2/2018/0036/OUT

As set out in Paras 6.18-6.20 above, the case officer considers that the proposed external material types are sufficient to discharge Outline Condition 7, given this parcel's context

between the Principal Street and the countryside edge. A new condition (No. 4 above) is proposed to secure the precise specifications for these external materials.

Following the submission of an Arboricultural Method Statement, the Council's Tree Officer has confirmed that Condition 8 can 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 case officer considers that the landscape management details submitted with this application are 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 Construction Environment Management Plan (CEMP) for this parcel has also been submitted to seek discharge of Condition 32. A Biodiversity CEMP has also been provided more recently. 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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Application Number:	P/RES/2023/00628		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	West Of Shaftesbury Road (Land on Ham Farm), Land South of Gillingham, Shaftesbury Road, Gillingham		
Proposal:	Construct loop road and associated drainage and substation to facilitate future reserved matters applications in line with grant of Outline Planning Permission No. 2/2018/0036/OUT.		
Applicant name:	Redrow Homes Ltd		
Case Officer:	Ross Cahalane		
Ward Member(s):	Cllr Val Pothecary, Cllr Belinda Ridout, Cllr David Walsh		
Publicity expiry date:	29 April 2023	Officer site visit date:	31 March 2023
Decision due date:	23 June 2023	Ext(s) of time:	08/03/2024

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 (including the proposed spine road route) 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, Scale and Appearance	The proposed loop road reflects its indicated layout shown on the Outline approved Illustrative Masterplan. The layout of its supporting infrastructure is also considered acceptable.

Landscaping	Details of proposed landscaping within the open space around the SuDs basins, and along the loop road, have been submitted with the other residential reserved matters applications. On this basis, the loss of trees to facilitate the current proposal would be more than offset by new planting.
Highway safety and parking	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 the residential amenity of surrounding neighbours.
Flood risk and drainage	The proposed development is outside of the flood risk zones.
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 2.7 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 application site.
- 5.3 The proposal is submitted as running through the current proposed phases 2 and 3 of the outline scheme. 280 dwellings are proposed under P/RES/2022/07898 within the proposed Phase 2. To the west, 151 dwellings are proposed (P/RES/2023/05868) which would form Phase 3.
- 5.4 The spine road will have access available from both New Road (B3092) to the west and Shaftesbury Road (B3081) to the east, via the Principal Street along the south which has been granted separate planning permission (2/2020/0379/FUL) and is at the final stages of full completion.

6.0 Description of Development

- 6.1 This application seeks reserved matters approval for the construction of a loop road pursuant to the outline planning permission (2/2018/0036/OUT), granted on 9th September 2021 for the urban extension to Gillingham comprising of up to 961 dwellings and up to 2,642 sqm in a new local centre providing retail, community, health, and leisure uses.
- 6.2 The loop road is proposed in accordance with the illustrative masterplan and access strategy considered at outline stage. The cover letter submitted with the current application

also advises that it is necessary to submit this loop road application to enable the Phase 2 applicant (Places for People) to construct their proposed 280 dwelling development (ref P/RES/2022/07898) once planning permission has been received.

- 6.3 The proposed loop road would come from the Principal Street (which has been approved under 2/2020/0379/OUT and built out), northwards through the approved Phase 1 residential parcel (34 dwellings – P/RES/2023/02376). The loop road would continue further northwards through Phase 2 and would then turn to the west through the current applicant's (Redrow) proposed Phase 3 development (151 dwellings - P/RES/2023/05868). The loop road would then turn back towards the south to join the principal street further west. The junction locations with the Principal Street have already been laid out as approved under 2/2020/0379/FUL. The proposed loop road also includes a number of vehicular access points along its route to serve the residential developments throughout it.
- 6.4 In addition to the loop road, the application includes the submission of details relating to the two proposed SuDs basins. The northern basin is in the same location as the outline approved parameter plans and the southern basin has been agreed under Outline Condition 17 (high-level drainage strategy and flood risk assessment). Details of landscaping within the open space around this SuDs basin, and along the loop road, have been submitted with the other respective reserved matters applications for the homes proposed within the abovementioned Phase 2 and Phase 3. However, the current loop road application provides some additional detail into the drainage proposals. The proposed site plan also includes a substation immediately north of the spine road, opposite the Phase 2 public open space.
- 6.5 This Reserved Matters application is supported by the following documents:
- Cover letter/statement
 - Stage 1, 2 and 3 Arboricultural Report
 - High-level Drainage Strategy and Flood Risk Assessment
 - Highways and Drainage Statement
 - Biodiversity Mitigation and Enhancement Strategy
 - Biodiversity Net Gain Assessment
 - Site Wide Ecological Mitigation Strategy

Amended plans

- 6.6 Amended plans were received following issues raised by the Environment Agency and the Council's Flood Risk Management Team and Natural Environment Team. 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/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
- 7.15 P/NMA/2023/01566 - 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

7.16 P/RES/2023/02376 - 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).

Decision: Granted Decision Date: 23/11/2023

7.17 P/RES/2023/05868 – Erection of 151 dwellings and associated infrastructure - including informal and formal public open space. (Reserved matters application to determine access, appearance, landscaping, layout and scale following the grant of Outline planning permission 2/2018/0036/OUT)

Decision: Pending

Other parts of the Gillingham Strategic Site Allocation

Land at Park Farm/Kingsmead Business Park

7.18 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

7.19 P/RES/2023/06629 - Erect 316 No. dwellings with associated open space, access, sustainable urban drainage, and infrastructure. (Phase 1 Reserved Matters application to determine appearance, landscaping, layout and scale; following the grant of Outline Planning Permission No. 2/2018/0077/OUT).

Decision: Pending

Lodden Lakes Phase 1

7.20 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

7.21 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

7.22 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

7.23 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

7.24 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

7.25 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

7.26 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: N64/33 (Footpath)

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

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

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

9.0 Consultations

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

Consultees

9.1 **Environment Agency:** No objection, subject to condition.

9.2 **National Highways:** No objection.

9.3 **Wessex Water:** Comments:

- Wessex Water is progressing a substantial construction scheme to provide new foul sewerage and potable water services to development at South Gillingham.

- A new sewer and new water main has been installed in Principal Street. These services will be extended west and the other side of the railway track to connect to the existing water recycling centre (foul drainage) and water supply network. These principal services will also be extended eastwards and northwards to serve development at Park Farm and Lodden Lakes. It is planned that services will be available from April 2024. The applicant will need to make temporary arrangements for the provision of wastewater and potable water services for any required connections prior to this date.

- Drainage drawings showing the layout for both surface water and foul drainage is provided within the submitted application. The applicants responsible for the submission of reserved matters applications are co-ordinating to provide a site wide foul drainage solution . Points of connection to infrastructure adopted by Wessex Water can be agreed (new on-site terminal pumping station and the strategic sewer running through Principal Street). We will be contacting the applicant direct to learn the proportion of flows connecting to the pumping station and Principal Street this has not been made clear through any planning applications submitted to date.

- Confirmation of whether networks are to be adopted by Wessex Water or another Sewerage Undertaker is to be confirmed. The drainage drawings submitted with the application have not been looked at in detail by Wessex Water. The drawings will be submitted to the chosen undertaker in accordance with the adoption process regulated under the Water Industry Act 1991.

9.4 **Dorset Council – Flood Risk Management Team:** The technical note provides the additional information required to recommend removal of the holding objection (29th March 2023). At some stage the applicant will need Land Drainage Consent [*Case officer comment: An advisory informative can be added.*]

9.5 **DC – Highway Authority:** No objection, subject to the conditions previously imposed by the Outline permission.

9.6 DC - Natural Environment Team: Comments:

- The Biodiversity Net Gain Assessment and Metric documents clearly demonstrate a gain in habitat units of 42.68% and a gain in watercourse units of 28.44%
- The gain in hedgerow units is less substantial, at 0.26%, but each habitat will experience a gain which is sufficient to demonstrate that a measurable biodiversity gain is secured. I.e. the gain for these habitats is greater than 0%
- Don't have any particular comment about the BNG Assessment, or content of the Metric, that would significantly alter the outputs, as the baseline and habitat creation habitat types and condition assessments appear to reasonable and appropriate for the site
- For the Outline approved site as a whole, the matter of biodiversity gain is now covered off for each phase.

9.7 DC – Trees: Comments:

Have carried out a site visit and studied the Arboricultural information supplied. Can confirm that subject to adherence to those documents the trees to be retained will be adequately protected.

9.8 Gillingham Town Council: Holding objection in support of the comments made by Dorset Council Flood Risk Management Team.

10.0 Representations received

10.1 At time of preparation of this report, no representations have been received.

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

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 these outline applications are:

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

Other Material Considerations

National Planning Policy Framework (NPPF):

11.4 The NPPF has been updated with a revised version published in December 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...

Dorset Council Local Plan (Consultation version January 2021)

- 11.5 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

- 11.6 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.

- 11.7 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)

11.8 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)

11.9 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 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	Proposed loop road would facilitate the provision of Affordable Housing as secured under the s106 legal agreement attached to the Outline permission.
Quantum of greenspace	Proposed loop road would facilitate public access to public open space as secured under the Outline permission.
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, facilitating housing required to support the long-term economic growth in the area with new residents spending on goods and services as they move in.

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. The proposed loop road would facilitate increased vehicle use and emissions, but complies with the agreed parameters of the Outline Planning Permission. Matters relating to air quality were assessed at Outline stage and found to be acceptable.
- 15.2 The proposed development would facilitate a 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.
- 15.3 A Sustainability Statement has subsequently been provided as part of the other residential proposals submitted by the applicant. This outlines the following pollution control measures:
- Fuel and chemical stores will be located on impervious bases within a bund and secured.
 - Where dust is generated in small quantities through the normal construction process such as cutting of bricks, and where significant volumes are required, specialist cutting equipment will be used.
 - Waste containers and skips will be covered.
 - Just in time deliveries will prevent stockpiling of unnecessary materials on site. If this is unavoidable, materials will be secured and covered where necessary to avoid pollution.
 - Hard surfaced roads will be constructed at the earliest possible opportunity.

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. The Outline permission also approved the means of access to the site. The current proposed loop road reflects its indicated layout shown on the Outline approved Illustrative Masterplan.

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

- Layout, Scale and Appearance
- Landscaping
- Highway safety
- Residential amenity
- Flood risk and drainage
- Biodiversity
- Other matters

Layout, Scale and Appearance

16.3 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.

16.4 As previously set out, the proposed loop road reflects its indicated layout shown on the outline approved Illustrative Masterplan. The proposed northern SuDs basin is in the same location as the outline approved parameter plans and the southern basin has been agreed under Outline Condition 17 (high-level drainage strategy and flood risk assessment). The proposed substation is immediately north of the spine road, opposite the Phase 2 public open space towards the south. It is surrounded by land secured in the s106 agreement for expansion of St Marys primary school (the existing premises is further north). To ensure that this 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. Subject to this and all other above matters, it is considered that the proposed layout is acceptable.

16.5 “Scale” is defined as meaning the height, width and length of each building proposed within the development in relation to its surroundings. “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.

16.6 No buildings are proposed, apart from the above substation in which no elevation details have been provided. Full plan and elevation details for the substation can also be secured by planning condition. Other than this, matters of scale and appearance are not considered relevant to the current application.

16.7 Having regard to all the above, the proposal complies with Policies 7, 21, 24 and 25 of the North Dorset Local Plan, the Gillingham Neighbourhood Plan and the Gillingham Town Design Statement.

Landscaping

16.8 “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.

- 16.9 The proposed loop road is supported by an Arboricultural Impact Assessment and Method Statement. Five sections of existing hedgerow would have to be removed to facilitate the proposed loop road to pass through the existing hedgerow. Given that the current proposed loop road reflects its indicated layout shown on the Outline approved Illustrative Masterplan, this is considered acceptable.
- 16.10 The proposed drainage infrastructure would require removal of two further sections of hedgerow adjacent the SuDs basin. There would be more significant partial loss of two larger tree groups to the north (south of the existing primary school and the Pheasant Way/Woodpecker Meadow residential development). This will be more noticeable but as the large majority of the remaining groups will be retained, the integrity of these tree groups would not be compromised.
- 16.11 All other trees and groups are able to be retained and protective fencing will be required around the retained trees and groups. The arboricultural report advises that although three tree groups adjacent the proposed SuDS basins would have minor incursions into their outer Root Protection Areas, such small incursions are unlikely to be greatly detrimental to tree health and the areas can be provided with additional ground protection to preserve the soil structure. The Council's Tree Officer has commented that following a site visit and review of the arboricultural information supplied, subject to adherence to those documents the trees to be retained will be adequately protected. The proposed tree protection measures can be secured by means of planning condition.
- 16.12 Details of proposed landscaping within the open space around this SuDs basin, and along the loop road, have been submitted with the other respective reserved matters applications for the homes proposed within the abovementioned Phase 2 and Phase 3 (151 dwellings - P/RES/2023/05868). Whilst these applications are still to be determined, they propose a significant amount of additional new tree planting. The case officer considers that this would more than offset the current proposed tree loss needed to facilitate the loop road and supporting infrastructure.
- 16.13 Having regard to all the above, the case officer considers that Landscape as a reserved matter can be discharged. In this regard, 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

- 16.14 The proposed loop road would have longitudinal road gradients no steeper than 1:20 (5%) along the centreline. The supporting technical note advises that a 1:20 (5%) road provides an optimum grade for all users, both vehicular and nonvehicular, especially in terms of adjacent footway provisions which often abut the carriageway. Conversely, no road is flatter than 1:100 (1%) which allows for normal drainage of the road in accordance with best practice and general approved design guidance. The note concludes that the highway

design is in accordance with general best practice and complies with the Manual for Streets guidance.

- 16.15 Dorset Council Highway Authority (CHA) has been consulted and has raised no objection, subject to the conditions previously imposed by the Outline permission.
- 16.16 Matters regarding: vehicle access and visibility splay provision; improvement works to the B3081 Shaftesbury Road and B3092 New Road, and; pedestrian/cycle access, 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

- 16.17 The nearest dwellings to the proposal site would be those to the east and north along Shaftesbury Road and the cul-de-sacs off Kingfisher Avenue (Sparrow Croft, Woodpecker Meadow and Pheasant Way). The proposed development would be sited at sufficient distance from these neighbouring dwellings to avoid any adverse impacts in terms of general noise and disturbance. A sufficient amount of the existing tree belts between the proposed development and these neighbours would be retained, and these areas are also protected by Tree Preservation Order.
- 16.18 As required by Condition 32 of the Outline permission, a Construction Environmental Management Plan has been submitted to and agreed upon by the Council's Highways and Environmental officers. This includes, amongst other things, hours of construction, construction vehicle and delivery details and measures to control noise, vibration, dust and dirt. 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.

Flood risk and drainage

- 16.19 The current proposed 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 SuDs attenuation basins. Following initial concern raised by the Environment Agency, the northernmost SuDs was redesigned so that the earthworks required to construct the basin lie entirely outside of the required 8m buffer zone from the top of the bank of the River Lodden.
- 16.20 The Outline approved site wide surface water drainage strategy is to drain individual catchments to strategically placed attenuation features. The technical note supporting the current application advises that the surface water drainage strategy adheres to the approved documents in draining parcels to SuDS zones located in strategic areas. The proposal allows for surface water drainage of all residential parcels.
- 16.21 A holding objection was initially raised by the Council's Flood Risk Management Team (FRMT). In response to this, the applicant has provided a technical note alongside amended drainage drawings that include additional technical information. The FRMT has provided additional comments to confirm that this provides the additional information required to recommend removal of the holding objection.

Biodiversity

- 16.22 Following initial comments raised by the Council's Natural Environment Team (NET), a Biodiversity Net Gain (BNG) Assessment and Metric has been provided, along with a Biodiversity Mitigation and Enhancement Strategy and an Ecological Mitigation Strategy for the wider Outline approved site.
- 16.23 The NET has commented that the BNG Assessment and Metric documents clearly demonstrate a gain in habitat units of 42.68% and a gain in watercourse units of 28.44%. The gain in hedgerow units is less substantial, at 0.26%. However, across the whole site each habitat will experience an uplift which is sufficient to demonstrate that a measurable biodiversity gain is achieved (i.e. the gain for these habitats is greater than 0%). The NET has also commented that the baseline and habitat creation habitat types and condition assessments appear to be reasonable and appropriate for the site and for the Outline approved site as a whole and as such, the matter of biodiversity gain is now covered off for each phase.
- 16.23 Various lighting details and post-construction mitigation measures for bats have been provided as part of the Phase 1 and 2 residential applications. However, to avoid potential inconsistency with the final agreed lighting measures for these phases, it is considered necessary and reasonable to impose a pre-commencement planning condition requiring submission of full lighting details for the loop road, to ensure that biodiversity is sufficiently protected.
- 16.24 The NET is satisfied that the BMES provides adequate mitigation and compensation for impacts identified through the impact assessment. The biodiversity mitigation, compensation and enhancement/net gain strategy can be secured by means of planning condition. 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.
- 17.2 The applicant has provided additional/amended technical information in response to concerns and comments raised in consultation. It is considered that the revised proposal accords with the Outline permission and the overall aims of the Development Plan, supporting guidance and the NPPF. This proposal therefore complies with the Development Plan as a whole.

18.0 Recommendation Approval of Reserved Matters, subject to conditions.

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 Sheet 1 (Drawing No. A409-PIA-101 Rev D);
- General Arrangement Sheet 2 (Drawing No. A409-PIA-102 Rev D);
- General Arrangement Sheet 1 (Drawing No. A409-PIA-103 Rev E);
- Long Sections Sheet 1 (Drawing No. A409-PIA-111 Rev B);
- Long Sections Sheet 2 (Drawing No. A409-PIA-112 Rev B);
- Long Sections Sheet 3 (Drawing No. A409-PIA-113 Rev B);
- Manhole Schedules Surface Water (Drawing No. A409-PIA-121 Rev B);
- Manhole Schedules Foul Water (Drawing No. A409-PIA-122 Rev B);
- Site Plan (Drawing No. A409-SW-100 Rev C);
- Tree Removal and Protection Plan (Dwg. No. 2 Rev 1)
(all received on 15th March 2023)
- Drainage Layouts Sheet 1 (Drawing No. A409-PIA-151 Rev E);
- Drainage Layouts Sheet 2 (Drawing No. A409-PIA-152 Rev E);
- Drainage Layouts Sheet 3 (Drawing No. A409-PIA-153 Rev E);
- Basin Cross Section (Drawing No. A409-SK-11 Rev P2);
- Basin Cross Section (Drawing No. A409-SK-12 Rev P2);
- Drainage Layout Sheet 3 (Drawing No. A409-PIAC-503 Rev C);
- Culvert Catchment Areas (Drawing No. A409-PIA-951 Rev A).
(all received on 04th May 2023)

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

3. Prior to the commencement of the development above damp course level, a scheme showing precise details of all external lighting (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.

4. 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.

5. 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 0 20/02/2023). All trees and hedges shown to be retained in the Appendix 5 Tree Protection Plan (Dwg. No. 2 Rev 1 20/02/2023) 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.

6. 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 Strategy – January 2024 Update (RSK Biocensus – Project No. 2483600).

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

7. 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.

Informative Notes

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

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Officer Report

Application Number:	P/LBC/2023/00884		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Crookers Farm Crookers Farm Lane Twyford Dorset SP7 0JF		
Proposal:	Demolition & removal of 2no. timber sheds attached to listed building		
Applicant name:	Dorset Council		
Case Officer:	Lucie Bruce		
Ward Member(s):	Cllr Somper		
Publicity expiry date:	9 December 2023	Officer site visit date:	Desk assessment
Decision due date:	19 January 2024	Ext(s) of time:	19 January 2024
No of Site Notices:	2		
SN displayed reasoning:	One on gate, one on building		

1.0 Reason for Committee

Property owned by Dorset Council

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation:

- There is not considered to be any significant harm to the listed building

4.0 Key planning issues

Issue	Conclusion
Principle of development	Not applicable (demolition)
Scale, design, impact on character and appearance	Positive impact – demolition of neglected and modern outbuildings
Impact on amenity	Positive impact – better reveal the character of the listed building

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Impact on landscape or heritage assets	Positive impact
Economic benefits	Not applicable
Access and Parking	Not applicable
EIA (if relevant)	See biodiversity

5.0 Description of Site

- The farm is situated in a remote location, at the end of a lane from road I/C138/115
- The closest accessible village is Twyford
- The site is used as an active farm
- The farm comprises a main farmhouse: Crocker's Farmhouse, Grade II listed, an outbuilding at the south-west corner, Grade II listed, and several modern farm buildings. The historic farmhouse and outbuilding are at the centre, surrounded by the functional farm buildings.
- The two sheds are adjacent to both listed buildings: one of the shed is adjoining the thatched outbuilding, the other shed is adjoining the main listed farmhouse;
- There two trees along the lane leading to the farmhouse, no tree is close to the outbuilding;
- A watercourse runs along the site.
- The site is not in a conservation area nor in a National Landscape (AONB).

6.0 Description of Development

Demolition of sheds.

7.0 Relevant Planning History

2/1989/9006 - Decision: GRA - Decision Date: 02/03/1989

Demolish existing porch, erect new porch

8.0 List of Constraints

OUTBUILDING MEETING THE SOUTH-WEST CORNER OF CROCKER'S FARMHOUSE listed building Grade II. HE Reference: 1172418 - Distance: 0

CROCKER'S FARMHOUSE listed building grade G2. HE Reference: 1324585 - Distance: 0

Dorset Council Land (Freehold): County farm land in Fontmell Magna - Reference 08838 - Distance: 0

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

Radon: Class: Less than 1% - Distance: 0

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Grade II listed building (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

9.0 Consultations

No consultee responses received.

Consultees

1. W - Beacon Ward- no response.
2. P - Compton Abbas PC- no response.

Representations received

No comments received

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

10.0 Duties

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

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.

11.0 Development Plan, Relevant Policies

- North Dorset Local Plan, Policy 5 Historic Environment

Material Considerations

- National Planning Policy Framework in particular section 16, paras. 195-214, includes that '*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). Paragraph 200 states that: "*any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification*".
- National Planning Practice Guidance

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 'Conserving and Enhancing the Historic Environment' includes a general duty to

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have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

Other material considerations

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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 these policies would 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. There would be no impact on persons with protected characteristics because of this proposal.

14.0 Financial benefits

N/A

15.0 Environmental Implications

Presence of bats: see Biodiversity Diversity Mitigation Plan

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16.0 Planning assessment

Policy 5 of the Local Plan states that any development proposal affecting a heritage asset (including its setting) will be assessed having regard to the desirability of sustaining and enhancing the significance of that asset and securing a viable use for it that is most consistent with its conservation. For any designated heritage asset, great weight will be given to its conservation when considering any proposal that would have an impact on its significance.

The proposal is for the demolition and removal of two timber sheds attached to the listed outbuilding.

These sheds are modern and do not hold any architectural or historical merit. They are now unsafe and pose a hazard to the residents.

As such their demolition and removal is acceptable and seen as an enhancement to the setting of both listed buildings, these being the main farmhouse and the outbuilding.

One of the sheds is adjoining the listed thatched outbuilding and re-thatching will be needed. The agent has clarified that the entire thatch roof will have to be redone and will be part of another application. In the meantime, the necessary infill is considered as a repair and would not need listed building consent.

The proposal would comply with the requirements of Policy 5 of the Local Plan and the relevant sections of the NPPF.

17.0 Conclusion

The proposal would not lead to harm to the historic fabric, character or setting of the listed buildings. It would preserve and enhance the setting of the listed building.

18.0 Recommendation, grant, subject to conditions:

- 1.The work to which this listed building consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

Reason: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

92 Existing & proposed block plan – received 17/02/2023

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03 Existing & proposed floor plans – received 17/02/2023
01 A1 Location plan – received 17/02/2023
02 Proposed elevations – received 30/08/2023

Reason: To preserve the architectural and historical qualities of the building.

3. Details of 2 bat boxes shall be submitted to and agreed in writing by the Local Planning Authority which shall be erected as agreed prior to first occupation or use of the development hereby approved.

Reason: To enhance or protect biodiversity.

4. Prior to first occupation or use of the development hereby approved the mitigation measures as detailed in the Biodiversity Mitigation Plan dated 06/10/2023 shall be completed in full.

Reason: To minimise impacts on biodiversity.

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

2. The applicant is reminded of their responsibility to submit photographic evidence of compliance with the Biodiversity Plan or LEMP to Dorset Natural Environment Team in order to comply fully with requirements of condition 4.