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Western and Southern Area Planning Committee

Date: Wednesday, 14 October 2026
Time: 10.00 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum 6)
Neil Eysenck (Chair), Ryan Holloway (Vice-Chair), Belinda Bawden, Simon Christopher, Peter Dickenson, Paul Kimber, Craig Monks, David Northam, Louie O'Leary, Pete Roper, David Taylor and Kate Wheller

Chief Executive: Catherine Howe, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic & Governance Services Meeting Contact Joshua.Kennedy@dorsetcouncil.gov.uk 01305 224710

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda. If you would like to attend this meeting and have any specific requirements please contact the Democratic Services Officer named above.

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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-registrable interest 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

Due to the timings of the meetings, the minutes of the previous committee will be confirmed at a later date, once they are available.

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 Monday 12 October.

5. WD/D/2016/000378 - LAND SOUTH OF WARMWELL ROAD, WARMWELL ROAD, CROSSWAYS 5 - 192

Full planning permission for the erection of 99 open market dwellings & affordable dwellings, a new doctors surgery, a replacement village hall, a car park, a new village green, new vehicular and pedestrian accesses and works to Warmwell Road. An outline application for the erection of 401 open market and affordable dwellings, the provision of 2.5ha of employment land, new vehicular and pedestrian accesses, roads, footpaths and cycleways, a car park for the proposed Site of Alternative Natural Greenspace (SANG) and 2 pumping stations; and a full application for the change of use of 22.4ha of land to Site of Alternative Natural Greenspace (SANG).

6. WD/D/20/002569 - LAND EAST OF CHICKERELL AND SOUTH OF COLDHARBOUR, CHICKERELL 193 - 388

An outline application for up to 328 dwellings with full details supplied in respect of 143 dwellings (Phase A) including creation of new accesses onto School Hill and Chickerell Link Road (B3157), including details of the internal spine road, landscaping, drainage, car parking, public open space and associated works for Phase A. All other matters reserved in respect of 185 dwellings (Phases B and C) and land for a primary school, public open space including, landscaping and associated works.

7. P/FUL/2026/03357 - KIKA BEACH CLUB, 52-53 THE ESPLANADE, WEYMOUTH, DT4 8DG 389 - 404

Proposed canopies, planters and associated signage to frontage of Kika Beach Club for use within the business premises.

8. P/LBC/2026/-3356 - KIKA BEACH CLUB, 52-53 THE ESPLANADE, 405 -

WEYMOUTH, DT4 8DG 414

Proposed canopies, planters and associated signage to frontage of Kika Beach Club for use within the business premises.

9. P/FUL/2026/03672 - 54-55 THE ESPLANADE, WEYMOUTH, DT4 8DG 415 - 432

Proposed canopies, planters and associated works to signage/frontage.

10. P/LBC/2026/03671 - 54-55 THE ESPLANADE, WEYMOUTH, DT4 8DG 433 - 442

Proposed canopies and associated works to signage/frontage.

11. 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.

12. EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).
The public and the press will be asked to leave the meeting whilst the item of business is considered.
There is no scheduled exempt business.

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Application Number:	WD/D/16/000378
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land South of Warmwell Road, Warmwell Road, Crossways
Proposal:	Full planning permission for the erection of 99 open market dwellings & affordable dwellings, a new doctors surgery, a replacement village hall, a car park, a new village green, new vehicular and pedestrian accesses and works to Warmwell Road. An outline application for the erection of 401 open market and affordable dwellings, the provision of 2.5ha of employment land, new vehicular and pedestrian accesses, roads, footpaths and cycleways, a car park for the proposed Site of Alternative Natural Greenspace (SANG) and 2 pumping stations; and a full application for the change of use of 22.4ha of land to Site of Alternative Natural Greenspace (SANG).
Applicant name:	C & G Properties Ltd
Case Officer:	Matthew Pochin-Hawkes
Ward Member(s):	Cllr Ireland

1. Reason application is going to committee:

This application is being re-reported to planning committee due to an amended recommendation following the resolution of the 7 May 2026 Western and Southern Area Planning Committee, and new material considerations in relation to the National Planning Policy Framework (2026).

2. Summary of recommendation:

2.1 To delegate authority to the Service Manager for Development Management and Enforcement and the Area Manager Western and Southern Team to either:

2.2 A) GRANT planning permission following completion of a S106 Planning Obligation to secure:

- 35% of the units as affordable housing with 50/50 tenure split between affordable/social rented and shared ownership/low cost ownership housing.
- Education contribution of £6,951.12 per qualifying dwelling (house or flat with 2 or more bedrooms) index linked, broken down as follows for each qualifying dwelling:
  - £19.50 – Early Years Provision
  - £5,444.00 – Primary, Secondary & Post 16 Education
  - £1,487.62 – SEND Education Provision
- Provision of a minimum of 22.4ha of suitable alternative natural greenspace (SANG) with a maintenance contribution (to be determined) and supporting funding provisions (SAMM). SANG to be delivered prior to the occupation of Phase 1 and managed in accordance with the SANG Management Plan and Fallow Management Plan.
- Only Phase 1 to be commenced prior to 2030.
- Air quality contribution of £25,000 (index linked) to mitigate adverse air quality impacts on heathlands.
- Highways contributions of £467,000 (index linked) towards off-site highway works to include an improve link between Old Farm Way and Warmwell Road, improved

pedestrian crossing facilities at the junction of Warmwell Road and Dick O' Th' Banks Road, and 1 x replacement bus shelter with real time traffic information.

- Provision of a minimum of three no. Locally Equipped Areas for Play (LEAPs) and financial contributions towards maintenance of the proposed LEAPs.
- Provision of village hall and associated indoor sports provision.
- Provision of a minimum of 2.5 hectares of employment land for use within Use Class B.

2.3 and subject to the conditions listed at Section 7 of this report.

2.4 or B) Refuse permission for the reasons set out at Section 7 of this report if the Section 106 agreement is not completed by 14 April 2027 (within 6 months of the committee) or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Area Manager for the Western and Southern Team.

3. Background and assessment

3.1. At the 7 May 2026 Western and Southern Area Planning Committee Members resolved to grant planning permission for this application subject to a S106 Planning Obligation and planning conditions.

3.2. Since the committee resolution officers have worked with the applicant to draft the Section 106 Agreement, which is now nearly ready for completion. During this time, MHCLG published a revised version of the NPPF on 17 August along with associated Housing Delivery Test (HDT) figures. Given these constitute revised material planning considerations since the resolution to grant planning permission it has been necessary for officers to consider the implications, notably in respect of wildfire risks.

3.3. At the case officer's request, the applicant produced a Wildfire Statement in response to NPPF Policy CC3. The new policy requires that developments incorporate proportionate measures to mitigate against wildfires where opportunities exist and wildfires pose a particular risk. Such considerations are set out in this report.

3.4. This report also updates the financial contributions in respect of Education to align with the latest figures.

3.5. This report: identifies the revised material considerations, summarises the further consultation responses received, provides an officer opinion on the effect of the new material considerations, including revised planning conditions and Section 106 Heads of Terms, and sets out an amended recommendation.

3.6. All matters set out in the 7 May 2026 Committee Report and relating to: the description of the site, description of the development, background, planning history, constraints, relevant policies, human rights, public sector equalities duty, public benefits and environmental implications remain unchanged unless otherwise stated in this report. The 7 May 2026 report and appendices to that report are provided at **Appendix 2** for ease of reference.

4. Consultations

4.1 The Fire and Rescue Service was consulted on the Wildfire Statement produced by the applicant. Their comments are as follows, in summary:

Dorset and Wiltshire Fire and Rescue Service

4.2 The proposal directly adjoins Moigne Combe Wood, which the submitted assessment identifies as an area of significant vegetation and potential fuel load.

4.3 Whilst the proposed SANG and associated areas of open space are identified as providing a defendable space, DWFRS considers that the SANG should not automatically be

regarded as a firebreak. The proposed SANG includes areas of woodland, new woodland planting and other vegetation.

4.4 DWFRS make recommendations for:

1. Detailed design should demonstrate suitable access for fire appliances, including access to the woodland/SANG interface.

2. The applicant's suggestion to provide high-volume fire hydrants along the perimeter road adjacent to the SANG is consistent with DWFRS earlier consultation response. Infrastructure should be available during the construction stage.

3. The management arrangements for the clearance of leaf litter and undergrowth should identify who will be responsible for maintenance and how the measures will be maintained for the lifetime of the development.

4. Any restrictions relating to combustible boundary treatments, BBQs or other sources of ignition should be clearly established where these are relied upon as wildfire mitigation measures.

5. Consideration to mitigating wildfire risks should also be given at the construction phase.

4.5 DWFRS recommends that the above are satisfactorily resolved and secured through planning conditions.

5. Planning assessment

Revised NPPF and new HDT Figures

5.1 Appendix 1 identifies where the revised NPPF affects the assessment and conclusions set out in the previous Committee Report.

5.2 Overall, officers consider that the revised NPPF and new Housing Delivery Test results would only have materially affected the decision-making process in respect of Wildfires. In respect of wildfires, Policy CC3 of the NPPF states that development proposals should take into account the current and potential impacts of climate change over the lifetime of the scheme, and in order to minimise vulnerability to these impacts should, where relevant:

> "…e. Incorporate proportionate measures to mitigate against wildfires, where opportunities to do so exist and wildfires pose a particular risk (for example as a result of the combined effect of topography, prevailing wind direction and being located within or adjacent to heavily vegetated areas). Such measures should be designed to limit fuel loads for fires, and to create defendable spaces, such as by avoiding timber panel fences and incorporating firebreaks into development layouts and planting schemes."

5.3 Wildfires were not considered in the earlier Committee Reports and concerns were not raised by the Fire and Rescue Service. However, considering the new NPPF policy, and having regard to the proximity of development adjacent to woodland, the applicant produced a Wildfire Assessment at the officer's request. It outlines a series of practical measures to mitigate against wildfire risks. The Fire and Rescue Service recommend that the measures are secured by planning conditions.

5.4 Most of the residential development is in outline and details relevant to wildfire considerations would be provided as part of the Reserved Matters. At that stage, the proposals would be considered against the NPPF and proportionate measures to mitigate against wildfires would be sought.

5.5 In respect of the detailed element of the application and more general planning considerations, officers consider that it is appropriate and necessary to add/amend planning

conditions as set out below to ensure the incorporation of proportionate measures to mitigate against wildfires:

- Amend planning condition 27 (Construction Environmental Management Plan) to require details of practical measures to reduce the risks of wildfires during the course of construction.
- Amend planning condition 28 (Landscape and Ecological Management Plan) to require details of practical measures to reduce the risks of wildfires. These could including the display of signage advising that fires/BBQs are prohibited.
- Add a new planning condition removing permitted development rights to install fences to Plots 84, 85 and 99 (closest to woodland) within the detailed element of the application. This would ensure that the means of enclosure approved pursuant to planning condition 35 are not subsequently amended under permitted development rights in a way that would increase the risk of wildfires.
- Add a new planning condition requiring details of high-volume fire hydrants adjacent to areas of SANG prior to first occupation of each relevant phase.

5.6 The draft Section 106 Agreement requires that a SANG Management Plan including details of signage is agreed. Through this approval process officers can ensure that it includes suitable details notifying visitors that fires/BBQs are prohibited within the SANG.

5.7 The Fire and Rescue Service also recommends management arrangements for the clearance of leaf litter and undergrowth. However, as such arrangements are not currently in place for the existing woodland, and the proposed development is not considered to result in materially increased risks through leaf litter and undergrowth, such management measures are not considered proportionate or necessary to make the development acceptable in planning terms.

5.8 With the recommended revised conditions in place, the proposed development is considered to comply with NPPF policy CC3 in respect of wildfire considerations.

Education contributions

5.9 The S106 Heads of Terms resolved at the 7 May 2026 Western and Southern Area Planning Committee included an education contribution of £2,722,212 (index linked from the date of the earlier committee report). To update the figures in line with current indexation, the contribution has been updated to £6,951.12 per qualifying dwelling (house or flat with 2 or more bedrooms) index linked from the date of the Section 106 Agreement. This reflects the following breakdown for each qualifying dwelling:

- £19.50 – Early Years Provision
- £5,444.00 – Primary, Secondary & Post 16 Education
- £1,487.62 – SEND Education Provision

5.10 Should all 500 dwellings be eligible, this would equate to a contribution of £3,475,560 (unindexed) towards education. The contribution has been agreed in principle with the applicant and aligns with more recent decisions of the Planning Committee.

6. Summary of planning issues

6.1 This report has considered new material considerations and consultation responses since Members resolved to grant planning permission in May 2026.

6.2 There are no material considerations which would warrant refusal of the application, and the application is recommended for approval subject to revised planning conditions and a Section 106 Agreement.

7. Recommendation

7.1 To delegate authority to the Service Manager for Development Management and Enforcement and the Area Manager Western and Southern Team to either:

7.2 A) GRANT planning permission following completion of a S106 Planning Obligation to secure:

- 35% of the units as affordable housing with 50/50 tenure split between affordable/social rented and shared ownership/low cost ownership housing.
- Education contribution of £6,951.12 per qualifying dwelling (house or flat with 2 or more bedrooms) index linked, broken down as follows for each qualifying dwelling:
    - £19.50 – Early Years Provision
    - £5,444.00 – Primary, Secondary & Post 16 Education
    - £1,487.62 – SEND Education Provision
- Provision of a minimum of 22.4ha of suitable alternative natural greenspace (SANG) with a maintenance contribution (to be determined) and supporting funding provisions (SAMM). SANG to be delivered prior to the occupation of Phase 1 and managed in accordance with the SANG Management Plan and Fallow Management Plan.
- Only Phase 1 to be commenced prior to 2030.
- Air quality contribution of £25,000 (index linked) to mitigate adverse air quality impacts on heathlands.
- Highways contributions of £467,000 (index linked) towards off-site highway works to include an improve link between Old Farm Way and Warmwell Road, improved pedestrian crossing facilities at the junction of Warmwell Road and Dick O' Th' Banks Road, and 1 x replacement bus shelter with real time traffic information.
- Provision of a minimum of three no. Locally Equipped Areas for Play (LEAPs) and financial contributions towards maintenance of the proposed LEAPs.
- Provision of village hall and associated indoor sports provision.
- Provision of a minimum of 2.5 hectares of employment land for use within Use Class B.

and subject to the below planning conditions. For ease of reference, the key recommended changes to the planning conditions resolved at the 7 May 2026 Western and Southern Area Planning Committee are shown in **bold and underlined**.

Approved Plans

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

- 1677-P-01 – Site Location

- 51628-XX-P1-02 Rev v1 – Site Plan

- 1677-P-09 Rev D – Affordable Housing Plan

- 1677/P07 Rev A – Proposed Streetscene A-A

- 1677/P08 Rev A – Proposed Streetscene B-B

- 1677-P-SU-01 Rev A – Surgery – Ground Floor Plan
- 1677-P-SU-02 Rev A – Surgery – First Floor, Roof Plan
- 1677-P-SU-03 – Surgery – East West Elevations
- 1677-P-SU-04 Rev A – Surgery – North & South Elevations

- 1677-P-VH-01 – Village Hall – Floor Plan
- 1677-P-VH-02 – Village Hall – West Elevation
- 1677-P-VH-03 – Village Hall – East Elevation
- 1677-P-VH-04 – Village Hall – North & South Elevations
- 1677-P-VH-05 – Village Hall – Roof Plan

- 1677-P-A-01 Rev A – Type A – Ground Floor Plans
- 1677-P-A-02 Rev A – Type A – First Floor Plans
- 1677-P-A-03 Rev A – Type A – Second Floor Plans
- 1677-P-A-04 Rev A – Type A – Roof Plans
- 1677-P-A-05 Rev A – Type A, Elevations (showing front and side 1)
- 1677-P-A-06 Rev A – Type A – Elevations (showing rear and side 2)

- 1677-P-B-01 Rev C – Type B – Floor Plans
- 1677-P-B-02 Rev B – Type B – Elevations

- 1677-P-C-01 Rev A – Type C – Floor Plans
- 1677-P-C-02 Rev A – Type C – Elevations

- 1677-P-D-01 – Type D Plans
- 1677-P-D-02 – Type D Elevations

- 1677-P-E-01 Rev B – Type E – Floor Plans

- 1677-P-E-02 Rev B – Type E – Elevations

- 1677-P-F-01 – Type F – Floor Plans
- 1677-P-F-02 – Type F – Elevations

- 1677-P-G-01 – Type G – Floor Plans
- 1677-P-G-02 – Type G – Elevations
- 1677-P-G-03 Rev A – Type G gable front – Floor Plans
- 1677-P-G-04 Rev A – Type G gable front – Elevations

- 1677-P-H-01 Rev A – Type H – Floor Plans
- 1677-P-H-02 Rev A – Type H – Elevations

- 1677-P-I-01 – Type I – Floor Plans
- 1677-P-I-02 – Type I – Floor Plans (showing roof plan)
- 1677-P-I-03 – Type I – Elevations

- 1677-P-J-01 Rev A – Type J – Floor Plans
- 1677-P-J-02 – Type J – Elevations
-
- 1677-P-K-01 – Type K Plan, 4 Bedroom House
- 1677-P-K-02 – Type K, Elevations

- 1677-P-M-01 – Type M – Floor Plans
- 1677-P-M-02 – Type M – Elevations

- 1677-P-N-01 – Type N – Floor Plans
- 1677-P-N-02 – Type N – Elevations

- 1677-P-P-01 – Type P Plans
- 1677-P-P-02 – Type P Elevations

- 1677-P-GAR-01 – Single Garage – Floor Plan and Elevations
- 1677-P-GAR-02 – Double Garage Floor Plan and Elevations
- 1677-P-REF-01 – Refuse & Cycle Store – Floor Plan and Elevations
- 1677-P-SHE-01 – Garden Store – Floor Plan and Elevations
- 1677-P10-1 Rev A – Materials Sheet 1
- 1677-P10-2 Rev A – Materials Sheet 2
- 1677-P11 Rev # – Materials Sheet 3

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

Detailed element

2. The detailed element of this development to which this hybrid 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).

Outline element

3. Approval of the details of the access, layout, scale, appearance and landscaping (hereinafter called the Reserved Matters) of the relevant phase of the development outside of the full permission (granted for Phase 1 of this hybrid permission) shall be obtained from the Local Planning Authority in writing before any development of the relevant phase is commenced other than on Phase 1 of the development.

   Reason: To ensure the satisfactory development of the site.

4. Application for approval of any “reserved matter” under Condition 2 must be made not later than the expiration of ten years beginning with the date of this permission.

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

5. The outline element of this development to which this hybrid permission relates must be begun not later than the expiration of two years from the final approval of the

reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved

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

6. Not more than 401 dwellings in total shall be constructed under the outline element of the permission.

   Reason: The assessment of the impacts of the scheme are based on a maximum of 500 dwellings across the whole site and additional dwellings would require further assessments of impacts.

Phasing

7. Prior to the commencement of the development a Phasing Plan for the entirety of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall make provision for:
   a. Extraction of the mineral interest in accordance with a scheme to be first approved in writing by the Local Planning Authority from the area outlined in red on the Site Location Plan Drawing No. 1701 P01 Rev A prior to the commencement of any development the subject of the outline planning permission within that same area.
   b. Delivery of the Village Green as part of Phase 1. No further dwellings in later phases to be constructed until it is complete.
   c. Delivery of serviced employment land as part of the development of the adjacent residential phase.
   d. Provision of allotments as part of the development of the adjacent residential phase.
   e. Provision of Locally Equipped Areas for Play as part of the development of the adjacent residential phase.
   f. The village hall and adjacent parking spaces being constructed and ready for first use prior to the demolition of the existing village hall or the occupation of the 250th dwelling, whichever is soonest, and the submission of a scheme for the interim landscaping of the proposed village hall site until such time as the village hall is constructed. The interim landscaping scheme for the village hall site is to include details of the planting and its maintenance and shall be implemented and completed in full as part of Phase 1 and shall be maintained and retained thereafter until such time as the village hall is constructed on the site.
   g. Provision of the doctor's surgery building.

   Thereafter the development shall be carried out in accordance with the approved Phasing Plan and any subsequent changes to the agreed Phasing Plan must also be agreed in writing by the Local Planning Authority under the terms of this condition.

   Reason: In the interests of achieving the objectives of the Local Plan and the site specific policy.

Highways

8. No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 15m of the proposed central access road

from Warmwell Road within the detailed element of the application, including the junction with the existing public highway, has been completed to at least binder course level.

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 during construction.

9. Prior to the commencement of the detailed element of the development hereby permitted, a scheme demonstrating how inclusive, safe and accessible movement for all users will be achieved within areas containing shared surface areas shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be informed by DfT document 'Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure' (2021) or any subsequent update version. The details shall include a timetable for implementation. The approved scheme shall be implemented in full in accordance with the approved timetable for implementation and shall be retained thereafter.

   Reason: In the interests of highway safety and to ensure inclusive mobility and accessibility for all users, in accordance with guidance for Inclusive Mobility.

10. Prior to first occupation, the central access road shall be completed in accordance with drawing ITS2200462-GA-002 with footways completed to surface course unless an updated drawing is submitted to and approved in writing by the Local Planning Authority under the terms of this condition, in which case the works shall proceed in accordance with the updated scheme. The carriageway shall be completed to surface course prior to occupation of the 89th dwelling.

    Reason: To ensure that a suitably surfaced and constructed access to the site is provided for all users.

11. The detailed element of the development hereby permitted shall not be occupied or utilised until the access, geometric highway layout, turning and parking areas shown on Drawing Number 51628-XX-P1-02 Rev v1 have been constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

12. Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Planning Authority:
    i. Active travel proposals and highway improvements as set out in the submitted Transport Assessment Addendum prepared by i-Transport (ref. SJ/OT/DGo/ITS200462-003 dated 23 January 2026) along the Warmwell Road site frontage broadly in accordance with drawings ITS200462-GA-002 and ITS200462-GA-003.

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

13. Notwithstanding the information shown on the illustrative drawings submitted with the outline element of the development hereby permitted, before any phase of the outline element of the development is occupied or utilised, precise details of the access, geometric highway layout, turning and parking areas for the relevant phase shall have been submitted to and agreed in writing by the Local Planning Authority. The details shall include precise details for the provision of visibility splays at the proposed accesses to the site, including visibility splays to be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

14. No more than 100 residential units (to include 35% affordable housing) shall be occupied unless and until the A35 Max Gate junction works are completed and open to traffic. The works shall be implemented generally in accordance with WYG Transport drawing SK09, dated 21 October 2015, titled Improvements to A35 Max Gate Priority Junction, subject to any necessary changes identified during the detailed design and Road Safety Audit process.

    Reason: In the interest of the safe and efficient operation of the A35 trunk road and to ensure the development traffic impact on the SRN is satisfactorily mitigated in accordance with DfT Circular 01/2022 and the NPPF.

15. No development within a phase shall be commenced until a Construction Traffic Management Plan (CTMP) for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include:
    a) specify the point of construction access and access route to the site;
    b) construction vehicle details (number, size, type and frequency of movement)
    c) a programme of construction works and anticipated deliveries
    d) timings of deliveries so as to avoid, where possible, peak traffic periods
    e) a framework for managing abnormal loads
    f) contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
    g) wheel cleaning facilities
    h) vehicle cleaning facilities
    i) inspection of the highways serving the site (by the developer (or their contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
    j) a scheme of appropriate signing of vehicle route to the site
    k) a route plan for all contractors and suppliers to be advised on
    l) temporary traffic management measures where necessary

    The CTMP shall thereafter be implemented in accordance with the approved details upon the commencement of the relevant construction phase of the development and be adhered to for the complete duration of the construction programme for that phase.

    Reason: To ensure the safety of traffic on the Strategic Road Network.

16. Each phase of development hereby permitted shall not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities serving the relevant phase has been submitted to and approved in writing by the Local Planning

Authority. The approved scheme must be constructed before the relevant phase of development is first occupied or utilised and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

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

Travel Plans

17. Before any phase of development hereby approved is first occupied or utilised an updated Travel Plan for the relevant phase based on the Framework Travel Plan prepared by i-Transport (dated 22 January 2026, ref. OT/SGe/DGo/ITS200462-004) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the Travel Plan shall be complied with for the lifetime of the relevant phase unless a variation is first agreed in writing with the Local Planning Authority under the terms of this condition.

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

18. Prior to the approval of any reserved matters under Condition 2 above for the approved employment allocation, a Travel Plan suitable to deal with the travel impacts of the whole 2.5ha employment allocation shall be submitted to and approved in writing by the Local Planning Authority. The employment Travel Plan shall be implemented in accordance with its agreed details prior to the first occupation of any approved employment building on the site and complied with for the lifetime of the development unless a variation is first agreed in writing with the Local Planning Authority under the terms of this condition.

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

Drainage

19. No development within a phase shall take place until a detailed surface water management scheme serving the relevant phase, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction and a timetable for implementation, has been submitted to, and approved in writing by the Local Planning Authority. The surface water scheme shall be fully implemented in accordance with the approved details in accordance with the approved timetable for implementation.

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

20. No development within a phase shall take place until details of maintenance and management of the surface water sustainable drainage scheme serving the relevant phase have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained

in accordance with the approved details. These shall include a plan for the lifetime of the relevant phase, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

Foul Water

21. No development within a phase shall take place until a foul water drainage strategy for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme for the relevant phase shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phase. The drainage scheme shall thereafter be completed in accordance with the approved details and to a timetable to be agreed in writing with the Local Planning Authority and maintained for the lifetime of the development.

    Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

Contaminated Land

22. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority:
    a) a Phase 2 Site Investigation Report informed by the Phase 1 Preliminary Risk Assessment (Desk Study) prepared by Clarke Bond (ref. WB04198/R1 and dated March 2016) detailing an adequately developed 'conceptual site model' of all potential contaminant linkages, and incorporating risk assessment.
    b) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed. This shall be supported by a detailed soils management and waste management plan.
    c) a monitoring and maintenance scheme to be supervised by an appropriate specialist under a watching brief to determine the need for the consideration of unexpected finds during construction.

    The development shall proceed in strict accordance with the remediation scheme and watching brief, which shall both be fully implemented for the relevant phases of development before the relevant phases of development first comes into use or is occupied.

    On completion of the relevant phase of development written confirmation that all works were completed in accordance with the agreed details of the remediation scheme and watching brief shall be submitted for approval to the Local Planning Authority. Such approval from the Local Planning Authority shall be received before the relevant phase of development first comes into use.

Reason: To ensure potential land contamination is addressed and to mitigate potential harm to the health and safety of persons.

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

    Reason: In the interests of ensuring there is no unacceptable risk to occupiers of the development.

Employment Land

24. The development shall provide a minimum of 2.5 hectares of employment land for use within Use Class B1. The employment land and associated buildings shall be used for Use Class B1 and for no other purpose (including any other purpose within the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order. No dwelling adjoining the eastern boundary of the residential development, adjacent to the proposed employment access road within the Character Areas 4, 5 and 6 as set out on page 48 of the submitted Design and Access Statement, shall be occupied before the employment allocation has been provided as serviced employment land in accordance with the phasing scheme approved under condition 6 above.

    Reason: In the interests of securing the economic benefits of this Key Employment Site allocation in the Local Plan and to avoid significant adverse residential amenity impacts that may arise through Use Classes B2 and/or B8.

25. Buildings constructed within the employment allocation hereby approved shall not exceed a cumulative total floorspace of 13,000 square metres (measured externally).

    Reason: In the interests of the impacts of the traffic generated by that level of employment development on the strategic highway network.

Biodiversity

26. The detailed biodiversity mitigation, compensation and enhancement strategy set out within the approved Ecological Impact Assessment (prepared by Pro Vision and dated July 2025), must be strictly adhered to during the carrying out of the development.

    The relevant phase of development must not be first brought into use unless and until:

    i. the relevant mitigation, compensation and enhancement measures detailed in the approved Ecological Impact Assessment have been completed in full, in accordance with any specified timetable which may be submitted and approved in writing by the Local Planning Authority under the terms of this condition.
    ii. evidence of compliance, including photographic evidence, shall be supplied

to the Local Planning Authority prior to the substantial completion of the relevant phase, or the first bringing into use of the relevant phase of development, whichever is the sooner. The development of the relevant phase shall subsequently be implemented entirely in accordance with the approved Ecological Impact Assessment and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

Should amendments to the approved Ecological Impact Assessment be required, an updated Ecological Impact Assessment may be submitted, certified by NET and agreed in writing by the Local Planning Authority under the terms of this condition. Should an updated Ecological Impact Assessment be agreed, the terms of this condition shall apply to the updated Ecological Impact Assessment.

Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

27. Prior to the commencement of any phase of development, a Construction Environmental Management Plan (CEMP) (Biodiversity) for the relevant phase must be submitted to and approved in writing by the local Planning Authority. The CEMP must include the following:
    a) Risk assessment of potentially damaging construction activities.
    b) Identification of “biodiversity protection zones”.
    c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including **wildfire risks and** on dormice which may use hedgerows and other features to move across the site.
    d) The location and timing of sensitive works to avoid harm to biodiversity features.
    e) The times during construction when specialist ecologists need to be present on site to oversee works.
    f) Responsible persons and lines of communication.
    g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
    h) Use of protective fences, exclusion barriers and warning signs.

    The development of the relevant phase shall take place strictly in accordance with the approved CEMP.

    Reason: To protect biodiversity during the construction phase.

28. A landscape and ecological management plan (LEMP) for the relevant phase of development shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the relevant phase of development. The content of the LEMP shall include the following:
    a) Description and evaluation of features to be managed.
    b) Ecological trends and constraints on site that might influence management.
    c) Aims and objectives of management**, including practical measures to reduce wildfire risks**.
    d) Appropriate management options for achieving aims and objectives.
    e) Prescriptions for management actions.
    f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
    g) Details of the body or organisation responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

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

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

The approved LEMP must be implemented in accordance with the approved details.

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

29. Prior to commencement of any works within a phase of development, details of any proposed lighting within the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy will reflect the need to avoid harm to protected species and to minimise light spill from lighting associated with pre-construction, construction and operational activities, and demonstrate how the current best practice guidance, including Guidance Note 8 Bats and Artificial Lighting (BCT/ILP, 2023) has been implemented. There shall be no lighting of the relevant phase other than in accordance with the approved strategy.

Reason: In the interests of on biodiversity

Scheduled Ancient Monument

30. The submission of details of reserved matters under Condition 2 shall make provision for a minimum 5m buffer around the identified remains of the Bowley's Plantation Schedule Ancient Monument enclosure as set out on page 10 of the submitted Settings Assessment by Context One received on 16th October 2017.

Reason: In the interests of the setting of the Scheduled Ancient Monument.

Acoustic Fencing

31. No development within a phase adjacent to the Hybris Business Park shall take place until details including dimensions, materials and positioning of the noise barrier/acoustic fence to be located along the site boundary adjacent to the business park as identified within the Noise Impact Assessment (ref. R5500-1 Rev 0 prepared by 24 Acoustics and dated 28 January 2016) have been submitted to and agreed in writing by the Local Planning Authority. The agreed noise barrier/acoustic fence shall be erected prior to any development above damp proof course level of the relevant phase and shall be permanently retained and maintained as such thereafter.

Reason: In the interests of neighbouring amenity.

Broadband

32. No development above damp proof course of any building hereby approved shall take place until a scheme for facilitating infrastructure to support superfast broadband technology to serve the development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a timetable for implementation, including triggers for a phased implementation if appropriate. Thereafter, the development shall proceed in accordance with the agreed scheme.

Reason: To ensure that the utilities service infrastructure is sufficient to meet the extra demands imposed by this development.

Phase 1 Detailed Consent

33. The village hall hereby approved shall be laid out with a full-size badminton court in the main hall as shown on Drwg No. 1677 P VH 01 prior to the Village Hall first being brought into use.

Reason: In the interests of sports provision.

34. The Phase 1 full permission shall be carried out in accordance with the external materials detailed in the approved drawing No.s 1677 P10-1 Rev A, 1677 P10- 2 Rev A and 1677 P11. No development above damp proof course level of any dwelling approved under the Phase 1 full permission shall take place before samples of the external materials to be used on the relevant building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details unless revised materials are submitted to and approved in writing by the Local Planning Authority, in which case the development shall be caried out in accordance with the revised materials.

Reason: In the interests of the character and appearance of the area.

35. No development within the Phase 1 full permission shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
    a) A statement setting out the design objectives and how these will be delivered;
    b) Earthworks showing existing and proposed levels and contours;
    c) Means of enclosure and retaining structures;
    d) Boundary treatments;
    e) Vehicle parking layouts;
    f) Other vehicle and pedestrian access and circulation areas;
    g) Hard surfacing materials and construction details;
    h) The location and construction details of furniture, refuse units, features and signs;
    i) The location of proposed and existing functional services above and below ground;
    j) The location and construction details of any lighting/floodlighting;
    k) A specification for any proposed seeding/turfing, tree, and shrub planting including their quantity, size species and position, how they will be planted, protected and maintained, and the proposed time of planting;
    l) A programme of implementation including phasing where relevant.

Thereafter, the approved landscape works shall be carried out in accordance with the approved details and the implementation programme before any part of Phase 1 is

brought into use.

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 and that the approved landscaping is implemented as approved.

36. No development within the Phase 1 full permission shall commence until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all hard and soft landscape areas, has be submitted to and approved in writing by the Local Planning Authority. Thereafter, the completed scheme shall be managed and maintained in accordance with the approved management plan. Any seeded/turfed areas, 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 during the next planting season with seed/turf, 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 management and maintenance of the proposed hard and soft landscape scheme has been agreed prior to the commencement of the development and that it is implemented as approved.

37. The development shall be carried out wholly in accordance with the Arboricultural Assessment & Method Statement by Barrell Tree Consultancy dated January 2016 (ref. 14408-AA-CA). The agreed tree protection measures shall be retained during the course of the development and there shall be no variation to the agreed protection measures without the prior written agreement of the Local Planning Authority.

    Reason: To protect preserved trees within and adjoining the site during construction in the interests of preserving the character of the area.

Nutrient Neutrality

38. Details of measures to limit the potential consumption of wholesome water use by persons occupying the new dwellings to 120 litres per person per day as measured in accordance with regulation 36 of the Approved Document for Part G2 of the Building Regulations 2010 (or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) shall be submitted to and approved in writing by the Local Planning Authority before the dwellings are occupied. The submitted details shall include a water consumption calculation for the dwelling in accordance with the Approved Documents referred to above. The approved measures shall be implemented and maintained to the satisfaction of the Local Planning Authority thereafter.

    Reason: To secure nutrient neutrality through effective mitigation in the interests of protected Habitat Sites

39. No development within the outline element of the development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour Special Protection Area (SPA) and Ramsar (as identified in the Appropriate Assessment agreed with Natural England on 19 March 2026) have been

secured from an accredited nutrient provider and a copy of the Nutrient Credit Certificate demonstrating that purchase, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour SPA and Ramsar.

40. Each reserved matters application for individual phases must be accompanied by a bespoke nutrient budget calculation informed by the nutrient budget agreed with the Council's Natural Environment Team on 10 February 2026. The budget shall identify the quantum of credits required to mitigate the impact of each phase of the outline element of the development on the Poole Harbour Special Protection Area SPA) and Ramsar. Development must not commence until the necessary credits for the relevant phase have been secured from an accredited nutrient credit provider. A copy of the nutrient credit certificate for the relevant phase from the accredited nutrient credit provider must be submitted to the Local Planning Authority and approved in writing prior to the commencement of the development of that phase.

    Once approved in writing by the Local Planning Authority, the development of each phase must be undertaken in accordance with the approved Nutrient Neutrality Mitigation Strategy.

    Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour.

41. **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 gates, fences, walls or other means of enclosure within the curtilage of Plots 84, 85 or 99 as identified on drawing 51628-XX-P1-02 Rev v1 (Site Plan) permitted by Class A of Schedule 2 Part 2 of the 2015 Order (as amended), shall be erected or constructed.**

    Reason: In the interests of reducing wildfire risks and policy CC3(e) of the NPPF (2026)

42. **Prior to the first occupation of any phase containing or adjacent to a SANG, details of high-volume fire hydrants within that phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the hydrants shall be installed as approved prior to first occupation of the relevant phase and maintained in working order for the lifetime of the development.**

    Reason: In the interests of reducing wildfire risks and policy CC3(e) of the NPPF (2026)

Informative Notes

1. Informative Note: If the new road layout is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.

2. Informative Note: The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Highways Development team. They can be reached by telephone at 01305 225401, by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

3. Informative Note: The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making-up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset Council's Highways Development team. They can be reached by email highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

4. Informative Note: In addition to this permission, the junction works referred to in the recommended condition 10 above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development team. They can be reached by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

5. Informative Note: Prior Land Drainage Consent (LDC) may be required from Dorset Council's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with S23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team.

6. Informative Note: The applicant intends to rely heavily on infiltration. They will therefore need to demonstrate, through further post extraction ground investigation, that soakaways remain feasible. Given the proposed use of soakaways across the site, it is important that soakaway tests and ground water readings are representative of all the areas expected to support infiltration. The Council's FRM team as relevant LLFA will be unable to discharge the relevant condition above without detailed information concerning ground conditions that substantiate the use of drainage through infiltration. Should the site, after mineral extraction, be found not to support infiltration, then the applicant will need to propose alternate and detailed designs for capturing and attenuating surface water.

7. Informative Note: The highways schemes associated with this consent involves works within the public highway, which is land over which the applicant has no

control. National Highways will therefore require the applicant to enter into a suitable legal agreement to cover the detailed design and construction of the works. Please contact ThirdpartyworksSWarea@nationalhighways.co.uk at an early stage to discuss the details of the highways agreement and funding arrangements.

Commencement of works will also need to be timed to fit in with other road works on the strategic road network or local road network to ensure there are no unacceptable impacts on congestion and road safety. If the scheme also requires traffic orders these are subject to a minimum 12 week process.

Please be advised that National Highways may charge Commuted Sums for maintenance of schemes delivered by third parties. These will be calculated in line with HM Treasury Green Book rules and will be based on a 60 year infrastructure design life period

8. Informative Note: At all times, a contact telephone number shall be displayed on site for members of the public to use to raise issues. A named person will also be provided for Environmental Health in order for contact to be made should complaints be received. The use of any radio / amplified music system on site must be kept at a level not to cause annoyance to noise sensitive premises beyond the boundary of the site. Any future sub-contractors to the site shall be made aware of, and comply with any guidelines/conditions relating to site management of emissions of noise, dust, smoke, fumes etc. made in as part of the determination of this application.

   Letter drops to adjacent residents in close proximity should be considered as part of the construction phase to give a minimum of 48 hours notice of any exceptional activities proposed. Any waste arising at the site shall be appropriately segregated and controlled prior to its removal by an appropriately licensed contractor. Any waste arising from the activity which could potentially be contaminated in any way shall also be segregated again, and removed appropriately. Environmental Health must be informed if this occurs.

9. Informative Note: The applicant's attention is drawn to the response of the Council's Rights of Way officer and the need to secure diversions for the existing rights of way.

10. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to affordable housing, SANG provision and maintenance, education, nutrient mitigation, highway improvements and children's play space.

11. Informative: National Planning Policy Framework Statement
    In accordance with **Policy DM3** 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.

12. Informative: Gas pipelines
The site includes easements associated with medium pressure gas pipelines. Before any tree planting is carried out on permanent easements, written approval should be obtained from SGN. This approval must be subject to SGN retaining the right to remove any trees which might become a danger, or restrict access to the pipeline at any time in the future. The developer's attention is drawn to SNG's Guidance for Third Parties: Safe Working Near High Pressure Gas Pipelines.

13. Informative: High and low voltage underground cables
The site includes high and low voltage underground cables which serve the Hybris Business Park and existing village hall. As part of the relevant phase of the reserved matters, the applicant is recommended to open a dialog with SSEN and arrange full cable tracing for safety and in line with appropriate guidance. The application should not negatively affect this SSEN's assets.

14. Informative: Biodiversity Net Gain
The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.
The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in full in a subsequent informative below.
Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.
• The application for planning permission was made before 12 February 2024.

15. Informative: Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan
1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
(i)the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
(ii)the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
i) the application for planning permission was made before 2 April 2024;
ii) planning permission is granted which has effect before 2 April 2024; or
iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the

section 73 permission relates* was exempt by virtue of (i) or (ii).
4.2 Development below the de minimis threshold, meaning development which:
i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.
4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).
4.5 Self and Custom Build Development, meaning development which:
i) consists of no more than 9 dwellings;
ii) is carried out on a site which has an area no larger than 0.5 hectares; and
iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).
4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.
* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

or B) Refuse permission for the reasons set out at Section 18 of this report if the Section 106 agreement is not completed by 14 April 2027 (within 6 months of the committee) or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Area Manager for the Western and Southern Team.

Reasons for refusal:

1. Policy HOUS1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 requires a minimum on-site provision of 35% of the units as affordable housing. In the absence of a planning obligation to secure these affordable units the scheme would fail to meet the substantial unmet need for affordable housing and the proposal would therefore be contrary to Policy HOUS1 of the adopted Local Plan and Policy HO8 of the National Planning Policy Framework (2026).
2. Policy COM1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 sets out that where new development will generate the need for new or improved community infrastructure and this need is not being met through the Community Infrastructure Levy, suitable provision should be made on site. Policy CRS1 of the Local Plan sets out the expected infrastructure for this site and its development. In the absence of a planning obligation to secure the required community infrastructure the scheme would fail to

mitigate the increase in demand for the necessary infrastructure to support the development and to avoid and mitigate for the adverse effects upon internationally designated heathlands and additional nutrient loading upon the Poole Harbour internationally designated sites. It would namely fail to provide for:

i. Education facilities;

ii. Recreation spaces in the form of SANG and the supporting maintenance and funding mechanisms required for the future;

iii. Mitigation of the impacts upon the Poole Harbour internationally designated sites;

iv. Highway improvements;

v. Children's play provision;

vi. Indoor sports provision;

vii. Employment land.

In the absence of planning obligations to secure the above, the proposals therefore fail to meet the provisions of Policies COM1, CRS1, INT1, ENV2 and COM7 of the West Dorset, Weymouth and Portland Local Plan (2015) and Policies CC2, DP3, TR3, HC3 and N2 of the National Planning Policy Framework (2026).

Appendix 1 – Consideration of revised material considerations

Topic	Extract from Committee Report / Update Sheet	Officer Comments
Tilted Balance	**18.2** The Council is not presently able to demonstrate a five-year supply of deliverable housing sites. Accordingly, the NPPF (Para. 11) states that in circumstances where the policies most important for determining the application are out-of-date, permission should be granted unless i. the application of policies in the Framework that protect areas or assets of particular importance7 provides a strong 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 the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. **18.3** In respect of the first limb of Paragraph 11, none of the relevant assets of particular importance detailed at footnote 7 are considered to provide a strong reason for refusing the development. Impacts on habitat sites would be mitigated, the identified less than substantial harm to the Bowley's Plantation SAM would be outweighed by public benefits and surface water flooding can be appropriately managed. **18.4** In respect of the second limb of Paragraph 11, no adverse impacts are considered to significantly and demonstrably outweigh the benefits.	All proposed development excluding the SANGs falls within the Defined Development Boundary (DDB) of Crossways, which was expanded by the 2015 Local Plan. The SANG is adjacent to the DDB. Accordingly, both policies S4 and S5 of the NPPF apply. Within settlements, policy S4 of the NPPF states that proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the NPPF. The stated circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations include where: - 2(a)(ii) policies in the NPPF for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)). - 2(c) where development fails to comply with one or more of the policies which state that development proposals should be refused for specific circumstances. As assessed within the previous committee report, and further considered below, the benefits of the proposal are not considered to be outweighed by adverse effects. Furthermore, no policies of the NPPF indicate that development should be refused. Outside the settlement, the proposed SANG aligns with one of the specified forms of development (i.e. land for recreation) which is acceptable in principle outside of settlements under policy S5(1)(a). The SANG is essential recreational infrastructure and the benefits of providing the SANG are not outweighed by adverse effects.

Housing land supply	**Page 15** - Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. In addition, the strategies for meeting housing needs in the adopted local plans are not designed to deliver the housing need under the Government's standard method and therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan(s) are out of date and the presumption in favour of sustainable development applies.	The lack of a 5-year housing land supply no longer means that housing policies within the adopted Development Plan(s) are out of date. As noted above, the Presumption applies regardless of the 5-year housing land supply, with the shortfall weighing significantly in favour of granting planning permission for new housing delivery.
Housing delivery test	**Page 15** - The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.	The latest HDT results (2025) records delivery of 88%, requiring an Action Plan to be produced. This shortfall weighs in favour of granting planning permission.
Employment	**16.14** - The extent of employment provision which may be provided on the proposed site would make an important contribution towards meeting local needs. Subject to the detailed proposals for the employment space (subject to reserved matters), the proposals have potential to provide significant economic benefits, supporting economic growth and productivity; thereby moderating the shortfall in the quantum of employment space proposed. This is afforded significant weight (NPPF para. 85).	Policy E2 similarly notes that substantial weight should be given to the economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt.
Tree lined streets	**16.22**… Streets are also tree lined as advocated for in the NPPF (Para. 136)… They would provide for tree lined streets as advocated for in the NPPF (Para. 136) and suitably integrate the development within the surrounding context.	The equivalent policy of the current NPPF (policy N3) is similar and does not change the assessed position or proposed conditions.

Flooding and surface water management	**16.64** - The drainage strategy has been considered by the LLFA. Subject to conditions the LLFA has no objection. It is considered that the applicant has provided sufficient information to demonstrate that the proposals accord with the criteria in policy CRS1, the tests in ENV5 to ensure that development does not cause flooding within the site or exacerbate flood risk elsewhere and the NPPF.	The proposals are considered to comply with relevant NPPF policies in respect of flood risk (F4, F5, F7 and F8) and the proposed conditions are still considered appropriate.
Policy CC3: Adaptation to climate change	**N/A**	Parts 1a-c (flooding) - Flooding considerations are satisfactory and appropriate conditions are proposed. Part d (overheating, green infrastructure and tree planting) - The proposed dwellings within the detailed element of the application are considered suitable in terms of overheating given the apartments are at least double aspect and do not include large areas of south facing glazing which would make achieving a comfortable thermal environment challenging. The houses are of conventional design and generally orientated north/south or east/west. Detailed overheating considerations would be considered under Building Regulations (Part O) and the outline element would be considered at the reserved matters stage. Tree planting and green infrastructure is considered to accord with policies DP3(2)(c) and N3. Part e (wildfires) - See assessment section within the main body of this report.
Housing Policies H07, HO8, HO13	**N/A**	The proposals are considered to comply with relevant housing policies and substantial weight is given to the benefits of providing housing. Given the necessary off site highway works, complexities of the SANG and phasing, it is not considered reasonable or justified to require the development to be implemented within a shorter timescale than the relevant statutory default period. The application is not considered to be ‘strategic’ for the purposes of policy HO13(3).

Policy L3: Achieving appropriate densities	**N/A**	The proposals are considered to make efficient use of land in accordance with Part 1 of policy L3. As Moreton Railway Station does not meet the criteria for a well-connected station, the proposals are assessed against Part 2(a) of policy L3. In this regard the proposals are considered to appropriately increase density within Crossways consistent with the character of the area. The Connectivity Score of the proposed residential areas ranges from 28-36. This indicates the proposed density is suitable.
Policy DP3		The proposals are considered to comply with policy DP3. The building layouts and orientations are considered to be reasonably efficient and would address overheating. Considerations related to sustainable materials would be considered at the detailed design stage, pursuant to planning conditions and reserved matters.
Transport Policies TR3, TR4, TR6 and TR8		Subject to planning conditions and planning obligations, the proposals are considered to comply with relevant transport policies and would not have a severe adverse impact on the transport network or an unacceptable impact on highway safety.
New community facilities		In accordance with policy HC4, substantial weight is given to the proposed new Village Hall.

Appendix 2 – Committee Report and Appendices to May 2026 Western and Southern Area Planning Committee

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Application Number:	WD/D/16/000378
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land South of Warmwell Road, Warmwell Road, Crossways
Proposal:	Full planning permission for the erection of 99 open market dwellings & affordable dwellings, a new doctors surgery, a replacement village hall, a car park, a new village green, new vehicular and pedestrian accesses and works to Warmwell Road. An outline application for the erection of 401 open market and affordable dwellings, the provision of 2.5ha of employment land, new vehicular and pedestrian accesses, roads, footpaths and cycleways, a car park for the proposed Site of Alternative Natural Greenspace (SANG) and 2 pumping stations; and a full application for the change of use of 22.4ha of land to Site of Alternative Natural Greenspace (SANG).
Applicant name:	C & G Properties Ltd
Case Officer:	Matthew Pochin-Hawkes
Ward Member(s):	Cllr Ireland

1. Reason application is going to committee:

1.1 The application is being re-reported to planning committee following suggested changes to the section 106 Heads of Terms and planning conditions since Members resolved to approve the development subject to panning conditions and the completion of a Section 106 legal agreement at the 5 September 2019 Western and Southern Area Planning Committee.

2. Summary of recommendation:

2.1 To delegate authority to the Service Manager for Development Management and Enforcement and the Area Manager Western and Southern Team to either:

2.2 A) GRANT planning permission following completion of a S106 Planning Obligation to secure:

- 35% of the units as affordable housing with 50/50 tenure split between affordable/social rented and shared ownership/low cost ownership housing.
- Education contribution of £2,722,212 (index linked).
- Provision of a minimum of 22.4ha of suitable alternative natural greenspace (SANG) with a maintenance contribution (to be determined) and supporting funding provisions (SAMM). SANG to be delivered prior to the occupation of Phase 1 and managed in accordance with the SANG Management Plan and Fallow Management Plan.
- Only Phase 1 to be commenced prior to 2030.
- Air quality contribution of £25,000 (index linked) to mitigate adverse air quality impacts on heathlands.
- Highways contributions of £467,000 (index linked) towards off-site highway works to include an improve link between Old Farm Way and Warmwell Road, improved pedestrian crossing facilities at the junction of Warmwell Road and Dick O' Th' Banks Road, and 1 x replacement bus shelter with real time traffic information.

- Provision of a minimum of three no. Locally Equipped Areas for Play (LEAPs) and financial contributions towards maintenance of the proposed LEAPs.
- Provision of village hall and associated indoor sports provision.
- Provision of a minimum of 2.5 hectares of employment land for use within Use Class B.

2.3 and subject to the conditions listed at Section 18 of this report.

2.4 or B) Refuse permission for the reasons set out at Section 18 of this report if the Section 106 agreement is not completed by 7 November 2026 (within 6 months of the committee) or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Area Manager for the Western and Southern Team.

3. Key planning issues

Issue	Conclusion
Principle of development	Acceptable in broad accordance with the site allocation.
Housing provision	Acceptable subject to securing the provision of affordable housing.
Employment provision	Acceptable and afforded significant weight.
Conservation	Less than substantial harm outweighed by public benefits. Acceptable subject to conditions.
Landscape impact	Acceptable subject to conditions requiring the submission and approval of hard and soft landscape details plus management arrangements.
Design	The detailed proposals are compatible with the character of the area. The design of the outline element would be determined at the reserved matters stage.
Trees	No significant adverse effects on trees or hedgerows would occur. Extensive new tree planting would be provided across the site.
Highways	Acceptable subject to planning conditions and obligations. Impacts would not be severe and highway safety concerns would be appropriately mitigated. With the mitigation in place, the proposals would promote active travel.
Ecology and biodiversity	Acceptable subject to securing mitigation measures via planning condition and Section 106 Legal Agreement.
Flooding and surface water management	Acceptable subject to planning conditions.
Minerals	Acceptable subject to securing phasing of prior extraction via planning condition.
Amenity	Subject to planning conditions, the proposals would avoid significant adverse impacts on existing and future residents.

Issue	Conclusion
	The internal and external amenity provided for future residents is acceptable.
Sports provision	Acceptable subject to securing the provision of the SANG and the opportunity for internal sports provision within the new village hall.
Compliance with site allocation	Bearing in mind the reduced weight to be attached to policy CRS1 in light of the Council's lack of a 5-year housing land supply, the development is sufficiently compliant with policy CRS1.

4. Description of site

4.1 The 44.21 hectare site is located to the south of Warmwell Road (B3390). It incorporates a large area of currently undeveloped land as well as Summer Farm and the existing village hall. It wraps around three sides of Hybris Business Park, is adjacent to Heathfield Park, a number of other residential properties and the Co-op supermarket. To the south west of the site is Warmwell Caravan Park. To the east, across Moreton Road, lies Crossways Solar Farm.

4.2 The land is allocated in the adopted Local Plan for a mixed-use development under policy CRS1 and the defined development boundary for Crossways was extended to accommodate the allocation as part of the Local Plan. The site area covers the entire allocation set out in Local Plan policy CRS1 which promotes the site for mixed-use development and an indicative area for suitable alternative natural greenspace (SANG) as mitigation for the impacts of residential development on the protected heathlands which are within 5km of the site.

4.3 The site lies in a Minerals Safeguarding Area identified in the adopted Bournemouth, Dorset and Poole Minerals Strategy (2014).

4.4 In the western part of the site within the Hybris Business Park, is a Scheduled Ancient Monument (SAM) described as a "prehistoric earthwork in Bowley's Plantation"; herein referred to as the Bowley's Plantation SAM. The nearest listed buildings to the site are the Frampton Arms pub and its outbuildings at the level crossing at Moreton station, approximately 850m from the site. There is a further SAM approximately 350m southeast of the corner of the proposed SANG on the east site of Moreton Road. This is Tinkers Barrow, a Bronze Age bowl barrow set within a woodland.

4.5 The site is generally flat. It incorporates a number of trees and hedgerows and is bisected by two rights of way; footpath S49/2 which runs north/south from Warmwell Road towards Holly Farm; and Bridleway S49/1 which shares the route of the village hall access road from Warmwell Road and routes east through woodland to Moreton Road.

4.6 The site lies within the Dorset Heaths National Character Area (NCA) and Crossways Gravel Plateau Landscape Character Area (LCA). It lies outside of the Dorset National Landscape. The site is within 5km of both the Warmwell and Winfrith heathland Sites of Special Scientific Interest (SSSIs).

5. Description of development

5.1 The application is a hybrid proposal (part detailed and part outline).

Detailed element

5.2 The detailed element of the application seeks planning permission for the erection of 99 open market dwellings and affordable dwellings, a new doctor's surgery, a replacement village hall, a car park, a new village green, new vehicular and pedestrian accesses and works to Warmwell Road together with change of use of 22.4ha of land to a SANG.

5.3 The 99 dwellings would form the first phase of development. 35% of these units would be provided as affordable housing with a tenure split of 50/50 between affordable/social rented and shared ownership/low-cost ownership provision. A new village hall and doctor's surgery are proposed at the entrance to the site from Warmwell Road alongside associated car parks. A village green is proposed to the east of the village hall. New vehicular and pedestrian accesses and works to Warmwell Road also form part of the detailed proposals.

5.4 Village Hall – The village hall is a single-storey double height building located to the east of the central access onto Warmwell Road. It is intended to be a key focal point for the development whilst also serving as a hub for the wider community. The building includes a main hall sufficient to accommodate a badminton court, stage area/ancillary committee room, small hall, store rooms, playgroup facilities including an outdoor play space, foyer/entrance area, kitchen, office, toilets and changing facilities. The village hall fronts west onto the new access road into the site and includes large glazed areas on the east elevation facing out onto the proposed village green running alongside the main road. Nine parking spaces are shown immediately adjacent to the new hall with the majority of the parking demand to be met by the car park behind the new surgery (see below).

5.5 Doctor's Surgery – A new doctor's surgery is proposed to the west of the central junction to Warmwell Road opposite the proposed village hall. This has a smaller footprint than the proposed village hall and would be two storeys in height. It includes three GP rooms, a nurse's treatment room, three multi-function rooms, a private consultation room, two offices, a reception and waiting area, toilets and a staff room. A pharmacist is shown as incorporated into the surgery on the ground floor with external public access and an internal connection to the surgery's waiting room. A total of 53 car parking spaces are shown along with motorcycle spaces, designed to be shared with users of the community facilities. Cycle parking for both the village hall and new surgery are shown to the front of the building.

5.6 Change of use to SANG – 22.4ha of land within the site – a little over half – is proposed to be provided as suitable alternative natural greenspace (SANG). The application seeks permission for a change of use of this land from a nil/agricultural use to be used as open space as mitigation for the impacts of the increased residential development on the site on the nearby heathland Sites of Special Scientific Interest (SSSI) at Warmwell Heath and Winfrith Heath. The proposed SANG includes areas of grassland, woodland and heath. The SANG is shown divided into four "units" with the open grassland areas immediately surrounding the proposed residential areas. On the eastern side these adjoin the woodland at Moigne Coombe Wood. The proposals for the SANG involve limited physical intervention to these areas. The main changes are to provide new links to these areas to bring these into the public domain, creating interest for informal walking routes to be used for dog walking and informal recreation.

Outline element

5.7 The outline element of the application seeks permission for 401 open market and affordable dwellings, the provision of 2.5ha of employment land, new vehicular and pedestrian accesses, roads, footpaths and cycleways, a car park for the proposed SANG and two pumping stations. In total 500 dwellings are proposed across the detailed and outline elements of the application. The 401 dwellings would be on land to the south and west of the Hybris Business Park and south of Summer Farm, extending south from Warmwell

Road. The residential elements extend around to the current village hall site to wrap around the Hybris Business Park to the south of Scotton Way.

5.8 Within the residential elements of the scheme are indicated areas of open space with three locally equipped areas of play space (LEAPS) shown. There are also other areas of open space, including to the west of the Bowley's Plantation SAM. There are also open areas around retained tree copses within the land. A series of allotments is indicated immediately adjoining the southern boundary of the recycling centre. A separate car park west of the public bridleway along the western boundary is located to serve the proposed SANG in this area.

5.9 At the eastern corner of the site at the junction of Warmwell Road and Moreton Road, an area of 2.5 hectares of employment land is indicated. This would be served by a separate access from Warmwell Road opposite No. 16 Warmwell Road. This road is shown to link into the remainder of the development to the south, also providing access to the residential development.

5.10 Overall, there are three vehicular accesses indicated, with a main central access forming part of the full permission and two additional accesses serving the east and west of the development within the outline element of the application.

6. Background

6.1 This planning application has twice been considered by Planning Committee, firstly by the former West Dorset Development Control Committee on 16 November 2017 and secondly by the Dorset Council Western and Southern Area Planning Committee on 5 September 2019. In both instances Members resolved to grant planning permission subject to the completion of a Section 106 Agreement and planning conditions. The associated committee reports are included at **Appendices 1 and 2** of this report.

6.2 Whilst the most recent resolution was reached over six years ago, progression of the Section 106 Agreement stalled and further delays have been caused by nutrient neutrality issues, given the location of the site within the catchment area of Poole Harbour. New material considerations, including: the National Planning Practice Framework (NPPF) and National Planning Practice Guidance (NPPG) also require consideration.

6.3 Due to the implications of nutrient neutrality and new material planning considerations, it has been necessary for officers to reconsult consultees and reconsider the implications of material planning considerations.

6.4 This report identifies the revised material considerations, summarises the further consultation responses received, provides an officer opinion on the effect of the new material considerations, including revised planning conditions and Section 106 Heads of Terms, and sets out a revised recommendation.

7. Relevant planning history

7.1 The following minerals application for prior extraction of sand and gravel within the north east of the site is pending consideration.

WD/D/16/000652 - Decision: Pending Decision Date: N/A

Gravel extraction of up to 131,000 tonnes of sand and gravel; new vehicular access onto B3390 Warmwell Road

8. List of constraints

- Allocated site: CRS1 – Land at Crossways
- Within defined development boundary
- Landscape character area - Crossways Gravel Plateau
- Within 5km of both the Warmwell and Winfrith heathland SSSIs
- Within minerals safeguarding area
- Poole Harbour Nutrient Catchment Area
- Within the setting of scheduled ancient monument: Prehistoric earthwork in Bowley's Plantation (List Entry: 1002772). Distance – 8m to east at Hybris Business Park.
- Public Rights of Way:
    - Bridleway S49/1
    - Footpath S49/2
- Flood Zone 1
- Risk of Surface Water Flooding: 1 in 30 and 1 in 100 year risk – North east of site adjacent to Moreton Road/Warmwell Road junction and along the western boundary of the site.
- Groundwater – Susceptibility to flooding
- Southern Gas Network (SGN) - Medium pressure gas pipeline (75 mbar – 2 bar) along the village hall access road from Warmwell Road.
- Existing and higher potential ecological network
- Wildlife Present: various including: lichen, palmate newt, slow worm, grass snake, common lizard, bat and common frog.
- Site of nature conservation interests (SNCIS): SY78/037 - Skippet Heath. To the south west of the site
- Grade 2 Agricultural land (Best and Most Versatile Agricultural Land)
- Radon: Class: 1.0

9. Consultations

9.1 The below summarises all further consultee responses that have been received since the 2019 planning committee. All consultee responses can be viewed in full on the website and historic consultee responses are summarised within the earlier committee reports at **Appendix 1** and **Appendix 2**.

Consultees

9.2 **Environment Agency** – No comments to make.

Historic England

9.3 Reiterate earlier advice that the proposals would cause loss of significance to the Scheduled Monument (ref. 1002772) through change to its setting. Historic England recommend that at the Reserved Matters stage the proposed access road is relocated further to the west and north, so that it does not impinge on the sub-surface enclosure remains. They also recommend that a management plan is prepared for the Scheduled Monument and the enclosure remains within the application area. The management plan

should include proposals to manage the entire enclosure as one asset and should include provisions to retain it as an open space, free of potentially intrusive features such as fencing, lighting, drainage or sub-division.

9.4 **Ministry of Defence** – No objection.

National Highways

9.5 Recommend planning conditions to secure mitigation works at the A35 Max Gate junction, Dorchester.

9.6 The applicant will also be required to enter into a suitable legal agreement with National Highways as the scheme will involve works within the highway boundary which is land not within the applicant's control. This will enable National Highways to agree the detailed design of the works, the further Road Safety Audit stages required, construction method and any associated traffic management. All costs shall be met by the applicant, including legal costs and a commuted maintenance sum.

9.7 We would further advise the planning authority to ensure that robust travel plan measures are secured to encourage and support the take up of sustainable travel modes.

Natural England

9.8 Natural England has commented on earlier iterations of the SANG Management and Phasing Plan, including recommending that a Fallow Management Plan be developed. They make recommendations in respect of achieving nutrient neutrality and confirmed agreement with the Council's Habitat's Regulations Assessment in March 2026.

Sport England

9.9 Maintain its objection on the grounds there is no sports provision being provided on site or off-site in order to meet the needs of the new residents.

9.10 **Building Control** – No comments received.

9.11 **Coastal Risk Management** – No comments received.

9.12 **Dorset Waste Team** – No comments received.

9.13 **Economic Development and Tourism** – No comments received.

9.14 **Education Officer** – No comments received.

Environment Mitigation Delivery Team

9.15 The Council's Environmental Mitigation Development Team has issued a series of comments on the proposals and various versions of the SANG Management Plan. The latest comments confirm that the SANG Management Plan is acceptable.

9.16 The Team advises that step-in rights and the SANG Management Plan should be secured through an appropriate legal agreement.

9.17 **Environmental Services - Protection** – No comments received.

Environmental Assessment

9.18 In order to achieve nutrient neutrality pre-2030, the following would need to be secured via planning conditions or a legal agreement:

- The SANG will need to be delivered prior to the occupation of phase 1. In order for the Environmental Assessment Team to be able to conclude that nutrient neutrality will be achieved pre-2030, the SANG must be delivered in its entirety and grazing must cease completely;
- Only phase 1 to be commenced prior to 2030, with the remaining development post 2030;
- The standard planning condition requiring the appropriate number of credits to be secured (493.35 permanent credits); and
- The higher level of water efficiency must be secured through a planning condition.

Flood Risk Management

9.19 No objection subject to surface water drainage conditions. The flood risk of the site is compatible with the proposed development.

Highways

9.20 Following review of the latest Transport Assessment Addendum and amended drawings, the Highways Authority confirmed no objection subject to conditions and planning obligations.

Housing Enabling Team

9.21 No objection. There is a need to secure the adorable housing on site through a Section 106 Agreement in perpetuity, to ensure commitment to the delivery of the on site provision.

Landscape

9.22 No in principle objection to the proposed development with regard to landscape or visual impact.

9.23 The Council's Senior Landscape Officer raises some comments in relation to cycle and pedestrian access provision and tree planting within the detailed element of the application. The officer's preference is for the issues to be addressed through submission of amended plans, although suitably worded conditions would be sufficient.

9.24 **Libraries** – No comments received.

9.25 **Minerals & Waste Policy** – No comments received.

9.26 **Natural Environment Team**

9.27 Whilst the application is exempt from mandatory biodiversity net gain (BNG), the NET note the proposals would not result in a net loss of habitat. The NET recommend that an updated statutory biodiversity metric is submitted for each forthcoming reserved matters application, once the final details are known, alongside any updated ecological baseline surveys and ecological appraisals.

9.28 The measures within the Ecological Impact Assessment (EcIA) report (July 2025) should be implemented during relevant phases of development. A Construction Environmental Management Plan (CEMP) and a Landscape and Ecological Management Plan (LEMP) should be secured.

9.29 Recommend that an updated SANG Management Plan is secured via planning condition.

9.30 **Public Transport** – No comments received.

Rights of Way Officer

9.31 Recommend condition(s) in order to reduce conflict between users of the development and users of public Bridleway S49/1 which passes through the site.

9.32 **Street Lighting Team** – No comments received.

Trees

9.33 In re-reviewing the proposals, the Trees Team has created a new TPO to protect 25 individual trees, 15 groups of trees and four blocks of woodland. This is in addition to the two small area TPOs (ref: WDDC/861) which encompass the small development of Heathfields Park and the northwestern section of the Hybris.

9.34 The Trees Team raises no objection to the detailed element of the application but note that the impacts of a wildlife pond within the SANG should be further assessed. Conditions are recommended in relation to tree protection and landscaping details. Some concerns are raised in relation to the illustrative proposals shown in the outline element of the application.

9.35 **Urban Design** – No comments to make.

9.36 **Waste Team** – No comments received.

9.37 **Amphibian and Reptile Trust** – No comments received.

9.38 **Bournemouth Water Limited** – No comment.

Dorset Fire and Rescue Service

9.39 If planning permission is granted, the development would need to be designed and built to meet current Building Regulations requirements. The FRS highlights the requirements of B5

of Approved Document B, specifically requirements of access and facilities for the fire service, water supplies, fire safety legislation and sprinkler protection.

9.40 **Dorset Police Architectural Liaison Officer** – No comments received.

9.41 **National Rail**

Raise concerns regarding the impact of the development on Moreton Station and note the estimated cost for mitigation at Moreton Level Crossing is in the region of £4m. Network rail request further information regarding the impacts to these levels crossings and advise they cannot determine the impact the development may have on railway safety.

NHS Dorset

9.42 Advise that further discussions with the applicant have taken place concerning the potential inclusion of a new GP surgery within the development. Whilst a GP surgery has been proposed within the scheme, it is important to note that its delivery cannot be presumed at this stage. NHS Dorset and Atrium Health at Crossways Surgery will continue to explore options for both the current and potential site as the application progresses. All parties remain committed to working together to identify the best opportunity for delivering general medical services to the people of Crossways.

Ramblers Association

9.43 Draw attention to previous consultation responses. Note the Transport Assessment Update (May 2025) does mention footpaths and still doesn't explain how these rights of way are to be accommodated within the development or what new links are to be established within the new estates. Urge that future recommendations include funding for rights of way and that early consultation with user groups about any diversions which might be necessary be initiated as soon as possible.

Scottish and Southern Energy

9.44 SSEN has both high and low voltage underground cables within the application site, along with overhead lines. As well as opening a dialogue with SSEN, the applicant should arrange full cable tracing for safety and in line with appropriate guidance. The application should not negatively affect this SSEN's assets.

9.45 **Wessex Water** – No comments received.

WPA Environmental

9.46 WPA confirms it has reviewed the preliminary site investigation report. Given the site character, it is advised that contaminated land planning conditions should apply and that an invasive Phase 2 site investigation is required so that a remediation scheme can be designed, implanted and verified prior to occupation.

Crossways Parish Council

9.47 While the Council support the inclusion of community infrastructure alongside housing, they raise comments in relation to the phasing of village facilities and health hub provision:

- Phasing of village facilities: It is essential that key community facilities – including the doctor's surgery (Health Hub), the replacement village hall, and associated infrastructure – are delivered during the first phase of development. These elements should not be left until the final stages of housing completion. Integrating these vital services early on will ensure they are available to support both existing residents and those moving into the new homes as the community grows.

  The Council would also stress that the present village hall has deteriorated further since the original plans were submitted. Delaying its replacement until a later phase risk jeopardising its continued use as a functional community centre. Ensuring its early delivery is not just preferable – it is vital to preserving an important local asset.

- Health Hub Provision: Regarding the proposed doctor's surgery, The Council strongly recommend that this facility be developed as a Health Hub under the ownership of NHS Dorset. The hub should serve as a flexible, multi-use medical centre, allowing general practitioners to access space when needed. Additionally, this Health Hub should offer rooms available for rental by independent health professionals or service providers, enhancing the range and accessibility of healthcare services for local residents.

By incorporating a flexible, NHS-backed Health Hub model and ensuring early delivery of village facilities, the development will better serve the long-term needs of the Crossways community.

Moreton Parish Council

9.48 Agree with and support comments from Crossways Parish Council. The Council believe it is vital that the village hall, health hub and all respective infrastructure is constructed in the first phase of the development so that the facilities are there as new home owners move in, helping to alleviate the strain on existing facilities.

9.49 **Owermoigne Parish Council** – No comments received.

9.50 **Warmwell Parish Council** – No comments received.

9.51 **Woodsford Parish Council** – No comments received.

Active Travel England

9.52 Whilst not a statutory consultee on this application, Active Travel England raised a series of transport and highways related comments.

Representations received

9.53 Since the 2019 planning committee two third-party responses have been received, in summary:

CPRE Dorset

9.54 The GP surgery is very welcome but needs to be built and set up early. We hope that there will be a significant number of affordable homes – many more than are usually promised. All houses should be fitted with as many solar panels as the roofs will allow.

Neighbouring resident

9.55 Objects to the proposals for the following reasons, in summary:

- Urban sprawl and unsustainable development
- Loss of natural habitat
- Loss of amenity space
- Traffic and highway safety
- Strain on infrastructure
- Adverse amenity impacts, including noise, dust, loss of privacy, light and views
- Adverse impacts on existing house prices
- Concerns with the consultation process – neighbours not effectively informed, consultation too late in the process and site notices poorly positioned.
- Failure to demonstrate that reasonable alternatives were considered.

10. Duties

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

11. Relevant policies

Development plan

In this case the development plan comprises:

Local Plan Adopted West Dorset and Weymouth & Portland Local Plan 2015:

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

- CRS1: Land at Crossways
- INT1: Presumption in favour of sustainable development
- ENV1: Landscape, seascape and sites of other geological interest
- ENV2: Wildlife and habitats
- ENV4: Heritage assets
- ENV5: Flood risk
- ENV9: Pollution and contaminated land
- ENV10: The landscape and townscape setting
- ENV12: The design and positioning of buildings
- ENV13: Achieving high levels of environmental performance
- ENV15: Efficient and appropriate use of land

- ENV16: Amenity
- SUS1: The level of economic and housing growth
- SUS2: Distribution of development
- ECON1: Provision of employment
- ECON2: Protection of key employment sites
- HOUS1: Affordable housing
- HOUS3: Open market housing mix
- HOUS6: Other residential development outside defined development boundaries
- COM1: Making sure new development makes suitable provision for community infrastructure
- COM7: Creating a safe & efficient transport network
- COM9: Parking provision
- COM10: The Provision of utilities services infrastructure

The Bournemouth, Christchurch, Poole and Dorset Mineral Sites Plan 2019:

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

- MS-1: Production of Sand and Gravel
- MS-8: Preventing Land Use Conflict

Dorset and Poole Minerals Strategy 2014:

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

- AS1: Provision of Sand and Gravel
- SG1: Mineral Safeguarding Area
- SG2: Mineral Consultation Area

Material considerations

Local Nature Recovery Strategy

The Dorset Local Nature Recovery Strategy identifies local priorities for nature recovery and maps areas where action would be most beneficial. In planning decisions it is a material consideration, helping to ensure that development supports biodiversity enhancement and aligns with Dorset's agreed priorities for nature recovery.

Emerging local plans:

Paragraph 49 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

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 plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 ‘Decision making’: Para 39 - 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’ This outlines the government’s objective in respect of land supply with subsection ‘Rural housing’ at paragraphs 82-84 reflecting the requirement for development in rural areas.

- Section 6 ‘Building a strong, competitive economy’, paragraphs 88 and 89 ‘Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.

- Section 11 ‘Making effective use of land’.

- Section 12 ‘Achieving well designed places’ This 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 National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

- Section 16 ‘Conserving and Enhancing the Historic Environment’- Paragraph 212 says that 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. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Other material considerations

National Planning Practice Guidance

Dorset AONB Landscape Character Assessment

Dorset National Landscape Management Plan 2026-2031

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

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.

WDDC Design & Sustainable Development Planning Guidelines (2009)

Housing land supply

Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. In addition, the strategies for meeting housing needs in the adopted local plans are not designed to deliver the housing need under the Government's standard method and therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan(s) are out of date and the presumption in favour of sustainable development applies. The emerging Dorset Local Plan is not sufficiently progressed and can be afforded very limited weight in decision making.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

12. 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. 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 It is noted that the scheme will provide a new doctor's surgery. This will expand provision and improve access to healthcare for residents, also meeting increased demand created by the development. A modern purpose-built facility is also likely to provide improved provision and a pharmacy would also benefit residents providing access to this type of healthcare advice and provision locally. All new buildings in the development would also be required to comply with building regulations which have their own requirements in respect of access.

13.4 The development would also provide additional open space and access to the countryside through the provision of SANGs, allotments and LEAPs. The provision of open space provides greater opportunities for recreation, exercise and spending time outside, all of which have health benefits.

14. Public Benefits

14.1 The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / value
Material considerations	
Housing	500 dwellings
Affordable housing	35% of 500 (175 dwellings) with a 50:50 split between social/affordable rented and intermediate tenures.
Employment land	2.5ha
SANG	22.4ha
Replacement village hall	
Doctor's Surgery	With flexibility to be provided as a health hub, or alternative facility subject to further engagement with NHS Dorset.
Village green	
Allotments	
Play areas	3 x LEAPs
Education contribution	£2,722,212 index linked from date of last committee
SANG maintenance contribution	Financial amount not known at this time – to be agreed following further discussion with Dorset Wildlife Trust.
Strategic Access Management and Monitoring (SAMM) provisions	Approximately £201,452 (£406 per dwelling and £277 per flat, based on 12 apartments and 87 houses within Phase 1 plus an assumed provision of 401 houses within the outline element. Final amount to be based on the reserved matters).
Air quality	£25,000 (£50 per dwelling)

Highway contribution towards off-site highway works	£467,000 towards off-site highway works to include: 1. an improve link between Old Farm Way and Warmwell Road (£175,000) 2. improved pedestrian crossing facilities at the junction of Warmwell Road and Dick O' Th' Banks Road (£275,000) 3. One replacement bus shelter with real time traffic information (£17,000)
Highway improvements to Warmwell Road	Financial amount not known at this time – will be based on the cost of the physical works.
Highway improvements at Max Gate	Financial amount not known at this time – will be based on physical works.
Non material considerations	
Business rates	In line with ratable value
Council Tax	In line with tax bands
New Homes	In line with allocation for 2026/27

15. Environmental implications

15.1 The proposal would lead to additional CO2 emissions from the construction of the proposed development and from the activities of future residents and occupiers.

15.2 The construction phase would include the release of CO2 emissions from workers vehicles during the construction process. CO2 emission would be produced as a result of the production and transportation of the building materials and during the construction process.

15.3 This has to be balanced against the benefits of providing housing, community and employment provision in a broadly sustainable location and should be offset against factors including the provision of electric car charging and the dwellings being reasonably energy efficient as required by Building Regulations. At this stage, details of low-carbon and/or renewable energy technologies have not been specified. However, provision is expected to be necessary in order to comply with Building Regulations, details of which are expected to come forward at the detailed design stage.

15.4 As an allocated site within the Defined Development Boundary of Crossways, the proposed redevelopment is inherently sustainable in that it would provide new homes, community and employment opportunities in a sustainable location in walking distance of the existing community and public transport links.

16. Planning Assessment

Principle of development

16.1 The site is allocated in the adopted local plan for a mixed-use development under Policy CRS1 and the Defined Development Boundary of Crossways was extended to accommodate the site allocation as part of the local plan.

16.2 The site allocation policy allocates the site for a "comprehensive mixed-use development to include new homes, local community facilities and at least 3.5ha of employment land."

16.3 The application follows the boundaries of the allocated site in the adopted local plan. The extent to which the scheme complies with all of the criteria in policy CRS1 is examined in this section of the report. Notwithstanding the identified minor conflict with policy CRS1, and the reduced weight afforded to the policy in the absence of a five-year-housing-land supply, the principle of the development of the site is considered acceptable.

Housing provision

16.4 500 dwellings would be provided; 99 within the detailed element of the application and 401 within the outline element of the application. The housing mix remains unchanged since the previous committee. It includes a broad range of dwelling types, including 1-bed mews dwellings, apartments, townhouses and larger 4/5-bed detached dwellings.

16.5 The mix and quantum of dwellings delivers a range of housing and makes efficient use of land in accordance with local plan policies HOUS3 and ENV15. The provision of 500 homes aligns with the assumed housing delivery detailed at Table 3.7 of the Local Plan.

16.6 Owing to the shortfall in housing land supply, the presumption in favour of sustainable development applies and the benefits of providing housing on the allocated site carries significant positive weight.

16.7 Consistent with the previous committee reports, 35% of dwellings across the site would be provided as affordable housing with a 50:50 tenure split between affordable/social rented and shared ownership/low-cost ownership dwellings. Whilst the target tenure split sought by policy HOUS1 is 70:30 affordable/social rented : intermediate, the proposed tenure split has been agreed through independent viability testing. The affordable homes would represent a provision of 175 units, a very considerable benefit in meeting the very high needs for affordable housing in the plan area.

16.8 Officers have considered the applicant's request that viability review mechanisms be imposed to re-test the viability of the development as 100, 200, 300 and 400 dwellings are completed. The National Planning Practice Guidance (Para. 010 ID: 10-010-20251216) establishes that Local Plans should set out circumstances where review mechanisms may be appropriate, as well as clear processes and terms for how and when viability will be reassessed over the lifetime of a development to ensure policy compliance and optimate public benefits. The Guidance notes that as "the potential risk to developers is already accounted for in the assumptions for developer return in viability assessment, realisation of risk does not in itself necessitate further viability assessment or trigger a review mechanism. Review mechanisms are not a tool to protect a return to the developer, but to strengthen local planning authorities' ability to seek compliance with relevant policies over the lifetime of the project. They should not be used to avoid policy compliance or reduce agreed contributions." The requested review mechanisms would allow for viability to be reassessed over the course of development. The Local Plan does not currently establish any review mechanisms and Policy HOUS1 is clear that lower levels of provision will only be permitted if there are good reasons to bring the development forward and viability assessment shows that it is not economically viable to make the minimum level of provision being sought. Therefore, the requirement for a review mechanism to be imposed is not considered necessary to make the development acceptable in planning terms.

16.9 The Affordable Housing Plan for Phase 1 shows the affordable homes would be distributed across the phase, with 17 shared ownership units and 17 affordable/social rented units provided across a combination of houses and apartments. The distribution is considered to be reasonably dispersed within Phase 1 and the houses would be tenure blind given the same house types would be utilised for both market and affordable dwellings. Whilst both apartment blocks would be single tenure – one for affordable/social rented tenants (Units 2-7) and one for shared ownership tenants (Units 60-65) – this is considered to be acceptable

given the limited scale of the apartment blocks (six units each) and management benefits for the Registered Provider in having single tenure blocks. Overall, the proposals would create a mixed and balanced community.

16.10 The proposals are considered acceptable in respect of affordable housing subject to securing the provision of affordable housing via a Section 106 legal agreement.

Employment provision

16.11 The outline permission proposes to provide 2.5ha of employment land, 1ha below the minimum of 3.5ha advocated for under the site allocation policy (CRS1).

16.12 The employment land is located at the far eastern end of the allocation adjoining the junction of Warmwell Road and Moreton Road. A separate vehicular access from Warmwell Road is proposed to serve the employment allocation which will link into the residential element to the south, providing a secondary route into the development. The area of the employment allocation largely follows the field boundaries of an existing parcel of land lying inside the junction of the two roads. The illustrative masterplan indicates retention of the existing field hedges and a small copse to the south providing a physical and visual buffer between the employment and residential areas and the proposed SANG.

16.13 The officer assessment of employment provision is consistent with the earlier committee report. An under-provision of employment land on a key site is considered to be a disbenefit of the proposals due to its conflict with policies ECON2 and CRS1. This is weighed in the balancing exercise set out in Section 17 of this report. The extent to which this is a negative factor is dependent on the fact that the scheme will continue to provide new employment opportunities in a sustainable settlement in the 'second tier' of the Council's spatial strategy. It will help to provide balance in the community due to significant expansion under Policy CRS1, meeting the objectives in the local plan to support the local economy to provide opportunities for high quality, better paid jobs and provide greater opportunities to reduce car use. Indeed, the proposals would deliver the majority of the requirement set out in Policy CRS1.

16.14 The extent of employment provision which may be provided on the proposed site would make an important contribution towards meeting local needs. Subject to the detailed proposals for the employment space (subject to reserved matters), the proposals have potential to provide significant economic benefits, supporting economic growth and productivity; thereby moderating the shortfall in the quantum of employment space proposed. This is afforded significant weight (NPPF para. 85).

Conservation

16.15 Within the western side of the wider outline application is sited Bowley's Plantation Scheduled Ancient Monument (SAM) described as a "prehistoric earthwork in Bowley's Plantation". There are no Conservation Areas in Crossways and the nearest listed buildings to the site are the Frampton Arms pub and its outbuildings at the level crossing at Moreton station. Due to the distances involved – over 800m from the nearest point of the site along Warmwell Road – the development is not considered to materially impact on the setting of these listed buildings. There is a further SAM approximately 350m south-east of the corner of the proposed SANG. This is Tinkers Barrow, a Bronze Age bowl barrow set within a woodland.

16.16 The proposals are only considered to have a material impact on the setting of Bowley's Plantation SAM. Around half of the area of the monument lies outside the application site in a wooded area adjoining the Hybris Business Park. Within this area, the SAM survives as an identifiable above-ground earthwork consisting of raised banks of two sides of a

rectangular enclosure. It is only this part which is protected as a SAM. Within the site itself, visible remains of the monument have been ploughed out. However, a geophysical survey undertaken in support of the application appeared to establish the remainder of the enclosure survives as a sub-surface feature.

16.17 The application is accompanied by an assessment of the setting of the heritage asset. This advises that there will be impacts to the setting of the SAM and thereby its significance with the possibility that the current indicative layout could involve a road over the sub-surface remains, or at best right up to the remains. The report notes: "*While the physical integrity of the monument as a whole will be maintained, the asset will be visually isolated from its setting with the introduction of suburban elements to this rural monument. As such, it is argued that the net effect will be to cause harm to the significance of the asset".*

16.18 The report therefore proposes mitigation for these impacts. As no features were identified outside of the SAM, they suggest a 5m protection buffer to the remains. This would require the indicative layout to be amended in the vicinity of the monument. The report also recommends assisting in the interpretation and appreciation of the SAM by providing enhancements to the understanding of the remains. It suggests it would be desirable to establish access around the entire monument, removing current undergrowth which partially obscures the upstanding remains outside the application site to allow for better understanding of the site. In addition, interpretation panels are suggested along with a walking route around the monument.

16.19 Historic England has responded to the latest round of consultation to request that its earlier responses are considered. The proposals would impact on the setting of the SAM through urbanisation of surrounding land. This is considered to result in less than substantial harm (at the lower end of the spectrum) to the significance of the heritage asset. Given the extensive public benefits of the proposals (summarised in Section 13 of this report), the less than substantial harm is considered to be outweighed by public benefits and the proposals are considered to be acceptable in respect of heritage matters. In line with the previous committee resolutions, a planning condition to guide the reserved matters for the adjacent residential development is proposed in order to respect the setting of the SAM. Subject to this condition, the proposals are acceptable in accordance with policy ENV4.

Landscape impact

16.20 The site lies within the Crossways Gravel Plateau Landscape Character Area outside of the Dorset National Landscape. Due to the relatively flat nature of the site and the surrounding area coupled with the mosaic of woodland over the wider area, long-range views of the site are limited.

16.21 As set out in the masterplan assessment, the scheme seeks to incorporate existing landscape features thereby retaining important parts of the existing landscape framework. This retains existing trees and copses/woodland areas as well as field hedges. Consequently, views of the development would be limited and only become apparent in closer range views. From these points, the development would result in the change from an agricultural character to a built development, extending the village into the surrounding countryside.

16.22 In the vicinity of Warmwell Road, the development would appear as a logical extension to the settlement where the developed area of the village is readily apparent. The proposed layout fits with the village fringe character where a sense of spaciousness and a verdant appearance are characteristic. Moreover, with the provision of the SANG, the scheme represents an opportunity to contribute to the landscape character of the area. Streets are also tree lined as advocated for in the NPPF (Para. 136).

16.23 The Council's Senior Landscape Officer raises no objection in principle with regard to landscape or visual impact. The officer has raised some concerns in relation to tree planting within the detailed element of the application, specifically whether some of the proposed trees may have sufficient available tree soil volumes to enable them to establish and reach their expected mature canopy height and spread. Some concerns are also raised in relation to the proximity of some trees to building facades and coordination with underground services and lighting. Subject to appropriately worded conditions securing the details of hard and soft landscaping, including maintenance, these concerns are capable of being resolved through approval of further details.

16.24 Subject to conditions, the proposals are considered to comply with Policy ENV1 of the Local Plan.

Design

16.25 Minor design changes to the proposals have been made to the proposals following the latest advice from the Highways Authority. The updates generally improve permeability and access for pedestrians, cyclists and other vulnerable users.

16.26 The proposed detailed layout will bring forward an identifiably new chapter in the development of the village introducing a new character to the settlement. Consistent with the conclusions of the earlier committee reports, it is considered an appropriate approach which the quality of the Phase 1 development demonstrates will be an asset to the village. Consequently, the garden suburb layout for Phase 1 is considered to meet the tests in Policy ENV10 to enhance the distinctiveness of Crossways. Moreover, it also sets a standard for the later phases reflected illustratively in the overall masterplan.

16.27 The overall concept for the site has been followed through in the Phase 1 design. The house designs, materials, the layout and landscape details all work to reinforce this design concept. Overall, a high-quality development is proposed and the public buildings proposed in Phase 1 which, as well as providing significant social benefits to Crossways, would also contribute positively to the character and appearance of the area.

16.28 For these reasons the proposed Phase 1 detailed scheme is considered to comply with Policies ENV10, ENV11 and ENV12. It also makes efficient use of the land in accordance with ENV15 and provides a suitable range of housing in line with HOUS3.

Trees

16.29 The proposals are considered acceptable in respect of trees. They would provide for tree lined streets as advocated for in the NPPF (Para. 136) and suitably integrate the development within the surrounding context.

16.30 The application relies on the earlier tree reports which were assessed and found acceptable by Members. No high value trees would be removed to facilitate the development and the Council's Tree Officer has no objection to the detailed proposals. The Tree Officer's comments that the wildlife pond within retained woodland within the SANG should be further assessed is capable of being satisfied via an appropriately worded condition for the relevant phase of development. However, as set out in the latest SANG Management Plan, the wildlife pond is no longer proposed.

16.31 Overall, the proposals are considered acceptable subject to suitably worded planning conditions securing the details of soft landscaping, including maintenance.

Highways

16.32 The applicant has submitted a Transport Assessment Addendum to consider highway changes since the previous planning committee. This primarily updates the assessment in respect of the local road network impacts based on updated surveys. Revised drawings have also been submitted in respect of the detailed element of the development to access and pedestrian routes. The highways-related aspects of the application are assessed as follows:

A35 Max Gate Junction

16.33 In terms of the strategic road network, National Highways maintains its position that the previously agreed improvements to the A35 Max Gate junction (Dorchester) remain necessary to make the development accessible in highways terms.

16.34 The improvement scheme was required in addition to the 'committed infrastructure' previously identified for the Siverlake proposals under planning permission 1/D/13/001112. The works comprise banning the right turn movements from the A352 to A35 northbound, widening of the A35 carriageway and right-turn lane and extending the right-turn lane on the A35 by approximately 40m. National Highways consider that the previously agreed trigger of no more than 100 dwellings (based on 35% affordable) being occupied prior to the full improvement scheme being implemented would be acceptable. An appropriately worded condition is proposed.

Network capacity

16.35 The Highways Authority consider that modelling of impacts on the local road network is robust and has been assessed using industry standard methodology.

16.36 The proposals are predicted to generate 393 two-way movements in the AM peak hour and 374 two-way movements in the PM peak hour.

16.37 Highways advise that the junction modelling considers a worst-case in terms of HGV traffic and advise that all assessed junctions are predicted to operate within capacity in the 2035 base with development scenario, with predicted queues and delays remaining limited and acceptable. No junction is shown to approach theoretical capacity, and the residual cumulative impacts of the development are not considered to be severe.

Mitigation and off-site works

16.38 The applicant proposes various offsite works along Warmwell Road to mitigate the highway impacts of the development, address road safety concerns, address pedestrian and cycle severance across Warmwell Road and promote active travel. The proposed offsite works include:

1. New and upgraded pedestrian crossing points – including Copenhagen-style cycle and pedestrian crossing at the central access to the site.
2. A central refuge island – within the existing Warmwell Road / Lewell Road junction.
3. Re-aligning and widened footways – to a minimum width of 2m to provide safe and continuous pedestrian connections between the junctions of Warmwell Road / Lewell Road and Warmwell Road / Mount Skippet Way.
4. New shared pedestrian and cycle route – 3m wide shared footway / cycleway along the southern extent of Warmwell Road.
5. Traffic calming measures.
6. Carriageway markings.
7. Associated highway realignment.

16.39 The Highways Authority notes the works would be delivered via Section 278 works of the Highway Act 1980 prior to first occupation of the development. The works would be wholly at the applicant's expense. A planning condition is proposed to secure this. Separately, the applicant also proposes to reduce the speed limit along Warmwell Road to 30mph via a Traffic Regulation Order.

16.40 Acknowledging the limited active travel connectivity between the site and Moreton Station, the applicant has offered a proportionate contribution towards a potential improvement scheme linking the site with Moreton Station. The applicant has costed improvement works based on a 1.2km stretch, at approximately £390,000. Following investigation by the Highways Authority, the suggested improvements may not be achievable due to physical constraints. As an alternative, the Highways Authority has identified improvements to the crossing at the junction of Warmwell Road and Dick O'Th' Banks Road in the order of £275,000. Such improvement works would reduce hazards to pedestrians and provide more direct and safer routes to Moreton Station, Frome Valley First School and the recreation ground. The requested contribution is considered necessary, directly related to the development and fairly and reasonably related in scale and kind.

16.41 The applicant has also offered: a contribution towards the provision of Real-Time Passenger Information (RTPI) at bus stops on Mount Skippet Way / Warmwell Road; a £100k contribution to improve the existing link between Warmwell Road and Old Farm Way; and a proportionate contribution towards an e-bike scheme (such as Beryl Bikes). The Highways Authority considers that improvements to the link and bus stop improvements would help to improve active travel options and pedestrian routes north of the site to local facilities, including Frome Valley First School and the recreation ground. The Highways Authority estimates the costs of improving the Old Farm Way link to be £175,000 and the bus stop improvements to be £17,000. The contributions are considered necessary, directly related to the development and fairly and reasonably related in scale and kind. The Highways Authority advise that Beryl Bikes is not currently viable in Crossways. Accordingly, a contribution towards an e-bike scheme is not considered to meet the tests for planning obligations.

Travel Plans for the residential and employment elements of the development are also proposed to be secured in the interests of promoting more sustainable travel modes.

Internal layout

16.42 As noted above, the internal layout of the detailed element of the proposals has been adjusted to respond to comments from the Highways Authority.

16.43 The Highways Authority notes the proposed internal layout for the detailed element, provides pedestrian connectivity, permeability and overall accessibility. The layout also provides appropriate provision for cycling, enables all required vehicular movements, and allows safe and efficient access for emergency, service and delivery vehicles.

16.44 Speed control measures are proposed throughout the site to ensure vehicle speeds of 20mph or lower. The Highway Authority notes that elements of the internal layout include shared surface areas. Highways note that where footways are not segregated from the carriageway and vehicular activity is intended to be low it is important that the design gives due regard to Inclusive Mobility, particularly the needs of visually impaired users. In this regard, Highways suggest that appropriate measures such as the use of defined reference points such as a continuous fence line or a kerb upstand (preferred 50mm, minimum 25mm), to provide tactile or visual guidance could be secured by planning condition.

16.45 The extent of shared surfaces is disappointing for a modern development and, in some instances, would not prioritise the need so pedestrians, cyclists and other road users over the needs of vehicles. However, the design updates that have been made over the course of determination have reduced areas of conflict and are considered acceptable overall given they are not considered to present a highway safety concerns. Indeed, the majority of routes, and routes serving the proposed community infrastructure would have appropriate segregated provision.

16.46 The layout of the detailed element makes appropriate provision for the subsequent adjoining phases of development to the east and south.

Parking

16.47 The Highways Authority considers that the proposed level and arrangement of parking within the Phase 1 layout is considered acceptable and proportionate, to achieve an appropriate balance between parking provision and the promotion of active travel and sustainable transport modes, without giving undue dominance to car parking.

16.48 As part of the discharge of conditions, the provision of street trees will be important in order to soften the streetscene and larger areas of car parking.

Public rights of way

16.49 In respect of public rights of way, the comments from the Council's Rights of Way Officer regarding planning conditions to reduce conflict between users of the development and users of the Bridleway (S49/1) which runs north/south through the site past the existing village hall are noted. The route would provide access to phases of the outline element of the application, a SANG car park to the west of the route and development to the south. The Illustrative Masterplan shows how the site could be arranged to segregate users of the bridleway from vehicle traffic. The impact on the route would be considered at the reserved matters stage and the council's highways team would be consulted on the detailed design to consider how users of the bridleway would be appropriately accommodated in order to reduce potential for conflict.

16.50 Officers also note the character of the footpath which runs north/south through the site along the east side of the Hybris Business Park would also be affected. The route of the path would not be affected by the detailed element of the application, although the immediate setting would change from one of rural character to suburban character partially enclosed by acoustic fencing. Within the outline element, users of the bridleway would likely need to cross roads within the site to continue along the route, whereas the route currently crosses open fields. This change to the character of the route would degrade the quality of the existing route.

16.51 Where developments result in the severance or degradation of existing or propose routes, Policy COM7 notes that compensatory enhancements will be sought such that there is a net improvement to the public right of way network. Currently the site is inaccessible to the general public save for the public rights of way. The extensive SANG would provide extensive public access and routes across the site. Subject to securing this via a Section 106 Legal Agreement, the adverse effect on rights of way would be suitably mitigated in compliance with policy COM7. This is also considered to address the concerns raised by the Ramblers.

16.52 As there are statutory requirements to maintain access along public rights of way, planning conditions are not considered necessary to reduce conflict between users of the development and users of the Bridleway.

16.53 Overall, the proposals are considered acceptable subject planning conditions. The impacts of the proposals would not be severe and highway safety considerations would be appropriately mitigated.

Ecology and biodiversity

Dorset Heathlands and Poole Harbour

16.54 The proposed SANG Management Plan has been updated to respond to the Dorset Heathlands Planning Framework 2020-2025 and the feedback from the Environment

Agency and the Council's Heathland Mitigation Officer. It is expected that the SANG would be managed by Dorset Wildlife Trust (DWT), with management fees covered by the applicant. The necessary management fees would be agreed as part of the Section 106 negotiations and secured via the agreement prior to issuing any decision notice. A Strategic Assess Management and Monitoring (SAMM) contribution is also required and would be secured via the Section 106 Agreement.

16.55 Since the application was last considered at planning committee, the matter of nutrient neutrality in Poole Harbour has compounded. The applicant has developed a nutrient neutrality strategy in consultation with the Environment Agency and the Council's Environmental Assessment Team. The proposed strategy would be delivered on a phased basis to take advantage of the differential mitigation required pre- and post-2030 owing to the duty placed on water companies to upgrade certain wastewater treatment works by April 2030 under the Levelling Up and Regeneration Act 2023. Phase 1 would comprise the detailed element of 99 dwellings and Phase 2 would comprise the outline element of 401 dwellings. The following mitigation measures are necessary to ensure nutrient neutrality:

1. The entire development site to be taken out of agricultural use prior to commencement of development.
2. SANG of 22.4ha delivered prior to the occupation of any dwellings.
3. No more than 99 dwellings to be constructed before 2030.
4. Higher level water efficient dwellings (120 litres per person per day).
5. Purchasing of 493.35 of in-perpetuity credits to address nitrogen loading.

16.56 1 to 3 are proposed to be secured via Section 106 legal agreement. 4 and 5 are proposed to be secured via appropriately worded planning conditions. To allow flexibility for the phasing of the reserved matters to be refined over the course of the development, the wording of the planning condition for addressing nitrogen loading associated with the outline element of the application allows for updated nutrient budgets to be subsequently agreed as part of the discharge of conditions process.

16.57 The submitted SANG Management Plan has been updated to incorporate a Fallow Management Plan explaining how the site would be taken out of agricultural use and managed prior to development taking place. The Plan is proposed to be secured via Section 106 Legal Agreement.

16.58 The Dorset Heathlands Interim Air Quality Strategy SDP (2021) has also been adopted since the previous planning committee. In order to mitigate the likely significant effect on Dorset Heathlands through increased airborne nitrogen pollution, a contribution of £25,000 (£50 per dwelling) is required in accordance with the SPD.

16.59 The LPA is the competent authority for the purposes of the Habitats Regulations. Due to the potential impact of the development on the European-level protected sites, the Council is required to carry out an appropriate assessment before determining the application. In conjunction with the advice from Natural England, the assessment is that with the proposed mitigation measures of the provision and management of the SANG, SAMMs contribution, air quality contribution, along with the proposed mitigation measures towards Poole Harbour nutrient impacts, the proposals provide sufficient mitigation for the development's impacts on the internationally protected sites. Therefore, the scheme complies with Policy ENV2 of the Local Plan.

Biodiversity

16.60 As the application was submitted prior to 10% BNG becoming a statutory requirement a BNG of 10% is not required. Nevertheless, the proposals would deliver a measurable biodiversity net gain.

16.61 Biodiversity impacts, mitigation and enhancements are informed by updated surveys and would be appropriately secured via planning conditions requiring compliance with the Ecological Impact Assessment, and approval of a Construction Environmental Management Plan (CEMP), Landscape and Ecological Management Plan (LEMP) and lighting strategy. Subject to conditions, the proposals accord with policy ENV2.

Flooding and surface water management

16.62 The requirement of policy CRS1 is for sustainable drainage methods to be implemented to manage surface water flooding issues and ensure flood risk is not exacerbated elsewhere. This mirrors the test in Policy ENV5 to steer development towards the areas of lowest risk and ensuring development will not generate flooding through surface water runoff or exacerbate flooding elsewhere.

16.63 The site lies within Flood Zone 1 outside the area of highest flood risk and the flood zone has not been affected by NaFRA2 data. The scheme is accompanied by a drainage strategy for the site and updated groundwater modelling has been undertaken given the passage of time since the previous planning committee. The strategy includes sustainable drainage methods and includes provision for drainage ponds within the SANG. This is compatible with the wildlife and habitat aims of the SANG provision.

16.64 The drainage strategy has been considered by the LLFA. Subject to conditions the LLFA has no objection. It is considered that the applicant has provided sufficient information to demonstrate that the proposals accord with the criteria in policy CRS1, the tests in ENV5 to ensure that development does not cause flooding within the site or exacerbate flood risk elsewhere and the NPPF.

Minerals

16.65 Mineral extraction is subject to a separate planning application and provision is made for prior excavation where this is practical whilst at the same time not compromising the delivery of the Phase 1 detailed proposals.

16.66 The associated minerals application has not yet been determined. It proposes the extraction of gravel from part of the site in accordance with the minerals safeguarding policy. The scheme for minerals extraction will be considered and controlled via that separate application and if subsequently granted would be subject to conditions. The matter to be considered as part of this current application is therefore the timing of any such extraction in the interests of safeguarding minerals and residential amenity.

16.67 A 12-month extraction period for the minerals would work with a construction period on Phase 1, limiting the possibility of residents of the new development and existing surrounding community being affected by the minerals operations. In order to deliver this an appropriate planning condition is proposed. This is to ensure that the minerals extraction takes place at the appropriate stage. With these safeguards, the proposal is considered to comply with the provisions of the adopted Minerals Strategy.

Amenity

Amenity of existing residents

16.68 The conclusions of the previous committee reports remain valid and the proposals are not considered to give rise to significant adverse impacts on neighbouring amenity.

16.69 The detailed element of the proposals are sufficiently set back from neighbouring development at Heathfield Park. Within the outline element, an acceptable relationship with

the few dwellings on the south side of Warmwell Road close to the Co-Op is capable of being achieved subject to the reserved matters. Sufficient privacy would therefore be maintained.

16.70 The scale of the community buildings (village hall and doctor's surgery) are not considered to adversely affect outlook from neighbouring properties or cause an overbearing impact and an appropriate brick boundary wall is indicated between the surgery and the adjacent apartment block. Subject to securing the details via a suitably worded condition, the interface between the community uses and adjacent properties would be acceptable.

16.71 The 2.5ha of employment land within the outline element of the application is described as being for B1 use within the Planning Statement, similar to the majority of the Hybris Business Park. As B2 and/or B8 uses have potential to give rise to significant adverse amenity impacts on existing and future residents, the proposed recommended planning conditions define the approved uses within the employment land. A condition restricting the use of the employment land is therefore necessary on a precautionary basis in the absence of detailed noise assessment of alternative employment uses at this outline planning stage.

16.72 It is noted that potential noise impacts from the employment land were not assessed within the submitted Noise Report. The Environmental Health Officer's earlier comments on the application noted the potential for noise from this land and advised that further details would be required in the future. A noise impact assessment is likely to be required at the reserved matters stage.

16.73 Construction impacts would be appropriately managed through a Construction Environmental Management Plan (CEMP), proposed to be secured via planning conditions.

Amenity of future residents

16.74 Internal separation distances between the proposed dwellings are acceptable within the detailed element and capable of being achieved in the outline element to ensure appropriate privacy and outlook.

16.75 Each dwelling would have sufficient private amenity space and, whilst occupants of flats would not have private balconies or terraces, they would have access to suitable communal amenity space.

16.76 Other than the Type G dwellings (3-bedroom, 5-person dwellings) all proposed dwellings within the detailed element of the application comply with the Nationally Described Spaces Standards (NDSS). The 14 Type G dwellings fall -9sq.m short of the advocated standard (84sq.m vs. 93sq.m), representing a reduction of -9.7%. 12 of the Type G dwellings are proposed as market dwellings, with two proposed as affordable. A higher proportion of the affordable dwellings (94.1%) would meet or exceed the NDSS compared with the market dwellings (81.5%). Overall, there would therefore be a high level of compliance against the NDSS within the detailed element with the vast majority of dwellings (No. 85 / 86%) meeting or exceeding the NDSS.

16.77 The Council did not have sufficient evidence at the time of the Local Plan examination to insist upon compliance with NDSS. This is the reason why the requirement for exceeding the minimum NDSS is not mandatory. Notwithstanding this lack of justification, the National Design Guide (page 38) assists in defining well-designed homes and buildings as being "*functional, accessible and sustainable. They provide internal environments and associated external spaces that support the health and well-being of their users and all who experience them… They are adequate in size, fit for purpose and… provide good quality internal and external environments for their users, promoting health and well-being".* The NDSS can therefore be viewed as an initial indication of well designed homes with confirmation provided through further assessment.

16.78 The Noise Assessment submitted with the application considers the noise impacts of activities at the Hybris Business Park on adjacent residential properties. It recommends the installation of a 2m high timber acoustic fence adjacent to the business park in order to avoid significant adverse affects for future residents. The fence is shown around the perimeter of the park, including across the SAM. As separate planning condition would ensure residential properties are set back from the SAM, fencing immediately adjacent to the SAM is not therefore considered necessary. Subject to ensuring the acoustic fence is installed prior to occupation of adjacent dwellings, the proposals are considered to be acceptable in respect of noise and adhere to the agent of change principle.

16.79 Overall, despite shortfalls against NDSS adequate amenity would be provided for future residents in accordance with policy ENV16.

Sports provision

16.80 Consistent with the historic reporting of this application to committee, Sport England maintains its objections to the proposals. For the reasons previously set out in the previous committee reports, the proposals would secure considerable amounts of informal open space directly accessible to residents and the wider village in terms of the SANG provision. It will also deliver improved cycle links. In terms of sports provision, due weight also needs to be given to the proposed village hall which provides flexibility for indoor sporting activities (secured via S106 agreement). The further contributions that have been requested by Sport England are not considered to be justified or necessary to make the development acceptable in planning terms. The proposals are therefore acceptable in respect of sports provision.

Section 106 Heads of Terms

16.81 The Local Plan (para. 6.2.3) specifically exempts this site from CIL. Therefore, infrastructure contributions for this scheme need to be secured via a Section 106 legal agreement. If the Council is to take financial contributions in a s106 legal agreement, under the CIL Regulations (2010) as amended, the contributions must comply with the following three tests;

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development. In addition, Government guidance in the National Planning Practice Guidance advises that "*Planning obligations must be fully justified and evidenced*.

16.82 Consistent with the earlier planning committee reports and justification set out therein, planning obligations are sought in respect of:

- Affordable housing provision – 35% of the units as affordable housing with 50/50 tenure split between affordable/social rented and shared ownership/low cost ownership housing.
- Education provision – contribution of £2,722,212 (index linked).
- SANG provision and maintenance (including step-in rights) – a minimum of 22.4ha of SANG with a maintenance contribution (to be determined) and supporting funding provisions (SAMM). SANG to be delivered prior to the occupation of Phase 1 and managed in accordance with the SANG Management Plan.
- Highway improvements – contributions of £467,000 (index linked) towards off-site highway works to include an improve link between Old Farm Way and Warmwell

Road, improved pedestrian crossing facilities at the junction of Warmwell Road and Dick O' Th' Banks Road, and 1 x replacement bus shelter with real time traffic information.

- Play space provision – provision of a minimum of three no. Locally Equipped Areas for Play (LEAPs) and financial contributions towards maintenance of the proposed LEAPs.

16.83 In addition, further obligations are sought in respect of:

- Air quality mitigation – contribution of £25,000 (index linked) to mitigate adverse air quality impacts on heathlands.
- Fallow Management Plan – in order to ensure nutrient neutrality by taking the site out of agricultural use.
- Village hall provision – to ensure the village hall and associated indoor sports provision is delivered.
- Employment land provision – to ensure provision of a minimum of 2.5 hectares of employment land for use within Use Class B.

16.84 Mitigation in respect of air quality mitigation is necessary in order to mitigate the likely significant effect on Dorset Heathlands through increased airborne nitrogen pollution as set out in the Dorset Heathlands Interim Air Quality Strategy SDP (2021). The contribution of £25,000 is based on a £50 per dwelling charge and is therefore directly and fairly and reasonably related to the development.

16.85 In order to avoid adverse impacts on Poole Harbour through additional nutrient loading, it is necessary to ensure that the entirety of the site is taken out of agricultural use. Details are set out within the Fallow Management Plan included within the submitted SANG Management Plan.

16.86 Given the reliance on providing opportunities for indoor sports provision within the Village Hall, its delivery is proposed to be secured. Delivery of the employment land is also proposed to be secured to ensure the employment benefits of the development are realised.

16.87 National Rail has requested £4m to address concerns regarding the impact of the development on Moreton Station and improve the level crossing. For the reasons set out in the Highways section of this report, the financial contribution is not considered to meet the tests for planning obligations. Furthermore, officers note that such contributions were not previously requested by Network Rail and have not been requested in respect of other large-scale residential-led developments in Crossways.

Other matters

Phasing of community infrastructure

16.88 Crossways Parish Council consider that it is essential the community facilities are delivered during the first phase of development and not left to the final stages of housing completion. They consider it vital that the services are integrated early on to ensure that they are available to support existing and future residents. They further note that the condition of the village hall has deteriorated in recent years and delayed replacement risks jeopardising its continued use as a functional community centre. The comments are supported by Moreton Parish Council.

16.89 The 2019 resolution to grant planning permission made provision for a phasing plan which would have required:

- Village Green: delivered in Phase 1.
- Village Hall: Delivered prior to demolition of the existing village hall or the occupation of the 250th dwelling, whichever is soonest.
- Doctor's Surgery: Provision of the building (timescales not defined)

16.90 Officers note that there was some discussion at the 2019 planning committee meeting where the triggers for delivery of the village hall were adjusted. The minutes and decisions list from the planning committee record that members resolved to grant planning permission subject to amended planning conditions requiring the village hall to be delivered sooner than the last phase of development (as requested by the applicant), before half of the homes (250) were built.

16.91 The phasing requirements resolved at the 2019 planning committee are considered reasonable, striking an appropriate balance between the delivery of community infrastructure for residents and allowing flexibility for construction of half the homes prior to the delivery of the village hall. The format of the doctor's surgery requires further discussion with NHS Dorset. In the absence of specified timescales from NHS Dorset, the flexibility previously resolved by members is considered appropriate and advanced delivery of the doctor's surgery is not something officers consider can be justified.

Form of healthcare provision

16.92 Crossways Parish Council recommend that the doctor's surgery be developed as a health hub under the ownership of NHS Dorset, serving as a flexible, multi-use medical centre, allowing GPs to access space when needed. They additionally recommend that it should offer rooms for rental by independent health professionals or service providers, thereby helping to enhance the range and accessibility of healthcare services by local residents.

16.93 NHS Dorset advise that they will continue to explore options with Atrium Health at Crossways Surgery for both the current and potential site and note that all parties remain committed to working together to identify the best opportunity for delivering general medical services to the people of Crossways. Whether this be in the form of a traditional GP surgery or health hub remains to be determined. However, the proposed plans for the building provide flexibility for this to evolve in response to healthcare requirements.

Utilities infrastructure

16.94 Informatives are proposed to alert the developer to the electricity and gas pipeline constraints across the site and encourage appropriate engagement with statutory undertakers when the reserved matters of the relevant phases are designed.

Public consultation

16.95 A member of the public has raised concerns with the consultation process not effectively informing neighbours, being too late in the process and site notices being poorly positioned.

16.96 Multiple rounds of public consultation have been undertaken on this application since it was submitted in 2016. In 2025 a full re-consultation was undertaken given the passage of time since the 2019 planning committee. This included the erection of multiple site notices around the boundaries of the site, including adjacent to the village hall and Co-Op.

Reasonable alternatives

16.97 A member of the public raises concern that reasonable alternatives have not been considered.

16.98 As the development is not EIA development, the consideration of reasonable alternatives is not required. The site is allocated for residential-led mixed use development within the Local Plan. As part of the local plan, a sustainability appraisal was undertaken and alternative site allocation options were undertaken.

17 Assessment against the criteria of site allocation (policy CRS1)

17.1 Policy CRS1 sets a number of policy criteria. Each criteria is assessed in turn in Table 15.1 below.

Table 16.1 – Assessment against local plan policy CRS1

Criteria (summary)	Assessment
i) Content: Comprehensive mixed-use development including new homes, local community facilities and at least 3.5ha of employment land.	The proposals include the entire allocation in the local plan thereby delivering a comprehensive scheme. The provision of 500 homes aligns with the suggested figure in para. 12.3.1 of the local plan. It delivers new local community facilities in the village hall and surgery. It proposes 2.5ha of employment land, meeting the broad aspiration for a mixed-use development but 1ha below the employment space figure in the policy. The employment allocation in the north east of the site is in the area envisaged in the policy. Owing to the shortfall in employment land provision, the proposals do not fully comply with this criterion.
ii) Heathland mitigation	Subject to securing the provision and management of the SANG, and necessary financial contributions via planning condition(s) and Section 106 legal agreement, any adverse effect upon internationally designated heathlands would be mitigated.
iii) Nutrient mitigation on Poole Harbour	Nutrient neutrality has been demonstrated and can be secured via planning condition(s) and Section 106 legal agreement.
Delivery of highway improvements necessary for the development to go ahead	The proposals make provision for highway works in the vicinity of the site. These have been agreed by the Highways Authority. In addition, National Highways have confirmed they have no objections subject to securing junction improvements to the Max Gate A35/A352 junction by the occupation of 100 units. For the reasons set out above, the requested contribution from Network Rail is not considered to be justified or necessary to make the development acceptable in planning terms. This aspect of the policy is met.
Comprehensive masterplan developed in conjunction with stakeholders	The detailed element and illustrative masterplan for the outline element is considered to be comprehensive and has been developed in conjunction with stakeholders.

Sustainability appraisal, such as a BREEAM Communities Assessment	The masterplan has not been subject to a BREEAM Communities Assessment. However, the policy requirement is only for a sustainability assessment to be carried out. This has been submitted and sets out how the masterplan has been considered against the advice in the Council's adopted Design SPD.
Appropriate mix and layout of uses	The masterplan includes a mix of uses and provides for community facilities and infrastructure. Whilst a GP Surgery has been proposed, NHS Dorset advise that its delivery cannot be presumed at this stage and note that NHS Dorset and Atrium Health at Crossways Surgery will continue to explore options for both the current and potential site as the application progresses. The proposals provide an opportunity for improvements to medical services for local residents.
Opportunities to improve access, recreational use and promote biodiversity within a network of spaces (including SANG)	The proposals would deliver a SANG, along with improved access to the surrounding countryside, increasing recreational opportunities with opportunities for improvements to biodiversity.
Good links with the wider footpath and cycle network, including pedestrian/cycle links with Moreton station	The masterplan would deliver links to the wider rights of way network and improve cycle network provision. Off site works would improve pedestrian links to Moreton station and Frome Valley First School.
Design and layout, local character and landscape setting	The proposals have the ability to deliver a considerable enhancement to local character, providing a distinct beneficial development in the wider character of the village.
Hedgerows, trees and woodland	Existing hedgerows, trees and woodland within the development are retained where possible and their future retention and management would be secured via planning condition.
SuDS	The scheme provides for an acceptable drainage strategy, based on sustainable principles. The scheme has shown it can be developed without exacerbating flood risk elsewhere.
Phasing	The proposals show how the development could be phased to deliver the long-term growth of the settlement over the course of this strategic allocation.
Bowley's Camp Scheduled Ancient Monument	Subject to the detailed design of the relevant reserved matters phase, the proposals would protect and preserve the significance of the Bowley's Camp SAM to an acceptable degree. Owing to the scale of development and location of development in proximity to the SAM, some less than substantial harm to the significance of the asset through development within its setting is to be expected. The harm is outweighed by public benefits.

17.2 Taking all of the elements above and bearing in mind the reduced weight to be attached to policy CRS1 in light of the Council's lack of a 5-year housing land supply, it is considered that the development is sufficiently compliant with Policy CRS1.

18 Summary of issues and the planning balance

18.1 The hybrid proposals include the erection of 500 dwellings (35% affordable), a new doctor's surgery, a replacement village hall, a new village green, 2.5ha of employment land, new vehicular and pedestrian accesses and works to Warmwell Road together with change of use of 22.4ha of land to a SANG. The site is allocated and falls within the expanded defined development boundary of Crossways.

18.2 The Council is not presently able to demonstrate a five-year supply of deliverable housing sites. Accordingly, the NPPF (Para. 11) states that in circumstances where the policies most important for determining the application are out-of-date, permission should be granted unless

> i. the application of policies in the Framework that protect areas or assets of particular importance[7] provides a strong 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 the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

18.3 In respect of the first limb of Paragraph 11, none of the relevant assets of particular importance detailed at footnote 7 are considered to provide a strong reason for refusing the development. Impacts on habitat sites would be mitigated, the identified less than substantial harm to the Bowley's Plantation SAM would be outweighed by public benefits and surface water flooding can be appropriately managed.

18.4 In respect of the second limb of Paragraph 11, no adverse impacts are considered to significantly and demonstrably outweigh the benefits. The proposals would deliver 500 new homes of which 35% would be affordable, a new village hall, doctor's surgery and 2.5ha of employment land. These benefits carry significant weight.

18.5 Overall, the proposal complies with the development plan taken as a whole, notwithstanding the slight non-compliance with policy CRS1. The presumption in favour of sustainable development (NPPF Para. 11) provides additional support given there are no strong reason for refusing the development (limb i.) and adverse impacts do not significantly and demonstrably outweigh the benefits (limb ii.)

18.6 The application is therefore recommended for approval and there are no material considerations indicating otherwise.

19 Recommendation

19.1 To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area of the Manager Western and Southern Team to either:

A) GRANT planning permission following completion of a S106 Planning Obligation to secure:

- 35% of the units as affordable housing with 50/50 tenure split between affordable/social rented and shared ownership/low cost ownership housing.

- Education contribution of £2,722,212 (index linked).
- Provision of a minimum of 22.4ha of suitable alternative natural greenspace (SANG) with a maintenance contribution (to be determined) and supporting funding provisions (SAMM). SANG to be delivered prior to the occupation of Phase 1 and managed in accordance with the SANG Management Plan and Fallow Management Plan.
- Only Phase 1 to be commenced prior to 2030.
- Air quality contribution of £25,000 (index linked) to mitigate adverse air quality impacts on heathlands.
- Highways contributions of £467,000 (index linked) towards off-site highway works to include an improve link between Old Farm Way and Warmwell Road, improved pedestrian crossing facilities at the junction of Warmwell Road and Dick O' Th' Banks Road, and 1 x replacement bus shelter with real time traffic information.
- Provision of a minimum of three no. Locally Equipped Areas for Play (LEAPs) and financial contributions towards maintenance of the proposed LEAPs.
- Provision of village hall and associated indoor sports provision.
- Provision of a minimum of 2.5 hectares of employment land for use within Use Class B.

and subject to the following planning conditions:

Approved Plans

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

   - 1677-P-01 – Site Location

   - 51628-XX-P1-02 Rev v1 – Site Plan

   - 1677-P-09 Rev D – Affordable Housing Plan

   - 1677/P07 Rev A – Proposed Streetscene A-A

   - 1677/P08 Rev A – Proposed Streetscene B-B

   - 1677-P-SU-01 Rev A – Surgery – Ground Floor Plan

   - 1677-P-SU-02 Rev A – Surgery – First Floor, Roof Plan

   - 1677-P-SU-03 – Surgery – East West Elevations

   - 1677-P-SU-04 Rev A – Surgery – North & South Elevations

   - 1677-P-VH-01 – Village Hall – Floor Plan

   - 1677-P-VH-02 – Village Hall – West Elevation

- 1677-P-VH-03 – Village Hall – East Elevation
- 1677-P-VH-04 – Village Hall – North & South Elevations
- 1677-P-VH-05 – Village Hall – Roof Plan

- 1677-P-A-01 Rev A – Type A – Ground Floor Plans
- 1677-P-A-02 Rev A – Type A – First Floor Plans
- 1677-P-A-03 Rev A – Type A – Second Floor Plans
- 1677-P-A-04 Rev A – Type A – Roof Plans
- 1677-P-A-05 Rev A – Type A, Elevations (showing front and side 1)
- 1677-P-A-06 Rev A – Type A – Elevations (showing rear and side 2)

- 1677-P-B-01 Rev C – Type B – Floor Plans
- 1677-P-B-02 Rev B – Type B – Elevations

- 1677-P-C-01 Rev A – Type C – Floor Plans
- 1677-P-C-02 Rev A – Type C – Elevations

- 1677-P-D-01 – Type D Plans
- 1677-P-D-02 – Type D Elevations

- 1677-P-E-01 Rev B – Type E – Floor Plans
- 1677-P-E-02 Rev B – Type E – Elevations

- 1677-P-F-01 – Type F – Floor Plans
- 1677-P-F-02 – Type F – Elevations

- 1677-P-G-01 – Type G – Floor Plans

- 1677-P-G-02 – Type G – Elevations
- 1677-P-G-03 Rev A – Type G gable front – Floor Plans
- 1677-P-G-04 Rev A – Type G gable front – Elevations

- 1677-P-H-01 Rev A – Type H – Floor Plans
- 1677-P-H-02 Rev A – Type H – Elevations

- 1677-P-I-01 – Type I – Floor Plans
- 1677-P-I-02 – Type I – Floor Plans (showing roof plan)
- 1677-P-I-03 – Type I – Elevations

- 1677-P-J-01 Rev A – Type J – Floor Plans
- 1677-P-J-02 – Type J – Elevations
-
- 1677-P-K-01 – Type K Plan, 4 Bedroom House
- 1677-P-K-02 – Type K, Elevations

- 1677-P-M-01 – Type M – Floor Plans
- 1677-P-M-02 – Type M – Elevations

- 1677-P-N-01 – Type N – Floor Plans
- 1677-P-N-02 – Type N – Elevations

- 1677-P-P-01 – Type P Plans
- 1677-P-P-02 – Type P Elevations

- 1677-P-GAR-01 – Single Garage – Floor Plan and Elevations

- 1677-P-GAR-02 – Double Garage Floor Plan and Elevations
- 1677-P-REF-01 – Refuse & Cycle Store – Floor Plan and Elevations
- 1677-P-SHE-01 – Garden Store – Floor Plan and Elevations
- 1677-P10-1 Rev A – Materials Sheet 1
- 1677-P10-2 Rev A – Materials Sheet 2
- 1677-P11 Rev # – Materials Sheet 3

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

Detailed element

2. The detailed element of this development to which this hybrid 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).

Outline element

3. Approval of the details of the access, layout, scale, appearance and landscaping (hereinafter called the Reserved Matters) of the relevant phase of the development outside of the full permission (granted for Phase 1 of this hybrid permission) shall be obtained from the Local Planning Authority in writing before any development of the relevant phase is commenced other than on Phase 1 of the development.

   Reason: To ensure the satisfactory development of the site.

4. Application for approval of any “reserved matter” under Condition 2 must be made not later than the expiration of ten years beginning with the date of this permission.

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

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

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

6. Not more than 401 dwellings in total shall be constructed under the outline element of

the permission.

Reason: The assessment of the impacts of the scheme are based on a maximum of 500 dwellings across the whole site and additional dwellings would require further assessments of impacts.

Phasing

7. Prior to the commencement of the development a Phasing Plan for the entirety of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall make provision for:
    a. Extraction of the mineral interest in accordance with a scheme to be first approved in writing by the Local Planning Authority from the area outlined in red on the Site Location Plan Drawing No. 1701 P01 Rev A prior to the commencement of any development the subject of the outline planning permission within that same area.
    b. Delivery of the Village Green as part of Phase 1. No further dwellings in later phases to be constructed until it is complete.
    c. Delivery of serviced employment land as part of the development of the adjacent residential phase.
    d. Provision of allotments as part of the development of the adjacent residential phase.
    e. Provision of Locally Equipped Areas for Play as part of the development of the adjacent residential phase.
    f. The village hall and adjacent parking spaces being constructed and ready for first use prior to the demolition of the existing village hall or the occupation of the 250th dwelling, whichever is soonest, and the submission of a scheme for the interim landscaping of the proposed village hall site until such time as the village hall is constructed. The interim landscaping scheme for the village hall site is to include details of the planting and its maintenance and shall be implemented and completed in full as part of Phase 1 and shall be maintained and retained thereafter until such time as the village hall is constructed on the site.
    g. Provision of the doctor's surgery building.

    Thereafter the development shall be carried out in accordance with the approved Phasing Plan and any subsequent changes to the agreed Phasing Plan must also be agreed in writing by the Local Planning Authority under the terms of this condition.

    Reason: In the interests of achieving the objectives of the Local Plan and the site specific policy.

Highways

8. No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 15m of the proposed central access road from Warmwell Road within the detailed element of the application, including the junction with the existing public highway, has been completed to at least binder course level.

    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 during construction.

9. Prior to the commencement of the detailed element of the development hereby permitted, a scheme demonstrating how inclusive and accessible movement for all users will be achieved within areas containing shared surface areas shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be informed by DfT document 'Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure' (2021) or any subsequent update version. The details shall include a timetable for implementation. The approved scheme shall be implemented in full in accordance with the approved timetable for implementation and shall be retained thereafter.

   Reason: In the interests of highway safety and to ensure inclusive mobility and accessibility for all users, in accordance with guidance for Inclusive Mobility.

10. Prior to first occupation, the central access road shall be completed in accordance with drawing ITS2200462-GA-002 with footways completed to surface course unless an updated drawing is submitted to and approved in writing by the Local Planning Authority under the terms of this condition, in which case the works shall proceed in accordance with the updated scheme. The carriageway shall be completed to surface course prior to occupation of the 89th dwelling.

    Reason: To ensure that a suitably surfaced and constructed access to the site is provided for all users.

11. The detailed element of the development hereby permitted shall not be occupied or utilised until the access, geometric highway layout, turning and parking areas shown on Drawing Number 51628-XX-P1-02 Rev v1 have been constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

12. Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Planning Authority:
    i. Active travel proposals and highway improvements as set out in the submitted Transport Assessment Addendum prepared by i-Transport (ref. SJ/OT/DGo/ITS200462-003 dated 23 January 2026) along the Warmwell Road site frontage broadly in accordance with drawings ITS200462-GA-002 and ITS200462-GA-003.

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

13. Notwithstanding the information shown on the illustrative drawings submitted with the outline element of the development hereby permitted, before any phase of the outline element of the development is occupied or utilised, precise details of the access, geometric highway layout, turning and parking areas for the relevant phase shall have

been submitted to and agreed in writing by the Local Planning Authority. The details shall include precise details for the provision of visibility splays at the proposed accesses to the site, including visibility splays to be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

14. No more than 100 residential units (to include 35% affordable housing) shall be occupied unless and until the A35 Max Gate junction works are completed and open to traffic. The works shall be implemented generally in accordance with WYG Transport drawing SK09, dated 21 October 2015, titled Improvements to A35 Max Gate Priority Junction, subject to any necessary changes identified during the detailed design and Road Safety Audit process.

    Reason: In the interest of the safe and efficient operation of the A35 trunk road and to ensure the development traffic impact on the SRN is satisfactorily mitigated in accordance with DfT Circular 01/2022 and the NPPF.

15. No development within a phase shall be commenced until a Construction Traffic Management Plan (CTMP) for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include:
    a) specify the point of construction access and access route to the site;
    b) construction vehicle details (number, size, type and frequency of movement)
    c) a programme of construction works and anticipated deliveries
    d) timings of deliveries so as to avoid, where possible, peak traffic periods
    e) a framework for managing abnormal loads
    f) contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
    g) wheel cleaning facilities
    h) vehicle cleaning facilities
    i) inspection of the highways serving the site (by the developer (or their contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
    j) a scheme of appropriate signing of vehicle route to the site
    k) a route plan for all contractors and suppliers to be advised on
    l) temporary traffic management measures where necessary

    The CTMP shall thereafter be implemented in accordance with the approved details upon the commencement of the relevant construction phase of the development and be adhered to for the complete duration of the construction programme for that phase.

    Reason: To ensure the safety of traffic on the Strategic Road Network.

16. Each phase of development hereby permitted shall not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities serving the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The approved scheme must be constructed before the relevant phase of development is first occupied or utilised and, thereafter, must be maintained, kept free

from obstruction and available for the purpose specified.

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

Travel Plans

17. Before any phase of development hereby approved is first occupied or utilised an updated Travel Plan for the relevant phase based on the Framework Travel Plan prepared by i-Transport (dated 22 January 2026, ref. OT/SGe/DGo/ITS200462-004) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the Travel Plan shall be complied with for the lifetime of the relevant phase unless a variation is first agreed in writing with the Local Planning Authority under the terms of this condition.

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

18. Prior to the approval of any reserved matters under Condition 2 above for the approved employment allocation, a Travel Plan suitable to deal with the travel impacts of the whole 2.5ha employment allocation shall be submitted to and approved in writing by the Local Planning Authority. The employment Travel Plan shall be implemented in accordance with its agreed details prior to the first occupation of any approved employment building on the site and complied with for the lifetime of the development unless a variation is first agreed in writing with the Local Planning Authority under the terms of this condition.

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

Drainage

19. No development within a phase shall take place until a detailed surface water management scheme serving the relevant phase, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction and a timetable for implementation, has been submitted to, and approved in writing by the Local Planning Authority. The surface water scheme shall be fully implemented in accordance with the approved details in accordance with the approved timetable for implementation.

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

20. No development within a phase shall take place until details of maintenance and management of the surface water sustainable drainage scheme serving the relevant phase have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained

in accordance with the approved details. These shall include a plan for the lifetime of the relevant phase, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

Foul Water

21. No development within a phase shall take place until a foul water drainage strategy for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme for the relevant phase shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phase. The drainage scheme shall thereafter be completed in accordance with the approved details and to a timetable to be agreed in writing with the Local Planning Authority and maintained for the lifetime of the development.

    Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

Contaminated Land

22. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority:
    a) a Phase 2 Site Investigation Report informed by the Phase 1 Preliminary Risk Assessment (Desk Study) prepared by Clarke Bond (ref. WB04198/R1 and dated March 2016) detailing an adequately developed 'conceptual site model' of all potential contaminant linkages, and incorporating risk assessment.
    b) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed. This shall be supported by a detailed soils management and waste management plan.
    c) a monitoring and maintenance scheme to be supervised by an appropriate specialist under a watching brief to determine the need for the consideration of unexpected finds during construction.

    The development shall proceed in strict accordance with the remediation scheme and watching brief, which shall both be fully implemented for the relevant phases of development before the relevant phases of development first comes into use or is occupied.

    On completion of the relevant phase of development written confirmation that all works were completed in accordance with the agreed details of the remediation scheme and watching brief shall be submitted for approval to the Local Planning Authority. Such approval from the Local Planning Authority shall be received before the relevant phase of development first comes into use.

Reason: To ensure potential land contamination is addressed and to mitigate potential harm to the health and safety of persons.

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

    Reason: In the interests of ensuring there is no unacceptable risk to occupiers of the development.

Employment Land

24. The development shall provide a minimum of 2.5 hectares of employment land for use within Use Class B1. The employment land and associated buildings shall be used for Use Class B1 and for no other purpose (including any other purpose within the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order. No dwelling adjoining the eastern boundary of the residential development, adjacent to the proposed employment access road within the Character Areas 4, 5 and 6 as set out on page 48 of the submitted Design and Access Statement, shall be occupied before the employment allocation has been provided as serviced employment land in accordance with the phasing scheme approved under condition 6 above.

    Reason: In the interests of securing the economic benefits of this Key Employment Site allocation in the Local Plan and to avoid significant adverse residential amenity impacts that may arise through Use Classes B2 and/or B8.

25. Buildings constructed within the employment allocation hereby approved shall not exceed a cumulative total floorspace of 13,000 square metres (measured externally).

    Reason: In the interests of the impacts of the traffic generated by that level of employment development on the strategic highway network.

Biodiversity

26. The detailed biodiversity mitigation, compensation and enhancement strategy set out within the approved Ecological Impact Assessment (prepared by Pro Vision and dated July 2025), must be strictly adhered to during the carrying out of the development.

    The relevant phase of development must not be first brought into use unless and until:

    i. the relevant mitigation, compensation and enhancement measures detailed in the approved Ecological Impact Assessment have been completed in full, in accordance with any specified timetable which may be submitted and approved in writing by the Local Planning Authority under the terms of this

condition.

ii. evidence of compliance, including photographic evidence, shall be supplied to the Local Planning Authority prior to the substantial completion of the relevant phase, or the first bringing into use of the relevant phase of development, whichever is the sooner. The development of the relevant phase shall subsequently be implemented entirely in accordance with the approved Ecological Impact Assessment and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

Should amendments to the approved Ecological Impact Assessment be required, an updated Ecological Impact Assessment may be submitted, certified by NET and agreed in writing by the Local Planning Authority under the terms of this condition. Should an updated Ecological Impact Assessment be agreed, the terms of this condition shall apply to the updated Ecological Impact Assessment.

Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

27. Prior to the commencement of any phase of development, a Construction Environmental Management Plan (CEMP) (Biodiversity) for the relevant phase must be submitted to and approved in writing by the local Planning Authority. The CEMP must include the following:
    a) Risk assessment of potentially damaging construction activities.
    b) Identification of “biodiversity protection zones”.
    c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including on dormice which may use hedgerows and other features to move across the site.
    d) The location and timing of sensitive works to avoid harm to biodiversity features.
    e) The times during construction when specialist ecologists need to be present on site to oversee works.
    f) Responsible persons and lines of communication.
    g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
    h) Use of protective fences, exclusion barriers and warning signs.

    The development of the relevant phase shall take place strictly in accordance with the approved CEMP.

    Reason: To protect biodiversity during the construction phase.

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

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

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

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

The approved LEMP must be implemented in accordance with the approved details.

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

29. Prior to commencement of any works within a phase of development, details of any proposed lighting within the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy will reflect the need to avoid harm to protected species and to minimise light spill from lighting associated with pre-construction, construction and operational activities, and demonstrate how the current best practice guidance, including Guidance Note 8 Bats and Artificial Lighting (BCT/ILP, 2023) has been implemented. There shall be no lighting of the relevant phase other than in accordance with the approved strategy.

Reason: In the interests of on biodiversity

Scheduled Ancient Monument

30. The submission of details of reserved matters under Condition 2 shall make provision for a minimum 5m buffer around the identified remains of the Bowley's Plantation Schedule Ancient Monument enclosure as set out on page 10 of the submitted Settings Assessment by Context One received on 16th October 2017.

Reason: In the interests of the setting of the Scheduled Ancient Monument.

Acoustic Fencing

31. No development within a phase adjacent to the Hybris Business Park shall take place until details including dimensions, materials and positioning of the noise barrier/acoustic fence to be located along the site boundary adjacent to the business park as identified within the Noise Impact Assessment (ref. R5500-1 Rev 0 prepared by 24 Acoustics and dated 28 January 2016) have been submitted to and agreed in writing by the Local Planning Authority. The agreed noise barrier/acoustic fence shall be erected prior to any development above damp proof course level of the relevant phase and shall be permanently retained and maintained as such thereafter.

Reason: In the interests of neighbouring amenity.

Broadband

32. No development above damp proof course of any building hereby approved shall take place until a scheme for facilitating infrastructure to support superfast broadband technology to serve the development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a timetable for implementation, including triggers for a phased implementation if appropriate. Thereafter, the development shall proceed in accordance with the agreed scheme.

Reason: To ensure that the utilities service infrastructure is sufficient to meet the extra demands imposed by this development.

Phase 1 Detailed Consent

33. The village hall hereby approved shall be laid out with a full-size badminton court in the main hall as shown on Drwg No. 1677 P VH 01 prior to the Village Hall first being brought into use.

Reason: In the interests of sports provision.

34. The Phase 1 full permission shall be carried out in accordance with the external materials detailed in the approved drawing No.s 1677 P10-1 Rev A, 1677 P10- 2 Rev A and 1677 P11. No development above damp proof course level of any dwelling approved under the Phase 1 full permission shall take place before samples of the external materials to be used on the relevant building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details unless revised materials are submitted to and approved in writing by the Local Planning Authority, in which case the development shall be caried out in accordance with the revised materials.

Reason: In the interests of the character and appearance of the area.

35. No development within the Phase 1 full permission shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
    a) A statement setting out the design objectives and how these will be delivered;
    b) Earthworks showing existing and proposed levels and contours;
    c) Means of enclosure and retaining structures;
    d) Boundary treatments;
    e) Vehicle parking layouts;
    f) Other vehicle and pedestrian access and circulation areas;
    g) Hard surfacing materials and construction details;
    h) The location and construction details of furniture, refuse units, features and signs;
    i) The location of proposed and existing functional services above and below ground;
    j) The location and construction details of any lighting/floodlighting;

k) A specification for any proposed seeding/turfing, tree, and shrub planting including their quantity, size species and position, how they will be planted, protected and maintained, and the proposed time of planting;
l) A programme of implementation including phasing where relevant.

Thereafter, the approved landscape works shall be carried out in accordance with the approved details and the implementation programme before any part of Phase 1 is brought into use.

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 and that the approved landscaping is implemented as approved.

36. No development within the Phase 1 full permission shall commence until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all hard and soft landscape areas, has be submitted to and approved in writing by the Local Planning Authority. Thereafter, the completed scheme shall be managed and maintained in accordance with the approved management plan. Any seeded/turfed areas, 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 during the next planting season with seed/turf, 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 management and maintenance of the proposed hard and soft landscape scheme has been agreed prior to the commencement of the development and that it is implemented as approved.

37. The development shall be carried out wholly in accordance with the Arboricultural Assessment & Method Statement by Barrell Tree Consultancy dated January 2016 (ref. 14408-AA-CA). The agreed tree protection measures shall be retained during the course of the development and there shall be no variation to the agreed protection measures without the prior written agreement of the Local Planning Authority.

Reason: To protect preserved trees within and adjoining the site during construction in the interests of preserving the character of the area.

Nutrient Neutrality

38. Details of measures to limit the potential consumption of wholesome water use by persons occupying the new dwellings to 120 litres per person per day as measured in accordance with regulation 36 of the Approved Document for Part G2 of the Building Regulations 2010 (or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) shall be submitted to and approved in writing by the Local Planning Authority before the dwellings are occupied. The submitted details shall include a water consumption calculation for the dwelling in accordance with the Approved Documents referred to above. The approved measures shall be implemented and maintained to the satisfaction of the Local Planning Authority thereafter.

Reason: To secure nutrient neutrality through effective mitigation in the interests of protected Habitat Sites

39. No development within the outline element of the development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour Special Protection Area (SPA) and Ramsar (as identified in the Appropriate Assessment agreed with Natural England on 19 March 2026) have been secured from an accredited nutrient provider and a copy of the Nutrient Credit Certificate demonstrating that purchase, has been submitted to and approved in writing by the Local Planning Authority.

    Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour SPA and Ramsar.

40. Each reserved matters application for individual phases must be accompanied by a bespoke nutrient budget calculation informed by the nutrient budget agreed with the Council's Natural Environment Team on 10 February 2026. The budget shall identify the quantum of credits required to mitigate the impact of each phase of the outline element of the development on the Poole Harbour Special Protection Area SPA) and Ramsar. Development must not commence until the necessary credits for the relevant phase have been secured from an accredited nutrient credit provider. A copy of the nutrient credit certificate for the relevant phase from the accredited nutrient credit provider must be submitted to the Local Planning Authority and approved in writing prior to the commencement of the development of that phase.

    Once approved in writing by the Local Planning Authority, the development of each phase must be undertaken in accordance with the approved Nutrient Neutrality Mitigation Strategy.

    Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour.

Informative Notes

1. Informative Note: If the new road layout is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.

2. Informative Note: The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Highways Development team. They can be reached by telephone at 01305 225401, by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

3. Informative Note: The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making-up of a private

street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset Council's Highways Development team. They can be reached by email highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

4. Informative Note: In addition to this permission, the junction works referred to in the recommended condition 10 above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development team. They can be reached by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.

5. Informative Note: Prior Land Drainage Consent (LDC) may be required from Dorset Council's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with S23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team.

6. Informative Note: The applicant intends to rely heavily on infiltration. They will therefore need to demonstrate, through further post extraction ground investigation, that soakaways remain feasible. Given the proposed use of soakaways across the site, it is important that soakaway tests and ground water readings are representative of all the areas expected to support infiltration. The Council's FRM team as relevant LLFA will be unable to discharge the relevant condition above without detailed information concerning ground conditions that substantiate the use of drainage through infiltration. Should the site, after mineral extraction, be found not to support infiltration, then the applicant will need to propose alternate and detailed designs for capturing and attenuating surface water.

7. Informative Note: The highways schemes associated with this consent involves works within the public highway, which is land over which the applicant has no control. National Highways will therefore require the applicant to enter into a suitable legal agreement to cover the detailed design and construction of the works. Please contact ThirdpartyworksSWarea@nationalhighways.co.uk at an early stage to discuss the details of the highways agreement and funding arrangements.

   Commencement of works will also need to be timed to fit in with other road works on the strategic road network or local road network to ensure there are no

unacceptable impacts on congestion and road safety. If the scheme also requires traffic orders these are subject to a minimum 12 week process.

Please be advised that National Highways may charge Commuted Sums for maintenance of schemes delivered by third parties. These will be calculated in line with HM Treasury Green Book rules and will be based on a 60 year infrastructure design life period

8. Informative Note: At all times, a contact telephone number shall be displayed on site for members of the public to use to raise issues. A named person will also be provided for Environmental Health in order for contact to be made should complaints be received. The use of any radio / amplified music system on site must be kept at a level not to cause annoyance to noise sensitive premises beyond the boundary of the site. Any future sub-contractors to the site shall be made aware of, and comply with any guidelines/conditions relating to site management of emissions of noise, dust, smoke, fumes etc. made in as part of the determination of this application.

   Letter drops to adjacent residents in close proximity should be considered as part of the construction phase to give a minimum of 48 hours notice of any exceptional activities proposed. Any waste arising at the site shall be appropriately segregated and controlled prior to its removal by an appropriately licensed contractor. Any waste arising from the activity which could potentially be contaminated in any way shall also be segregated again, and removed appropriately. Environmental Health must be informed if this occurs.

9. Informative Note: The applicant's attention is drawn to the response of the Council's Rights of Way officer and the need to secure diversions for the existing rights of way.

10. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to affordable housing, SANG provision and maintenance, education, nutrient mitigation, highway improvements and children's play space.

11. Informative: National Planning Policy Framework Statement
    In accordance with paragraph 39 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.

12. Informative: Gas pipelines
    The site includes easements associated with medium pressure gas pipelines. Before any tree planting is carried out on permanent easements, written approval should be obtained from SGN. This approval must be subject to SGN retaining the right to remove any trees which might become a danger, or restrict access to the pipeline at any time in the future. The developer's attention is drawn to SNG's

Guidance for Third Parties: Safe Working Near High Pressure Gas Pipelines.

13. Informative: High and low voltage underground cables
The site includes high and low voltage underground cables which serve the Hybris Business Park and existing village hall. As part of the relevant phase of the reserved matters, the applicant is recommended to open a dialog with SSEN and arrange full cable tracing for safety and in line with appropriate guidance. The application should not negatively affect this SSEN's assets.

14. Informative: Biodiversity Net Gain
The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.
The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in full in a subsequent informative below.
Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.
• The application for planning permission was made before 12 February 2024.

15. Informative: Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan
1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
(i)the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
(ii)the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
i) the application for planning permission was made before 2 April 2024;
ii) planning permission is granted which has effect before 2 April 2024; or
iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
4.2 Development below the de minimis threshold, meaning development which:
i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006);

and
ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A “householder application” means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.
4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).
4.5 Self and Custom Build Development, meaning development which:
i) consists of no more than 9 dwellings;
ii) is carried out on a site which has an area no larger than 0.5 hectares; and
iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).
4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.
* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

or B) Refuse permission for the reasons set out below if the Section 106 agreement is not completed by 7 November 2026 (within 6 months of the committee) or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager of the Western and Southern Team.

Reasons for refusal:

1. Policy HOUS1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 requires a minimum on-site provision of 35% of the units as affordable housing. In the absence of a planning obligation to secure these affordable units the scheme would fail to meet the substantial unmet need for affordable housing and the proposal would therefore be contrary to Policy HOUS1 of the adopted Local Plan.
2. Policy COM1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 sets out that where new development will generate the need for new or improved community infrastructure and this need is not being met through the Community Infrastructure Levy, suitable provision should be made on site. Policy CRS1 of the Local Plan sets out the expected infrastructure for this site and its development. In the absence of a planning obligation to secure the required community infrastructure the scheme would fail to mitigate the increase in demand for the necessary infrastructure to support the development and to avoid and mitigate for the adverse effects upon internationally

designated heathlands and additional nutrient loading upon the Poole Harbour internationally designated sites. It would namely fail to provide for:

i. Education facilities;

ii. Recreation spaces in the form of SANG and the supporting maintenance and funding mechanisms required for the future;

iii. Mitigation of the impacts upon the Poole Harbour internationally designated sites;

iv. Highway improvements;

v. Children's play provision;

vi. Indoor sports provision;

vii. Employment land.

In the absence of planning obligations to secure the above, the proposals therefore fail to meet the provisions of Policies COM1, CRS1, INT1, ENV2 and COM7 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2025).

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Application Number: WD/D/16/000378 **Outline**

Registration Date: 13 April, 2016

Application Site: LAND SOUTH OF WARMWELL ROAD, WARMWELL ROAD, CROSSWAYS

Proposal: Full planning permission for the erection of 99 open market dwellings & affordable dwellings, a new doctors surgery, a replacement village hall, a car park, a new village green, new vehicular and pedestrian accesses and works to Warmwell Road. An outline application for the erection of 401 open market and affordable dwellings, the provision of 2.5ha of employment land, new vehicular and pedestrian accesses, roads, footpaths and cycleways, a car park for the proposed Site of Alternative Natural Greenspace (SANG) and 2 pumping stations; and a full application for the change of use of 22.4ha of land to Site of Alternative Natural Greenspace (SANG).

Applicant: C & G Properties Ltd

Ward Members: Cllr N Bundy, Cllr A Thacker

Case Officer: David Hodges

1. Summary Recommendation

1.1 Delegate to the Head of Planning to approve subject to completion of a s106 legal agreement to secure the following;

- 35% of the units as affordable housing with 50/50 tenure split between rented and shared ownership/low-cost affordable housing
- A clause to revisit the viability of the scheme and the affordable housing provision at 100, 200, 300 & 400 units
- Education contribution of £2,722,212
- Provision of a minimum of 22.4ha of suitable alternative natural greenspace (SANG) with a maintenance contribution of £960,000 and supporting funding provisions (SAMM)
- Financial contribution of £149,089.00 towards mitigation for the impacts of the development on nitrogen levels in Poole Harbour.
- Provision of a scheme for the extraction of mineral interest from the site and the restoration of the land concerned prior to its development.
- Highway improvements at Max Gate payable not later than the occupation of 100 units
- Highways contributions of £560,000 towards off-site highway works to

include works to Warmwell Road and a Cycle Route Scheme
- Provision of a minimum of three no. Locally Equipped Areas for Play and financial contributions towards maintenance of the proposed LEAPs

2. Description of development

2.1 Application is a hybrid proposal for full planning permission, change of use and outline planning permission for this Strategic Site allocation in the adopted West Dorset, Weymouth & Portland Local Plan. The site areas covers the entire allocation set out in the Local Plan Policy CRS1 which includes an allocation for mixed-use development and an indicative area for suitable alternative natural greenspace (SANG) as mitigation for the impacts of this residential development on protected heathlands within 5km of the site. The overall site area is 44.21 hectares.

The Outline Application

2.2 The outline application seeks permission for 401 dwellings in addition to the detailed consent for 99 dwellings on the full permission element. A total of 500 dwellings across the application. The outline application will deliver the remaining 401 dwellings across a series of 'Character Areas' (see para.13.16) on land to the east of the Hybris Business Park and south of Summer Farm, extending down from the B3390. The residential elements also extends around to the current village hall site west of the Hybris up to the boundary of the access track and bridleway to the villages hall. The residential areas extend south, wrapping around the lower part of Scotton Way to link back into the residential development east of the Business Park.

2.3 Within the residential elements of the scheme are indicated areas of open space with three LEAPs (play areas) shown. There are also areas of open space including around the site of the Bowley's Plantation Scheduled Ancient Monument. There also open areas around retained tree copses within the land. A series of allotments is indicated immediately adjoining the southern boundary of the recycling centre. A separate car park west of the public bridleway along the western boundary is located to serve the proposed SANG in this area.

2.4 At the eastern corner of the site at the junction of Warmwell Road and Moreton Road, an area of 2.5 hectares of employment land is indicated. This will be served by a separate access from the B-road opposite 16 Warmwell Road. This road is then shown linking into the remainder of the development to the south. Overall there are three vehicular accesses indicated with a main central access forming part of the full permission element below. The third access is at the far western end of the site on the position of the current village hall access road.

Detailed Planning Permission: Phase 1

2.5 The application includes a full permission element for an initial 99 dwellings to form the first phase of the development of the site. 35% of these units to be provided as affordable housing with a tenure split of 50/50 between rented and shared ownership/low-cost provision. In addition to the residential proposals, the full permission element also provides for the erection of a new village hall

and doctors surgery at the entrance to the site from Warmwell Road with a new car park to serve these facilities. The detailed scheme element in addition proposes a new village green behind the village hall. New vehicular and pedestrian accesses and works to Warmwell Road also form part of the detailed proposals.

2.6 **Residential**: The detailed consent provides the first 99 dwellings on land immediately east of Heathfield Park and the Hybris Business Park. The housing will be arranged on part of the primary route network indicated in the wider masterplan around the site leading from the new access from the B3390. This will form part of the character areas 2, 3 & 4 (para. 13.16 below). From this primary street will be a secondary street linking into a central 'avenue' designed to lead from the community hub of the development at Warmwell Road down to the SANG to the south. The reminder of the houses are located on narrower home zones or parking courts accessed from the primary or secondary route network.

2.7 The total schedule of accommodation for Phase 1 is as follows;

House Type	Beds	GIA sqm	Storeys	Total No.
A Apartment	2	72.8	3	12
B Townhouse B	3	105.4	2.5	4
C Wide Front	3	93.1	2	16
D Terrace	2	72.3	2	20
E Farmhouse	4	143.3	2	6
F Mews	1	69.7	2	5
G Townhouse G	3	84.2	2	17
H Townhouse H	4	132.5	2	7
I Manor	5	236.5	2	3
J Grange	5	192.3	2	1
K Townhouse K	4	115.0	2	4
M Lodge	4	148.2	2	1
N Dovecote	2	122.5	2	1
P Cottage	2	72.3	2	2
				99

2.8 On Phase 1, the affordable housing contribution proposed is 35% of the units as per Policy HOUS1, split 50/50 between shared ownership and rented accommodation. The units are as follows;

Rented				
House Type	**Beds**	**GIA sqm**	**Storeys**	**Total No.**
A Apartment	2	72.8	3	6
D Terrace	2	72.3	2	6
F Mews	1	69.7	2	1
G Townhouse G	3	84.2	2	2
K Townhouse K	4	115.0	2	2
				17

Shared Ownership				

House Type	Beds	GIA sqm	Storeys	Total No.
A Apartment	2	72.8	3	6
C Wide Front	3	93.1	2	4
D Terrace	2	72.3	2	6
P Cottage	2	72.3	2	1
				17

The affordable units are shown pepper-potted around the phase 1 development with a variety of types and sizes.

2.9 **Village Hall**: The village hall is a single-storey but double height building located to the east of the main access onto Warmwell Road. It is intended to be a key focal point for the development whilst also serving as a hub for the wider village. The building includes a main hall sufficient to accommodate a badminton court, stage area/ancillary committee room, small hall, store rooms, playgroup facilities including an outdoor play space which is equipped and enclosed, foyer/entrance area, kitchen, office, toilets and changing facilities.

2.10 The village hall fronts west onto the new access road into the site but also includes large glazed areas on the east elevation. This will face out onto the proposed village green running alongside the main road. 9 parking spaces are shown immediately adjacent to the new hall with the majority of the parking demand to be met by the car park behind the new surgery (see below).

2.11 **Doctors Surgery:** The new doctor's surgery is proposed to the west of the new junction to the B3390. This has a smaller footprint than the new village hall but instead is 2-storey. It includes three GP rooms, a nurse's treatment room, three multi-function rooms, a private consultation room, two offices, a reception and waiting area, staff and patient toilets and a staff common room. A pharmacists will be incorporated into the surgery on the ground floor with external public access and an internal connection to the surgery's waiting room. A total of 53 car parking spaces is shown along with motorcycle spaces, designed to be shared between the community facilities. Cycle parking for both the village hall and new surgery are shown to the front. The total floorspace of the new community buildings is 1,032m^2.

2.12 **Change of Use to SANG:** 22.4ha of land within the site – a little over half – is proposed to be provided as suitable alternative natural greenspace. The application seeks permission for a change of use of this land from a nil use/agricultural use to be used as open space as mitigation for the impacts of the increased residential development on the site on the nearby heathland Sites of Special Scientific Interest (SSSI) at Warmwell Heath and Winfrith Heath.

2.13 The proposed SANG includes areas of grassland, woodland and heath. The SANG is shown divided into four 'units' in the open grassland areas immediately surrounding the proposed residential areas. On the eastern side these adjoin the woodland at Moigne Combe Wood. The proposals for the SANG involve limited physical intervention to these areas. The main changes are to provide new links to these areas to bring these into the public domain,

creating interest for informal walking routes used for dog walking and informal recreation. It is also proposed to link into existing rights of way, via the SANG, the Jubilee Trail, a national trail passing beyond the southern boundary of the SANG.

3. Main planning issues

- Key Housing Site in the adopted Local Plan (Policy CRS1)
- Local Plan settlement strategy
- Provision of housing
- 5 year housing land supply
- Affordable housing provision
- Scheme viability
- Impact to protected heathlands/SANG provision
- Impact on Scheduled Ancient Monuments/heritage assets
- Highway Safety
- Urban design and design considerations
- Employment provision
- Neighbours and occupier's living conditions
- Mineral extraction/safeguarding
- Provision of community facilities
- Recreation and sport provision
- Drainage and flood risk

4. Statutory Consultations

Parish Council

4.1 Crossways Parish Council:

The Council agreed to break down the proposal into the three parts. The first part considered was the change of use of 22.4 ha of land to Site of Alternative Natural Greenspace (SANG). All Councillors were in favour of this proposal and noted it would be maintained by Dorset Wildlife Trust who would take ownership and control of the area. It was also reported that there would be an area made available for dogs to be walked responsibly by their owners.

4.2 The Council agreed that South of Warmwell Road was agreed in the Local Plan and it was in consultation with the residents of Crossways. It was agreed the best shape for the village was to the south of the existing settlement. Councillors recommended that a provision for older children would be made available. It was acknowledged that there was a lack of facilities for children over 8 years old.

4.3 Councillors were concerned about the inevitable increase in traffic on the Warmwell Road. It was acknowledged that pedestrian refuge crossings with an island would help with connectivity of both sides of the village but concerns were raised about the more vulnerable road user crossing without a signal controlled crossing. Although Councillors were made aware that the B3390 would become a 30 mph road Councillors still had concerns that the speed of traffic would not keep to the 30 mph speed without traffic calming measures. Large lorries can take longer to stop than a car. The B3390 is a very straight stretch of road and to achieve the desired 30 mph for all vehicles especially lorries would require environmental changes to the road layout. The council

urged Dorset County Council to consider visual and physical restrictions. It was noted that Dick o th Banks Road should not be used as the preferred option/instead of the B3390.

4.4 Councillors were delighted with the provision of a new Village Hall. It was agreed that 3-storey development was not out of character for Crossways. Recommend a small children's play park next to the village green for families to enjoy the open space.

Councillors also wished for the dust from the site to be managed so as not to cause undue stress for those living in close proximity to the development.

All Councillors were in favour that there were no objections to the Planning Application.

4.5 Owermoigne Parish Council: Objects for the following reasons;

- Visual impact of employment land fronting Moreton Road (a country lane). Should be sited closer to the Hybris.
- Increased commercial traffic using Moreton Road to reach A352 passing through Owermoigne village.
- No provision to accommodate increased school numbers.
- No report on impacts of light pollution from the scheme.
- Increased load on Warmwell pumping station to Louds Mill. Owermoigne already suffers from foul water flooding from the link to Warmwell.
- Concern overflow from surface water will flow into local watercourses and exacerbate existing issues with overflowing water in Moreton Road.

Highway Authority

4.6 The County Highway Authority will require contributions to a Cycle Route Scheme and Traffic Regulation Order for the speed limit proposals under a Section 106 Agreement and for the Developer to enter into a Section 278 Agreement (Highways Act 1980) to ensure the works to the existing highway are properly constructed. Following the above agreements the County Highway Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has NO OBJECTION and makes the following recommendations for conditions (see 15.1 below).

5. Other consultations

5.1 Purbeck District Council:

Since the application relates to an allocated site for a mixed residential, employment and community facility development in the adopted Local Plan, Purbeck District Council raises no objection. Should WDDC grant permission, it must be satisfied that all material planning considerations are properly addressed, and that the assessment includes consideration of the impact, where relevant, upon land within Purbeck. Of particular interest are issues relating to the impact on the highway network, impact on protected heathlands, noise, flood risk, and air quality.

5.2 The developer to ensure that the scheme includes infrastructure to support Superfast Broadband. The Planning Committee also highlighted the importance of joint working between Purbeck District Council and WDDC with regard to joint evidence gathering and master planning for the development of the Crossways area, as required by Policy CRS2 of the Local Plan.

5.3 Natural England:

Conservation Of Habitats And Species Regulations 2010

The application will result in 401 additional dwellings in the vicinity (within 5km and beyond 400m) of the Warmwell Heath Site of Special Scientific Interest (SSSI) and Winfrith Heath SSSI, sites notified for the special interest of their heathland habitats and associated plant and animal species. The SSSI forms part of the Dorset Heathlands Special Protection Area (SPA) on account of rare or vulnerable heathland bird species and are also part of the Dorset Heathlands Ramsar site on account of rare or vulnerable heathland wetlands and associated rare wetland species. They are additionally part of the Dorset Heaths Special Area of Conservation (SAC) on account of rare or vulnerable heath land and associated habitats and some individual species.

5.4 The proximity of the European sites (SPA and SAC) raises considerations on the requirements of the Habitats Directive 1992 for these sites to be maintained or, where necessary, restored at a favourable conservation status (Article 3 (1)). Determination of the application should be undertaken with regard to the requirements of the Habitat and Species Regulations 2010, in particular Regulations 61 and 62; and legislative and policy considerations on the protection, conservation and enhancement of the interest features of the SSSI and Ramsar site.

5.5 In our view the proposal is not directly connected with, or necessary to, the management of the European sites. Owing to the proximity of the proposal to the European sites, the additional residential development, in combination with other dwellings proposed nearby would be likely to have a significant effect on the heathland interest features of these sites. Before granting planning permission, an appropriate assessment of the implications of the development on these sites should be made. The conservation objectives are to maintain and, where not in favourable condition, to restore, the heathland and other habitat and species interest features. On its own the development may not adversely affect the integrity of the sites, but in combination with other dwellings proposed nearby, without mitigation there would be a deterioration of the quality of lowland heathland.

5.6 Natural England is satisfied that the SANG proposed, along with access management and monitoring measures (SAMM) - if fully secured - will deliver reliable measures to avoid disturbance impacts on the heathland. The SANG proposals will also provide a valuable public open space resource for the local community. Natural England therefore fully supports the provision of the SANG and supporting funding provisions as described in the submitted SANG Management and Phasing Plan.

5.7 The applicant must be responsible for setting up the SANG, all associated infrastructure and landscaping to a satisfactory standard. Natural England supports the SANG phasing set out in the SANG Management and Phasing

Plan. I also understand that the Dorset Wildlife Trust has now confirmed in principle to take on the freehold and management of the SANG, subject to legal agreements being satisfactorily agreed.

5.8 Good progress has therefore been made towards resolving the issues, however, until the proposals are fully finalised, they do not meet the requirement of certainty in the delivery of the avoidance/mitigation measures in the Habitats Regulations. The long term future management of the SANG should be secured through a s106. This will need to identify that DWT will be responsible for the long term management of the SANG and the value of the agreed SANG management fund. Provided the S106 is formally agreed by all parties then I can confirm Natural England has no further concerns regarding this aspect of the application.

5.9 The provision of SANG within walking distance of a new development is one important element of the long term mitigation. SANGs are not intended to divert all new residents from accessing the protected sites, but to enable a neutral level of visitor pressure with an equal proportion of existing heathland users being diverted to the SANG. It is necessary for applicants to secure a SAMM contribution relative to the level of residential development which must be in line with the provisions set out in the Dorset Heathlands SPD. Natural England welcomes the applicants' commitment to provide a SAMM contribution. This advice on mitigation measures also applies in meeting legislative and policy considerations on the protection, conservation and enhancement of the heathland SSSIs and Ramsar site.

5.10 Comments Relating To Nutrients And The Poole Harbour SAC, SPA And Ramsar Site:
The proposed development will introduce an additional source of nutrient loading (Total Phosphorus and Total Nitrogen) to the Poole Harbour SSSI, SPA, Ramsar catchment. Designated intertidal habitats and species features at Poole Harbour are affected by eutrophication, including macroalgae growth, encouraged by elevated nitrogen inputs from its catchment. To address the eutrophication a significant reduction in catchment nitrogen input is required from agriculture while avoiding increases derived from development.

5.11 Natural England has reviewed the nutrient budget for the development site and SANG and based on the calculation set out in this response is satisfied that the scheme will achieve nutrient neutrality. On this basis, provided the SANG and necessary funding is secured then Natural England has no objection to this aspect of the application. If the Council is minded to grant planning permission in a manner contrary to Natural England's advice, the procedures set out in S.28(1) of the Wildlife and Countryside Act would apply.

The contribution in this instance would be £149,089.00

5.12 Other Biodiversity Interests:
Natural England welcomes the submission the Phase 1 and 2 ecological assessments of the development site. In order to secure appropriate protected species mitigation and biodiversity enhancements within the developed area Natural England recommends that the provision and full implementation of a Dorset County Council Natural Environment Team (DCC NET) approved BMP is made a condition of any permission.

5.13 **Network Rail:** After reviewing the information provided in relation to the above planning application, Network Rail has no objection to the proposed development.

5.14 **Sport England:** The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facilities Strategy, Playing Pitch Strategy or other relevant needs assessment.

5.15 The Proposal and Assessment against Sport England's Objectives and the NPPF: The population of the proposed development is estimated to be 1200 people. This additional population will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with the NPPF, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development. Sport England's Sports Facilities Calculator (SFC) indicates that a population of 1100 in this local authority area will generate a demand for sports halls, swimming pools, indoor bowls and artificial grass

The contributions would be as follows:

- Sports halls: 0.31 court - £234,176
- Swimming Pools: 0.05 pool - £182,570
- Artificial Grass Pitches: 0.03 pitch - £25,916 if 3G (£22,693 if sand)
- Indoor Bowls: 0.10 rink - £35,352

Total £478,014 (if 3G) or £474,791 (if sand)

5.16 On reviewing the planning documents we note the provision (outdoor) of a small village green that would be too small for adult football and adult cricket with no changing provision. The indoor provision is a building that has the potential to be used by sport but it is unlikely to have a high enough ceiling for a single badminton court. With some work, we could achieve a small sports hub for the new community that could include outdoor (adult sized) pitches, courts and even bowls. A MUGA would be useful for training, potentially for netball/basketball and young people's play. The indoor provision could be a community/social hub with changing for the outdoor pitches/tennis/bowls as well as providing an important indoor sports space for formal sport and informal recreation (including storage) if designed in that way.

5.17 Sport England has produced 'Active Design', a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active

Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design. Sport England would commend the use of the guidance in the master planning process for new residential developments.

In light of the above, Sport England is unable to support this application. We will review this position if the developer makes additional representations to address the comments contained within this response.

5.18 DCC Schools Admission Team:

DCC will be looking to secure developer contributions towards the provision of education capacity as a result of the development. There will be a need to extend the facilities at Frome Valley First School from 1 Form Entry to 2FE and an extension of St. Mary's Middle School in Puddletown to deliver the Year 5-8 capacity. Also provision of additional Upper School and Post 16 capacity which is currently assumed to be through the delivery of works at Thomas Hardy School but may require the capacity to be developed in another appropriate institution.

5.19 For the initial 99 houses and based on the published formula for assessing pupil impact of a housing development, we anticipate;

- 12 First School, 10 Middle (5+5) and
- 8 Upper School along with
- 3 'Post 16' leaners to be generated from this development.

The additional 401 units will generate;

- 50 Primary,
- 41 Middle School (20.5+20.5),
- 31 Upper School and
- 14 'Post 16' leaners to be generated from this development.

5.20 Across the First, Middle and Upper School phases, DCC have identified for West Dorset a per housing unit cost of £5,444. This mechanism was adopted by DCC in 2013. DCC will look for a total contribution of £538,998 for the initial 99 units with a further £2,183,214 for the remaining 401 units. DCC is aware of the 5 pooling restrictions and is mindful that this development is subject to two of these and does not thus anticipate that the remaining 401 are subdivided into smaller parcels for planning purposes.

5.21 Historic England (Ancient Monuments):

As you are aware, we have recently received additional information on this application in the form of a Setting Assessment prepared by Context One. We concur with the conclusion reached in the report that the application - in its current form - will result in a loss of significance to the Scheduled Monument, via a change in setting. However, we do see an opportunity here for the application to be amended at the Reserved Matters stage, which would mitigate harm to the Scheduled Monument.

5.22 Recommendation:

We consider that the application meets the requirements of the NPPF, in particular paragraph number 128. We recommend that at Reserved Matters stage the proposed access road is re-located further to the west and north, so that it does not impinge on the sub-surface enclosure remains. We also recommend that a management plan is prepared for the Scheduled

Monument and the enclosure remains within the application area. The management plan should include proposals to manage the entire enclosure as one asset and should include provisions to retain it as an open space, free of potentially intrusive features such as fencing, lighting, drainage or sub-division.

5.23 **Dorset County Council Senior Archaeologist:** Confirms they are in agreement with the response of Historic England with regards to the impacts on the Scheduled Ancient Monument.

5.24 **Dorset County Council Lead Local Flood Authority:**
It is appropriate that we are consulted with specific regard to the Surface Water (SW) management for major development, as defined in the Development Management Procedure Order. We acknowledge the hybrid nature of this application, however, given that a SW strategy has now been submitted for the whole site, we have commented accordingly.

5.25 • With respect to climate change, the applicant has confirmed that SW drainage will be designed to 1 in 100 year rainfall events with a 40% allowance – in keeping with most recent guidance.

• Further clarification has been provided with regards previously combined SW & highways drainage. SW will be drained through on site soakaways where possible, any remaining run off generated from areas of the site not found to support infiltration will be collected and drained through an infiltration basin to the south of the site. Highways drainage will be drained separately in accordance with DCC Highways adoption standards. Provisional drainage layouts can be seen in Appendix 1 of the above FRA, although it is not clear in this drawing which ponds are for which type of drainage.

• We acknowledge the work completed by Cole Easdon Consultants in relation to maintenance of proposed infrastructure.

• We note the provision in the FRA of a plan which clearly identifies locations of where soakaway tests and boreholes were located.

• A mineral extraction plan is provided in the FRA – this remains unclear since areas on the drawing are marked as having a “Depth to Groundwater after extraction”, but are also marked as not viable for extraction. However, confirmation was provided that only the north eastern corner of the site will be subject to mineral extraction.

• We acknowledge that the applicant will design infiltration features such that Ground Water (GW) levels remain 1m below the base of any infiltration feature, based on maximum GW readings, taken when the local water table has reached its seasonal peak. At present, the ground investigation works do not provide a consistent picture of GW levels. Further ground investigation will need to be undertaken across the site to clarify matters.

• Seepages into trial pits are mentioned within the FRA, but are discounted as representative of the underlying water table. We accept that this is possible, however, seepages will affect the efficacy of any soakaways. Soakaways

should therefore be designed to take into account any loss of capacity that may result.

- We appreciate the clarification provided in regard to SW flow paths and landscaping works that will be completed after extraction in the FRA.

5.26 Given the additional clarification provided by the applicant and the formulation of a drainage strategy for all phases of the site we are able to Withdraw our Objection subject to conditions.

5.27 **Wessex Water:**
As we have not agreed a foul drainage strategy with the applicant please can you consider the use of a planning condition if the application gains approval.

5.28 **Highways England:**
We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 02/2013 "The Strategic Road Network and the Delivery of Sustainable Development" and the DCLG National Planning Policy Framework (NPPF). Highways England has undertaken a review of the Transport Assessment and subsequent transport notes to conclude our audit of the proposals and in determining traffic impacts on the A35, specifically the A35 Max Gate Junction.

5.29 Trip Generation:
Combined residential trip generation includes 319 (AM) and 297 (PM) two-way trips. We are prepared to accept the combined trip generation level. The TA also includes for 550 residential dwellings, yet the planning application seeking planning permission for 500. This is a further factor in accepting the trip generation levels presented in the TA. The employment proposals are identified to include the potential for B1 office development, and therefore a 'business park' trip rate has been derived from TRICS. In the TA A two-way employment trip rate of 1.99 (AM) and 1.26 (PM) has been adopted, generating 213 (AM) and 134 (PM) two-way trips. It is assumed that the doctors surgery and village hall do not generate trips that would travel as far as the SRN. The TA also assumes 15% internalisation of employment trips, given that a large residential population will be located within a short walkable distance of the employment offices.

5.30 Trip Distribution:
Approximately 20% of development traffic is assumed to travel through the A35 Max Gate Junction. WYG have identified committed and/or allocated development for inclusion in traffic scenarios, where there is a reasonable degree of certainty that the development will proceed within the next three years. This has included the Silverlake proposals comprising of 1,000 holiday units, a hotel and leisure facilities.

5.31 Traffic Impact & Mitigation:
As part of the planning permission for the Silverlake development, a 'no right-turn' mitigation scheme is to be implemented at A35 Max Gate junction. The mitigation scheme is identified for both capacity and safety reasons, and includes the banning of right-turns from the A352 to A35 North. The geometry

of the junction will be amended to reflect this banned right turn. This junction scheme is to be implemented prior to the 225th holiday unit being occupied at the Silverlake site. This trigger was identified in relation to a 2014 opening year traffic scenario in accordance with Highways England policy requirements.

5.32 The development proposals are likely to be unacceptable, by virtue of a severe impact, if they increase demand for use of a section that is already operating at over-capacity levels, or cannot be safely accommodated. Following capacity assessment tests, WYG identified a mitigation scheme for the A35 Max Gate junction. This scheme was required in addition to the 'committed infrastructure' already identified for the Silverlake proposals. The combined junction scheme is shown in the WYG drawing. In addition to the banned right turn movements from the A352 to A35 (N), this scheme also includes widening the A35 carriageway and the right-turn lane, and extending the right-turn lane on the A35 by approximately 40m.

This mitigation scheme is supported by capacity assessments presented for a 2017 opening year traffic scenario, a Stage 1 Road Safety Audit (RSA) and Non-Motorised User (NMU) audit.

5.33 Mitigation Trigger:
Highways England has considered the implementation of the A35 Max Gate improvement scheme following a small amount of development build out at the Warmwell Road site. This was a request of WYG in ensuring development viability. Highways England has taken a pragmatic view that a short term pain at the junction would be acceptable, if this meant that a longer term scheme would imminently follow. To determine the trigger at which an improvement would be required (also taking account of its existing trigger level associated with the Silverlake proposals), we considered the potential for 100 dwellings at the Warmwell Road site, prior to the A35 Max Gate scheme being provided.

5.34 Taking traffic volumes presented by WYG and the Silverlake proposals, [we] tested a 2017 opening year, plus 224 holiday units (Silverlake) and 100 Warmwell Road units in both the weekday AM and PM peaks. No significant queuing issues were identified for the SRN right turn (A35 to A352) in the AM peak, although in the PM peak, the right turn box positioned central to the A35 carriageway would be at capacity. Taking a pragmatic view, Highways England is aware that the Silverlake proposals have made limited progress, and the potential for 224 holiday units to be delivered by 2017 is unrealistic. Without the 224 holiday units included, the right turn movement is capacity is extended for a short time.

5.35 We are able to accept that a maximum of 100 dwellings (based on 35% being affordable) are occupied (and assuming no employment land uses) prior to the full A35 improvement scheme being implemented.

We recommend that the proposals are acceptable subject to planning conditions.

5.36 Dorset Wildlife Trust:
As a general principle, given the exceptional national and international

importance of Dorset's habitats and associated wildlife, the Trust would wish to challenge the suitability of the county for a major increase in house numbers and would urge the District Council to seek a re-assessment of the housing targets for the area.

5.37 If major housing developments are required, the Trust agrees with the view that these should be located around existing towns and major service villages. Consideration should also be given to how mitigation could be used to provide optimal compensation for the detrimental effects on biodiversity of any potential developments. The proposed development raises particular concerns regarding the proximity of internationally important wildlife habitats, especially heathland. Any mitigation measures, including the provision for new open space, must be of a sufficiently large scale to absorb additional recreational pressure from the new development away from internationally important heathland areas.

5.38 However, if having gone through due planning process, the above development does progress, the site has considerable potential for enhanced biodiversity, access and recreation and the Trust is supportive of the significant mitigation proposals outlined in the SANG Management Plan. The proposals could also provide an important element of the Wool to Warmwell Living Landscape Area. The Trust also recognises the careful planning and consultation processes which have been undertaken in relation to this development, including the close involvement of Natural England, DCC Natural Environment Team and ourselves. In particular, the development of a 23ha SANG which, along with other heathland mitigation measures, is welcomed.

5.39 The Trust will not object to this planning application on the understanding that:

• All necessary surveys of the development site and proposed SANG area have been completed and full measures have been taken to avoid harm to any protected species and other existing biodiversity interest.

• A detailed plan of the SANG is produced in consultation with DWT and other appropriate bodies, which ensures that all SANG criteria are met and biodiversity interest is maximised.

• The above includes a specific restoration plan for the Skippet Heath SNCI.

• Visitor and access management plan is produced ensuring the SANG operates effectively in the context of the wider area.

• Effective long-term management of the site is secured in perpetuity (at least 80 years).

• The use and effectiveness of the SANG is monitored and reviewed with an option for appropriate changes in management to be made if these prove necessary.

• A holistic approach is taken for the whole area with appropriate biodiversity enhancement measures applied to the residential development including green corridors, native planting, roosting and nesting sites.

• Overall, the environmental impact of the development is minimal and the scheme is nitrogen neutral.

5.40 Dorset County Council Natural Environment Team:
Having looked at the application we have the following comments to make:

• The site supports populations of common protected reptiles, badgers, bats and nesting birds as well as other species/habitats of note. Further surveys will be needed to inform design and mitigation as part of the ongoing planning process.

• As the planning application is large enough to trigger EIA, we recommend that all ecological mitigation and enhancements are captured within a Landscape and Ecology Management Plan (LEMP) to ensure full integration of ecological considerations across the whole site.

The Natural Environment Team would be happy to provide further advice as needed as this application progresses.

5.41 Dorset County Council Rights Of Way:
Please note that the proposed works directly affect Footpath 2 and Bridleway 1, Crossways as shown on the enclosed plans, and I strongly advise that the conditions below are included in any planning approval:
• The footpath and bridleway must be diverted by legal order and that order must be confirmed before any works obstructing the path are commenced. If the path is obstructed in the absence of such a legal order this department will carry out enforcement action as deemed appropriate.
• It should be noted that the use of this footpath or bridleway by vehicular traffic without lawful authority is an offence contrary to the Road Traffic Act 1988.

Any damage to the surface of the path attributable to the development must be repaired to Dorset County Council's specification, in accordance with Section 59 of the Highways Act 1980. 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 public rights on the above path then a Temporary Path Closure Order must be obtained. This can be applied for through this office but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application.

5.42 Dorset County Council Mineral & Waste:
The applicant has identified a number of relevant planning policies but no reference is made to Waste Planning Policy. The relevant statutory development plan concerning waste planning policy is the Bournemouth, Dorset and Poole Waste Local Plan adopted 2006. The Waste Local Plan, through Policy 17, deals with safeguarding waste management facilities. Policy 17 seeks to ensure that non-waste development does not encroach into areas where development could be adversely affected by the operation of waste facilities.

5.43 The Hybris Materials Recycling Facility (MRF) is located at the southern end of Hybris Industrial Estate. This is a small scale facility where materials

received from kerbside collections are bulked up and moved on to full MRFs or reprocessing facilities. From the plans available it appears that allotments and residential development is planned within 100m of the existing waste facility. The Waste Planning Authority does not object to these proposals.

5.44 However, to ensure that there would be no complaints in the future from residents regarding impacts on their amenity as a result of the waste facility if the proposed development is permitted, the Waste Planning Authority are requesting that the Local Planning Authority, through the Environmental Health Officer (EHO) or some other means, satisfy itself that the amenity of residents of the proposed development will not now or in the future be impacted by existing waste operations, and therefore the waste facility will not be restricted or have to bear additional costs to maintain operations.

5.45 If there is any indication, following investigations, that amenity could be affected with possible consequent impacts on the waste facility, the Waste Planning Authority would object to the proposed development and would want it to be refused, unless suitable mitigation can be agreed. If the Local Planning Authority are minded to override the objection and grant permission, the Waste Planning Authority would want it to be advertised as a departure from the Development Plan.

5.46 WDDC Housing Enabling Team:-

Housing need

The West Dorset District Council's Housing Register currently has over 1180 households registered as being in affordable housing need. To address this need the Council's Strategic Housing Market Assessment 2014 (SHMA) suggests that in the region of 104 new affordable dwellings will need to be developed each year. There are 40 households on the West Dorset Housing Register who have declared a local connection to Crossways. The above information is considered to demonstrate a significant level of housing need in the area.

5.47 This is a detailed application for 99 homes with an outline for 401 homes. The application makes it clear that the development will provide 35% affordable housing. The affordable homes in the detailed application for 99 homes are of a size that will help to meet local housing needs and are reasonably well spread and integrated across the development. The applicant states that all the affordable homes will be starter homes, although appendix B of the planning statement makes reference to affordable rent, shared ownership and the properties being detailed subject to the specification of a Registered Provider.

It would not comply with Local Plan policy for all the affordable homes to be provided as Starter Homes. While it is accepted that Starter Homes may be classed as affordable homes in the future this is not the case now. To comply with Policy 70% of the affordable homes should be rented and 30% intermediate, such as shared ownership. The mix suggested in the Affordable Housing Plan, as attached to the Planning Statement would be acceptable.

5.48 Summary:

There is a defined need for affordable housing in this area and this development could help to meet this. A review of the Housing Register shows

that the greatest need is for rented homes. In order to comply with the Local Plan, Policy Hous 1, 70% of the affordable homes should be for rent. It would not be acceptable for all of the affordable homes to be developed as Starter Homes.

5.49 Environmental Health:

Air Quality

The submitted Air Quality Assessment dated 13th January 2016 is agreed and accepted. However, it is noted that receptors within the Heathfield Park location have not been specifically included within the Assessment, merely mentioned, but I am satisfied that the outcomes of the report are applicable to this site also. The proposed development is located adjacent to a residential area and therefore is likely to have significant effects upon the environment and residents. It is recommended that the developer includes arrangements for protecting the environment and residents from Noise, Vibration and Dust.

5.50 This shall also include proposed provisions for the removal of any potentially hazardous waste found / generated on site. A Construction Environmental Management Plan would be an appropriate way to demonstrate that the developer has fully considered these matters. This would need to be submitted to, and agreed by the Local Planning Authority prior to commencement of demolition, and construction. Due to the close vicinity of existing residential dwellings to this site, the construction works should have regard to the following to protect residents from nuisance:

• No bonfires to be held on site at any time.
• Hours of noisy works are to be limited to Monday – Friday 0700 – 1900 Saturday 0800 – 1300 No noisy activity on Sundays or Bank Holidays

If there are to be any proposed deviations from these hours, the developer shall contact Public Health to discuss these. Start up of vehicles and machinery to be carried out in a designated area as far away from residential / sensitive areas as practicable. Start up and movement of vehicles / equipment etc will be limited to 30 minutes prior to the hours of construction only.

5.51 Noise

The Noise Assessment dated 28th January 2016 has been reviewed, and whilst it's contents are broadly agreed with, there are a few issues that need clarifying:
• Page 5 states that an area to the east of the site is proposed for employment land. It is noted that there is a potential for noise from this land. Further details will be needed at some point.

• Table 2 on page 11 shows LAeq's for one of the locations along with an average. Public Health have not been able to get the same average figure either arithmetically of logarithmically. Also, they have included the lower Saturday and Sunday LAeq's in the table. Although I am happy that tables 3 and 4 address this issue, clarification of the levels is required.

• The assessment refers to a 2 metre high acoustic barrier along the site boundary of the business park. This barrier reduces the level to acceptable values. However when a site visit was undertaken, it was noted that at the

northern part of the site the business park is at a much lower level than the proposed development. It is therefore assumed that the barrier would be located at the higher level – this needs to be clarified. At the southern end of the business park the ground level is the same as the proposed development and there are some units that are much higher than 2 metres, including a large ventilation stack on a unit on the eastern boundary of the site. We need clarification that the barrier will be effected in this location.

• Page 16 and 17 refers to the use of mechanical ventilation units on some of the properties so that windows can be kept closed to reduce internal noise levels. We need to know if an assessment of the noise produced by these units has been made.

Andy Bryant has reviewed the additional acoustic information supplied and is in agreement with the Assessment.

5.52 Contamination

The Phase 1 Preliminary Risk Assessment (March 2016) has been reviewed by the Council's Contaminated Land Consultants (WPA Consultants Ltd). There were a couple of points raised:

1. The appendices were not available and consequently, the Assessment cannot fully be accepted.
2. If permission is granted for the development, Public Health would need to agree any proposed site investigation prior to it's commencement
3. The phasing of the site to be made available to Public Health so we may agree a phased approach to the discharge of conditions.

5.53 WDDC Technical Services:

The council does not hold records of any significant flooding event in this particular location other than for minor flood problems associated with surface water occurring on the housing estate on the north side of the development. Given the size of development we would expect DCC FRM to lead on all comments associated with surface water management.

Consultation Responses - Summary

6. Other representations

6.1 14 letters have been received from third parties, including one letter on behalf of Woodsford Farms Ltd & Dorset Ramblers. This raises the following points. These raise the following issues;

- Lack of infrastructure to support development of this size.
- Opens floodgates for further development
- Lack of facilities for children
- whether the EIA screening opinion should be reconsidered in light of cumulative impacts following the submission of a gravel extraction proposal for the site.
- the scheme would sterilise more mineral interest than is proposed for extraction & no unacceptably significant environmental impacts from extraction of minerals from the remainder of the land sterilised by the development have been shown

- the employment provision is below that in Policy CRS1
- no assessment of the masterplan by a BREEAM assessor
- should be more detail on proposed improvements in the Travel Plan (refers to footway/cycle links to Moreton station)
- insufficient information on landscape impact of development on the village
- further detail should be provided as regards phasing
- further archaeological work should be carried out in order to assess impacts on the Scheduled Ancient Monument
- no evidence comprehensive masterplan has been drawn up
- perceived "loss" of around 250m of existing public footpath by being incorporated into estate road following development
- It is Rambler's policy to resist footpath diversions onto estate roads
- presence of rights of way must be taken into account in determining the application
- 3-storey dwellings out of keeping
- Loss of privacy
- Long established right of way along Summer Farm is lost
- Large number of open market and therefore unaffordable houses against affordable housing numbers
- Lack of capacity at local schools
- Road network unable to cope
- 3-storey houses at entrance will dominate the street
- Housing close to Hybris would be contrary to guidelines to keep residential away from B2 uses. Will be affected by noise from Hybris due to prevailing wind
- Management of Warmwell Caravan park do not wish to have access to the SANG and reject offer to remove the fence and install a gate to provide access to the open space due to concerns over safety and security. No approval has been given for works on our land.
- Concerns with additional HGV traffic
- Dangerous crossing Warmwell Road for occupiers
- Other plans for development in the village are not finished
- Application for a slurry lagoon at Summer Farm was a tactic to make this application appear more acceptable

Copies of the letters of representation are available to view on the website - www.dorsetforyou.com.

7. Human Rights

7.1 Article 6 - Right to a fair trial.

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

7.3 The first protocol of Article 1 Protection of property

8. Relevant Planning History

App. No	Type	Proposal	Decision	Date	Officer
WD/D/16/000652	DCC	Gravel extraction of up to 131,000 tonnes of sand and gravel; new vehicular access onto B3390 Warmwell Road	DEL		**DH**

9. The Development Plan

West Dorset, Weymouth & Portland Local Plan (2015)

CRS1 - Land at Crossways
CRS2 - Land Around Crossways
INT1 - Presumption in favour of sustainable development
SUS1 - The Level of Economic And Housing Growth
SUS2 - Distribution of Development
ENV1 - Landscape, seascape and sites of geological interest
ENV2 - Wildlife & Habitats
ENV4 - Heritage assets
ENV5 - Flood Risk
ENV9 - Pollution & Contaminated Land
ENV10 - The landscape and townscape setting
ENV11 - The pattern of streets and spaces
ENV12 - The Design and Positioning of Buildings
ENV15 - Efficient & Appropriate Use of Land
ENV16 – Amenity
ECON1 - Provision of Employment
ECON2 - Protection of Key Employment Sites
HOUS1 - Affordable Housing
HOUS3 - Open market housing mix
HOUS6 - Other Residential Development Outside Defined Development Boundaries
COM1 - Making Sure New Development Makes Suitable Provision For Community Infrastructure
COM7 **-** Creating a Safe and Efficient Transport Network
COM9 - Parking Standards in New Development
COM10 - The Provision of Utilities Service Infrastructure

Bournemouth, Dorset & Poole Minerals Strategy (2014)

Policy SG1 - Mineral Safeguarding Area

10. Supplementary planning documents

10.1 Design & Sustainable Development Planning Guidelines SPD (2009).

- Design Policy A - Work in harmony with the site and its surroundings and the limitations and opportunities these create
- Design Policy B - Involve the right people at the design stage
- Design Policy C - Create walkable and accessible neighbourhoods and plan for a thriving public transport network
- Design Policy D - Create and sustain an appropriate mix of uses
- Design Policy E - Make efficient use of land
- Design Policy F - Create well-defined streets and spaces
- Design Policy G - Create active and overlooked public areas and secure private areas
- Design Policy H - Maintain and enhance local character
- Design Policy I - Create high quality architecture
- Design Policy J - Achieve high standards of environmental performance

10.2 Landscape Character Assessment SPD (2009)

11. Supplementary planning guidance

11.1 None

12. Other Material Planning Considerations

12.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework was published on 27 March 2012 and sets out the Government's planning policies for England and how these are expected to be applied. In terms of decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, grant permission unless:
    - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole;
    - or where specific policies in the Framework indicate development should be restricted.

12.2 The NPPF also states that:

Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground. (Para. 186)

Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work pro actively with applicants to secure developments that improve the economic, social and environmental conditions of the area. (Para. 187).

12.3 Other sections of the NPPF relevant to this application are listed below. These will be referred to in the "Planning issues" section of the report.

1. Building a strong, competitive economy
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
12. Conserving and enhancing the historic environment

12.4 Planning Practice Guidance

12.5 On 6 March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This

includes the following statement:

*"This guidance is intended to assist practitioners. Ultimately the interpretation of legislation is for the Courts but this guidance is an indication of the Secretary of State's views. The department seeks to ensure that the guidance is in plain English and easily understandable. Consequently it may sometimes be oversimplified and, as the law changes quickly, although we do our best, it may not always be up to date.***"**

12.6 Elements of the Planning Practice Guidance relevant to this application will be referred to in the "Planning issues" section of the report.

Public Sector Equalities Duty

12.7 Public Sector Equalities Duty (PSED) came into force in 2011 under the Equalities Act 2010. All public bodies in discharging their functions must have "due regard" to the duty. There are three main aims of the duty;

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of those in protected groups where the needs are different from others;
- encouraging participation in public life or activities where participation is disproportionately low

12,8 It is clear from this that there is no absolute requirement to fully remove any disadvantage – the duty is to have regard to and remove or minimise disadvantage. For this scheme, the responses of third parties have not raised particular equalities issues which need to be addressed.

12.9 In addition it is noted that the scheme will provide a new doctors' surgery. This will expand provision and improve access to healthcare for residents, also meeting increased demand created by the development. A modern purpose-built facility also provides improved heatlcare for residents and the pharmacy will also benefit access to this type of healthcare advice and provision locally. All new buildings within the development will be required to comply with Building Regulations which have their own criteria to apply for the design of buildings which also has due regard to the Act.

12.10 In facilitating improved healthcare access and the provision of BR-compliant buildings throughout the scheme, it is considered the Local Planning Authority can demonstrate due regard to PSED has been made.

13. Planning issues

Principle of Development

13.1 Section 38(6) of the Planning and Compulsory Planning Act 2004 provides that when making a determination under the Planning Acts "the determination must

be made in accordance with the plan unless material considerations indicate otherwise." The development plan in this case is the West Dorset, Weymouth & Portland Local Plan 2015 (the "Local Plan").

13.2 In exercising judgement on the policies in the LP, it is clear that the presumption in favour of sustainable development is pre-eminent, and "should be seen as a golden thread running through both plan-making and decision-taking" (NPPF para.14). That presumption is also enshrined in Policy INT1 which stating:

i) There will be a presumption in favour of sustainable development that will improve the economic, social and environmental conditions in the area. Where there are no policies relevant to an application, or relevant policies are out of date at the time of making the decision, the following matters will be taken into account:

- the extent to which the proposal positively contributes to the strategic objectives of the local plan;
- whether specific policies in that National Planning Policy Framework indicate that development should be restricted; and
- whether the adverse impacts of granting permission could significantly outweigh the benefits.

13.3 The spatial strategy in the adopted Local Plan (LP) is set out in Policy SUS2. This establishes a 3-tiered approach to achieving a sustainable pattern of development in the joint plan. The greater proportion of development will be directed towards the main settlements of Weymouth & Dorchester. These towns are the highest priority for development in the LP as the most sustainable locations for future growth. At the second tier in the hierarchy are the smaller towns and largest villages in the plan area. This includes Crossways. Policy SUS2 advises that elsewhere in the plan area, these 2nd-tier settlements will be a focus for future development. Within the settlements with Defined Development Boundaries, Policy SUS2 advises that residential, employment and other development to meet the needs of the local area will normally be permitted.

13.4 The land concerned is allocated in the adopted Local Plan for a mixed-use development under Policy CRS1 and the Defined Development Boundary for Crossways was extended to accommodate this allocation as part of the Local Plan.

Policy CRS1 states as follows;
"i*) Land at Crossways, as shown on the policies map, will provide for a comprehensive mixed-use development to include new homes, local community facilities and at least 3.5ha of employment land.*
ii) The development will be required to mitigate any adverse effects upon internationally designated heathlands.
iii) The development will be required to incorporate measures to secure effective avoidance and mitigation of any potential adverse effect of additional nutrient loading upon the Poole Harbour internationally designated sites.
iv) The development will deliver highway improvements necessary for the development to go ahead. The site should be developed in accordance with a comprehensive masterplan for the development prepared by the developer / landowner in conjunction with Crossways Parish Council, adjoining parish councils, Dorset County Council, Purbeck District Council, Network Rail and

the local community, and agreed by West Dorset District Council. In order to address sustainable development issues, the masterplan will need to be subject to a sustainability assessment, such as a BREEAM Communities Assessment, carried out by a suitably qualified assessor. The masterplan should ensure that:
• There is an appropriate mix and layout of uses, including community facilities within the village and there is adequate provision of community infrastructure;
• The layout secures opportunities to provide improved access and recreational use and promote biodiversity within a network of spaces. This will include the provision and location of Suitable Alternative Natural Green Space (SANGS);
• Good links to the wider footpath and cycle network are provided through the village. This should include pedestrian/cycle links to Moreton station;
• The design and layout relates positively to the surrounding area, enhances local character and does not have an adverse impact on the landscape setting of the village;
• Existing hedgerows, trees and woodland within the development are retained where possible and provision for their future retention and management put in place;
• Sustainable drainage methods are implemented to manage surface water flooding issues and ensure flood risk is not exacerbated elsewhere;
• The development is appropriately phased;
• The layout of the development protects and preserves the significance of Bowley's Camp scheduled monument."

13.5 The current application follows the boundaries of the allocated site in the adopted Local Plan. The extent to which the scheme complies with all of the criteria in Policy CRS1 is examined in detail in part 14 of the report. However, the principle of the development of the site is supported by an adopted policy in the Local Plan and is considered acceptable. In addition, officers including the Council's Implementation Team have worked with the applicants to bring forward the hybrid scheme before members. The submission of a detailed scheme for the first phase along with the outline permission for the remainder of the site was intended to contribute positively towards the Council's housing land supply, allowing the detailed Phase 1 to be counted as deliverable within the first 5 years. It is noted that during the consideration of the application, the Council has had to revise its current housing land supply (HLS) from 5.3 years down to 4.94 years following the latest monitoring.

13.6 **Principle of Development - Conclusion**: When the Local Plan was adopted, the Inspector noted that the Council could only just demonstrate an adequate supply of housing in the LP – 5.1 years. Their view was that; "*The overall number of dwellings derived from the various sources of supply is unlikely, however, to be sufficient to meet housing targets to the end of the plan period making it necessary for the Councils to identify further land."* To this end the Council has already embarked on a review of the Local Plan which is only 2 years old in an effort to identify such further land to meet the housing target to the end of the plan period in 2031.

13.7 In a situation where the Council is actively seeking to identify further sites to address the long-term housing land supply in its main settlements, there remains a pressing need to commit to and deliver the sites already allocated in

the current LP to bolster the short- and medium-term supply. Furthermore, Crossways will remain as a sustainable location for further development at the 'second tier' of the spatial strategy in Policy SUS2. Failure to meet housing needs will continue to leave the LPA vulnerable to the sort of speculative applications which members will have become familiar with when the HLS has slipped below 5 years. For these reasons, the principle of the development of the site as a sustainable extension to Crossways continues to be supported.

Housing Land Supply

13.8 The Council has recently released its Annual Monitoring Report of its housing land supply (HLS). Due to an increase in dwelling completions which were at their highest since 2011 and thereby very close to the annual housing target of 775 dwellings per annum across the two Councils, coupled with permissions granted, the HLS currently stands at 4.94 years. This is an increase on the conclusions of an appeal Inspector who considered the Councils' HLS in a public inquiry in January 2017 to be at 4.63 years. Whilst the Authority is very nearly at the 5 year level set out in the NPPF, it nonetheless remains below the required housing supply level.

Paragraph 49 of the NPPF advises that;

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

13.9 In a recent Supreme Court ruling; *Suffolk Coastal District Council v Hopkins Homes Ltd & Richborough Estates Partnership LLP v Cheshire East Borough Council* [2017] - the Courts established that where a Council cannot demonstrate a 5-year supply, the "tilted balance" in paragraph 14 of the NPPF will apply. This advises that where policies are out-of-date permission should be granted unless;

> *"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;*
> *or—specific policies in this Framework indicate development should be restricted".*

13.10 In relation to the reference to "specific policies", a footnote to paragraph 14 of the NPPF confirms that this includes policies relating to Sites of Special Scientific Interest (SSSI) which has implications for the discussion on protected heathlands below. Also the Supreme Court ruling confirmed that "specific policies" relates to policies in the development plan as well as the guidance in the NPPF.

13.11 The Supreme Court decision clarified that "relevant policies for the supply of housing" has a narrow interpretation and relates only to those policies concerned with the delivery of housing. This would specifically include Policy CRS1 as a policy allocating the land for housing in the LP. It would also in this situation include Policies SUS1 & SUS2. It should be noted that these policies are not simply disregarded where they are 'out-of-date'. Policy CRS1 still has direct relevance to the determination of the application, but it does not attract

its full statutory weight as part of the development plan as the remaining Local Plan policies unaffected by paragraph 49 continue to do.

13.12 The Supreme Court ruling confirmed that the weight to be attached to the affected policies in such circumstances is a matter for the professional judgement of the decision-maker. However, the ruling did clarify that the weight to be applied will be dependent on;

"*the extent to which relevant policies fall short of providing for the five-year supply of housing land, the action being taken by the local planning authority to address it, or the particular purpose of a restrictive policy – such as the protection of a "green wedge" or of a gap between settlements."*

13.13 **Housing Land Supply – Conclusion**: In the Council's case, the HLS is only marginally below the 5 years, and moreover can be shown to be heading in the right direction with an increase both in delivery rates and permissions granted. In this set of circumstances, your officer's opinion is that it would be reasonable to continue to apply considerable weight to policies CRS1, SUS1 & SUS2 even if the full statutory weight cannot currently be applied. In addition, the Court ruling provides clarity that the other policies in the LP not affected by paragraph 49 shall continue to enjoy their full statutory weight.

13.14 What this means for the consideration of this application is that the principle of development on this allocated site should continue to be supported. The delivery of these strategic allocations in the LP remain critical to the delivery of the strategic objectives of the Plan and achieving a sustainable pattern of development. The current lack of 5-year supply does add a degree of weight to approving the scheme, however this does not automatically override all other considerations. However, the reduced weight to be attached to CRS1 in particular does have consequences for the Council's ability to insist on compliance with all of the criteria set out in the policy. This has implications for the employment land provision and the requirement for a BREEAM assessment for example which is explored further in the report.

13.15 Notwithstanding this, the delivery of CRS1 remains a key component of the Council's HLS and maintaining progress towards a consistent 5-year supply. If construction rates are increased through delivery of the current LP's strategic allocations, there is the prospect of the Councils no longer being regarded as a "20% authority" for the purposes of paragraph 47 of the NPPF (LPAs which have to provide a larger additional 20% buffer- as opposed to 5% - to its HLS in recognition of a record of persistent under delivery of housing). The Local Plan Review Issues & Options consultation exercise acknowledged the need to bolster the current housing allocations in the LP through identifying further allocations on which the I&O document sought responses. It follows that the existing commitments in the LP will remain an integral part of the meeting the short- to medium-term housing supply whilst sites in the I&O exercise will be needed to meet the long-term supply over the plan period. For these reasons, there remains a need to support the existing Local Plan allocations to maintain the current progress on the Councils HLS and very considerable weight is attached to this aspect of the development.

The Outline Application

Proposed masterplan

13.16 The development is accompanied by an indicative masterplan the outline application area. This divides the proposed areas to be developed into 8 'character areas' (CAs) – [Design & Access Statement – p.47; http://wam.westdorset-dc.gov.uk/WAM/doc/Design%20and%20access%20statement%20(4%20OF%205).pdf?extension=.pdf&contentType=application/pdf&id=1332288]. The remainder of the application site is given over to the employment provision and the SANG to the south. The CAs are identified as follows;

13.17

1. The Village Green – an area immediately south of Warmwell Road between the proposed vehicular access into the site. This is intended to provide a new focal point for the village and provide the village a centre with landscaping and surveillance provided by dwellings to the north and south.

2. Spitfire Place - This area is located around the main vehicular entrance to the site, east of Heathfield Park. The intention for this zone is to provide a clearly identifiable entrance to the development. The community buildings are located fronting onto the access road with a hard 'piazza' to the south fronted by residential buildings.

3. Moigne Combe Walk – This area runs on a NW-SE axis through the middle of the larger eastern side of the allocation. The intention is to provide a pedestrian-friendly link through the scheme to link the village green area to the proposed SANG to the south. In addition, as a straight avenue, this character area serves to frame views through the development towards the SANG and the open countryside beyond.

4. Central Avenue – This area sits in two parts either side of CA3 and includes the majority of the residential development to the east of the Hybris Business Park. The CA assessment notes these areas to be developed at medium to high densities up to 2½-storeys (10.5m) with focal buildings up to 3-storeys

5. Field View – This area lies to the southern edge of the residential development on the eastern side. This is to be a lower density development of mainly detached properties in larger plots – a characteristic of much of the village's current housing stock. These properties will enjoy a more open outlook at the development's edge whilst also providing surveillance over the SANG. Larger apartment blocks in spacious grounds are also noted for CA5.

6. Moreton Walk – This part of the site lies on the north-eastern side, adjoining the former Summer Farm buildings and the road to the employment land. This is similarly intended to be an area of low-density development, in sympathy with existing development along Warmwell Road.

7. Skippett Road – This area lies to the south of the Hybris. It is intended to be a medium- to high density residential development with a mix of terraced, detached & semi-detached dwellings and some apartment

blocks. This area also incorporates provision of allotments adjoining the southern boundary of the existing business park, providing a buffer to the residential areas beyond. This area also intends for terraced and apartment blocks to front onto the proposed allotments to provide a noise barrier from the recycling centre.

8. Moigne Combe Lane – This area lies to the west of Hybris on the site of the current village hall and bordered by the public bridleway heading south towards Mount Skippet. This is shown as a low- to medium-density residential area along its edge with higher density to its core. The central avenue will run parallel to the bridleway, allowing its route and bordering vegetation to remain intact. This CA also incorporates an area of open space around the Scheduled Ancient Monument of the Bowley's Plantation earthwork.

13.18 The indicative masterplan (MP) demonstrates how the elements of the proposed development can be accommodated within the site. Thus it can be seen where the SANG and biodiversity mitigation will be provided. The MP shows how current key landscape features on the site can be incorporated into the overall proposals for 500 units. This includes for example the existing copses of trees beyond the south-east corner of the Hybris Business Park, the field hedge and copse bordering the employment allocation and the area around the Bowley's Plantation Scheduled Ancient Monument (SAM). The MP indicates provision for drainage attenuation for the allocation as part of the SANG.

13.19 The MP shows how a scheme for 500 units on the site can continue the proposed garden suburb layout approach taken for the detailed Phase 1 layout across the remainder of the proposals. Through this, the hierarchy of streets proposed is set out with the primary route providing circulation through the site and linking the three accesses to the B3390. The hierarchy is further reinforced in the masterplan with secondary roads leading from the primary streets which in turn lead to shared surfaces, home zones and parking courts at the private scale of the street hierarchy. The spaces given over to the street hierarchy allows the scheme to deliver on the height-to-width building ratios in the Council's adopted Design SPD (p.16), thus complying with Design Policy F of the SPD to create well-defined streets and spaces.

13.20 The illustrative MP would be able to provide a well-defined perimeter block layout, which the Design SPD acknowledges is an efficient and appropriate use of land, allowing the wider scheme to comply with Policy ENV15 of the LP and Design Policy E of the SPD. Through this layout the scheme can deliver active and overlooked public frontages along the new streets created but also onto the proposed open spaces, particularly the new village green and square for example. It also allows for the provision of secure private areas for residents and would by this meet the requirements of Design Policy G of the SPD.

13.21 The nature of the indicative layout and its road hierarchy allows for permeability throughout the scheme, facilitating the following of 'desire lines' for pedestrians and cyclists. Through the scheme, residents and visitors can reach its key elements via direct routes, avoiding lengthy cul-de-sacs or winding dead-ends. The layout allows the incorporation of focal buildings at

key points which assists route finding through the scheme. Thereby provision is made for access to the various elements of the development by a variety of transport modes. It also serves to support links into the remainder of the settlement, a key aspect of helping the scheme and its residents integrate into the village. The MP thereby takes on the requirements of Design Policy A of the SPD to work in harmony with the site and its surroundings, understanding the local landform, how the site fits into the street network, the neighbouring land uses and local features of interest.

13.22 The illustrative masterplan also show how the proposed community buildings can form a hub to the development and the wider village at the entrance from Warmwell Road. There is also provision for other amenity open spaces and play areas and allotments incorporated into the MP layout and provision of access to this new infrastructure. It is noted that the remainder of the policies in the Design SPD are largely concerned with detailed design matters which will come to the fore at the reserved matters (RM) stage. Notwithstanding this, Policy H of the SPD requires development to maintain and enhance local character. In the policy it notes that in applying this policy "*this doesn't mean that development should simply copy what already exists, or that new technologies cannot be used."* The more formal planned garden suburb style proposed within the masterplan does not have any real existing precedence within Crossways which has had a more organic, less obviously planned pattern of development during the post-war period. It does not however, mean this approach is unacceptable. Delivered well, with regard to the remaining criteria in the Design SPD, the proposed masterplan has the opportunity to enhance its local character, providing a new chapter in ~~its~~ Crossway's growth and development.

13.23 **Proposed masterplan – Conclusion:** Establishing a suitable masterplan for the proposal across the wider outline consent is important in ensuring that the scheme can deliver a quality development over the whole site. Policy CRS1 seeks to ensure that quality by having the masterplan subject to a "*sustainability assessment <u>such as</u> a BREEAM Communities Assessment, carried out by a suitably qualified assessor."* [my emphasis]. This part of the policy is emphasised because it is officer's opinion that due to the wording of the policy, the Council could not take a position that the lack of a BREEAM assessment was a failure against the policy if a suitable sustainability assessment is otherwise submitted.

13.24 The submitted sustainability assessment evaluates the scheme against the criteria and policies in the Design SPD. As can be seen from your officer's assessment above, it is considered that the MP addresses the relevant aspects of the SPD's policies to deliver a scheme which works in harmony with the site and its surroundings whilst creating places with an appropriate mix of uses where people can get about easily without needing to use their cars. The masterplan creates well-defined streets and spaces whilst making efficient use of the land. It also provides for public areas of activity, overlooked by people in buildings, and private areas which are secure. It further with maintain and enhance local character. In addition, as can be seen from the discussion on the Phase 1 below, it can be seen that at the detailed stage, the designs will deliver on strengthening the local identity of the area whilst creating high quality architecture.

13.25 Your urban design officers note in relation to the submitted scheme, the broad layout, landscape strategy, provision of SANGS, linkages to the wider area, community infrastructure and treatment of Warmwell Road have all been dealt with successfully. It is also noted that the Design & Access Statement provides further suitable commentary on the masterplan principles although this is not technically all part of a single comprehensive masterplan. For these reasons the proposed illustrative masterplan is considered to provide a suitable basis for guiding the proposed outline development. It can be seen from the Phase 1 proposals how the wider masterplan can be delivered in practice as a detailed scheme. Provided the later RM submissions for the outline permission achieve the standard of the first phase, there can be confidence of delivering quality across the allocation. The proposals are therefore considered to comply with this aspect of Policy CRS1 and the Council's adopted Design & Sustainable Development Planning Guidelines SPD (2009).

Traffic and Travel

13.26 **Highway Network Capacity**:
The application is accompanied by a Transport Assessment and Travel Plan. A key aspect is the impacts of traffic movements on the wider highway network, particularly where the local highway network meets the A35 trunk road with the west-heading traffic using the Max Gate junction of primary concern. There is also the prospect of this traffic increasing usage of the level crossing from Crossways over the Weymouth - Waterloo mainline train line. Members will be aware of these issues affecting additional traffic from Crossways in relation to their consideration of proposals for the Silverlake holiday home development and the Frome Valley Road residential scheme (WD/D/15/001606). The consultation exercise has not produced particular concerns over traffic movements in other directions such as south to the A353 or north to the Tolpuddle junction of the A35.

13.27 It is noted in this instance that Network Rail have not raised objections to the proposals and in this particular situation, no further matters are raised with the respect to the prospect of additional traffic using the level crossing at Woodsford.

13.28 As with the Silverlake proposal, Highways England had raised concerns during the consultation process over the prospect of additional traffic using the Max Gate junction of the A35 with the A352 on the south-east edge of Dorchester. Highways England state that the applicant's assessment of trip rates from the proposed affordable housing units was too low but nonetheless overall accepts the residential trip rates put forward by the applicants. With regards to the employment provision, Highways England's view is that the trips rates associated with up to 12,522 m^2 of employment floorspace (based on B1 uses) could be accommodated on the highway network from the site. This includes a discount for 15% of the trips to be local – i.e. from Crossways to the employment site. The TA includes assessment of existing commitments such as Silverlake in the assessment of impacts.

13.29 Overall, Highways England's view is around one-fifth of trips generated by the proposals will travel via the Max Gate junction. Part of the proposals for

Silverlake included a scheme for making Max Gate preventing right turns from the A352 turning onto A35. As part of the Silverlake permission, there is a trigger to deliver these works before 225 of the holiday units are occupied. As part of this development, further improvements to this junction are proposed by widening the carriageway and extending the right-turn lane on the A35 to increase capacity. HE accept the principle of this scheme and agree this to be an acceptable approach to mitigate the traffic impacts of the development.

13.30 Highways England have a considered a position from the applicants that the costs of delivering these improvements as a precursor to any development happening on the Warmwell Road site would have considerable impacts on the development's viability. They have sought to apply a degree of flexibility and accept that some short-term inconvenience may be acceptable provided that a long-term solution is delivered to improve the junction They therefore advise that up to 100 dwellings can be occupied before triggering the need to deliver the proposed improvements to the Max Gate junction. This is proposed to be secured in the legal agreement.

13.31 Highway Safety & Parking:

The principal access to the site will be from Warmwell Road at the location of the proposed new surgery and village hall. A separate access further east along Warmwell Road is indicated to serve the employment allocation, linking into the residential area to provide permeability through the site. A further estate road from Warmwell Road on the position of the existing access to the village hall will provide access to the later phases linking in to the remainder of the scheme.

13.32 As set out below in the section on layout and urban design, works are proposed to Warmwell Road either side of the proposed new junction to serve Phase 1 to improve pedestrian safety across this road. The scheme will provide a cycleway along part of Warmwell Road between the western and central access points as well as a financial contribution towards DCC providing new cycle links further afield toward Moreton Station.

13.33 The nature of the site allows vehicular accesses with adequate visibility to be provided from Warmwell Road and with a package of measures to manage and reduce speeds along this current stretch of the B3390. Similarly within the site, there are no particular constraints to providing a layout to meet highway standards for safety and movement whilst complying with urban design aims of connectivity and permeability. The capacity of the local highway network to accommodate the additional traffic generated by the proposed residential, community and employment development has been taken into account.

13.34 As set out in the Phase 1 discussion below, the scheme provides parking for the proposed dwellings in a mix of on-site, on-road and parking courts. The parking levels accord with the standards set down in the adopted Bournemouth, Poole & Dorset Residential Car Parking Study, the implementation of which is set down in the adopted Policy COM9. Having regard to the indicative masterplan layout for the reminder of the site, there are no obvious concerns about the ability of the later phases to similarly deliver development with parking to meet these standards utilising the same variety of provision whilst remaining in accordance with the garden suburb vision for the

scheme.

13.35 **Traffic & Travel conclusion:** Policy COM7 seeks to locate development generating significant movement in locations where the need to travel will be minimised and the use of sustainable transport modes including public transport, walking and cycling can be maximised. As a focus for development under the spatial strategy in the LP, Crossways is a settlement which meets these criteria with access to public transport facilities with both bus and train services within walking distance of the site. The estate road has been designed to accommodate bus services being diverted through the development to serve residents. Links to the station will also be improved for pedestrians and cyclists and measures in the submitted Travel Plan will promote use of these alternative options.

13.36 As a mixed-use scheme, the development provides opportunities long-term to access employment locally as well as community facilities and extensive recreational areas. Thus the scheme can deliver access to a range of day-to-day facilities by means other than the private car, delivering social and environmental benefits. Furthermore, the scheme allows for access to the remainder of the village, providing suitable links for new residents to access the school, shops, library and so on. By providing these in a safe manner, the development can promote integration into the village. Through the physical measures and the Travel Plan, encouragement can be given to accessing these facilities by sustainable travel modes.

13.37 Highways England have confirmed that the development will have acceptable impacts on the trunk road network subject to safeguards to ensure improvements to the Max Gate junction to accommodate the additional traffic on this route. The Highways Authority have not raised objections with regards to the capacity of the remainder of the highway network to accommodate the traffic generated by the overall development. For these reasons, the scheme is considered to meet the test in Policy COM7 to ensure the volume of traffic likely to be generated can be accommodated without exacerbating community severance or resulting in severe cumulative impacts on the efficiency of the transport network. It is further considered to have demonstrated it complies with the test in COM7 not have a severe detrimental effect on road safety.

13.38 Phase 1 of the proposals complies with adopted parking standards set down in Policy COM9 and there are reasonable prospects the remaining phases can deliver the rest of the proposed residential element whilst meeting this parking standard. The Highways Authority have considered these proposals and have not raised objections to the scheme subject to the provision of financial contributions towards the off-site highway works. With these contributions secured, it is considered that the scheme will comply with the tests in Policy COM7 & COM9.

Employment Provision

13.39 The outline permission proposes to provide 2.5ha of employment land. This is located at the far eastern end of the allocation adjoining the junction of Warmwell Road with Moreton Road. A separate vehicular access from Warmwell Road is proposed to serve the employment allocation which will link into the residential element to the south, providing a secondary route into the

development. The area of the employment allocation largely follows the field boundaries of an existing parcel of land lying inside the junction of the two roads. The illustrative masterplan indicates retention of the existing field hedges and a small copse to the south providing a physical and visual buffer between the employment and residential areas and the proposed SANG.

13.40 In terms of the location of the employment land, it is noted that this is not sited next to the current business park at the Hybris which might be an expected location for the further business units. However, the adjacent land could not serve as an 'extension' to the business park as it is not feasible to effectively link into Scotton Way due to the relative ground levels, thereby defeating the purpose of siting the employment allocation next to the Hybris. As noted in the discussion on the masterplan above, greater importance is given to creation of a centre or hub for the village around Warmwell Road where this also links well to current facilities along Mount Skippet Way for example. This would be compromised by locating the employment land east of the Hybris.

13.41 In addition, there is considered to be logic in the proposed location of the employment land at the Fiveways junction. Here ~~ist~~ relates to a number of existing businesses clustered around this road junction and is furthermore closer to public transport links at the railway station. Paragraph 12.3.1 of the LP notes that the north-east corner of the site is "*likely to be more suited to employment uses as a key employment site."*

13.42 The policy requirement in the CRS1 allocation is for the provision of at least 3.5ha of employment land. The proposal is therefore deficient in its employment provision against the policy by 1ha or 30%. The proposal is therefore ~~on its face~~ contrary to Policy CRS1. The question is therefore, is it acceptable to approve the outline application where it is under-provides against the criteria in CRS1.

13.43 It is important to note that the current lack of 5-year supply does render this policy out-of-date as explored above. The policy continues to have considerable weight as clarified in paragraph 13.13 above but the lack of statutory weight which can be attached does in your officer's opinion impact on the ability of the Authority to resist the application solely because of an under-provision of employment land. It should be noted that this assessment is a matter of fact and degree. If the scheme did not provide any employment provision at all, the assessment may be different – it doesn't and the extent to which it is deficient (30%/1ha) is relevant. In making this assessment it also needs to be borne in mind that the allocation is further protected as a Key Employment site as set down in Table 4.1 of the Local Plan (p.82). It is therefore covered by Policy ECON2 which does still enjoy statutory weight.

13.44 It is noted that the employment provision for the joint Local Plan area is one of the elements the Council is consulting on as part of the LP review in its Issues and Options document (Feb. 2017). This notes that the NPPF requires Councils to regularly review its employment allocations and not to protect sites indefinitely where there is no reasonable prospect of the allocation coming forward. The proposed approach in the I&O consultation is to retain the key employment allocations (Fig. 20.1 p.119) with the allocation on CRS1 part of these.

13.45 The consultation process asked whether the Key Site approach was potentially frustrating other objectives of the plan. In particular it sought to identify whether only those only those sites performing a very important role in the local economy should be identified as "key" and therefore offered the strict protection under Policy ECON2. The remaining sites falling to be considered under Policy ECON3 (protection of other employment sites). The consultation exercise also sought views on whether other areas should be added to the Key Sites list.

13.46 Views have been sought from Planning Policy with regards to the proposed employment provision. They have responded as follows;

"The proposal only includes 2.5ha of employment land, 1ha below the minimum requirement as set out in policy CRS1, Policy SUS1 and lower than the level protected as a key employment site as set out in table 3.3 of the adopted Local Plan (2015). The applicant did however submit some evidence to support the proposal of a lowered amount of employment land which includes a Commercial Property Demand Report carried out by Symonds and Sampson (10th September 2015). The report states the issues with transportation to the site including a low rail bridge from the eastern direction and small winding roads accessing Crossways from the southern and northern directions, resulting in Crossways being less accessible for larger vehicles. The report also states that the bulk of the demand in Crossways is for smaller lock up units (750-2,000sqft) and these will reach saturation fairly quickly. Although the findings of the report are important in relation to this application, we would say that report provided is very basic and does not provide a significant amount of evidence to support the conclusions raised. One of the major conclusions raised in the Commercial Property Demand Report is the lack of demand for especially larger units in the area, we do understand these concerns however at present the aim of allocating employment land in the adopted Local Plan is not necessarily for the current level of demand but for the need for employment land throughout the plan period."

13.47 "*However although the proposal does go against policies in the adopted Local Plan in relation to employment land it is very apparent that the site delivers other positive benefits, including 35% affordable housing, a replacement village hall and new doctors surgery. In the planning balance the other provisions provided by the development for the local community outweigh the lower provision of employment land by 1ha and will provide a positive benefit to the local area."*

13.48 The Authority is not necessarily convinced therefore by the applicant's economic statement. Nonetheless at this point it does not have any specific evidence to counter this position and there is a lack of comparable situations in the vicinity to suggest otherwise. A long-standing former employment allocation at land adjoining Oaklands Park (also known as the Hippy Field) which is 100m from the site and has had a number of planning permissions but remains undeveloped.

13.49 **Employment Provision - Conclusion:** A potential under-provision of employment land on a key site is considered to be a negative aspect of the scheme due to its conflict with Policy ECON2 & CRS1. This will need to be

weighed in the balancing exercise set out in Section 14 below. The extent to which this is a negative factor is dependent on the fact that the scheme will continue to provide new employment opportunities in a settlement in the 'second tier' of the Council's spatial strategy. It will help to provide balance in the community due to significant expansion under Policy CRS1, meeting the objectives in the LP to support the local economy to provide opportunities for high quality, better paid jobs and provide greater opportunities to reduce car use. This is why a scheme which provides the greater proportion – but not all - of the employment allocation in a sustainable location is viewed differently to one which did not deliver any employment and therefore led to considerable out-commuting from Crossways.

13.50 The extent of employment provision which may be provided on the proposed site could still be considerable in meeting local needs and there is not always a direct correlation between site areas, building sizes and employee numbers; some sites being operated more intensively than others. The proposed employment allocation still has the potential to provide significant economic benefit and this affects the extent to which the under-provision of employment land is a negative factor in the balancing exercise. It is feasible that the employment area could be extended into the future although this may have implications for the SANG provision and therefore only limited weight is attached to this. These matters will be given due weight in the balancing exercise.

Minerals

13.51 The site lies in a Minerals Safeguarding Area (MSA) identified in the adopted Bournemouth, Dorset & Poole Minerals Strategy (2014). As a result, Policy SG1 of the Minerals Strategy applies to the site. This provides that:

"The Mineral Planning Authority will resist proposals for non-mineral development within the Mineral Safeguarding Area, as shown on the Policies Map, unless it can be demonstrated that the sterilisation of proven mineral resources will not occur as a result of the development, and that the development would not pose a serious hindrance to future mineral development in the vicinity.

Where this cannot be demonstrated, and where there is a clear and demonstrable need for the non-minerals development, prior extraction will be sought where practicable and where it would not leave the site incapable of non-mineral use."

13.52 Mineral Safeguarding Areas are defined in the Minerals Strategy as areas considered to contain a valuable mineral resource which should be safeguarded against sterilisation by development. The application site lies within the Superficial Sand and Gravel Resource Block and the Bedrock Resource Block, the primary sources of sand and gravel in Dorset, with the resource blocks covering large areas of the county including the vast majority of Crossways parish outside the village DDB and a considerable proportion of the Frome valley.

13.53 The purpose of the MSA designation is not to sterilise all forms of non-mineral development in these areas but to ensure the mineral interest is given due

weight when non-mineral development is proposed. To this end, paragraph 14.13 of the adopted Minerals Strategy indicates that where non-mineral development within an MSA would pose a serious hindrance to future extraction or processing of mineral resource in the vicinity, the mineral planning authority will work with the relevant district/borough and or/the developer to assess the feasibility of, and where possible ensure, prior extraction of an agreed proportion of the mineral resource before it is sterilised. It is further noted that proposals for prior extraction of minerals must demonstrate that the site will not be left incapable of development for non-mineral use. Paragraph 14.14 adds that it is expected that the developer will carry out the necessary site investigations to prove the mineral resource and that these will take into account factors such as the availability of the minerals, its relative scarcity, the timescale for the development going ahead, the possible extraction of the mineral and the viability of such extraction.

13.54 Trial pit data provided for the application site indicates the presence of sandy topsoil and River Terrace Deposit Sands varying in thickness between 0.25 and 1.2 metres, overlying River Terrace Deposit Gravels varying in thickness between 0.4 and 3.25 metres (absent from Trial Pit 10), overlying Poole Formation. The River Terrace Deposits ('sharp' sand and gravel) and Poole Formation ('soft'/building sand and gravel) are the mineral resources exploited in local quarrying activity and are of relevance to Policy SG1. Estimates quoted in the Minerals Strategy for unconstrained areas within the identified resource blocks indicate remaining reserves of approximately 684 million tonnes in river terrace deposits and 1,803 million tonnes of sand within the Palaeogene bedrocks (paragraph 7.40).

13.55 In accordance with the provisions of the Minerals Strategy, representatives of the mineral planning authority (Dorset County Council) were involved in pre-application discussions concerning the mixed-use development proposals. Accepting that the mixed-use allocation responds to identified development needs and in recognition of the pressing need for housing in West Dorset, the County Council's officers have sought provision for securing the prior extraction of a proportion of the mineral resource underlying the site before it is sterilised by the proposed development. This has led to the submission of a planning application to the mineral planning authority proposing the extraction of up to 131,000 tonnes of sand and gravel from an area of approximately 5.71 hectares of land within the allocated area (App. No. WD/D/16/000652 - http://countyplanning.dorsetforyou.com/ePlanningOPS/loadFullDetails.do?aplId=5598) . The subject area extends south of the Summer Farm buildings and stretches east to the Moreton Road and therefore includes the employment allocation and part of the proposed SANG area as well part of character areas 3, 4, 5 & 6. It does not include the area in which full planning permission is sought at this stage.

13.56 The application envisages that extraction would take one year to complete, with the restoration of the site being through the site's redevelopment as part of the outline planning application before members. In brief, the proposal provides for the extraction of up to a 1.0 metre depth of sand and gravel, thereby avoiding any deep ground disturbance and allowing for the maintenance of 2 metres of unsaturated ground above the natural water table. It is submitted that this would then allow for the use of soakaways as a means

of managing storm water discharge from the proposed mixed use development, prevent potential contaminants from reaching groundwater's and avoid the need for infill material to be imported to the site prior to the site's mixed use development. No mineral processing facilities are proposed to be provided on site, the proposal being that the extracted sand and gravel be exported by lorry for processing at an existing facility elsewhere.

13.57 The County Council advises that the level of extraction proposed is likely to account for between one quarter and one eighth of the gravel resource anticipated to underlie the areas proposed for development. Dorset County Council considers this this to be a small, but significant proportion of the mineral resource believed to be present. In the opinion of the mineral planning authority, a greater proportion of the available mineral resource could be obtained through shallow extraction across a wider area than presently proposed and/or slightly deeper extraction followed by such backfilling as may be necessary to ensure maintenance of the desired 2 metres of unsaturated material above the groundwater level, with such backfilling utilising material imported to the site and/or excavated from other parts of the development site, but acknowledges that such extraction is likely to be near, and potentially beyond, the margins of economic viability. It has also been acknowledged that importing fill material to render the site capable of development could significantly delay the delivery of the allocated development.

13.58 **Minerals – Conclusion**: Accordingly, subject to the grant of planning permission securing the prior extraction of mineral at least equivalent to that proposed in planning application WD/D/16/000652, the County Council has indicated that the mixed used development proposal is considered acceptable under Policy SG1 of the adopted Minerals Strategy and that such extraction is unlikely to leave the allocated area incapable of non-mineral use.

13.59 The minerals application remains undetermined by the County Council, in part pending the decision on this application. The scheme provides for prior excavation where this is practical whilst at the same time not compromising the delivery of the Phase 1 full permission. A 12 month extraction period for the minerals would work with a construction period on Phase 1, limiting the possibility of residents of the new development being affected by minerals operations nearby. In order to deliver this – thus complying with Policy SG1 – a requirement for this is proposed in the Heads of Terms of the s106 agreement. This is to ensure not only that the minerals excavation takes place but also that this is scheduled at the beginning of works on the land as part of an agreed phasing plan. With these safeguards, the proposal is considered to comply with the provisions of the adopted Minerals Strategy.

Archaeology & heritage assets

13.60 Within the western side of the wider outline application is sited a Scheduled Ancient Monument (SAM) described as a "prehistoric earthwork in Bowley's Plantation". It is noted that there is no Conservation Area for Crossways. The nearest listed buildings to the site are the Frampton Arms pub and its outbuildings at the level crossing at Moreton station. Due to the distances involved – over 800m from the nearest point of the site along Warmwell Road – the development is not considered to materially impact on the setting of these listed buildings. There is a further SAM approximately 350m south-east

of the corner of the proposed SANG. This is Tinkers Barrow, a Bronze Age bowl barrow set within a woodland.

13.61 Due to the distances to the other heritage assets listed above, it considered that the assessment of the impacts on heritage assets is concentrated on the Bowley's Plantation SAM. Around half of the area of the monument lies outside the application site in a wooded area adjoining the Hybris. Within this area, it survives as an identifiable above-ground earthwork consisting of raised banks of two sides of a rectangular enclosure. It is only this part which is protected as a SAM. Within the site itself, visible remains of the monument have been ploughed out. However, a geophysical survey undertaken in support of the application appeared to establish the remainder of the enclosure survives as a sub-surface feature.

13.62 Field investigations of the site carried out earlier this year found dating evidence within the bank and ditch feature dating back to the late Iron Age. No evidence of the use of the interior of the enclosure were found. Iron Age enclosures are common across Dorset but this site is unusual for its lowland location as opposed to the more widely known hillforts and also its double-banked construction, making it an important element of the later Iron Age central Dorset landscape.

13.63 The application is accompanied by a settings assessment. This advises that there will be impacts to the setting of the SAM and thereby its significance with the possibility that the current indicative layout could involve a road over the sub-surface remains, or at best right up to the remains. The report notes; *While the physical integrity of the monument as a whole will be maintained, the asset will be visually isolated from its setting with the introduction of suburban elements to this rural monument. As such, it is argued that the net effect will be to cause harm to the significance of the asset".*

13.64 The report therefore proposes mitigation for these impacts. As no features were identified outside of the SAM, they suggest a 5m protection buffer to the remains. This will require the indicative layout to be amended in the vicinity of the monument. The report also recommends assisting in the interpretation and appreciation of the SAM by providing enhancements to the understanding of the remains. It suggests it would be desirable to establish access around the entire monument, removing current undergrowth which partially obscures the upstanding remains outside the application site to allow for better understanding of the site. In addition, interpretation panels are suggested along with a walking route around the monument.

13.65 **Archaeology & heritage assets – Conclusion**:
It is noted that aspects of the proposed mitigation suggested by the Settings Assessment cannot be secured because they lie outside of the applicant's control. The statutory designation of the SAM extends only to the upstanding earthwork which lies outside the site and therefore the impact of the development is on the monument's setting. As the full mitigation could not be delivered, then it must be assumed that the net effect will be harm to the significance of the asset as set out above. The assessment which needs to be made is whether this results in substantial harm as this introduces different tests under the NPPF.

13.66 The NPPG advises that for a development to result in significant harm is a high test so it may not arise in many cases. It is the degree of harm to the asset's significance rather than the scale of the development that is relevant. The NPPG confirms the harm may arise from development within its setting. In this case where the integrity of the actual remains can be preserved by amendments to the layout of the scheme at the RM stage and there are no physical impacts to the SAM itself, the conclusion is that the development would result in less than substantial harm to the significance of the monument.

13.67 Paragraph 134 of the NPPF advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The responses of Historic England and the County Archaeologist are noted. In these circumstances the impacts to the SAM are considered to be acceptable when balanced against the considerable benefits the remainder of the development provides.

Landscape impact:

13.68 The site lies within the Crossways Gravel Plateau Landscape Character Area in the Council's adopted Landscape Character Assessment SPD (LCA). The site is outside the AONB. The assessment identifies this as a heath and forest mosaic landscape type. The LCA identifies the southern and eastern parts of this character area have a more intimate feel due to the undulating landform and increased woodland cover and notes the characteristic intimate landscape and filtered views from within the wooded and undulating land in the east. Due to the relatively flat nature of the site and the surrounding area coupled with the mosaic of woodland over the wider area, long-range views of the site are limited.

13.69 As set out in the masterplan assessment, the scheme looks to incorporate existing landscape features within the site thereby retaining important parts of the existing landscape framework. This retains existing trees and copses/woodland areas as well as field hedges. Consequently views of the development would only become apparent in closer range views. From these points, the development would result in the change from an agricultural character to a built development, extending the village into the surrounding countryside.

13.70 **Landscape impact - Conclusion:** As part of the scheme, the key landscape elements in the LCA are retained. Views of the development are filtered through the retained hedges and tree belts. In the vicinity of Warmwell Road, the development would appear as a logical extension to the settlement where the developed area of the village is readily apparent. The garden suburb layout fits well with village fringe character where a sense of spaciousness and a verdant appearance are characteristic. Moreover, with the provision of the SANG, the scheme represents an opportunity for the scheme to contribute to the landscape character of the area. The proposals are therefore considered to comply with Policy ENV1 of the Local Plan.

Heathlands and Poole Harbour Site of Special Scientific Interest

13.71 Dorset Heathlands:
The application site is within 5km of both the Warmwell and Winfrith heathland SSSIs. These European-level designations are in recognition of the international importance of the surviving fragments of lowland heath in Dorset. These provide habitats for numerous protected species including all native reptile species. A requirement of CRS1 is for the development to mitigate any adverse effects upon internationally designated heathlands. .

13.72 Monitoring and evidence from Natural England demonstrates the negative impacts of increased residential development in proximity to the protected heathlands. The SSSIs are particularly vulnerable to detrimental effects from domestic pets with dog walking identified as a principal issue where species such as nightjar and other ground nesting birds can have their habitats disturbed. As a consequence of these impacts, Natural England has recommended an effective embargo on new residential development within 400m of the protected heaths.

13.73 In addition, NE's evidence demonstrates that increases in residential populations up to 5km from heathlands can adversely impact on the integrity of the heaths particularly when the cumulative impacts of all residential development within a 5km zone is taken into account. This is due to the propensity for residents to still travel to the heaths for recreation, dog walking and so on at these distances. However, Natural England recognise that to prevent all form of development within the 400m to 5km zone would have significant implications for the growth of the main settlements in the County, in effect stymying all further residential development within the Poole/ Bournemouth conurbation for example.

13.74 In order to facilitate a solution to this issue, NE's position is that residential development can occur within the zone up to 5km provided suitable mitigation is provided for the impacts of development on the integrity of the heathlands. In the majority of cases this takes the form of a financial contribution per dwelling which is used for management of existing heaths such as wardening or education and the provision of Suitable Alternative Natural Greenspace (SANG). For the majority of applications, the Council's CIL contributions in the affected areas are 'top-sliced' to provide the heathland mitigation contribution to be put towards appropriate projects off site.

13.75 However, where the number of units exceeds 50, Natural England's position within its adopted Planning Framework SPD is that SANG provision should be made on-site as part of the development. It is also noted that this Strategic Allocation is specifically excluded from CIL by the Local Plan and therefore there is a need to secure bespoke infrastructure contributions via a s106 agreement.

13.76 The SANG contribution is as detailed in para. 2.12 – 2.13 above and the application proposes the change of use of this land from agriculture to SANG. The applicants have worked with Natural England in developing the SANG proposals for this site. The application is accompanied by a management plan for the SANG which sets out the criteria for establishing the extent of SANG required which is based on a formula of between 8 – 16ha of SANG per 1,000 population growth depending on the quality of the SANG. At 500 units the management plan calculates the overall population growth across the total

scheme as 1,200, creating a SANG requirement for between 9.6 – 19.2ha. Therefore at 22ha, the SANG would represent an overprovision irrespective of the quality of the natural greenspace provided.

13.77 The SANG contribution is divided into five parcels to be delivered as phases relative to the nearest residential element. The management plan sets out the key management objectives / operations for each SANG unit including the restoration of heath within one of the phases and the habitats contained within them with a clear plan. In addition, the management plan sets out a cost for the setting up the SANG and an annual maintenance costs for the life of SANG (80yrs) at a cost of £960k. This will need to be secured via the legal agreement. Full details of the management of the SANG can be found here; http://wam.westdorset-dc.gov.uk/WAM/doc/Supporting%20Documents%20(SANG%20MANAGEMENT%20AND%20PHASING%20PLAN).pdf?extension=.pdf&contentType=application/pdf&id=1343510

13.78 Poole Harbour SSSI

Natural England's advice is that additional; residential development results in additional nutrient loading (nitrogen & phosphorous) into the Frome river catchment and thereby into Poole Harbour. Poole Harbour has SSSI, SPA and Ramsar designations. Additional nutrient loading into Poole Harbour is adversely affecting the nature conservation interest in these internationally designated sites and therefore NE's position is to ensure that new development should mitigate for these impacts by not increasing nutrient loading whilst addressing agricultural impacts – the chief cause of nutrient loading at Poole Harbour. Again, within the areas affected, the CIL contribution is normally used to take financial contributions to be used in mitigation for these impacts. However, this does not apply to this CIL-exempt site.

13.79 The change of use of the land from agriculture to SANG and from agriculture to urban represents a benefit in addressing the nutrient issues which is balanced against the additional nutrients generated from additional residents. The deficit created by this requires a financial contribution of £149,089. This will need to be secured as part of the legal agreement.

13.80 Heathlands and Poole Harbour Site of Special Scientific Interest – Conclusion: As advised in Natural England's consultee response, the LPA is the competent authority for the purposes of the Habitats Regulations. Due to the potential impact of the development on the European-level protected sites, the Council is required to carry out an appropriate assessment before determining the application. In conjunction with the advice from Natural England, the assessment is that with the proposed mitigation measures of the provision of SANG and its management along with the proposed financial contribution towards the Poole Harbour nutrient impacts, the scheme provides acceptable mitigation for the development's impacts on the internationally protected sites. Therefore the scheme complies with Policy ENV2 of the Local Plan.

Surface Water & Flood Risk

13.81 The requirement in Policy CRS1 is for sustainable drainage methods to be implemented to manage surface water flooding issues and ensure flood risk is not exacerbated elsewhere. This mirrors the test in Policy ENV5 to steer

development towards the areas of lowest risk and ensuring development will not generate flooding through surface water runoff or exacerbate flooding elsewhere.

13.82 The site lies within Flood Zone 1 outside the area of highest flood risk, thereby complying with this aspect of ENV5. The scheme is accompanied by a drainage strategy for the site. This is based on sustainable methods and has affected the proposals for mineral extraction on the site as set out in para.13.56 above. The strategy also includes provision for drainage ponds within the SANG which is compatible with the wildlife and habitat aims of the SANG provision.

13.83 **Surface Water & Flood Risk – Conclusion:** The drainage strategy has been considered by the LLFA. They advise that the proposed strategy will provide an acceptable solution for dealing with surface water run-off issues on the site with a scheme designed to the 1:100 flood event with an additional 40% for climate change. On the basis of DCC's response, it is considered that the applicant has provided sufficient information to demonstrate that the development can take place whilst complying with the criteria in CRS1 and the tests in ENV5 to ensure that development does not cause flooding within the site or exacerbate flood risk elsewhere.

Impact to neighbouring properties

13.84 For the purposes of this assessment, this covers both the impact of the wider outline permission and the detail of Phase 1. The impact to properties in Phase 1 is assessed in detail. The impact against the remainder of the outline is considered in principle. Consideration is also given to the living conditions of occupiers of the proposed properties.

13.85 Outline consent: Considering the scale of the development, only a relatively limited number of existing dwellings will be directly physically affected by the proposed scheme. These are the four properties at Heathfield Park which are considered against the Phase 1 scheme below. The remainder of the properties impacted by the scheme are those with a current frontage or outlook over Warmwell Road.

13.86 The majority of these properties lies to the north of Warmwell Road. Due to the nature of the site, no dwellings are indicated facing directly across properties to the north of Warmwell Road. The dwellings to Old Farm Way have their back gardens backing onto Warmwell Road where the proposed access and new community buildings are proposed. The distance from the community buildings to these properties is approximately 25m at the closest points. At this distance the privacy of properties to the north of Warmwell Road will be within the guidance set down within the Council's adopted Design SPD and thereby these neighbours will continue to enjoy sufficient privacy. Similarly at these distances, the scale of the proposed community buildings are not considered to adversely affect the outlook from these neighbours or cause an over bearing impact.

13.87 On the western side of the site, the properties at 1 – 5 Warmwell Road face towards the later phases of the site on the site of the current village hall. On the indicative masterplan there would be in excess of 30m between properties

at this part of the site. There are well established hedges and field trees along this boundary of the site which officers would seek to retain as part of the detail of this part of the scheme – the masterplan indicates development set back from this boundary. This would further limit impacts to the properties concerned. There are no grounds to conclude that a scheme could not be designed for this part of the site which would not significantly adversely affect these neighbours' living conditions.

13.88 There are currently 2 dwellings on the south side of Warmwell Road, No.7 & No.13 which are east of the Summer Farm buildings. Again, development will be in the proximity of these properties during the later phases of the scheme. As they lie to the south of Warmwell Road, the development will come to the boundary of these properties with greater potential for impacts to these dwellings. Both properties lie in substantial plots but No.13 in particular lies close to its southern boundary with an outlook over the fields behind.

13.89 On the indicative masterplan, no dwellings backing directly onto these properties are shown with dwellings set back behind an access road. This is in the Moreton Walk character area, which as noted above will be a low density area of development. There is also a play area space indicated in this area. Notwithstanding that these properties will be potentially affected to a greater degree than other surrounding properties, there is no reason to suggest that a scheme cannot be designed to minimize the impact on the amenity and quiet enjoyment of both existing residents as set out in Policy ENV16.

13.90 Phase 1 – With the exception of the impacts to the properties in Old Farm Way from the proposed village hall and surgery explored above, the principal impacts from the residential elements of Phase 1 are to the properties in Heathfield Park, west of the detailed consent. There are four properties, originally built as 'live-work' units with separate live/work buildings within the plot. All four dwellings lie in generous plots.

13.91 The nearest proposed properties to these neighbours are the 3-storey Block A apartments. These are 20m from the boundary with Heathfield Park, meeting the standard in the Council' adopted design guidance (para. 7.5.2) and ensuring adequate privacy at these neighbours. Whilst this apartment block is taller than the proposed houses at 10.8m, due to the separation to the nearest property Oaktree Barn which is set a further 12m into its plot, the development is not considered to cause a significant overbearing impact or loss of outlook to this neighbour.

13.92 The proposed semi-detached dwellings south of Block A which back onto Heathfield Park are slightly closer at 16m to the boundary. Nonetheless the building-to-building distance is approximately 30m which will be sufficient to maintain acceptable privacy at the nearest property (6 Warmwell Road). These semis are 2-storey and lower than the apartment block and at these distances are not considered to adversely impact on outlook or cause an overbearing impact. There are also well established trees along the eastern boundary of Heathfield Park outside of the application site. These are protected by a Tree Preservation Order and further serve to screen the development from these neighbours. The properties will enjoy a typical suburban relationship.

13.93 **Impact to neighbouring properties – Conclusion:** A comparatively limited number of properties are directly impacted by the development considering its scale. Having considered both the detailed layout for Phase 1and the indicative masterplan for the wider site, it is clear that the site can accommodate the propose number of dwellings whilst meeting the criteria for dwelling relationships set out in the Council's Design SPD. Therefore there is acceptable evidence at this stage that development can be designed to minimize the impact on the amenity and quiet enjoyment of existing residents.

13.94 Due to the nature of the proposed layout and the limited constraints within the site, it is considered there is no cause at this stage to be concerned that the development could not provide new properties with acceptable living conditions for the proposed occupiers. Overall the impacts of the development on existing properties would be minor- to moderate at most. As such the scheme would comply with the test in Policy ENV16 to ensure development does not have a significant adverse effect on living conditions.

Scheme Viability

13.95 Policy HOUS1 requires 35% of the units across the scheme to be provided as affordable housing. Over the totality of the scheme, this would be a provision of 175 units, a very considerable benefit in meeting the very high needs for affordable housing in the plan area. Under HOUS1, the AH contribution would be a minimum of 70% social / affordable rent and a maximum of 30% intermediate affordable housing, unless identified local needs indicate that alternative provision would be appropriate.

13.96 The applicant had concerns over the viability of the scheme and had submitted an assessment which advised that the scheme was only sufficiently viable to provide an affordable housing contribution of 5% of the units, these to be starter homes – an initiative of the previous Government. The Council's viability advisors the District Valuer assessed the viability case and concluded that the scheme was nonetheless sufficiently viable to make a policy-compliant AH contribution. The applicants revised their position to a contribution of 30% of the units. Officer's instructed the DV to assess this revised position, however their conclusions were that the scheme still remained sufficiently viable to deliver the 35% in the policy.

13.97 **Scheme Viability – Conclusion:** Officers continued to negotiate with the applicants on the issue of the affordable housing contribution. In light of the DV's response we have reached an agreed position of an affordable housing contribution of 35% of the units which is policy-compliant. However, this is based on a 50/50 tenure split between rented and other low-cost forms of affordable housing. This is considered to be appropriate in this particular context and preferable to delivering fewer units overall by trying to deliver more rental units. In addition, the applicant's position is that this contribution be subject to a review mechanism to assess the viability over the course of the development. Bearing in mind the scale of the development and thereby the length of build-out period, officers are content with this as an acceptable way of assessing that the predicted sale prices are realised throughout the course of the scheme. This will need to be secured as part of the legal agreement.

Sports Provision:

13.98 The proposals are subject to an objection from Sport England (SE). SE are an advisory consultee on all residential developments above 300 units, however they are not a statutory consultee in the Procedure Order for such a development. Therefore due weight will need to be given to SE's response in the balancing exercise in part 14 below and provision for sport is given weight bearing in minds its social and economic benefits.

13.99 In their consultee response SE identify that occupiers of the development will create demand for sporting provision. Their conclusion is that provision in the local area may not be able to accommodate this increased demand without adversely impacting on existing provision or overwhelming provision into the future. Their solution is to look for on-site provision or contributions to off-site provision. The nature of such provision to be informed robust evidence. SE's response then suggests the following contribution figures towards Sports halls (£234,176) Swimming Pools (£182,570), Artificial Grass Pitches (£25,916) if 3G (£22,693 if sand) and Indoor Bowls (£35,352). This equates to a total of £478,014 (if 3G) or £474,791 (if sand).

13.100 In the discussion of the Heads of Terms below (para.13.100 onwards), the current legal basis for securing contributions via a legal agreement. SE's response does not identify which facilities in the local area are deficient but applies a tariff-based contribution based on the total number of units fed into their calculators. In order to justify SE's proposed contributions and comply with the CIL regulations, the Council needs to identify a specific project to which the contributions would be used. Therefore officers have sought advice internally from its Leisure Manager. They note that the nearest facilities for swimming pools and sports halls are in Dorchester and this provision is regarded as good. As a result there are no current projects identified to expand this capacity. Furthermore the proposed contributions would not be sufficient increase capacity at these facilities.

13.101 In addition, officers have sought advice from the Parish Council as to their views on sports provision within the village. Currently there is an existing sports pitch on Dick O' Th' Banks Road along with a well-established skate part and Multi-Use Games Area (MUGA) granted back in 2009. The PC confirmed it does not have any outstanding projects to which such a contribution could be put. It is worth noting that as the remainder of residential development would be subject to CIL, the number of additional schemes which would make a specific contribution to any such project is likely to be limited. Where CIL already takes 17.5% of each contribution to Culture & Leisure Facilities, the Council cannot charge developers twice for the same contribution ("double-counting"). Therefore any project not fully funded by Sport England's proposed contribution would be unlikely to be delivered.

13.102 It is noted the PC comments also welcome the provision of the village hall. As well as full-sized badminton court, the PC note this could accommodate short mat bowls and they have also used the current village hall for archery. The village hall also provides play space for the playgroup and LEAPs are shown throughout the masterplan.

13.103 Sports Provision - Conclusion:
In making an assessment of the weight to be attached to SE's objection, it is necessary to consider the scheme as a whole. This will secure considerable amounts of informal open space directly accessible to residents and the wider village in terms of the SANG provision. It will also deliver improved cycle links. In terms of sports provision, due weight also needs to be given to the proposed village hall which provides for indoor sporting activities. Along with the Implementation Team, officers have investigated possible projects to which contributions proposed by SE could be put to. However at a local and wider district level, there is a lack of viable projects the contributions could fund. Bearing in the potential conflicts of Sport England's tariff-based approach with the CIL regulations and current Government advice on pooling infrastructure contributions, in the circumstances officers do not consider these contributions can be justified. Regard is also had to the possible marginal viability of the scheme as set out from paragraph 13.95 above.

Phase 1 – Detailed Permission

13.104 The full permission element of this hybrid application relates to an area of land in the centre of the allocation, due east of the Hybris Business Park. The detail of the Phase 1 provision is set out from paragraph 2.5 above. As approval of the application will grant full permission to this element of the scheme, this needs to be considered as per a full detailed permission. This assessment is set out below.

Phase 1 – Layout:

13.105 The approach taken in terms of the layout and character of the Phase 1 detailed consent as put forward by the applicants is of a 'garden suburb', drawing on garden city principles, which the applicant notes is supported by paragraph 52 of the NPPF. The aim stated in the D&A statement is to "*offer new residents opportunities for higher quality lifestyles promoting wellbeing and to provide new facilities for existing neighbouring Communities.*"

13.106 In terms of how this translates into the design of the scheme, the D&A statement notes the following key elements; a harmony between built and natural forms; a character which will respond to the townscape, suburban and urban landscape character of Crossways; residential development built around perimeter blocks with focal buildings to aid legibility; walkable neighbourhoods; high quality public realm; tree-lined streets; green infrastructure and provision for cars in a neighbourhood designed to encourage walking, cycling and the use of public transport.

13.107 In terms of the appropriateness of this as an approach, it is noted that of the other settlements in the second tier of the spatial strategy in Policy SUS2 – referred to as the 'market towns & large villages' in the LP – these settlements such as Sherborne, Portland and Beaminster arguably have stronger historic cores and a more easily identifiable vernacular tradition than Crossways. This means there is arguably less to draw on to show that the scheme is informed by the character of the site and its surroundings as set out in Policy ENV10. The test in this policy is to ensure that development contribute positively to the maintenance and enhancement of local identity and distinctiveness. The

advice in the NPPF (para. 58) takes a broader approach, advising that development should "*respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation."*

13.108 In this particular circumstance, it is considered that there is an opportunity with this site to enhance the wider character of the settlement by taking a fresh approach in layout and design terms and the broad garden suburb approach is considered to be acceptable. What will be critical then is designing a scheme which meets the urban design criteria set out in Policy ENV11 and the Council's adopted Design SPD and this is examined below.

13.109 Also of importance to the scheme is in creating a 'hub' for the village to provide a focus for the community facilities provided as part of the development. Crossways does not have an obvious centre or core comparable to a traditional village centre arranged along its main street – like Puddletown for example. Its facilities are separated across the village, its school in one location, the post office and current doctor's surgery elsewhere and the Co-op in a different location on the Warmwell Road. The scheme therefore seeks to create an obvious focus for the development – and thereby the wider village – at the entrance to the site from the Warmwell Road.

13.110 The layout shows the proposed doctor's surgery and village hall framing the entrance to the site, providing an obvious sense of arrival to the development but also a focus to it. The proposed village green open space east of the village hall also provides a complimentary space to the village hall, allowing community activities to spill out into this area but also similarly a focus for community activities.

13.111 Some of these benefits of the scheme could be undermined if the development failed to integrate into the wider village and Policy CRS1 specifically requires good links to the wider footpath and cycle network be provided through the village. A significant aspect of the scheme are the proposed works to Warmwell Road described above. The delivery of the proposed tree-lined boulevard along Warmwell Road in the vicinity of the site, is in this officer's opinion of considerable benefit to the character and appearance of this approach to the village and the development site. At the same time it is also integral to traffic management measures to reduce speeds along this stretch and assist in safe links across Warmwell Road from the development to the rest of the village and the school in particular.

13.112 These measures will help integrate the community facilities provided in the scheme to the remainder of the village. They also provide a 'bridge' between the village facilities along Mount Skippett Way like the library, Spitfire Club and post office/stores over to the Co-op further east along Warmwell Road. This will be further integrated into the village as the later phases of the development progress eastwards around Summer Farm towards Moreton Road and the employment area.

Phase 1 – Urban Design:

13.113 The detailed layout of Phase 1 implements the garden suburb key elements set out above in its urban design. The detailed design is assessed here

against the criteria in Policy ENV11 of the adopted LP and the Council's adopted design guidance. The layout has been amended by the applicants in response to issues raised by your urban design officers and the proposals before members are the result of close working between the parties to deliver a scheme compliant with the relevant policy and SPD.

13.114 In the masterplan discussion above, the eight proposed character areas (CAs) were identified. The Phase 1 layout delivers all of The Village Green & Spitfire Place CAs, one of the Central Avenue CAs and extends across part of Moigne Combe Walk CA. Thus the Phase 1 details show how the proposed character areas can be successfully incorporated into a detailed scheme which also delivers on the urban design principles set out in the Council's policies and SPD, but also on the applicant's garden suburb concept, notably in relation to the Moigne Combe Walk avenue area.

13.115 It is considered that the Phase 1 layout also delivers on the proposed route network hierarchy set out for the wider masterplan with the central avenue primary route. A common building line is also delivered along these routes The secondary and 'home zone' routes are located off the central avenue and are not through routes. These respect the route hierarchy with narrower streets and parking provided in-plot or directly on the dwelling's frontage. Thus the layout follows the general principles in the Design SPD of varying the ratios of height of the buildings to the road width to reinforce route hierarchies. For example, the width of the central avenue at 20 – 25m wide achieves a ratio of up to 1:5 for the central avenue reflecting its significance which is also necessary for it to serve as a bus route. The taller (3-storey) properties would be located along these primary routes.

13.116 The Phase 1 scheme achieves a perimeter block layout with active frontages along both the residential streets but also to the community focus areas. This achieves surveillance but also encourages interaction between residents. This layout along with the route hierarchy explained above, delivers a legible layout with well-defined streets which will be simple for residents to navigate, whether on foot, cycling or driving. It also connects well into the wider village and will provide considerable benefits for the amenity and use of Warmwell Road. There are active public areas and secure private areas to the rear gardens. In urban design terms, the scheme is considered to have taken on board the requirements of Policy ENV11 and delivered these in the detail of Phase 1.

Phase 1 Building Designs – Public Buildings:

13.117 As noted in the masterplan discussion above the new surgery and village hall are key buildings in the scheme providing a focus and identifiable entrance to the development. The quality of these buildings (and their delivery) is therefore critical to the success of the scheme.

13.118 The proposed village hall is considered to be a particularly well-realised design. It's cropped hipped roof and chimney vents, low eaves, along with its gabled front entrance to the west, creating a clear agricultural character to the building. Thus the building has a strong horizontal emphasis, making it imposing at the entrance to the site. This is both appropriate to its location but is an approach which has been successfully used on a smaller scale for the

Spitfire Club nearby for example. In addition, it is a building 'seen in the round' as it fronts onto the main access road into the development on its west elevation but will also be clearly seen in views across Warmwell Road and the proposed village green. Whilst the front entrance is to the west, the east elevation incorporates substantial areas of glazing and terrace, further reinforcing its agricultural design. This main hall area overlooks the village green space.

13.119 In terms of the internal layout, this is single storey only. Nonetheless it incorporates a main hall sufficient to accommodate a badminton court footprint and necessary ceiling height in a double height space. In addition, there are the other facilities set out in para.2.9 above including offices for the Parish Council. A schedule provided shows the proposed materials for the hall to be plain clay tiles with bonnet hips for the roof, walls with a brick plinth, with render above and timber weatherboard and grey frames to the fenestration. Through this, it is considered the agricultural character of the design will be successfully realised.

13.120 The doctors' surgery follows a similar design approach and is considered to complement the new village hall at this critical entrance point to the site. Although this building is narrower, it is of a similar height to the new hall, being 2-storey. It also shares a strong horizontal emphasis. It therefore is considered to be a sufficiently imposing building to retain an appropriate presence in the street scene at the site entrance. The same approach to materials as listed in 13.119 above is proposed, further reinforcing the contribution of the community buildings at the entrance to Phase 1.

13.121 The village hall building will be a considerable public benefit and the Parish Council's enthusiasm for this aspect of the scheme is noted. More than this though the building is important to the scheme and the village as a whole. The existing hall is remote and isolated from the village and irrespective of its condition, this impacts on its ability to serve Crossways. As well as providing modern facilities for various clubs and services in the village, the prospect of delivering an accessible hub for Crossways is given considerable weight.

13.122 The provision of the doctors surgery and the prospect of retaining this community facility for the village long-term is also worthy of strong weight in the balancing exercise. That the designs of both buildings and their siting will also provide a major benefit to the character and appearance of the area and the overall success of the scheme serves to add additional weight to this aspect of the scheme.

Phase 1 Detailed design – House designs and Housing Mix

13.123 The scheme provides a range of house types, sizes and designs. When designing a new residential area from scratch, there is a balance to be struck in providing the variety sought by Policy HOUS3 and the efficiency and effective use of land in ENV15. An excessive variety in types, sizes, designs and materials lacks cohesion but a lack of variety limits choice and leads to monotony.

13.124 To describe each house type in this report would be excessively laborious and the designs can be viewed on the Council's website. The designs have been

refined following advice from your urban design officers. As can be seen from the table in paragraph 2.7 above, the first phase delivers a mix of units from 1- to 5-bed properties with a mix of flats, terraced, semi-detached & detached houses. The majority are 2- & 3-bed units, reflecting the noted area of need in HOUS3 (para. 5.3.1).

13.125 Also, the phase 1 house designs includes a number of feature buildings as dwellings at critical points in the scheme. These designs are serving an urban design function, particularly around the Spitfire Place character area at the site's entrance, with the' Dovecot' and 'Lodge' house designs being noticeably strong features around the proposed hard piazza in this area. Therefore the remaining house types account for a greater proportion of the overall housing mix.

13.126 The materials schedule for the phase 1 designs shows a mixture of slate and tile for the roofs in a largely even mix. The walls of the dwellings are shown as a mix of brick, render, weatherboarding and tile-hanging with brick predominant. Windows are timber casements. The designs incorporate stone and oak frame detailing, string course and corbels with arched headers. Overall the designs and materials palette are considered to give a suitable basis for the delivery of a high quality scheme. Subject to agreement of precise samples of the proposed materials, the designs of the proposed houses are considered to be acceptable.

Phase 1 Detailed design – Landscaping

13.127 The phase 1 proposals are accompanied by landscaping proposals. These include detailed proposals for the village green landscaping, an important aspect of the delivery of this element. This is shown as a central grassed area surrounded by meadow grassland and ringed by oak trees. This proposed landscaping is considered to complement the green's function as an important public space within the development.

13.128 The landscaping is a fundamental aspect of delivering the proposed garden suburb character with softer frontages and street trees an integral part of the overall concept. So for example the Moigne Combe Walk avenue, a focal feature of the overall layout proposes an avenue of lime trees along this street. A feature of the landscape proposals is the consistency of the street tree planting. So the primary route on the eastern side is shown with an avenue of hornbeam regularly spaced around the dwelling's driveways, other streets have avenues of cherry trees and so on. Emphasising this design approach, the plot frontages are shown enclosed by beech, hornbeam and other hedges This reinforces the formal planned character of the overall scheme, fitting neatly with the garden suburb concept.

13.129 The phase 1 proposals also include details of the planting for the proposed roadworks. This includes creating a treed boulevard with a central row of field maple. As well as the public benefits from slowing traffic and providing safer crossing points for pedestrians, it is considered these works will deliver a considerable visual improvement to this otherwise straight and featureless stretch of highway.

Phase 1 Detailed design – Conclusion

13.130 The proposed detailed layout will bring forward an identifiably new chapter in the development of the village introducing a fresh character to the settlement. It is considered an appropriate approach which the quality of the Phase 1 development demonstrates will be an asset to the village. Consequently the garden suburb layout shown on Phase 1 is considered to meet the tests in Policy ENV10 to enhance the distinctiveness of Crossways. Moreover it also sets a standard for the later phases – reflected in the overall masterplan – for the remainder of the development to follow.

13.131 The overall concept for the site has been followed through in the phase 1 design. The house designs, materials, the layout and landscape details all work to reinforce this design concept. Overall a high-quality development is proposed which officers can commend to members and is considered will be a considerable asset to the village. The public buildings proposed in phase 1 are also considered to be well-realised designs which as well as providing extensive social benefits to Crossways, will in addition be buildings which contribute positively the character and appearance of the area.

13.132 For these reasons the proposed Phase 1 detailed scheme is considered to comply with Policies ENV10, ENV11 & ENV12. It also makes efficient use of the land in accordance with ENV15 and provides a suitable range of housing in line with HOUS3.

Section 106 – Heads of Terms:

13.133 Members' attention is drawn to para. 6.2.3 of the Local Plan which specifically exempts this site as well as four other strategic sites in the LP from CIL. Therefore, infrastructure contributions for this scheme need to be secured via a s106. If the Council is to take financial contributions in a s106 legal agreement, under the CIL Regulations (2010) as amended, the contributions must comply with the following three tests;

(a) necessary to make the development acceptable in planning terms;
(b) directly related to the development; and
(c) fairly and reasonably related in scale and kind to the development.

In addition, Government guidance in the National Planning Practice Guidance advises that "*Planning obligations must be fully justified and evidenced*."

13.134 In practice what this means for the Council is that in taking any financial contributions it must be able to demonstrate that the money will be put towards specific projects which directly address the impact of the growth in population on the site and thereby the increase in demand created. It would therefore be necessary to ascertain that local provision is currently deficient or would be in the future with increased demand and then identify suitable mitigation to address that demand failure to which the contribution could be put towards.

13.135 The scheme seeks financial contributions towards education provision. This would ordinarily be secured through the Council's CIL-charging regime and is therefore considered to be a legitimate planning related contribution. The response from DCC clearly sets out the rationale for the education provision across the length of development and the need at various ages of education provision locally which new residents will access. The contribution will

mitigate for these impacts, necessary for the development to go ahead and is considered to be suitably justified in relation to the development.

13.136 The provision of SANG and the financial contribution are necessary mitigation for the impact of the development on the internationally protected heathlands. These contributions are necessary to make the development acceptable and allow residential development to take place within 5km of the protected heaths. The extent of the contribution is set out in Natural England's response and is a standard applied across their adopted planning framework throughout Dorset. Similarly, the proposed calculation of the Poole Harbour nutrient mitigation contribution is calculated against a set standard for the transfer of agricultural land to non-agricultural use set out in NE's consultee response and is related to the scale of the development with due regard to the mitigation provided by the proposed SANG. This mitigation is essential to allow development to proceed which contributes to nutrient loading in Poole Harbour.

13.137 The highway improvements to Max Gate are set out in an agreed plan. These highway works are necessary to accommodate increased traffic onto the strategic trunk road network arising from the development using a sub-standard junction with the A35. In addition, the contributions towards highway improvements within the vicinity of the site are a requirement to comply with Policy COM7 to ensure development is integrated into the highway network and provides facilities to encourage non car-borne trips.

13.138 The affordable housing contribution is necessary for the development to comply with Policy HOUS1 of the Local Plan. The scheme for the mineral extraction is necessary to comply with Policy SG1 of the adopted Bournemouth, Dorset & Poole Minerals Strategy. The provision of LEAPs (Locally Equipped Areas for Play) within the site is in line with the standards in Table 6.1 of the Local Plan, being a requirement of Policy COM1. The contribution for ongoing maintenance requirements is a stipulation of COM1.

13.139 For these reasons the proposed contributions in the s106 are considered to meet the statutory tests for infrastructure contributions in a legal agreement as set down in the CIL regulations.

14. Summary

14.1 Assessment of the scheme against the criteria in Policy CRS1:

14.2 The adopted policy seeks to provide numerous elements. The proposals currently before members are assessed against the policy requirements below.

14.3 <u>Provide a comprehensive mixed-use development</u>: The scheme includes the entire allocation in the LP thereby delivering a comprehensive scheme. It provides 500 homes which is the suggested figure in para. 12.3.1 of the Local Plan. It delivers new local community facilities in the village hall and surgery. It proposes 2.5ha of employment land, meeting the broad aspiration for a mixed-use development but is 30% below the employment space figure in the policy. The employment allocation is in the area envisaged in the policy. However, it does not fully comply with this part of the policy.

14.4 <u>Development to mitigate any adverse effects on designated heathlands</u>: The

scheme provides around half of the site area as SANG. It also provides for management of the SANG but also a contribution for Strategic Access Management and Monitoring, thereby not only benefitting the ecological interest of the protected heaths by providing alternative recreational areas closer to Crossways village but also contributing towards management of the protected heaths themselves. The SANG proposals are accepted by Natural England and progress has been made with regards to transferring the land to Dorset Wildlife Trust for long-term management.

14.5 As the competent authority, the Council has undertaken an appropriate assessment of the impacts of the development on the European protected sites. In conjunction with the advice from Natural England, the conclusion is that the development would meet the conservation objectives to maintain and where in decline, restore the heathland and other habitat and species interest features. The scheme thereby complies with this aspect.

14.6 Secure effective mitigation for potential adverse effects upon Poole Harbour internationally designated sites: The scheme has demonstrated how it can be nutrient neutral subject to a financial contribution towards mitigation measures. Through this the scheme complies with this part of CRS1.

14.7 Deliver necessary highway improvements: The scheme makes provision for highway works in the vicinity of the site. These have been agreed by the Highways Authority. In addition, Highways England have confirmed they have no objections subject to securing junction improvements to the Max Gate A35/A352 junction by the occupation of 100 units. This aspect of the policy is met.

14.8 Provision of a masterplan: The scheme is accompanied by an illustrative masterplan. The detailed first phase complies with the remainder of the indicative MP. The illustrative masterplan shows how the detailed permission and the remaining phases of the wider outline approval would deliver the remaining criteria in iv) of Policy CRS1. The masterplan is considered to comply with the guidance in the Council's adopted Design SPD. The application is accompanied by a Statement of Community Involvement which sets out how the applicants have engaged with the local community in drawing up the proposals. The masterplan has not been subject to a BREEAM Communities Assessment, but the requirement in the policy is only for a sustainability assessment to be carried out. This has been submitted and sets out how the MP has been considered against the advice in the Council's adopted Design SPD.

14.9 The masterplan includes a mix of uses and provides for community facilities and infrastructure. The scheme will deliver SANG, along with improved access to the surrounding countryside, increasing recreational opportunities with opportunities for improvements to biodiversity. The MP will deliver links to the wider rights of way network and improve cycle network provision with contributions towards improved links to Moreton station.

14.10 The scheme responds positively to existing constraints, incorporating landscape features within the site into the masterplan and detailed first phase. With additional landscape areas shown on the MP, the scheme is considered to have an acceptable impact on the landscape setting of the village. The

scheme is considered to have the ability to deliver a considerable enhancement to local character, providing a distinct beneficial development in the wider character of the village.

14.11 The scheme provides for an acceptable drainage strategy, based on sustainable principles. The scheme has shown it can be developed without exacerbating flood risk elsewhere. The proposals show how the scheme can be phased to deliver the long-term growth of the settlement over the course of this strategic allocation.

14.12 The development has necessitated additional work on behalf of the applicants to appropriately assess the impact of the development on the Scheduled Ancient Monument at Bowley's Camp. The additional assessment has satisfied Historic England and the County Archaeologist in terms of the impact of the outline proposals on the SAM. This is likely to be the only aspect of the current illustrative masterplan which may need some revision at the reserved matters stage. However, this is not considered to adversely impact on the ability of the MP to continue to deliver on the remaining elements above.

14.13 Taking all of the elements above and bearing in mind the weight to be attached to CRS1 in light of the Council's current HLS, it is considered that the development is sufficiently in compliance with Policy CRS1.

Whether sustainable development

14.14 Policy INT1 of the Local Plan contains a presumption in favour of sustainable development, reflecting paragraph 14 of the NPPF. This requires an assessment of the economic, social and environmental factors affecting the scheme.

14.15 In terms of economic factors, the scheme would provide a long-term build programme – including the mineral extraction. This will provide economic benefits over a number of years during the construction stage. The proposed community facilities will support existing jobs within the doctors' surgery and potentially create new employment through the pharmacy and also potentially the facilities within the village hall; playgroup and so on. The development would bring a large number of economically active residents over the course of the development to a sustainable location in one of the settlements which is a focus for future development in Policy SUS2 of the LP.

14.16 In addition, this mixed-use development proposes 2.5ha of new employment provision. This provides a substantial economic benefit to the village, with the potential to create significant new job opportunities in a sustainable location. However, the extent of the economic benefit is not as high as envisaged in the Local Plan. This makes the assessment of the economic benefits less straightforward because the delivery of the employment site would undoubtedly be a positive aspect, but its extent will be less than sought by the adopted policy. Consequently less weight is attached to this economic benefit than otherwise would be the case.

14.17 Accepting this, there is nonetheless considerable weight given to bolstering the Council's housing land supply. Delivery of these Strategic Allocations will be of sizeable importance to maintaining a housing land supply at the required

level and sustaining building rates. Overall the economic benefits are considered to be positive.

14.18 The social factors benefits of the scheme are considered to be widespread. New community facilities will be delivered replacing existing facilities in improved locations with substantially better provision. Social benefits flow from creating a new 'centre' or hub to the village which it arguably currently lacks. The scheme also provides improved links for residents to access existing facilities in the village, with the opportunity to reinforce social cohesion and a sense of community. The additional population also serves to support existing facilities, with the potential that these are sustained into the future. The extensive provision of SANG as heathland impact mitigation provides a considerable benefit for residents 'on their doorstep' with access to recreation and leisure facilities, being beneficial for healthy lifestyles for occupants. These benefits would also accrue to existing residents.

14.19 The provision of 175 units of affordable housing cross the scheme would be a very significant social benefit to the area, helping to meet a substantial unmet need currently. A considerable amount of weight is given to this in the balancing exercise. The development would also provide additional choice in the local housing market. Overall the social factors would be positive and considerable weight is given to these.

14.20 In relation to the environmental factors, these are set out in the assessment of scheme against Policy CRS1 above. The development provides suitable mitigation for its impacts on protected heathlands and the Poole Harbour internationally protected sites, maintaining the integrity of these sites. The scheme has acceptable impacts on the Scheduled Ancient Monument when balanced against the benefits of the scheme. The scheme incorporates existing landscape features for retention and supplements this appropriate details for new landscaping of the developed areas. There is sufficient detail to conclude that the scheme complies with Policy ENV5 and will not increase flood risk on the site or elsewhere.

14.21 The scheme is compatible with the living conditions of neighbouring properties, complying with ENV16. The development, with suitable conditions and contributions, can be accommodated on the current highway network. The scheme can be designed to comply with Policy COM7 to retain efficiency and safety on the highway network, protecting against community severance whilst providing improvements to provision for pedestrians and cyclists. The scheme complies with adopted parking guidance.

14.22 The development will contribute positively to the maintenance and enhancement of local identity and distinctiveness whilst resulting in a new chapter of the settlement's character, bringing wider benefits overall to the appearance of Crossways. The development is considered to have acceptable impacts on the wider landscape character bearing in mind its extent and the substantial extension to the village that the development represents. In addition, the bolstering of the Council's HLS with development in sustainable locations makes the Authority less vulnerable to development occurring in more environmentally sensitive or less desirable locations. The development provides acceptable mitigation for its impacts on biodiversity within the site. Overall the environmental factors are considered to be

positive.

14.23 Overall the scheme is considered to result in economic, social and environmental benefits and therefore complies with Policy INT1 and is recommended for approval.

15. Recommendation

15.1

i. Plans list

OUTLINE PERMISSION

ii. Approval of the details of the access, layout, scale and appearance of the development and the landscaping of the site (hereinafter called the Reserved Matters) for the remainder of the site outside of the full permission granted for Phase 1 of this hybrid permission shall be obtained from the Local Planning Authority in writing before any development is commenced on these other phases of the development.

REASON: To ensure the satisfactory development of the site.

iii. Application for approval of any 'reserved matter' under Condition 2 must be made not later than the expiration of ten years beginning with the date of this permission.

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

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

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

v. Not more than 401 dwellings total shall be constructed under this outline permission.

REASON: The assessment of the impacts of the scheme are based on a maximum of 500 dwellings across the whole site and additional dwellings would require further assessments of impacts to heathland SSSIs in accordance with Policy CRS1 and ENV2 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

PHASING

vi. Prior to the commencement of the development a Phasing Plan for

the entirety of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall make provision for

a) **Extraction of the mineral interest**
b) **Delivery of Village Hall and Village Green as part of Phase 1. No further dwellings in later phases to be constructed in later residential phases until these are complete**
c) **Delivery of serviced employment land as part of the development of the adjacent residential phase**
d) **Provision of allotments as part of the development of the adjacent residential phase**
e) **Provision of Locally Equipped Areas for Play as part of the development of the adjacent residential phase**

Any subsequent changes to the agreed phasing plan must also be agreed in writing by the Local Planning Authority .

REASON: In the interests of achieving the objectives of the Local Plan and in accordance with Policy CRS1 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

MASTERPLAN

vii. **The development of the later phases of the Outline permission shall substantially accord with the layout and details of the Illustrative Masterplan Drwg. No. 1677/P04 Rev.C.**

REASON: In the interests of achieving the objectives of the Local Plan and in accordance with Policy CRS1 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

HIGHWAYS

viii. **The highway improvements to the Warmwell Road on the site frontage shall be constructed substantially in accordance with the submitted details shown on the application drawings before the development is first occupied.**

REASON: In the interests of road safety.

ix. **The Phase 1 full application hereby permitted shall not be occupied or utilised until the access, geometric highway layout, parking and turning areas shown on the application drawings have been constructed, unless otherwise agreed in writing by the Local Planning Authority. Thereafter, these shall be maintained, kept free from obstruction and available for the purposes specified.**

REASON: In the interests of road safety.

x. **No more than 100 residential units (to include 35% affordable housing) shall be occupied until the A35 Max Gate junction**

arrangement, as shown in the WYG Transport drawing 'SK09' dated 21 October 2015 is completed and open to traffic, unless any variation in the design of the proposals is otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the safe and efficient operation of the Strategic Road Network (A35).

xi. No development shall commence until a Construction Traffic Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority.

The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The Plan shall also include contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities).The plan shall also include a scheme of signing of the heavy vehicle route to the site agreed with advice/warning signs at appropriate points. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

The CTMP shall thereafter be implemented in accordance with the approved details upon the commencement of the construction phase of the development and adhered to for the complete duration of the construction programme, unless a variation to the CMP is otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the safety of traffic on the Strategic Road Network.

TRAVEL PLANS

xii. ~~On occupation of the development hereby approved~~, Before the development hereby approved is first occupied or utilised the Travel Plan and Strategy included in the submissions shall be implemented and operational

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

xiii. Prior to the submission of any reserved matters under Condition 2 above for the approved employment allocation, a Travel Plan suitable to deal with the travel impacts of the whole 2.5ha

employment allocation shall be submitted to and approved in writing by the Local Planning Authority. The employment Travel Plan shall be implemented in accordance with its agreed details prior to the first occupation of any approved employment building on the site.

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

DRAINAGE

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

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

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

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

FOUL WATER

xvi. The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker • a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing • the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of

sewer flooding to downstream property.

CONTAMINATED LAND

xvii Site Characterisation
An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be 3 produced. The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:
(a) a survey of the extent, scale and nature of contamination;
(b) an assessment of the potential risks to: • human health, • property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, • adjoining land, • groundwaters and surface waters, • ecological systems, • archaeological sites and ancient monuments;
(c) an appraisal of remedial options, and proposal of the preferred option(s).
This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development in accordance with Policy ENV9 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

xviii. Submission of Remediation Scheme
Before commencement of development, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development in accordance with Policy ENV9 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

xix. Implementation of Approved Remediation Scheme The approved

remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development in accordance with Policy ENV9 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

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

REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development in accordance with Policy ENV9 of the adopted West Dorset, Weymouth & Portland Local Plan (2015).

EMPLOYMENT ALLOCATION

xxi. The development shall provide a minimum of 2.5 hectares of employment land. No dwelling adjoining the eastern boundary of the residential development, adjacent to the proposed employment access road within the Character Areas 4, 5 & 6 as set out on page 48 of the submitted Design & Access Statement, shall be occupied before the employment allocation has been provided as serviced employment land in accordance with the phasing scheme submitted under Condition 5 above.

REASON: In the interests of securing the economic benefits of this Key Employment Site allocation in the Local Plan

xxii. Buildings constructed within the employment allocation hereby approved shall not exceed a total floorspace of 13,000m^2 (measured externally).

REASON: In the interests of the impacts of the traffic generated by that level of employment development on the strategic highway network in accordance with Policy COM7 of the adopted West

Dorset, Weymouth & Portland Local Plan (2015).

BIODIVERSITY

xxiii. Prior to the commencement of development, a Biodiversity Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless any subsequent variation is agreed in writing by the Local Planning Authority .

REASON: In order to protect the landscape qualities of the area and to safeguard and enhance the ecological value of the site in accordance with Policies SA3 and SA12 of the adopted West Dorset Local Plan (2006) and the advice in the NPPF (2012).

SCHEDULED ANCIENT MONUMENT

xxiv. The submission of details of reserved matters under Condition 2 shall make provision for a minimum 5m buffer around the identified remains of the Bowley's Plantation enclosure as set out on page 10 of the submitted Settings Assessment by Context One received on 16 October 2017.

REASON: In the interests of the setting of the Scheduled Ancient Monument in accordance with Policy ENV4 of the adopted West Dorset Local Plan (2006) and the advice in the NPPF (2012).

BROADBAND

xxv. No development above damp proof course of any building hereby approved shall take place until a scheme for facilitating infrastructure to support superfast broadband technology to serve the development has been submitted to, and approved in writing by, the local planning authority. The scheme shall include a timetable for implementation, including triggers for a phased implementation if appropriate, Thereafter, the development shall proceed in accordance with the agreed scheme.

REASON: To ensure that the utilities service infrastructure is sufficient to meet the extra demands imposed by this development, in accordance with West Dorset, Weymouth & Portland Local Plan policy COM10. (The Provision of Utilities Service Infrastructure).

PHASE 1 DETAILED CONSENT

xxvi. The Village Hall hereby approved shall be laid out with a full-size badminton court in the main hall as shown on Drwg. No. 1677 P VH 01 prior to the Village Hall first being brought into use.
REASON: In the interests of sports provision as part of the development in accordance with Policy COM1 of the adopted West

Dorset Local Plan (2006) and the advice in the NPPF (2012).

xxvii. The Phase 1 full permission development shall be carried out in accordance with the materials details in the approved Drwg. No's 1677 P10-1 REV A, 1677 P10-2 REV A & 1677 P11. No development above damp proof course of any dwelling approved under the Phase1 full permission shall take place before samples of the materials to be used on that building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details unless otherwise agreed in writing by the Local Planning Authority .

REASON: In the interests of the character and appearance of the area in accordance with Policy ENV12 of the adopted West Dorset Local Plan (2006) and the advice in the NPPF (2012).

xxviii. The development shall be carried out in accordance with the boundary treatments set out in the approved plans Drwg. No's 1677 P 03-1 to 5 REV A. The boundary treatments to each individual building shall be completed in their entirety prior to the first occupation of the building concerned. The boundary treatments shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority .

REASON: In the interests of the character and appearance of the area in accordance with Policy ENV12 of the adopted West Dorset Local Plan (2006) and the advice in the NPPF (2012).

xxix. The development of the Phase1 full permission shall be carried out in accordance with the landscaping details set out in the approved plans Drwg. No's TD742_04B & TD742_05 – 08. The landscaping shall be carried out in accordance with the soft landscape works specification set out on the approved plan Drwg. No. TD742_08.

All planting seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the commencement of the works on the landscaping plan concerned unless the Local Planning Authority gives written consent to any variation.

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. The landscaping shall thereafter be retained.

REASON: In the interests of the character and appearance of the location in accordance with Policy ENV10 of the West Dorset, Weymouth & Portland Local Plan (2015) and the advice in the NPPF

(2012).

xxx. The development shall be carried out wholly in accordance with the Arboricultural Assessment & Method Statement by Barrell Tree Consultancy dated January 2016. The agreed tree protection measures shall be retained during the course of the development and there shall be no variation to the agreed protection measures without the prior written agreement of the Local Planning Authority.

REASON: To protect preserved trees within and adjoining the site during construction in the interests of preserving the character and of the area in accordance with Policy ENV10 of the West Dorset, Weymouth & Portland Local Plan (2015) and the advice in the NPPF (2012).

INFORMATIVE NOTES

INFORMATIVE NOTE: The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 and those works under Section 278 of the Highways Act 1980, the applicant should contact Dorset County Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset County Council, County Hall, Dorchester, DT1 1XJ.

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

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

INFORMATIVE NOTE: The applicant intends to rely heavily on infiltration. They will therefore need to demonstrate, through further post extraction ground investigation, that soakaways remain feasible. Given the proposed use of soakaways across the site, it is important that soakaway tests and GW readings are representative of all the areas expected to support infiltration. DCC's FRM team as relevant LLFA will be unable to discharge condition (??) above,

without detailed information concerning ground conditions that substantiate the use of drainage through infiltration. Should the site, after mineral extraction, be found not to support infiltration, then the applicant will need to propose alternate and detailed designs for capturing and attenuating SW.

The DCC/FRM generic guidance note regarding SW management, can be found at www.dorsetforyou.com/localfloodrisk

INFORMATIVE NOTE: The highway proposals for the A35(T) associated with this consent involve works within the public highway, which is land over which you have no control. Highways England therefore requires you to enter into a suitable legal agreement to cover the detailed design and construction of the works. Please contact the Asset Manager, Steve Hellier, (telephone 0300 470 4383) at an early stage to discuss the details of the highways agreement.

The applicant should be aware that an early approach to Highways England is advisable to agree the detailed arrangements for financing the design and construction of the scheme. Commencement of works will also need to be timed to fit in with other road works on the strategic road network or local road network to ensure there are no unacceptable impacts on congestion and road safety.

Please be advised that Highways England will charge Commuted Sums for maintenance of schemes delivered by third parties. These will be calculated in line with HM Treasury Green Book rules and will be based on a 60 year infrastructure design life period.

INFORMATIVE NOTE: At all times, a contact telephone number shall be displayed on site for members of the public to use to raise issues. A named person will also be provided to Environmental Health in order for contact to be made should complaints be received.

The use of any radio / amplified music system on site must be kept at a level not to cause annoyance to noise sensitive premises beyond the boundary of the site.

Any future sub-contractors to the site shall be made aware of, and comply with any guidelines/conditions relating to site management of emissions of noise, dust, smoke, fumes etc., made in as part of the determination of this application. Letter drops to adjacent residents in close proximity should be considered as part of the Construction phase to give a minimum of 48 hours notice of any exceptional activities proposed.

Any waste arising at the site shall be appropriately segregated and controlled prior to its removal by an appropriately licensed

contractor. Any waste arising from the activity which could potentially be contaminated in any way shall also be segregated again, and removed appropriately. Environmental Health must be informed if this occurs.

1.0 Application Number: WD/D/16/000378
Application Site: Land south of Warmwell Road, Warmwell Road, Crossways
Proposal: Full planning permission for the erection of 99 open market dwellings & affordable dwellings, a new doctors surgery, a replacement village hall, a car park, a new village green, new vehicular and pedestrian accesses and works to Warmwell Road. An outline application for the erection of 401 open market and affordable dwellings, the provision of 2.5ha of employment land, new vehicular and pedestrian accesses, roads, footpaths and cycleways, a car park for the proposed Site of Alternative Natural Greenspace (SANG) and 2 pumping stations; and a full application for the change of use of 22.4ha of land to Site of Alternative Natural Greenspace (SANG).

Applicant: C & G Properties Ltd
Case Officer: Ann Collins
Ward Member(s): Cllr N Ireland

This application is on this Planning Committee agenda as the application has been the subject of a committee resolution in November 2017, but the decision has not yet been issued and amendments are now being sought to that resolution.

2.0 Summary of Recommendation:

2.1 **Recommendation A:** Delegate authority to the Head of Planning to grant planning permission subject to planning conditions as detailed in section 16 of this report and the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Head of Planning to secure the following:

- 35% of the units as affordable housing with 50/50 tenure split between rented and shared ownership/low-cost affordable housing
- A clause to revisit the viability of the scheme and the affordable housing provision at 100, 200, 300 & 400 units
- Education contribution of £5,444 per dwelling with 2 or more bedrooms index linked using RPI from the date of this committee report
- Provision of a minimum of 22.4ha of suitable alternative natural greenspace (SANG) with a maintenance contribution of £960,000 and supporting funding provisions of £241 per dwelling (SAMM) index linked using RPI from the date of this committee report
- Financial contribution of £149,089 towards mitigation for the impacts of the development on nitrogen levels in Poole Harbour index linked using RPI from the date of this committee report
- Highway contributions of £560,000 towards off-site highway works to include works to Warmwell Road and a Cycle Route Scheme index linked using RPI from the date of this committee report

- Provision of a minimum of three no. Locally Equipped Areas for Play, approval of maintenance and management arrangements and financial contributions towards maintenance of the proposed LEAPs of £58,540 index linked using RPI from the date of this committee report if they are transferred to the Parish Council to manage and maintain

Recommendation B: Refuse permission for the reasons set out below if the S106 agreement is not completed within 6 months of the date of the committee resolution or such extended time as agreed by the Head of Planning.

1. Policy HOUS1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 requires a minimum on-site provision of 35% of the units as affordable housing. In the absence of a planning obligation to secure these affordable units the scheme would fail to meet the substantial unmet need for affordable housing in the district and the proposal would therefore be contrary to Policy HOUS1 of the adopted Local Plan.

2. Policy COM1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 sets out that where new development will generate the need for new or improved community infrastructure and this need is not being met through the Community Infrastructure Levy, suitable provision should be made on site. Policy CRS1 of the Local Plan sets out the expected infrastructure for this site and its development. In the absence of a planning obligation to secure the required community infrastructure the scheme would fail to mitigate the increase in demand for the necessary infrastructure to support the development and to avoid and mitigate for the adverse effects upon internationally designated heathlands and additional nutrient loading upon the Poole Harbour internationally designated sites. It would namely fail to provide for:

   Education;
   Recreation spaces in the form of Sites of Alternative Natural Greenspace and the supporting maintenance and funding mechanisms required for the future;
   Mitigation of the impacts upon the Poole Harbour internationally designated sites;
   Highway improvements;
   Children's play provision.

   In the absence of a planning obligation the proposals therefore fail to meet the provisions of Policies COM1, CRS1, INT1, ENV2 and COM7 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2019).

2.2 This is very similar to the recommendation made to the planning committee on 16th November 2017 when the planning committee resolved to delegate authority to the Head of Planning in accordance with the officer's recommendation to them. The difference to the recommendation now is in respect of the proposed conditions, the elements to be included in the S106 agreement and part B of the recommendation in respect of what could happen if the S106 agreement is not completed within 6 months of the date of the committee resolution.

AMENDMENTS/ADDITIONS TO PREVIOUSLY RECOMMNEDED CONDITIONS

2.3 It is proposed that the wording of condition no. 6 be amended to read as follows:

1. Prior to the commencement of the development a Phasing Plan for the entirety of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall make provision for:

a) Extraction of the mineral interest in accordance with a scheme to be first approved in writing by the Local Planning Authority from the area outlined in red on the Site Location Plan Drwg no. 1701 P01 Rev A prior to the commencement of any development the subject of this outline planning permission within that same area.
b) Delivery of the Village Green as part of Phase 1. No further dwellings in later phases to be constructed until it is complete.
c) Delivery of serviced employment land as part of the development of the adjacent residential phase.
d) Provision of allotments as part of the development of the adjacent residential phase.
e) Provision of Locally Equipped Areas for Play as part of the development of the adjacent residential phase.
f) The proposed village hall and adjacent parking spaces being constructed and ready for first use prior to the demolition of the existing village hall or the commencement of construction of the final phase of the development, whichever is soonest, and the submission of a scheme for the interim landscaping of the proposed village hall site until such time as the village hall is constructed. The interim landscaping scheme for the village hall site is to include details of the planting and its maintenance and shall be implemented and completed in full as part of Phase 1 and shall be maintained and retained thereafter until such time as the village hall is constructed on the site.
g) Provision of the doctor's surgery.

Thereafter the development shall be carried out in accordance with the phasing plan and any subsequent changes to the agreed phasing plan must also be agreed in writing by the Local Planning Authority.

REASON: In the interests of achieving the objectives of the Local Plan and the site specific policy.

2.4 It is also proposed to reflect the National Planning Policy Framework (2019) to include a condition regarding the design of the development to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. Paragraph 110 of the NPPF requires applications for development to make such provisions in respect of design.

2.5 It is therefore recommended that an additional condition is included as follows:

No development above damp proof course of any dwelling in the phase 1 full application area shall be carried out until a scheme showing how the charging of plug-in and other ultra-low emission vehicles is to be provided in safe, accessible and convenient locations has been submitted to and approved in writing by the Local Planning Authority. Furthermore as part of any reserved matters application relating to design, details shall be provided to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development. Thereafter the development shall be carried out in accordance with such details as have been approved by the Local Planning Authority.

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

2.6 It is proposed to amend the condition, no. 23, regarding the submission and implementation of biodiversity mitigation plans. This is to ensure that as the development is proposed to be phased a mitigation plan is submitted for each phase prior to the commencement of development on that particular phase and is based on up-to-date ecological survey work so that the impacts, mitigation and enhancement of biodiversity is fully addressed.

2.7 It is proposed to simplify the wording of condition no. 11 to avoid repetition. It is proposed to omit the reference to Wessex Water from condition no. 16 as its inclusion is not considered necessary. The wording of condition no. 17 is proposed to be amended to add “prior to the commencement of development” at the beginning of the first sentence. The wording of condition no. 18 is proposed to be amended to reflect the outcome of condition no. 17. In respect of condition no. 19 it is proposed to amend the wording to allow for remediation to potentially be carried out in phases should it be considered appropriate and safe to do so

and for the remediation scheme to be varied if necessary. In respect of condition no. 29 it is proposed to introduce the need to have a timetable for the implementation of the landscaping for phase 1 to be approved.

2.8 Some very minor amendments are also proposed to the conditions in respect of typographical errors and reference to an outdated local plan.

AMENDMENTS TO PREVIOUSLY RECOMMENDED S106 AGREEMENT

2.9 The previous committee resolution (as it stands) states that the following should be included within the S106 agreement in accordance with the officer recommendation at that time:

“Highway improvements at Max Gate payable not later than the occupation of 100 units and provision of a scheme for the extraction of mineral interest from the site and the restoration of the land concerned prior to its development.”

“Provision of a scheme for the extraction of mineral interest from the site and the restoration of the land concerned prior to its development.”

2.10 It is now proposed to omit those elements from the proposed S106 agreement as it is considered that they could be adequately covered by planning conditions. Condition no. 6 is amended in respect of the mineral extraction requirements.

2.11 The committee resolution in respect of the education contribution refers to a sum of £2,722,212 which is the correct figure if all houses were qualifying dwellings i.e. had 2 bedrooms or more. However as 1 bedroom properties would not be required to contribute it is proposed to break the contribution down into a per dwelling figure of £5,444 which would be required for all 2 or more bedroom properties.

2.12 The committee resolution refers to supporting funding provisions (SAMM) for the suitable alternative natural greenspaces (SANGs) but a figure was not stated. This figure has been calculated in consultation with Natural England to be £241 per dwelling and it is now proposed that this is stated in respect of the S106 requirements.

2.13 The committee resolution refers to financial contributions towards the maintenance of the proposed LEAPs. They would be required if the LEAPs management and maintenance were transferred to the Parish Council after completion of them and for clarity it is proposed to state that and include the maintenance figure which would be £58,540.

2.14 The committee resolution doesn’t specifically refer to the financial contributions being index linked although this would have been written into the

S106 agreement. However in line with current practice for Dorset Council it is proposed to specifically state this in the wording of the recommendation.

ADDITION TO PREVIOUS RECOMMENDATION

2.15 The final amendment is in respect of the inclusion of recommendation B and that the application be refused if the S106 agreement is not completed within 6 months of the date of the committee resolution or such other extended time period as agreed by the Head of Planning.

2.16 A copy of the officer's committee report from 2017 is appended for information.

3.0 Reason for Recommendation:

3.1 To allow the village hall to be constructed outside of phase 1 of the development but to ensure it is constructed and ready for first use prior to the demolition of the existing village hall. The amendment to the wording of the condition in the committee resolution would also ensure that the proposed village hall site is landscaped in the interim and has a suitable visual appearance until such time as it is developed. As such it is considered that the amendment to the phasing should aid the viability of the scheme in its initial stages but would ensure that the provision of the village hall in a later phase is not jeopardised and the site remains visually acceptable in the meantime given its location adjacent to the road.

3.2 The additional condition regarding the design of the development to allow for the plugging in of vehicles in safe, accessible and convenient locations accords with the NPPF as updated in 2019.

3.3 Amending the condition regarding the submission of biodiversity mitigation plans will ensure they are based on up-to-date ecological survey work and as such fully address the impacts, mitigation and enhancement of biodiversity.

3.4 Amending the wording of other conditions will provide clarity and address issues regarding compliance with them.

3.5 It is considered that the highway works at Max Gate and mineral extraction from the site can be addressed by conditions and should not therefore be duplicated in the S106 agreement.

3.6 It is considered that the additional wording in respect of the index linking of the financial contributions and breaking the education contribution down per dwelling and including a figure for the supporting funding provisions provides clarity.

3.7 The inclusion of the provision of the doctor's surgery within the phasing condition will ensure that it is provided as the development progresses and as demand on the existing surgery increases as a result of the additional population.

3.8 The additional recommendation B is to ensure the completion of the S106 agreement occurs in a timely manner in order that a permission exists for the development of this allocated site.

4.0 Table of Key Planning Issues

Issue	**Conclusion**
Impact on the provision of community facilities	There would be no reduction in the provision of community facilities as the existing hall will not be demolished until the proposed village hall is constructed and ready for first use. Including the doctor's surgery in the phasing plan will ensure that it is provided as the development progresses.
Impact on visual amenity	The requirement for the site of the proposed village hall to be landscaped until such time as the hall is constructed will ensure that the visual amenity of the area is not adversely affected.
Sustainable development and transport	Designing the development to enable charging of plug-in and other ultra-low emission vehicles would aid sustainable development and transport options for residents of the development in accordance with the NPPF (2019).
Impact on setting of heritage assets and SSSIs	Regard has been had to the changes to the NPPF since 2017, however being largely an outline application and with the planning conditions and S106 mitigation as indicated, it is considered that the NPPF assessment of importance for the setting of heritage assets/Sites of Special Scientific Interest has been undertaken and proper regard to their importance acknowledged and appropriately mitigated.
Impact on biodiversity	It is considered that the amendments to the condition wording for the submission of biodiversity mitigation plans would ensure that the impacts, mitigation and enhancements are based on up-to-date ecological survey work.

5.0 Description of Site:

5.1 The site is located to the south of Warmwell Road and incorporates a large area of currently undeveloped land as well as Summer Farm and the existing village hall. It wraps around 3 sides of Hybris Business Park and is adjacent to Heathfield Park and a number of other residential properties. To the south west of the site is Warmwell Country Touring Park.

5.2 The land is allocated in the adopted Local Plan for a mixed-use development under Policy CRS1 and the defined development boundary for Crossways was extended to accommodate this allocation as part of the Local Plan. The application follows the boundaries of the allocated site in the local plan.

5.3 The site lies in a Minerals Safeguarding Area identified in the adopted Bournemouth, Dorset and Poole Minerals Strategy (2014).

5.4. Within the western side of the wider outline application is sited a Scheduled Ancient Monument (SAM) described as a “prehistoric earthwork in Bowley’s Plantation”. There is no Conservation Area for Crossways. The nearest listed buildings to the site are the Frampton Arms pub and its outbuildings at the level crossing at Moreton station. There is a further SAM approximately 350m south-east of the corner of the proposed SANG. This is Tinkers Barrow, a Bronze Age bowl barrow set within a woodland.

5.5 The site lies within the Crossways Gravel Plateau Landscape Character Area in the Council’s adopted Landscape Character Assessment SPD. The site is outside of the AONB. The application site is within 5km of both the Warmwell and Winfrith heathland SSSIs.

6.0 Description of Development:

6.1 The application is a hybrid proposal for full planning permission, change of use and outline planning permission for this strategic site allocation in the adopted local plan. The site area covers the entire allocation set out in Local Plan Policy CRS1 which includes an allocation for mixed-use development and an indicative area for suitable alternative natural greenspace (SANG) as mitigation for the impacts of this residential development on the protected heathlands which are within 5km of the site. The overall site area is 44.21 hectares.

6.2 The outline application seeks permission for 401 dwellings in addition to the detailed consent element for 99 dwellings. The 401 dwellings would be on land to the east of the Hybris Business Park and south of Summer Farm, extending down from the B3390. The residential elements also extend around to the current village hall site to the west of the Hybris and the residential areas extend south

wrapping around the lower part of Scotton Way to link back into the application area to the east of the business park.

6.3 Within the residential elements of the scheme are indicated areas of open space with three LEAPS (play areas) shown. There are also areas of open space including around the site of the Bowley's Plantation Scheduled Ancient Monument. There are also open areas around retained tree copses within the land. A series of allotments is indicated immediately adjoining the southern boundary of the recycling centre. A separate car park west of the public bridleway along the western boundary is located to serve the proposed SANG in this area.

6.4 At the eastern corner of the site at the junction of Warmwell Road and Moreton Road, an area of 2.5 hectares of employment land is indicated. This will be served by a separate access from the B road opposite 16 Warmwell Road. This road is then shown linking into the remainder of the development to the south. Overall there are three vehicular accesses indicated with a main central access forming part of the full permission element below. The third access is at the far western end of the site on the position of the current village hall access road.

6.5 The application includes a full permission element for an initial 99 dwellings to form the first phase of the development. 35% of these units are to be provided as affordable housing with a tenure split of 50/50 between rented and shared ownership/low-cost provision. In addition to the residential proposals, the full permission element also provides for the erection of a new village hall and doctors surgery at the entrance to the site from Warmwell Road with a new car park to serve these facilities. The detailed scheme element in addition proposes a new village green behind the village hall. New vehicular and pedestrian accesses and works to Warmwell Road also form part of the detailed proposals.

6.6 Village Hall – The village hall is a single-storey but double height building located to the east of the main access onto Warmwell Road. It is intended to be a key focal point for the development whilst also serving as a hub for the wider village. The building includes a main hall sufficient to accommodate a badminton court, stage area/ancillary committee room, small hall, store rooms, playgroup facilities including an outdoor play space, foyer/entrance area, kitchen, office, toilets and changing facilities. The village hall fronts west onto the new access road into the site but also includes large glazed areas on the east elevation. This will face out onto the proposed village green running alongside the main road. 9 parking spaces are shown immediately adjacent to the new hall with the majority of the parking demand to be met by the car park behind the new surgery (see below).

6.7 Doctors Surgery – The new doctor's surgery is proposed to the west of the new junction to the B3390. This has a smaller footprint than the new village hall

but instead is 2 storey. It includes three GP rooms, a nurse's treatment room, three multi-function rooms, a private consultation room, two offices, a reception and waiting area, toilets and a staff room. A pharmacists is shown as incorporated into the surgery on the ground floor with external public access and an internal connection to the surgery's waiting room. A total of 53 car parking spaces are shown along with motorcycle spaces, designed to be shared between the community facilities. Cycle parking for both the village hall and new surgery are shown to the front.

6.8 Change of use to SANG – 22.4ha of land within the site – a little over half – is proposed to be provided as suitable alternative natural greenspace. The application seeks permission for a change of use of this land from a nil/agricultural use to be used as open space as mitigation for the impacts of the increased residential development on the site on the nearby heathland Sites of Special Scientific Interest (SSSI) at Warmwell Heath and Winfrith Heath.

6.9 The proposed SANG includes areas of grassland, woodland and heath. The SANG is shown divided into four "units" with the open grassland areas immediately surrounding the proposed residential areas. On the eastern side these adjoin the woodland at Moigne Coombe Wood. The proposals for the SANG involve limited physical intervention to these areas. The main changes are to provide new links to these areas to bring these into the public domain, creating interest for informal walking routes to be used for dog walking and informal recreation.

7.0 Relevant Planning History:

Application. No	Application Description	Decision	Date of Decision
WD/D/16/000652	Gravel extraction of up to 131,000 tonnes of sand and gravel; new vehicular access onto B3390 Warmwell Road	Not yet determined	

8.0 List of Constraints:

- In defined development boundary
- Allocated site in Local Plan – CRS1
- Landscape character area - Crossways Gravel Plateau
- Within 5km of both the Warmwell and Winfrith heathland SSSIs
- In a minerals safeguarding area
- Scheduled ancient monuments

9.0 Consultations:

9.1 Full consultations took place on the application prior to its consideration by the Planning Committee in November 2017. All comments and representations can be viewed on the Council's website and were considered in the committee report from November 2017 as appended.

9.2 This report is recommending changes to the in respect of the conditions and 106 requirements within the previous committee resolution. As such there has been no re-consultation on the application at this time regarding the proposed amended conditions or any of the other amendments within this report.

9.3 Since the application was considered by the Planning Committee in November 2017 three further pieces of correspondence have been received. The first is from the Dorset Clinical Commissioning Group and is dated 19th September 2018. The letter can be summarised as follows:

- From recent premises visits and discussion with the practice, Dorset CCG can confirm that the current GP surgery building is reasonably fit for purpose to deliver primary care services to the location population. It's ideally located for the catchment population and provides good access with parking close by.
- The surgery clinical accommodation is fully utilised although there is some scope for extension at the site, subject to planning approval.
- Having taken into account the cost and revenue implications of a possible new build surgery as opposed to the option of extension Dorset CCG can confirm, with agreements from the practice that the preferred option would be to extend the existing building.
- For local primary care services, the estimated cost of creating an additional clinical room (plus increased ancillary space i.e. corridors, amending waiting areas etc.) is in the region of £60,000. Based on these costs the CCG are seeking a contribution of £40,000 from the development.

9.4 In response to the CCG letter of September 2018 the Parish Council wrote a latter to the CCG, copying in the local planning authority. The letter can be summarised as follows:

- The Parish Council consider that an extension to the surgery will only provide a sticking plaster for a few years before another major extension is required to cater for the increasing population of Crossways.
- Seeing sick patients while major building works are carried out is potentially dangerous, noisy, dusty and provides poor working conditions.
- The Parish Council's preferred option is for a new medical centre. This would provide a modern building with low maintenance and improved

insulation suitable for the expanding needs of the local population for now and many years in the future.
- It has been the vision that the new medical centre will not just be a doctor's surgery but also house other complimentary services for the Crossways area such as dentistry, chiropractic, opticians etc. which would pay toward the running costs and provide an inclusive health service for clients.

9.5 A letter has also been received from the Ramblers, Dorset Area. The letter can be summarised as follows:

- Attention is drawn to Chapter 8 of the NPPF and paragraph 98 – decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
- Public rights of way have not been included in the recommendations for this application.
- The illustrative masterplan, whilst illustrative, does not show any rights of way either existing or new and it would be helpful to have included them, if nothing more than to remind all concerned that they do exist, and are part of the "highway" network.
- Future plans should remedy this and that any recommendations include funding for rights of way and that anticipated diversions of public rights of way will be undertaken using the appropriate legal procedures, and with full consultation with user groups.

10. Relevant Policies:

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

CRS1 – Land at Crossways
INT1 – Presumption in favour of sustainable development
SUS1 – The level of economic and housing growth
SUS2 – Distribution of Development
ENV1 – Landscape, seascape and sites of geological interest
ENV2 – Wildlife & Habitats
ENV4 – Heritage Assets
ENV5 – Flood Risk
ENV9 – Pollution & Contaminated Land
ENV10 – The landscape and townscape setting
ENV11 – The patterns of streets and spaces
ENV12 – The design and positioning of buildings
ENV15 – Efficient & appropriate use of land
ENV16 – Amenity
ECON1 – Provision of employment
ECON2 – Protection of key employment sites

HOUS1 – Affordable housing
HOUS3 – Open market housing mix
HOUS6 – Other residential development outside defined development boundaries
COM1 – Making sure new development makes suitable provision for community infrastructure
COM7 – Creating a safe and efficient transport network
COM9 – Parking standards in new development
COM10 – The provision of utilities service infrastructure

National Planning Policy Framework

As far as this application is concerned the following section(s) of the NPPF are considered to be relevant;

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

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.

11. Human Rights:

Article 6 - Right to a fair trial.
Article 8 - Right to respect for private and family life and home.
The first protocol of Article 1 Protection of property

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

12. Public Sector Equalities Duty:

12.1 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.

12.2 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 PSED.

12.3 It is noted that the scheme will provide a new doctors' surgery. This will expand provision and improve access to healthcare for residents, also meeting increased demand created by the development. A modern purpose-built facility is also likely to provide improved provision and a pharmacy will also benefit residents providing access to this type of healthcare advice and provision locally. All new buildings in the development will be required to comply with building regulations which have their own requirements in respect of access.

12.4 In addition the development would provide additional open space and access to the countryside through the provision of SANGs, allotments and LEAPs. The provision of open space provides greater opportunities for recreation, exercise and spending time outside, all of which have health benefits.

13. Financial Benefits:

Material benefits of the proposed development	
Housing Nos.	Up to 500 dwellings
Affordable housing Nos	35% of 500 = 175 dwellings
Employment land	2.5ha
Site of Alternative Natural Greenspace	22.4 ha
Replacement Village hall	
Doctors Surgery	
Village Green	
Allotments	

3 x LEAPs (play areas)	
Financial contributions to be secured via S.106 agreement	
Education contribution	£25,444 per dwelling
SANG maintenance contribution	£960,000
Strategic Access Management and Monitoring (SAMM) provisions	£241 x 500 dwellings = £120,500
Contribution towards mitigation for the impacts of the development on nitrogen levels in Poole Harbour	£149,089
Highway contributions towards off-site highway works including works to Warmwell Road and a cycle route scheme	£560,000
Highway improvements at Max Gate	Financial amount not known at this time – will be based on the physical works required by Highways England to be carried out.
Non-material benefits of the proposed development	
Business Rates	Unknown – outline application only
Council Tax	Unknown – part of the site is outline only
New Homes Bonus	Unknown – part of the site is outline only

14. Climate Implications:

14.1 The development is considered to be in a sustainable location with facilities such as a shop, village hall, library, first school and doctor's surgery all within the vicinity of the site such that a resident would not be reliant on a car to access such day to day services. SANGs and LEAPs are proposed as part of the development providing recreational opportunities on site rather then travelling further afield. The village is served by buses and it is intended that a bus would come into the site to pick up and drop off. There is a railway station at Moreton.

14.2 It is proposed to condition the provision of points for charging plug-in and other ultra -low emission vehicles.

14.3 It is proposed that the minerals would be extracted from the site prior to the development of that part of the site and thereby avoiding the sterilisation of the resource.

14.4. Energy would be used as a result of the production of the building materials and during the construction process. However that is inevitable when building houses and a balance has to be struck between providing housing to meet needs

(both open market and affordable) versus conserving natural resources and minimising energy use.

14.5 The dwellings would be built to current building regulation standards at the time of construction.

15. Planning Assessment:

Provision of the village hall:

15.1 As explained above the application was considered by the now decommissioned West Dorset District Council Planning Committee in November 2017. The committee resolved to approve the application subject to a number of conditions and the completion of a S106 agreement.

15.2 During 2019 there has been correspondence and meetings with the agent and officers of the Council with regards to the application and the lack of progress made in respect of the S106 agreement. The applicant has now agreed that they will proceed with the drafting of the S106 agreement. In the meantime the applicant is seeking an amendment to the committee resolution and specifically condition no. 6.

15.3 Condition no. 6 of the committee resolution currently reads:

Prior to the commencement of the development a Phasing Plan for the entirety of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall make provision for:

a) Extraction of the mineral interest
b) Delivery of Village Hall and Village Green as part of Phase 1. No further dwellings in later phases to be constructed in later residential phases until these are complete.
c) Delivery of serviced employment land as part of the development of the adjacent residential phase.
d) Provision of allotments as part of the development of the adjacent residential phase.
e) Provision of Locally Equipped Areas for Play as part of the development of the adjacent residential phase.

Any subsequent changes to the agreed phasing plan must also be agreed in writing by the Local Planning Authority.

REASON: In the interests of achieving the objectives of the Local Plan and in accordance with Policy CRS1 of the

15.4 The applicant has asked that the change in the village hall delivery date be reconsidered (as detailed in condition 6) as they consider that the village hall and related car parking does not need to be delivered in phase 1 but rather it would need to be delivered either prior to the demolition of the existing village hall or before the commencement of phase 4 whichever is the sooner.

15.5 Although the applicant refers to the village hall potentially being constructed in phase 4, the phasing of the development has not yet been agreed as that is the first part of the requirements of condition no. 6. As such officers are therefore recommending that for the avoidance of doubt the new village hall be constructed and ready for first use prior to the demolition of the existing village, as until the existing is demolished there is essentially not the need for a new hall, although it is recognised that the new hall not only replaces the existing but provides upgraded facilities. However, it could be built into the condition that the hall be constructed and be ready for first use prior to the construction of the final phase of development being commenced. This would ensure that the new hall is provided prior to the construction of the final phase of development to ensure the developer provides the facility.

15.6 Not providing the village hall until the existing hall is programmed for demolition or prior to the final phase of development commencing, whichever is the sooner, is considered not to jeopardise the provision of community facilities within the village, as at all times one or other of the halls would exist.

15.7 Policy CRS1 of the adopted Local Plan requires a comprehensive mixed-use development to include new homes, local community facilities and employment land. The proposed village hall is a new community facility, along with the doctor's surgery, although the policy is not specific about what those community facilities should be or when during the development they should be provided. As such it is considered that the proposed new phasing of the village hall provision would not conflict with Policy CRS1.

15.8 There is the issue of what would happen in respect of the site of the proposed hall until such time as it is constructed as it is within the area of the site the subject of the full application for planning permission. However to address that it is proposed to require an interim soft landscaping scheme as part of the condition for the site of the proposed village hall which would be required to be implemented in full and maintained until such time as construction on the site for the new village hall commenced. The condition would require the interim planting to be carried out in phase 1 of the development. This would protect the visual amenity of the area having regard to the site being at the gateway to the development. The area adjacent to the site of the proposed hall is to be a village green and landscaping of the hall site would mean that it would visually assimilate with the green until such time as the hall was constructed.

Charging of plug-in and other ultra-low emission vehicles:

15.9 Since the consideration of the application in 2017 by the committee a new version of the NPPF has been published the latest version being February 2019 (updated June 2019). At paragraph 110 of the NPPF it states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. This is a material consideration and as such it is considered that the provision of such plug-in points should be conditioned. The design of phase 1 is already detailed in the full application but a scheme could still be required prior to development above damp proof course. The majority of the dwellings (401) are subject to the outline application only and therefore the matter can be addressed and designed into the scheme at reserved matters stage.

Heritage and Landscape Assets:

15.10 The new NPPF also increased the importance of heritage assets and landscape assets and the impact of development upon them. Due regard has been had to the amendments in the NPPF and being largely an outline application and with the planning conditions and S106 mitigation as indicated, it is considered that the NPPF assessment of importance for the setting of heritage assets/Sites of Special Scientific Interest has been undertaken and proper regard to their importance acknowledged and appropriately mitigated.

Biodiversity:

15.11 Amending the wording of the condition regarding the submission of Biodiversity Mitigation Plans (BMP) would ensure that each BMP was based on up-to-date ecological survey work and that should there be substantial delays between the implementation of each phase of the development such that the ecological context could have changed this would be addressed by the BMP through a review mechanism. Doing so would ensure that the development would have an acceptable impact on biodiversity.

Other Amendments to Conditions:

15.12 In reviewing the planning conditions the subject of the resolution some typographical errors have been corrected. Also it is suggested that amendments are made to condition no. 11 regarding the construction traffic management plan to simplify the wording and avoid repetition. The changes do not in anyway change the meaning or requirements of the condition.

15.13 In respect of the foul drainage condition (no. 16) whilst officers would liaise with Wessex Water over the submitted information it is not necessary or relevant to state this in the condition and therefore reference to Wessex Water is omitted.

15.14 Condition no. 17 requiring the submission of an investigation and risk assessment in respect of contamination requires a trigger for the submission of that information and therefore the words “Prior to the commencement of development” are added at the start of the condition.

15.15 Condition no. 18 concerns the submission and approval of a remediation scheme for land contamination. Whether such a scheme is required will depend on the outcomes of condition no. 17 and the investigation and risk assessment. As such the wording of the condition has been amended to reflect that.

15.16 Condition no. 19 deals with the implementation of an approved remediation scheme should it be required in respect of contaminated land matters. It is proposed to amend the wording to potentially allow for the submission and approval of a remediation phasing scheme if it transpires that it’s appropriate for the approved remediation scheme to be carried out in a phased manner and also for amendments to be made to the remediation scheme should they transpire to be necessary during the course of the remediation process.

15.17 Whilst previously it was stated that the planning permission would be the subject of a plans list condition the plans themselves were not listed. The condition has now been included in full with the plans listed (condition no. 1).

15.18 It is proposed to include within condition no. 29 the requirement to submit a timetable for the implementation of the landscaping for phase 1 and that subsequently the landscaping be carried out in accordance with the agreed timetable.

Doctor’s Surgery:

15.19 The proposals within the application for the Doctor’s surgery remain as they were when the application was considered by the Planning Committee in 2017. There has since been the correspondence from the CCG and the Parish Council’s response to it, however that has not impacted on the application at this time. Officers are aware of, but not party to, ongoing discussions between the CCG and the applicant as to whether a new doctor’s surgery should be provided on the site or alternatively a contribution made to extend the existing surgery building. Those discussions and the research associated with them are unlikely to be completed for some time.

15.20 The previous committee resolution (as it currently stands) does not include a trigger for the provision of the doctor’s surgery. Therefore whilst it is included within the full planning application and indicated as being within phase 1 there would be no requirement to actually provide the building in phase 1 or later in the development. However, consideration should be given to secure provision of the surgery within condition no. 6 which is the phasing condition. The doctor’s

surgery would not necessarily have to be provided as part of phase 1 as the population increase may be met by the existing surgery provision within Crossways. However as the development proceeded and more houses were occupied pressure on the existing surgery would increase and so the doctor's surgery would be required.

Public Rights of Way:

15.21 The matter of public rights of way were considered in the committee report in 2017, however, a further representation has now been received from the Ramblers. Their concern is that public rights of way must be considered in the development and that it is Rambler's policy to resist footpath diversions onto Estate Roads.

15.22 Figure 32 in the Design and Access Statement submitted with the application suggests that Footpath S49/2 which crosses the site may be proposed to be diverted at least in part along the estate road within phase 1 of the development. This would be contrary to the Rambler's policy and they are concerned that a length of the rural path would be lost.

15.23 The illustrative masterplan doesn't indicate what may be proposed for any necessary diversion of the public right of way, but of course the plan is only illustrative. Furthermore the granting of planning permission, be it full or outline, does not override the fact that in order to build on the line of an existing right of way an application to divert the right of way must first be submitted and development should not proceed unless it is approved. The granting of a planning permission does not in anyway indicate that the approval of a subsequent public right of way diversion application would be forthcoming. Nor does an application for planning permission have to show how an applicant proposes to divert a right of way should permission be subsequently forthcoming. As such it is considered that the matter of how the right of way is dealt with within the development is for a future application to divert the right of way which would be subject to consultation in accordance with the relevant legislation at that time.

S106 Agreement:

15.24 The committee resolution from November 2017, in accordance with the officer recommendation, included within the S106 agreement a scheme for mineral extraction and highway improvements at Max Gate. These matters were also, at least in part, also covered by planning conditions.

15.23 In reviewing the application and committee resolution and discussing with solicitors the details of the S106 agreement, these matters and whether they need to be included within the S106 agreement have been reviewed.

15.24 In respect of the highway improvements required by Highways England at Max Gate on the A35, these were to be the subject of a condition (no. 10 previously). It is considered that the condition adequately covers the requirement that the works be carried out and the junction be open for use prior to the occupation of the 101th dwelling. As such to also include this requirement within the S106 agreement would have been unnecessary duplication.

15.25 It was also proposed that the mineral extraction be included within the S106 agreement. The proposed mineral extraction is the subject of a separate application being dealt with by the minerals and waste planning team. The application has not yet been determined but it proposes the extraction of gravel from part of the site in accordance with the minerals safeguarding policy. The scheme for minerals extraction will be considered and controlled via that separate application and if subsequently granted would be subject to conditions. The matter to be considered as part of the application before you today is the timing of any such extraction in the interests of safeguarding the mineral and residential amenity. This matter has been discussed with the minerals planning officer who does not consider it necessary to carry out the extraction prior to the occupation of any dwelling on the site. The officer's view is that it should be carried out prior to the development of the land the subject of the minerals extraction to ensure the resource is not sterilised and that doing so would not unacceptably impact on residential amenity as the workings would apparently be shallow and not that different to ground works for a residential development. Any permission for minerals extraction given as a result of the separate application can have conditions attached to in respect of hours of working etc. if considered necessary to protect residential amenity. As such amended wording in respect of the minerals extraction is proposed in condition no. 6.

15.26 Other amendments are proposed in respect of the recommendations for the S106 agreements. It is considered that the education contribution should be broken down into a per dwelling contribution to reflect that only dwellings with 2 or more bedrooms would pay the contribution. The total contribution for supporting funding mechanisms for the SANGs (SAMM) is also now included and calculated on a per dwelling basis. A figure has been included for maintenance of the 3 LEAPs and it is clarified that this is required if they are transferred to the Parish Council upon completion.

15.27 It is now included within the recommendation that all financial contributions are index linked.

15.28 It is now proposed that for applications which require a S106 agreement to be completed that the agreement should be completed within 6 months of the committee resolution or such other time period as agreed with the Head of Planning. This should ensure that agreements are completed in a timely manner enabling the planning permission to be issued and providing greater certainty in respect of the development of the site and housing delivery.

16. Conclusion:

16.1 It is considered that the provision of the new village hall prior to the demolition of the existing hall or the commencement of the construction of the final phase of the development, whichever is sooner, would not adversely impact on the provision of community facilities within Crossways as a village hall would always be provided on site.

16.2 The provision of a new hall, albeit not within phase 1 of the development would accord with Policy CRS1 of the adopted Local Plan. As would the inclusion of the provision of the doctor's surgery within the phasing condition.

16.3 The requirement for the approval and implementation of an interim soft landscaping scheme for the site of the proposed village hall and its retention and maintenance until such time as works commences on the construction of the village hall would ensure that visual amenities were protected and that this gateway site to the development was not left in an unacceptable condition.

16.4 It is considered reasonable having regard to the NPPF (2019), which is a change in material considerations since the committee resolution in 2017, to attach a condition regarding the design of the development enabling the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

16.5 It is considered that given the planning conditions and S106 agreement mitigation (as now amended) the development would have an acceptable impact on the setting of heritage assets, Sites of Special Scientific Interest and biodiversity.

16. Recommendation:

16.1 Recommendation
A: Delegate authority to the Head of Planning to grant planning permission subject to planning conditions and the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Head of Planning to secure the following:

- 35% of the units as affordable housing with 50/50 tenure split between rented and shared ownership/low-cost affordable housing
- A clause to revisit the viability of the scheme and the affordable housing provision at 100, 200, 300 & 400 units
- Education contribution of £5,444 per dwelling with 2 or more bedrooms, index linked using RPI from the date of this committee report
- Provision of a minimum of 22.4ha of suitable alternative natural greenspace (SANG) with a maintenance contribution of £960,000 and

supporting funding provisions of £241 per dwelling (SAMM), index linked using RPI from the date of this committee report

- Financial contribution of £149,089 towards mitigation for the impacts of the development on nitrogen levels in Poole Harbour, index linked using RPI from the date of this committee report
- Highway contributions of £560,000 towards off-site highway works to include works to Warmwell Road and a Cycle Route Scheme, index linked using RPI from the date of this committee report,
- Provision of a minimum of three no. Locally Equipped Areas for Play, approval of maintenance and management arrangements and financial contributions towards maintenance of the proposed LEAPs of £58,540 index linked using RPI from the date of this committee report if they are transferred to the Parish Council to manage and maintain

Planning Conditions:

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

   Location Plan - Drawing Number 1677 P 01 received on 12/02/2016
   Terrace - Type D - Proposed Floor Plans & Roof Plan - Drawing Number P-D-01 received on 12/02/2016
   Terrace - Type D - Proposed Elevations - Drawing Number P-D-02 received on 12/02/2016
   Mews - Type F - Proposed Floor Plans & Roof Plan - Drawing Number P-F-01 received on 12/02/2016
   Mews - Type F - Proposed Elevations - Drawing Number P-F-02 received on 12/02/2016
   Townhouse G - Type G - Proposed Floor Plans & Roof Plan - Drawing Number P-G-01 received on 12/02/2016
   Townhouse G - Type G - Proposed Elevations - Drawing Number P-G-02 received on 12/02/2016
   Manor - Type I - Proposed Floor Plans - Drawing Number P-I-01 received on 12/02/2016
   Manor - Type I - Proposed Roof Plan - Drawing Number P-I-02 received on 12/02/2016
   Manor - Type I - Proposed Elevations - Drawing Number P-I-03 received on 12/02/2016
   Townhouse K - Type K Proposed Floor Plans & Roof Plan - Drawing Number P-K-01 received on 12/02/2016
   Townhouse K - Type K - Proposed Elevations - Drawing Number P-K-02 received on 12/02/2016
   Single Garage - Floor plans and Elevations - Drawing Number P-GAR-01 received on 12/02/2016
   Double Garage - Floor plans and Elevations - Drawing Number P-GAR-02 received on 12/02/2016

Refuse & Cycle Store - Floor Plans & Elevations - Drawing Number 1677 P-REF-01 received on 12/02/2016
Garden Store - Floor plans and Elevations - Drawing Number 1677 P-SHE-01 received on 12/02/2016
Surgery - Proposed Elevations - Drawing Number 1677 P SU 03 received on 12/02/2016
Surgery - Perspective - Drawing Number 1677 P SU 05 received on 12/02/2016
Village Hall - Floor Plan - Drawing Number 1677 P VH 01 received on 12/02/2016
Village Hall - West Elevation - Drawing Number 1677 P VH 02 received on 12/02/2016
Village Hall - East Elevation - Drawing Number 1677 P VH 03 received on 12/02/2016
Village Hall - North & South Elevations - Drawing Number 1677 P VH 04 received on 12/02/2016
Proposed Roof Plan - Drawing Number 1677 P VH 05 received on 12/02/2016
Surgery - Proposed Elevations - Drawing Number 1677 P SU 04 Rev. A received on 18/09/2016
Site plan: Drwg. No. 1677 P 02 REV E (Amended) received on 18/09/2016
Block plan: Sheet 2 of 5 Drwg. No. 1677 P 03-2 REV A (AMENDED) received on 18/09/2016
Block plan: Sheet 1 of 5 Drwg. No. 1677 P 03-1 REV A (AMENDED) received on 18/09/2016
Block plan: Sheet 3 of 5 Drwg. No. 1677 P 03-3 REV B (AMENDED) received on 18/09/2016
Block plan: Sheet 4 of 5 Drwg. No. 1677 P 03-4 REV A (AMENDED) received on 18/09/2016
Block plan: Sheet 5 of 5 Drwg. No. 1677 P 03-5 REV A (AMENDED) received on 18/09/2016
Materials Sheet 2 - Drawing Number 1677 P10-2 Rev. A (AMENDED) received on 18/09/2016
Materials Sheet 1 - Drawing Number 1677 P10-1 Rev. A (AMENDED) received on 18/09/2016
Proposed Streetscene A-A - Drawing Number 1677/P07 REV A (AMENDED) received on 18/09/2016
Proposed Streetscene B-B - Drawing Number 1677/P08 REV A (AMENDED) received on 18/09/2016
Cottage - Drwg. No. P-P-02 TYPE P ELEVATIONS received on 18/09/2016
Cottage - Floor Plans Drawing Number P-P-01 TYPE P PLANS received on 18/09/2016
Dovecote Elevations - Drawing Number P-N-02 TYPE N received on 18/09/2016

Dovecote Floor Plan - Drawing Number P-N-01 TYPE N received on 18/09/2016
Lodge Elevations - Drawing Number P-M-02 TYPE M received on 18/09/2016
Lodge Floor Plan - Drawing Number P-M-01 TYPE M received on 18/09/2016
Grange - Elevations: Drawing Number P-J-02 REV A TYPE J (AMENDED) received on 18/09/2016
Grange - Floor Plan: Drawing Number P-J-01 REV A TYPE J (AMENDED) received on 18/09/2016
Townhouse H - Elevations: Drawing Number P-H-02 REV A TYPE H (AMENDED) received on 18/09/2016
Townhouse H - Floor Plan: Drawing Number P-H-01 REV A TYPE H (AMENDED) received on 18/09/2016
Townhouse G (Gable Front) - Elevations: Drawing Number P-G-04 REV A TYPE G (AMENDED) received on 18/09/2016
Townhouse G (Gable Front) - Floor Plan: Drawing Number P-G-03 REV A TYPE G (AMENDED) received on 18/09/2016
Farmhouse - Elevations: Drawing Number P-E-02 REV B TYPE E (AMENDED) received on 18/09/2016
Farmhouse - Floor Plan: Drawing Number P-E-01 REV B TYPE E (AMENDED) received on 18/09/2016
Wide Front - Elevations: Drawing Number P-C-02 REV A TYPE C (AMENDED) received on 18/09/2016
Wide Front - Floor Plan: Drawing Number P-C-01 REV A TYPE C (AMENDED) received on 18/09/2016
Townhouse B - Elevations: Drawing Number P-B-02 REV B TYPE B (AMENDED) received on 18/09/2016
Townhouse B - Floor Plan: Drawing Number P-B-01 REV C TYPE B (AMENDED) received on 18/09/2016
Apartment - Elevations (front & side): Drawing Number P-A-05 REV A TYPE A (AMENDED) received on 18/09/2016
Apartment - Elevations (rear & side): Drawing Number P-A-06 REV A TYPE A (AMENDED) received on 18/09/2016
Apartment - Roof Plan: Drawing Number P-A-04 REV A TYPE A (AMENDED) received on 18/09/2016
Apartment - Ground Floor Plan: Drawing Number P-A-01 REV A APARTMENTS PLOTS 2-7 (AMENDED) received on 18/09/2016
Apartment - 1st Floor Plan: Drawing Number P-A-02 REV A APARTMENTS PLOTS 2-7 (AMENDED) received on 18/09/2016
Apartment - 2ndFloor Plan: Drawing Number P-A-03 REV A APARTMENTS PLOTS 2-7 (AMENDED) received on 18/09/2016
Landscaping scheme - Drawing Number: TD742_05 PLANTING PLANNING SHEET 1 (AMENDED) received on 18/09/2016
Landscaping scheme - Drawing Number: TD742_06 PLANTING PLAN SHEET 2 (AMENDED) received on 18/09/2016

Landscaping scheme - Drawing Number: TD742_07 PLANTING PLAN SHEET 3 (AMENDED) received on 18/09/2016
Landscaping scheme - Drawing Number: TD742_08 PLANTING PLAN SHEET 4 (AMENDED) received on 18/09/2016
Landscaping scheme - Drawing Number: TD742_04B WARMWELL RD PLANTING PLAN SHEET 2 (AMENDED) received on 18/09/2016
Surgery - Ground Floor plans: Drawing Number 1677 P SU 01 REV A (AMENDED) received on 18/09/2016
Surgery - 1st Floor & Roof Plan: Drawing Number 1677 P SU 02 REV A (AMENDED) received on 18/09/2016
Affordable Housing Plan - Drawing Number 1677 P 09 Rev. D received on 07/08/2017
Village Hall and Doctors Surgery Materials - Drawing Number 1677 P11 received on 19/10/2017
Proposed Streetscene B-B Drwg no. 1677/P08 Rev A received on 16/09/2016
Materials Sheet 2 Drwg no. 1677 P10-2 Rev A received on 16/09/2016
Refuse & Cycle Store - Floor Plan and Elevations Drwg no. 1677 P-REF-01 received on 20/08/2019

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

Outline Consent

2. Approval of the details of the access, layout, scale and appearance of the development and the landscaping of the site (hereinafter called the Reserved Matters) for the remainder of the site outside of the full permission granted for Phase1 of this hybrid permission shall be obtained from the Local Planning Authority in writing before any development is commenced on these other phases of the development.

   REASON: To ensure the satisfactory development of the site.

3. Application for approval of any “reserved matter” under Condition 2 must be made not later than the expiration of ten years beginning with the date of this permission.

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

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

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

5. Not more than 401 dwellings in total shall be constructed under this outline permission.

   REASON: The assessment of the impacts of the scheme are based on a maximum of 500 dwellings across the whole site and additional dwellings would require further assessments of impacts to heathland SSSIs.

   Phasing

6. Prior to the commencement of the development a Phasing Plan for the entirety of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall make provision for:

   a) Extraction of the mineral interest in accordance with a scheme to be first approved in writing by the Local Planning Authority from the area outlined in red on the Site Location Plan Drwg no. 1701 P01 Rev A prior to the commencement of any development the subject of this outline planning permission within that same area.
   b) Delivery of the Village Green as part of Phase 1. No further dwellings in later phases to be constructed until it is complete.
   c) Delivery of serviced employment land as part of the development of the adjacent residential phase.
   d) Provision of allotments as part of the development of the adjacent residential phase.
   e) Provision of Locally Equipped Areas for Play as part of the development of the adjacent residential phase.
   f) The proposed village hall and adjacent parking spaces being constructed and ready for first use prior to the demolition of the existing village hall or the commencement of construction of the final phase of the development, whichever is soonest, and the submission of a scheme for the interim landscaping of the proposed village hall site until such time as the village hall is constructed. The interim landscaping scheme for the village hall site is to include details of the planting and its maintenance and shall be implemented and completed in full as part of Phase 1 and shall be maintained and retained thereafter until such time as the village hall is constructed on the site.
   g) Provision of the doctor's surgery.

   Thereafter the development shall be carried out in accordance with the phasing plan and any subsequent changes to the agreed

phasing plan must also be agreed in writing by the Local Planning Authority.

REASON: In the interests of achieving the objectives of the Local Plan and the site specific policy.

Masterplan

7. The development of the later phases of the Outline permission shall substantially accord with the layout and details of the Illustrative Masterplan Drwg No. 1677/P04 Rev C.

   REASON: In the interests of achieving the objectives of the Local Plan.

Highways

8. The highway improvements to the Warmwell Road on the site frontage shall be constructed substantially in accordance with the submitted details shown on the application drawings before the development is first occupied.

   REASON: In the interests of road safety.

9. The Phase 1 full application hereby permitted shall not be occupied or utilised until the access, geometric highway layout, parking and turning areas shown on the application drawings have been constructed, unless otherwise agreed in writing by the Local Planning Authority. Thereafter, these shall be maintained, kept free from obstruction and available for the purposes specified.

   REASON: In the interests of road safety.

10. No more than 100 residential units (to include 35% affordable housing) shall be occupied until the A35 Max Gate junction arrangement, as shown in the WYG Transport drawing “SK09” dated 21 October 2015 is completed and open to traffic, unless any variation in the design of the proposals is otherwise agreed in writing by the Local Planning Authority.

    REASON: To ensure the safe and efficient operation of the Strategic Road Network (A35).

11. No development shall be commenced until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority.

The plan shall include construction vehicle movements, operation hours, vehicular routes to and from the site, delivery hours, expected number of vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Practice and a scheme to encourage the use of public transport amongst contractors. The plan shall include contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities). The plan shall also include a scheme of signing of the heavy vehicle route to the site agreed with advice/warning signs at appropriate points.

The CTMP shall thereafter be implemented in accordance with the approved details upon the commencement of the construction phase of the development and be adhered to for the complete duration of the construction programme, unless a variation to the CTMP is otherwise first agreed in writing by the Local Planning Authority.

REASON: To ensure the safety of traffic on the Strategic Road Network.

Travel Plans

12. Before the development hereby approved is first occupied or utilised the Travel Plan and Strategy included in the submissions shall be implemented and operational.

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

13. Prior to the submission of any reserved matters under Condition 2 above for the approved employment allocation, a Travel Plan suitable to deal with the travel impacts of the whole 2.5ha employment allocation shall be submitted to and approved in writing by the Local Planning Authority. The employment Travel Plan shall be implemented in accordance with its agreed details prior to the first occupation of any approved employment building on the site.

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

Drainage

14. No development shall take place until a detailed and finalised surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, has been submitted to, and

approved in writing by the Local Planning Authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

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

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

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

Foul Water

16. The development shall not be commenced until a foul water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing. The drainage scheme shall thereafter be completed in accordance with the approved details and to a timetable to be agreed in writing with the local planning authority.

    REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

Contaminated Land

17. Prior to the commencement of development an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:
(a) A survey of the extent, scale and nature of contamination;
(b) An assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pies, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
(c) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development.

18. Before commencement of development, should a remediation scheme be required based on the outcomes of the investigation and risk assessment required by condition no. 17 and the written response of the local planning authority as to whether a remediation scheme is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, shall be submitted and be subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

    REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development.

19. Any approved remediation scheme agreed by the Local Planning Authority as a result of condition no. 18 must be carried out in accordance with its terms, or such other terms which have first been agreed in writing by the Local Planning Authority, prior to the commencement of development other than that required to carry out remediation, unless a remediation phasing scheme is first agreed in writing by the Local Planning Authority, in which case the remediation shall be carried out in accordance with such scheme as has been agreed. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (validation report) that

demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: In the interest of ensuring there is no unacceptable risk to occupiers of the development.

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

    REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development.

Employment Allocation

21. The development shall provide a minimum of 2.5 hectares of employment land. No dwelling adjoining the eastern boundary of the residential development, adjacent to the proposed employment access road within the Character Areas 4, 5 & 6 as set out on page 48 of the submitted Design & Access Statement, shall be occupied before the employment allocation has been provided as serviced employment land in accordance with the phasing scheme submitted under condition 6 above.

    REASON: In the interests of securing the economic benefits of this Key Employment Site allocation in the Local Plan.

22. Buildings constructed within the employment allocation hereby approved shall not exceed a total floorspace of 13,000 square metres (measured externally).

    REASON: In the interests of the impacts of the traffic generated by that level of employment development on the strategic highway network.

Biodiversity

23. Prior to the commencement of the development of each phase agreed by condition no. 6, a Biodiversity Mitigation Plan (BMP) for that phase based on up-to-date ecological survey work which is not more than 2 years old at the time of the submission of the BMP shall be submitted to and approved in writing by the Local Planning Authority. Each Biodiversity Mitigation Plan will include details of the review process to be implemented at the

time of commencement of development if the survey work on which the BMP is based is more than 2 years old. The development shall thereafter be carried out in accordance with the approved details unless any subsequent variation is agreed in writing by the Local Planning Authority.

REASON: In order to protect the landscape qualities of the area and to safeguard and enhance the ecological value of the site.

Scheduled Ancient Monument

24. The submission of details of reserved matters under Condition 2 shall make provision for a minimum 5m buffer around the identified remains of the Bowley's Plantation enclosure as set out on page 10 of the submitted Settings Assessment by Context One received on 16th October 2017.

REASON: In the interests of the setting of the Scheduled Ancient Monument.

Broadband

25. No development above damp proof course of any building hereby approved shall take place until a scheme for facilitating infrastructure to support superfast broadband technology to serve the development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a timetable for implementation, including triggers for a phased implementation if appropriate. Thereafter, the development shall proceed in accordance with the agreed scheme.

REASON: To ensure that the utilities service infrastructure is sufficient to meet the extra demands imposed by this development.

Phase 1 Detailed Consent

26. The village hall hereby approved shall be laid out with a full-size badminton court in the main hall as shown on Drwg No. 1677 P VH 01 prior to the Village Hall first being brought into use.

REASON: In the interests of sports provision.

27. The Phase 1 full permission shall be carried out in accordance with the materials details in the approved Drwg No's 1677 P10-1 Rev A, 1677 P10-2 Rev A & 1677 P11. No development above damp proof course level of any dwelling approved under the Phase 1 full permission shall take place before samples of the materials to be used on that building have been submitted to and approved in writing by the Local Planning Authority. The

development shall be carried out in accordance with these details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the character and appearance of the area.

28. The development shall be carried out in accordance with the boundary treatments set out in the approved plans Drwg. No's 1677 P 03-1 to 5 Rev A. The boundary treatments to each individual building shall be completed in their entirety prior to the first occupation of the building concerned. The boundary treatments shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

    REASON: In the interests of the character and appearance of the area.

29. The development of the Phase 1 full permission shall be carried out in accordance with the landscaping details set out in the approved plans Drwg. No's TD742_04B & TD742_05 – 08. The landscaping shall be carried out in accordance with the soft landscape works specification set out on the approved plan Drwg. No. TD472_08. No development above damp proof course level shall be carried out until a timetable for the implementation of the landscaping has been submitted to and approved in writing by the Local Planning Authority. Thereafter the landscaping shall be carried out in accordance with the approved timetable. 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. The landscaping shall thereafter be retained.

    REASON: In the interests of the character and appearance of the location.

30. The development shall be carried out wholly in accordance with the Aboricultural Assessment & Method Statement by Barrell Tree Consultancy dated January 2016. The agreed tree protection measures shall be retained during the course of the development and there shall be no variation to the agreed protection measures without the prior written agreement of the Local Planning Authority.

    REASON: To protect preserved trees within and adjoining the site during construction in the interests of preserving the character of the area.

Sustainable Transport Options

31. No development above damp proof course of any dwelling in the phase 1 full application area shall be carried out until a scheme showing how the charging of plug-in and other ultra-low emission vehicles is to be provided

in safe, accessible and convenient locations has been submitted to and approved in writing by the Local Planning Authority. Furthermore as part of any reserved matters application relating to design, details shall be provided to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development. Thereafter the development shall be carried out in accordance with such details as have been approved by the Local Planning Authority.

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

Informative Notes

Informative Note: The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 and those works under Section 278 of the Highways Act 1980, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorset.gov.uk, or in writing at Development Team, Dorset Highways, County Hall, Dorchester, DT1 1XJ.

Informative Note: If the applicant wishes to offer for adoption any highways drainage to Dorset Council, they should contact the Highway's Development team at dli@dorset.gov.uk as soon as possible to ensure that any highways drainage proposal meets the Council's design requirements.

Informative Note: Prior Land Drainage Consent (LDC) may be required from Dorset Council's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with S23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team.

Informative Note: The applicant intends to rely heavily on infiltration. They will therefore need to demonstrate, through further post extraction ground investigation, that soakaways remain feasible. Given the proposed use of soakaways across the site, it is important that soakaway tests and ground water readings are representative of all the areas expected to support infiltration. The Council's FRM team as relevant LLFA will be unable to discharge the relevant condition above without detailed information concerning ground conditions that substantiate the use of drainage through infiltration. Should the site, after mineral extraction, be found not to support infiltration, then the applicant will need to

propose alternate and detailed designs for capturing and attenuating surface water.

Informative Note: The highway proposals for the A35(T) associated with this consent involve works within the public highway, which is land over which you have no control. Highways England therefore requires you to enter into a suitable legal agreement to cover the detailed design and construction of the works. Please contact the Asset Manager, Steve Hellier (Tel: 0300 470 4383) at an early stage to discuss the details of the highways agreement. The applicant should be aware that an early approach to Highways England is advisable to agree the detailed arrangements for financing the design and construction of the scheme. Commencement of works will also need to be timed to fit in with other road works on the strategic road network or local road network to ensure there are no unacceptable impacts on congestion and road safety. Please be advised that Highways England will charge Commuted Sums for maintenance of schemes delivered by third parties. These will be calculated in line with HM Treasury Green Book rules and will be based on a 60 year infrastructure design life period.

Informative Note: At all times, a contact telephone number shall be displayed on site for members of the public to use to raise issues. A named person will also be provided for Environmental Health in order for contact to be made should complaints be received. The use of any radio / amplified music system on site must be kept at a level not to cause annoyance to noise sensitive premises beyond the boundary of the site. Any future sub-contractors to the site shall be made aware of, and comply with any guidelines/conditions relating to site management of emissions of noise, dust, smoke, fumes etc. made in as part of the determination of this application. Letter drops to adjacent residents in close proximity should be considered as part of the construction phase to give a minimum of 48 hours notice of any exceptional activities proposed. Any waste arising at the site shall be appropriately segregated and controlled prior to its removal by an appropriately licensed contractor. Any waste arising from the activity which could potentially be contaminated in any way shall also be segregated again, and removed appropriately. Environmental Health must be informed if this occurs.

Informative Note: The applicant's attention is drawn to the response of the Council's Rights of Way officer and the need to secure diversions for the existing rights of way.

16.2 **Recommendation B:** Refuse permission for the reasons set out below if the S106 agreement is not completed within 6 months of the date of the committee resolution or such extended time as agreed by the Head of Planning.

1. Policy HOUS1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 requires a minimum on-site provision of 35% of the units as affordable housing. In the absence of a planning obligation to secure

these affordable units the scheme would fail to meet the substantial unmet need for affordable housing in the district and the proposal would therefore be contrary to Policy HOUS1 of the adopted Local Plan.

2. Policy COM1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 sets out that where new development will generate the need for new or improved community infrastructure and this need is not being met through the Community Infrastructure Levy, suitable provision should be made on site. Policy CRS1 of the Local Plan sets out the expected infrastructure for this site and its development. In the absence of a planning obligation to secure the required community infrastructure the scheme would fail to mitigate the increase in demand for the necessary infrastructure to support the development and to avoid and mitigate for the adverse effects upon internationally designated heathlands and additional nutrient loading upon the Poole Harbour internationally designated sites. It would namely fail to provide for:

   Education;
   Recreation spaces in the form of Sites of Alternative Natural Greenspace and the supporting maintenance and funding mechanisms required for the future;
   Mitigation of the impacts upon the Poole Harbour internationally designated sites;
   Highway improvements;
   Children's play provision.

   In the absence of a planning obligation the proposals therefore fail to meet the provisions of Policies COM1, CRS1, INT1, ENV2 and COM7 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2019).

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Application Number:	WD/D/20/002569
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land East Of Chickerell And South Of Coldharbour Chickerell
Proposal:	An outline application for up to 328 dwellings with full details supplied in respect of 143 dwellings (Phase A) including creation of new accesses onto School Hill and Chickerell Link Road (B3157), including details of the internal spine road, landscaping, drainage, car parking, public open space and associated works for Phase A. All other matters reserved in respect of 185 dwellings (Phases B and C) and land for a primary school, public open space including, landscaping and associated works
Applicant name:	Mr D Buczynskyj
Case Officer:	Penny Canning
Ward Member(s):	Cllr Clifford and Cllr Taylor

1. Reason application is going to committee:

1.1. The Development Management Area Manager Southern and Western Team, in consultation with the Chair of the Committee, has exercised their discretion to refer this application back to Committee following new material planning representations being received to the amended plans, the subject of consultation at the time Committee considered the application at the Western and Southern Area Planning Committee on 15th July 2026. In addition this report addendum considers the new National Planning Policy Framework published since the committee meeting in July 2026.

2. Summary of recommendation:

2.1. To delegate authority to the Service Manager for Development Management and Enforcement or the Development Management Area Manager Southern and Western Team to

A) grant planning permission subject to conditions as set out at the end of this report and the completion of a Section 106 Planning Obligation under Section106 of the Town and Country Planning Act 1990 (S106 agreement) to secure the following:

- No more than 100 dwellings to be occupied prior to the completion of the central avenue;
- Provision of 35% affordable housing, with a local connection clause;
- Financial contribution of £722 per dwelling towards NHS;
- Financial contribution of £524.72 per dwelling and £357.77 per flat towards Chesil and the Fleet mitigation;
- Financial contribution of £1,736.06 per qualifying dwelling (house or flat with 2 or more bedrooms), less land value discount of £482,000, towards primary education; plus a contribution towards SEND provision of £1,487.62 per qualifying dwelling, together with the transfer of land for the school;
- Financial contribution of £22,524 towards sports pitches and training facilities;
- Financial contribution of £106,413 towards Weymouth swimming pool;

- The provision of 0.28ha of play space, which shall include two LAP's, a LEAP, and informal play, together with the transfer of the land to be offered to Chickerell Town Council and a financial contribution of £411.84 per 2 bed unit; £587.34 per 3 bed unit; and £669.24 per 4+ bed unit; less land value discount of £98,800 towards play provision; a financial contribution of £420,000 towards maintenance, and to address the shortfall in play provision, a financial contribution of £50,000 towards enhancing the play facilities at Willowbed Hall and/or towards a skate park within the town;
- Financial contribution of £348,532.80 towards open space maintenance, together with transfer of the land to Chickerell Town Council;
- Financial Contribution of £50,000 towards improvements at Willowbed Hall;
- Financial contribution of £81,675.76 towards bus infrastructure; sustainable travel cards to be exchanged for 30 day bus ticket or cycle equipment; updating the walking and cycling maps;
- Financial contribution of £20,000 towards the upgrading of footpath S16/23;
- Financial contribution of £12,000 towards the upgrading of footpath S16/21.

Or

B) Refuse planning permission for the reasons set out at the end of the report if the S106 agreement is not completed within 6 months from the committee resolution or such extended time as agreed by the Service Manager for Development Management and Enforcement or the Development Management Area Manager Southern and Western Team. The reasons for refusal for failure to secure the necessary obligations are set out in full at the end of this report.

3. Report Update: having regard to new consultation replies received

3.1. The full committee report (the original report) outlining key considerations relating to the site can be found at appendix A. The following update is provided in light of additional comments received to the publicising of the amended plans, and should be read in conjunction with the original report.

3.2. An update was provided to committee at the meeting in July 2026 and the conditions as now recommended reflect the updates on that sheet and in respect of the additional third party comments that were received between the completion of the report in July and the committee meeting in July these were summarised and addressed during the meeting, but for completeness are also included within this addendum.

3.3. Since the original report was written, 24 additional third party representations have been received.

3.4. Of those third party comments, 23 raised an objection to the proposal.

3.5. **Previously raised concerns:**

3.6. The following concerns reflect concerns previously raised and considered prior to Members considering the item at committee on the 15th July 2026, including concerns which were raised and addressed during the committee itself. For completeness these are addressed below:

- Concern that an access could be created through Mariners Way, resulting in increased parking and footfall to the detriment of local residents in Mariners Way, Fisherman Close and Lerrett Close.
- Concern that no wall is proposed at the end of Mariners Way

3.7. The original report sets out the proposed vehicular, cycle and pedestrian routes as shown on the plans within para 14.5 (*access, movement and links …*). For clarity, vehicular access to the site would be from the north (connecting with School Hill, adjacent to Dunster Rise) and to the south (connecting with Hampshire Road, adjacent to the Granby Industrial Estate). Pedestrian and Cycle links with the existing settlement rely on existing rights of way leading into the site, including footpaths S16/21 comprising a footway leading into the site from School Hill, and footpaths S16/22 and S16/23 linking the site with Lower Putton lane. No through access is proposed via Mariners Way. This issue is addressed at para 14.7.7 of the original report which confirms that there is no prospect of providing a connecting route into Mariners Way. Such an access would rely on intervening land acting as a ransom strip between the development site and Mariners Way becoming available, which currently it is not. There is thus no change in this respect and no proposal, as per the submitted plans, to provide an access through. Consequently, impacts of the development upon footfall and parking issues within Mariners Way and surrounding streets is considered to be minimal.

3.8. It is proposed that the boundary adjacent to Mariners Way would be planted with native hedgerow. Given no through access onto Mariners Way, there is no justification for a wall to be erected at the end of this street. This issue is addressed at para 14.7.7 of the original report which confirms that the absence of a wall between the existing and proposed development would not present a reasonable reason for refusal.

- The next issues that were already addressed previously are overdevelopment of the site and loss of green space and concern regarding the impact upon wildlife.

3.9. The proposed development relates to a green field site and would result in additional housing within Chickerell on a site which currently comprises undeveloped agricultural land. The impacts of developing such sites need to be carefully considered, and comments received from local residents understandably raise concern regarding overdevelopment and loss of green space.

3.10. The original report does not seek to unpick the Examiner's conclusions in respect of the adoption of the current Local Plan and inclusion of the application site as an allocated site, nor does it seek to unpick the Examiner's conclusions relating to the adoption of former Local Plans, because the application has to be considered in light of current adopted policy. Noting concerns raised, it is worth acknowledging that the development of the green field site and reduction in the gap between Chickerell and the existing development in Weymouth was a matter considered by the Examiner at the Local Plan stage and the site was included in the context of other sites allocated for development within Chickerell.

3.11. Principle matters relating to the development of the site are considered at subsection 14.1 (*Principle of development*) of the report, which confirms that the site is allocated for housing under policy CHIC2 of the adopted West Dorset Weymouth and Portland Local Plan (2015), and the report also sets out the housing supply position. Considerations relating to visual impacts and impacts upon ecology are addressed at sub section 14.8 and 14.10 of the original report respectively, and the recommendation is reached having weighed the impacts of the development against the benefits of the scheme.

3.12. Matters relating to the impact on wildlife are considered in sub section 14.10 (*Ecology)* of the report.

- The next matter raised which was addressed in both the original report and at the committee meeting on 15th July 2026 is regarding the lack of local Health Care provision.

3.13. It is noted that a limited service is provided within Chickerell in conjunction with Wyke Regis and Lanehouse Medical Practice, and it is clear from representations received, that there are concerns regarding the limited health care provision within Chickerell. This issue is an existing one, rather than an issue directly resulting from the current

application, but concerns have been raised that the additional housing subject to this application would compound the matter. The issue surrounding access to a health centre was addressed during the technical questions at the 15 July meeting. Para 14.15 of the original report sets out the policy basis for seeking contributions, it details the key Heads of Terms and provides justification for seeking the contributions sought. Paras 14.15.7 and 14.15.9 of the original report, specifically justifies an NHS contribution (which includes primary care) to address the impact of the development. This is collected in line with the strategy 'Exploring Developer Contributions for NHS Infrastructure' which identifies Chickerell Surgery as a project that the contributions go towards funding. There is no specific policy requirement to provide a health centre as part of the delivery of this development, and no comment had been received from NHS Dorset setting out need for the provision of a doctors surgery within Chickerell or the need for any other contribution over and above the commuted sum sought. As such, there is insufficient evidence to support the refusal of the current application on the grounds that it does not include a health care centre, acknowledging a proportionate financial sum is secured towards primary health care to address the impact of the development.

- Concern regarding parking provision, including provision of tandem parking.

3.14. This issue is addressed at para 14.5.34 of the original report, which sets out the number of parking spaces to be provided to support the scheme, and confirms that parking provision is considered to be acceptable by the Highway Authority. Paras 17.6.26-27 weigh up the advantages and disadvantages of including tandem parking as part of the parking strategy for the site, and these matters are weighed in the overall balance. This matter was also raised and considered during the committee meeting on the 15th July 2026.

- Concern regarding impacts upon the environment including air quality.

3.15. Environmental implications are considered within the original report at para 14.3. Paras 8.40 & 14.7.49 refer to the need for a Construction Environmental Management Plan (CEMP) to address air quality. The application has to be considered in the context that this site is allocated for housing and the housing supply position is addressed in the report at sub section 14.1 (*Principle of development*).

- Concern relating to impacts upon traffic through congestion of the local highway network, including impacts on the Granby Industrial Estate.

3.16. This was addressed at the committee meeting held on the 15th July. As per sub section 14.5 of the original report which considers highway related impacts, the Highways Authority have confirmed that the impact on the highway network would be acceptable. This includes impacts resulting from the proposed southern access onto Hampshire Road adjacent to the Granby industrial Estate having regard to traffic flows and highway safety matters.

- No public bus service within the area

3.17. Public transport is considered at para 14.5.22 of the original report. Chickerell is currently served by the No.8 bus route, which runs to the West of the development, and would be accessible to future occupiers via Putton Lane and/or a connecting pedestrian route, proposed to be upgraded as part of the development. The no.8 bus route provides connectivity between Chickerell and Weymouth Town Centre by public transport. The central avenue running through the development has also been designed to accommodate a bus route with the provision of 4 bus stops (2 serving northbound buses and 2 serving southbound busses) within the development. Funding for a sustainable travel voucher which could be put towards funding a 30 day bus card scheme for future occupiers to encourage the establishment and use of any future bus service is also proposed to be secured as part of the application.

- Does the Council have plans in place to deal with an emergency at the Battery Energy Storage site (BESS)?

3.18. The BESS is considered within the original report in terms of noise and discussions surrounding safety were addressed during the committee meeting on the 15th July. Matters of noise and fire safety were considered in detail as part of the BESS application (P/FUL/2024/04447), including having regard to the proposed housing allocation at this site. It was concluded that the battery storage did not pose a risk to the proposed development and the application for the BESS was granted consent. The proposed development is subsequently considered to be acceptable in this respect, in line with Strategic and Technical Planning Committee's considerations at the time of the BESS application.

- Concern regarding capacity of the sewerage network.

3.19. Sewage and water is addressed at para 8.73 of the original report where no objection from Wessex Water is raised. It is incumbent on the water and sewerage undertaker to ensure new development can be accommodated, and to ensure appropriate measures are put in place to support additional connections.

3.20. **New concerns raised**

3.21. The following additional material planning objections have been raised since Member's considered the item at Committee on the 15th July 2026:

- Concern has been raised regarding the placement and maintenance of planting particularly adjacent to rights of way.
- Concern has also been raised in relation to the condition of footpaths, and in particular seeking an increase to their width (to 3m), ensuring verges (1m wide) either side, and upgrading them to bridleways. This relates to footpaths S16/21, S16/23, S16/24, S16/29 and S16/48; a new bridleway linking footpath 48 to 23 is also sought.

3.22. While matters relating to landscaping and some footpaths are considered within the original report, and matters surrounding wider footpaths were raised at Committee on the 15th July 2026, for the purposes of clarity a more detailed assessment is provided below:

3.23. Having regard to footpath S16/21 and S16/23, the original report at para 17.5.14 and 17.8.47 recognises the value of these footpaths providing connectivity between the proposed development and the existing settlement, while highlighting the constrained nature of S16/21 in particular. The original report confirms that the proposed plans would see the upgrading of footpath S16/21 between the development site and School Hill (this means complete renewal of approx. 90m of tarmac surfaced path with a width ranging from 2-4m (physically constrained by the rear gardens of existing development), and vegetation clearance), with a contribution of £12,000 sought towards this upgrade, and the upgrading of footpath S16/23 between the development site and access to the electricity sub station (this means approx. 260m of surfaced path at 2m width, with geotextile underlay, 100mm limestone aggregate with 50mm of 20mm dust topping, vegetation clearance, and improvement and/or replacement of the two sleeper bridges and culverts along this path), with a financial contribution of £20,000 sought towards this upgrade (as set out in the Heads of Terms in the recommendation for the S106). The status of the rights of way would remain public footpaths.

3.24. Where the above footpaths (footpaths S16/21 - S16/23) would traverse the site, para 17.8.47 of the original report considers their proposed re-routing and the impacts upon the footpaths themselves, and concludes that the impacts would be acceptable. Footpaths throughout the development are shown approx. 2m wide and would on the whole have a 1m grassed verge either side, which is considered to be acceptable having regard to Highway Safety and Inclusive Mobility Guidance, and this is addressed at para 13.6 of the original report. Para 17.8.47 sets out, as per condition 15 of the committee report, that a Rights of Way Management Plan would be secured to agree final details,

and this shall include the detailed design of access and public rights of way routes, including details of their surfacing, widths, gradients, landscaping and structures, which would be agreed taking on board the advice of the Rights of Way Team, Highway Authority and Landscape Team. Landscaping and its maintenance are also secured through separate conditions, with further details to be secured at the condition stage. The cost of maintenance of public open space is accounted for in the Heads of Terms.

3.25. Having regard to queries surrounding the upgrading of the status of these routes to bridleway and their suitability for all uses, to provide a route suitable for pedestrians, cyclists and horses, segregated paths would be recommended in order to accommodate the competing requirements for each, and between them, a considerable width would be required, which is physically not feasible along the full length of footpaths mentioned owing to existing built form. Cycleways would need to be a minimum of 2m if segregated paths are proposed, or a minimum of 3m if provided as a shared pedestrian route, with appropriate clearance either side in line with Guidance set out in LTN 1/20. Cycleways would usually have a sealed surface and, though not always, would be adopted by the Highway Authority. Where these are adopted by the Highways Authority, horses would have no right of way. To introduce a bridleway, this would require a 3m wide path, and its surface would need to be suitable for horses, such as crushed stone; tarmac or concrete surfaces being less ideal for horses. There are therefore competing requirements for different users which adds complexity to providing bridleways along these routes and accommodating pedestrians, cyclists and horses.

3.26. In light of the above, existing public rights of way are proposed to be maintained, albeit diverted, and additional footpaths and cycleways are proposed to be included within the development. No bridleways are proposed. As above, bridleways would only function if appropriate widths could be maintained for the full length of the path, which in this case would be difficult owing to the constrained nature of parts of the footways.

3.27. From a procedural perspective, and notwithstanding the above, there is no adopted criteria or trigger for the upgrading of a footpath to a bridleway and there is no provision within the Town and Country Planning Act to do so. To upgrade an existing footpath to bridleway status, including widening the path to 3m to accommodate the bridleway, a Public Path Creation Agreement can be made under Section 25 of the Highways Act (1980). This would however require all landowners along that route to agree to the upgrading and can therefore be challenging to secure. For the Local Authority to invoke such an upgrade under Section 26 of the Highways Act the Local Authority would need to satisfy itself that there was sufficient need to do so, seek agreement by the Secretary of State, unless unopposed, and would be liable to compensation. Given that there are no bridleways currently within the immediate vicinity of the application site to connect with, the lack of bridleway is not considered a reasonable reason for refusal.

3.28. Turning to other routes mentioned, para 17.8.50 of the original report considers the implications of development on footpath S16/24, and this was also addressed at committee at the 15th July meeting following representation. This route runs largely outside of the development site, but adjacent to it, and adjacent to the southern portion of the development site, it offers connectivity between the existing settlement of Chickerell and Hampshire Road and on through the Granby Industrial Estate. At this southern portion the path is in poor condition, so comments in respect of this route are understood. Given a segregated footway and cycle route is proposed between the development site and Hampshire Road to provide connectivity for future occupiers, use of footpath S16/24 by future residents would likely be limited. From Hampshire Road existing alternative footpath links into the Granby industrial estate alongside the estate roads provide access to the employment site.

3.29. Having regard to the tests as set out at policy DM6 of the NPPF (2026) for securing planning obligations, the upgrading of this route does not pass those tests as it would not be necessary or relevant to the development itself. As such, as per para 17.8.50 of the

original report it is not considered reasonable or necessary to collect a financial contribution towards the resurfacing of this footpath link, given appropriate provision is made within the development to improve pedestrian connectivity. For the purposes of clarity, there is no proposal to alter footpath S16/24, with rights of way links within the Granby industrial estate retained as is.

3.30. The need for upgrades to footpaths S16/29 and S16/48 in the form of resurfacing, widening and formation of bridleway status, together with creation of new bridleway linking footpath S16/48 to S16/23 has also been raised. Footpath S16/29 relates to Green Lane to the West of the application site which is constrained by development on its northern extent, including residential and industrial uses, and field hedgerows on its southern extent. The area sits entirely outside of the application site, so to provide a segregated footpath and/or bridleway in this location would require third party land. Given there is no direct connectivity to Green Lane provided from the application site, the effects of the development on this route are not considered to be significant to require the above mentioned upgrades. Footpath S16/48 is located to the west of Southill, entirely outside of the application site and on third party land. It runs in a north south direction providing connectivity between existing development to the north and south of Southhill, with its northern extent connecting with footpath S16/21, which runs east-west and connects with the proposed Chickerell development to the west. Given the footpath would not directly serve the proposed development, serving on the whole Southill, it is not considered that the proposed development would significantly impact this route to require the above mentioned upgrades. To provide a new connecting route between footpath S16/48 to S16/23 would involve land that falls entirely outside of the application site and which does not form part of the proposal, and there would need to be sufficient need demonstrated to justify a Public Path Creation Order.

3.31. In this case it is considered that the impacts of the proposed development would be acceptable without the upgrades suggested (ie. resurfacing, widening and/or formation of bridleway through a Public Path Creation Agreement) and it is not considered reasonable or necessary to collect a financial contribution towards the resurfacing and/or formation of footpath links outside of those already identified for upgrade. The invoking of a Public Path Creation Order under the Highway Act, is a process falling outside of Planning control.

- Concern has been raised regarding the impacts of cats on local wildlife.

3.32. This issue was not previously addressed within the original report, but cats within the neighbourhood will already be utilising the land. It is not considered that the keeping of a cat is a matter that can be controlled by the planning regime (where there would be no impact on protected sites) and restricting ownership of cats would not meet the tests set out under policy DM6 of the NPPF (2026) in terms of reasonableness or enforceability.

3.33. **Technical queries received**

3.34. The following queries have been received as a comment, as opposed to an objection, but raise a number of material planning considerations and are addressed below:

- Can the Council confirm that all relevant technical assessments, calculations and supporting evidence have been reviewed and updated to reflect the final proposal under consideration?

3.35. All necessary technical assessments, calculations and supporting evidence to enable an informed decision to be reached have been updated to support the latest proposals and reviewed by the Case Officer and, where relevant, reviewed by specialist consultees. While some documentation has not been updated to reflect the June 2026 revisions, it is not considered that the June amendments would require a fresh submission of all documentation, with technical assessments and drawings affected by the revisions having been updated as appropriate. It is considered that the information submitted is

acceptable to enable analysis and judgement of relevant issues and for an informed decision to be made.

- How has the Council satisfied itself that the wildlife corridors will continue to function following occupation rather than becoming predominantly recreational green spaces?
- Many of the claimed ecological and landscape benefits will only be realised through future habitat establishment and long-term management. How will these commitments be monitored, enforced and funded over the long term?

3.36. Landscape Management is addressed through landscaping conditions and condition 18 (requiring a Landscape and Ecological Management Plan (LEMP)) as set out at the end of this report. The LEMP must incorporate and build upon the mitigation, compensation and enhancement measures set out in the Ecological Impact Assessment, clearly identify the wildlife corridors, set out the long term design objectives, management responsibilities and maintenance schedules for these and other areas, and evidence compliance with the measures set out. This is in the interests of ensuring appropriate measures are in place to safeguard landscape and wildlife areas. For the avoidance of doubt, it is recommended that this condition be amended to include the identification of other key ecological areas in addition to wildlife corridors, and that it specifically seek details of means of safeguarding those areas from the impacts of human activity. The details of the final LEMP would be subject to agreement through a discharge of condition request in consultation with the Natural Environment Team. It is likely that stock proof fencing would be expected to safeguard key ecological areas from the disturbance of residents, and this, or other mitigation measures would be expected to be secured within the final LEMP.

- Does the Council consider the resulting level of habitat gain to be proportionate to the scale of ecological mitigation land being delivered?

3.37. Biodiversity net gain (BNG) is discussed at para 14.10.18-14.10.20 of the original report, which confirms an acceptable level of BNG would be achieved on site.

- Have Sport England's previous concerns been fully resolved? Have England Golf's concerns been addressed? Does any objection remain from either organisation?

3.38. The original report sets out at para 8.60 the latest comment from Sport England, including comments from England Golf, which raise significant concerns. These are considered in detail and addressed at para. 14.7.21 – 14.7.33 of the original report.

- Would welcome clarification on the intended delivery mechanism and expected timescale for the primary school delivery.

3.39. Provision of a school is addressed at para 14.6.85 of the original report and was further addressed during the committee meeting on 15 July, with the timeframe for the delivery of the school to be secured through a phasing plan as per condition 7. As per the original report, a review of education capacity is ongoing and the final delivery is likely to be dependent on the need within the area (noting the existing school is currently no longer over-subscribed) and will be subject to engagement with Dorset Council and/or the Department of Education, depending on who would be responsible for the delivery of the school, a matter that would be determined following the outcome of the application. A clause within the S106 legal agreement would require details of how the land is to be kept pending the delivery of the school.

- Have any viability concerns been raised by the applicant?
- Has any viability assessment been submitted?

3.40. The developer has not raised viability to be an issue and as such no viability assessment has been submitted with the application.

- Does the Section 106 legal agreement (S106) contain any viability review mechanism or re-appointed provisions?

3.41. The S106 is being prepared and is awaiting review, but does not currently include a viability review mechanism, and this does not form part of the Heads of Terms as set out in this report.

- Does the Council expect 35% affordable housing and associated infrastructure package to be delivered in full?
- Could affordable housing provisions or infrastructure contributions be revisited following the grant of planning permission? Any future proposal to reduce affordable housing or infrastructure commitments should be subject to full transparency, public scrutiny and further consideration by members.

3.42. Affordable housing provision is addressed at sub section 14.9 of the original report and was also discussed at the committee meeting on the 15th July. As confirmed at committee, 35% affordable housing is expected to be delivered within each phase respectively, with phase A including a policy compliant 35% provision, and Phase B and C to likewise include 35% provision. Affordable housing provision and its delivery would be matters secured through a S106 legal agreement.

3.43. Affordable housing provisions could only be revisited in the future through an application to modify the S106 legal agreement, which if submitted would be the subject of publicity, and future consideration by Officers and would be determined in line with the National Scheme of Delegation. It is relevant to note, that an application cannot be determined based on risk of potential future applications being submitted to modify the scheme, and any such application would have to be determined in line with adopted policy at that time and considered on its own merits.

- Seeking clarification of which elements of the scheme's benefits are fully secured at this stage?

3.44. The Heads of Terms and conditions are set out at para 15 of the original report and para 10 of this report.

- Which elements remain dependent upon future approvals, management plans or technical submissions.

3.45. The conditions at para 15 of the original report and para 10 of this report set out detailed elements of the scheme which require further approval. This includes reserved matters relating to phase B, C and the school phase, and matters of detail reserved for subsequent approval through discharge of condition.

4. Report Update: having regard to updated policy

4.1. **National Planning Policy Framework (17 August 2026)**

4.2. Since the preparation of the original report an updated National Planning Policy Framework (NPPF) has been issued (Aug 2026).

4.3. The National Planning Policy Framework (NPPF), published on 17 August 2026, sets out the Government's national planning policies for both plan-making and decision-making in England.

4.4. When determining development proposals decision-makers are required to take a positive and proactive approach and to seek to approve sustainable development where possible.

4.5. The NPPF introduces a permanent presumption in favour of sustainable development, through Policies S3 to S5 (which replaces the former "tilted balance" contained in paragraph 11 of the previous NPPF) and sets out the principles for development within and outside settlements.

4.6. The Framework also confirms that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Annex A (implementation) of the 2026 NPPF at para 2 also sets out that development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight.

4.1. In this regard, Local Plan (LP) policy INT1 sets a presumption in favour of sustainable development consistent with NPPF policy S3, and part (i) and (ii) of LP policy SUS2 relating to the distribution of development towards sustainable settlements including Chickerell is also consistent with NPPF policy S4 which seeks to support development within settlements. It is thus considered that full weight can be given to these aspects of LP policy, and in turn full weight can be attributed to LP policy CHIC2 which is likewise consistent with the objectives of the updated NPPF of bringing forward development within sustainable locations. Having regard to the portion of the site which falls outside of the development boundary/site allocation (to the north and south of the site) policy SUS2 criteria (iii) of the Local Plan seeks to strictly control development having regard to the need for the protection of the countryside and environmental constraints. The overly restrictive nature of this criteria is materially inconsistent with criteria (j) of NPPF policy S5 which, unless the benefits of doing so would be substantially outweighed by any adverse effects, supports development outside settlements where development would address an evidenced unmet need and would be physically well-related to an existing settlement and of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; subject to other criteria.

4.2. On the 27th October, the Council published its latest Annual Housing Position Statement (AHP), which from the 1st November 2025 sets out the housing position for Dorset Council, which is now stated to be 2.53 years. In this regard, Dorset Council is no longer able to demonstrate a 5-year housing supply as required by National Policy.

4.3. In light of the Council's housing land supply position, criteria (j) of policy S5 is invoked and limited weight is given to criteria (iii) of policy SUS2, in accordance with para 1 and 2 of Annex A (implementation) of the NPPF.

4.4. Given no change to the housing supply position since the original report, and that the tilted balance consequently applied under the former NPPF, meaning less weight could be given to the housing policies of the LP, the overall position and outcome of the assessment contained within the original report, is not considered to have changed. Overall, it is not considered that the updated NPPF policies relating to sustainable development, the delivery of homes, creating high quality sustainable places and conserving and enhancing the environment, materially differs to the aims of LP policies relevant to this application, and as such, it is considered that with the exception of criteria (iii) of policy SUS2, full weight can continue to be applied to the relevant parts of Local Plan policies referred to within the original report.

4.5. In turn, the relevant policies of the Chickerell Neighbourhood Plan (policies CNP1, CNP4, CNP9, CNP10, CNP11 and CNP12) which seeks to support improved community facilities, safeguard the designated wildlife corridor, heritage coast and locally valued landscape from unacceptable impacts, enhance biodiversity and set out key design principles is considered to be consistent with the objectives of the NPPF and can continue to be given full weight in the determination of the application.

4.6. Relevant NPPF chapters and policies include:

- <u>Section 3. Decision-making policies</u>

  Local planning authorities should approach decision making positively, proactively and proportionately. They should work with applicants through pre-application engagement and consultations and aim to resolve concerns through planning conditions or obligations where possible to avoid delay and to enable an approval

rather than a refusal. Applications that accord with the development plan, the NPPF and other material considerations should not be refused where they can clearly be approved.

- DM3: Determining development proposals
- DM4: Emerging development plan proposals
- DM6: Use of planning conditions and obligations
- DM7: Relationship with other regulatory regimes
- Section 4. Achieving sustainable development

  The objective of the policies in this chapter is to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements, enabling development which will support the rural economy, rural communities and the provision of infrastructure, and limiting development away from settlements to help safeguard the intrinsic character and beauty of the countryside.
- S3: Presumption in favour of sustainable development
- S4: Principle of development within settlements
- S6 Neighbourhood plans and the presumption
- Section 5. Meeting the challenge of climate change

  Planning decisions should support climate change mitigation and adaptation, including reducing greenhouse gas emissions, increasing resilience to climate impacts and directing development away from areas at unacceptable risk from flooding.
- CC2: Mitigation of climate change
- CC3: Adaptation to Climate Change
- Section 6. Delivering a sufficient supply of homes

  Delivering a sufficient supply of homes. Planning decisions should give substantial weight to providing homes which will contribute towards meeting the evidenced accommodation needs of the community.
- H07: Meeting the need for homes
- H08: Providing affordable homes
- H013: Build out of residential and strategic sites
- Section 7. Building a strong, effective economy

  Planning decisions should enable businesses to invest, expand and adapt in a way that reflects the opportunities, challenges and characteristics of different areas, and supports long-term economic growth both locally and nationally.
- Section 11. Facilitating the sustainable use of minerals
- M6: Safeguarding mineral resources and infrastructure through decision-making
- Section 12. Making effective use of land

  Planning decisions should give substantial weight to proposals that make more effective use of land and buildings, while maintaining good design, living conditions and local character. Higher-density development is promoted within settlements in well-connected locations near public transport. Development that fails to make efficient use of land in accordance with the policy should be refused.

- L2 Making effective use of land
- L3: Achieving appropriate densities
- Section 14. Achieving well-designed places
- Development should be high quality, respect and enhance local character, deliver sustainable and attractive places, and accord with relevant design policies. Proposals that demonstrate good design and place-making should be supported, while those that fail to meet established design standards should be refused unless clearly justified.
- DP3: Key principles for well-designed places
- DP4 The design process
- Section 15. Promoting Sustainable Transport

  The objective of the policies in this chapter is to ensure that transport considerations are taken fully into account in the preparation of development plans and the evolution and assessment of development proposals; using a vision-led approach to embed the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places.
- TR3: Locating development in sustainable locations
- TR4: Street design, access and parking
- TR6: Assessing transport impacts
- TR8: Public rights of way
- Section 16. Promoting healthy communities
- The objective of the policies in this chapter is to promote the creation of healthy and inclusive places and support the provision of appropriate public services, by enabling development which can support this aim and seeking to retain, improve and deliver new facilities which are important for community wellbeing and minimising inequalities.
- HC3: Community facilities and public service infrastructure serving new development
- HC4: Proposals for new and improved community facilities, public service infrastructure and development providing public health benefits
- Section 17. Pollution, public protection and security

  The objective of the policies in this chapter is to ensure that new development is appropriate for its location, taking into account risks posed by pollution and other hazards; that any impacts which development might have are taken into account; and that sufficient provision is made for development required for public safety and security.
- P2 Ground conditions
- P3: Living conditions and pollution
- P4: impact of development on existing activities
- P5: maintaining public safety and security
- Section 18. Managing flood risk and coastal change

  Development proposals should minimise risks to development arising from all sources of flooding and coastal change, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development

will be safe for its lifetime without increasing flood risk elsewhere, and incorporating sustainable drainage systems where appropriate.

- F4: Assessing flood risk for decision-making
- F5: The sequential test
- F6: Development in areas at risk of flooding from rivers and the sea
- F7: Ensuring development is safe from flooding
- F8: Sustainable drainage systems and watercourses
- Section 19. Conserving and enhancing the natural environment

  Development should conserve and enhance the natural environment by protecting important landscapes, habitats, biodiversity and trees, while maximising opportunities for nature recovery, green infrastructure and biodiversity net gain. Proposals should avoid significant environmental harm, prioritise land of lower environmental value where possible, and be sensitively designed in protected landscapes and coastal areas. Development causing unacceptable impacts on designated sites, irreplaceable habitats or biodiversity that cannot be adequately avoided, mitigated or compensated for should be refused.

  - In National Landscapes substantial weight should be placed on the importance of conserving and enhancing their natural beauty.
  - Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation
  - Improving the natural environment biodiversity is to be protected and encourage net gains for biodiversity.
- N2: Improving the Natural Environment
- N3: Trees in new development
- N4: Protected Landscapes
- N6: Areas of particular importance for biodiversity and geodiversity
- Section 20. Conserving and enhancing the historic environment

  Great weight should be given to the conservation of heritage assets.
- HE4: Securing the conservation of heritage assets
- HE5: Assessing effects on heritage assets
- HE6: Proposals affecting designated heritage assets
- HE7: Decisions on non-designated heritage assets
- HE9: Conservation areas

4.7. **Emerging draft Dorset Council Local Plan:**

4.8. In terms of the effects of the newly published NPPF on the weight to be attributed to the emerging draft Dorset Council Local Plan, the following advice is offered.

4.9. Policy DM4 (emerging development plan proposals) 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 compliance of the relevant policies in the emerging plan with the policies for plan-making in the NPPF (the closer the policies in the emerging plan to the policies of the NPPF, the greater the weight that may be given to them).

4.10. The emerging Dorset Local Plan is being prepared in accordance with plan-making processes set out in the Levelling Up and Regeneration Act 2023 and Local Planning Regulations (2026). As the plan is still at an early stage of the plan making process, limited weight can be attached to it when taking decisions on planning applications. Decisions on planning applications should continue to be assessed against the policies in adopted development plans, national planning policy and any other relevant material considerations.

4.11. In terms of the implication on the considerations contained within the original officer report, the updated policy is not considered to alter the weight given to the emerging Local Plan to that given in the original report, and therefore the original assessment remains relevant and can be relied upon.

4.12. **Housing land supply**

4.13. In terms of the effects of the newly published NPPF on Council's land supply position, the following advice is offered.

4.14. Dorset Council is unable to demonstrate a 5-year housing supply. The position set out in the latest Housing Land Supply Report is 2.53 years. In addition, the adopted local plans are not designed to deliver the levels of housing needed under the Government's revised standard method. Recent calculations suggest a need of c. 3,246 new homes per year. Under the new NPPF, the consequence is that Policy S5(1)(j) applies. This supports granting permission for development outside of settlements that aims to address unmet need. It states that development needs to be "physically well-related to an existing settlement … and be of a scale which can be accommodated taking into account the existing and proposed availability of infrastructure." However, Policy S5 suggests that permission should not be given when:

- "the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the [NPPF]"; or
- "the nature of the development would make this inappropriate"

4.15. Policy S6 is very similar to paragraph 14 in the previous NPPF. For proposals involving housing, it affords greater weight to neighbourhood plan policies, where the neighbourhood plan is less than 5 years old, and the plan contains allocations to meet its identified housing requirement.

4.16. The latest Housing Delivery Test results (2025 measurement) show that insufficient homes have been delivered within the local plan area (88%) and that a local action plan is required.

4.17. In terms of the implication on the considerations contained within the original officer report, the updated NPPF policy is not considered to significantly alter the position having regard to the continued recognised need for housing within the area, and the substantial weight given to the delivery of housing and assessment contained within the planning balance in the original report remains relevant and can be relied upon.

4.18. **Effects of the updated NPPF (2026) on key material planning matters**

4.19. Consideration is given in the table below to the effects of the newly publicised NPPF having regard to the previous 2024 NPPF, including a review of any material changes in policy and the effects of this having regard to the considerations and recommendations contained within the original report.

Principle of development

Key 2024 NPPF references	Para 11 of the 2024 NPPF included a tilted balance in favour of sustainable development; section 5 related to delivering a sufficient supply of homes; para 225 seeks to safeguard Mineral Safeguarding Areas.
Summary conclusion within original report	Sub section 14.1 of the original report considers the principle of development on the site. Para 14.1.33-14.1.38 of the original report considers the policies within the 2024 NPPF including the presumption in favour of sustainable development under the tilted balance, with less weight subsequently given to Local Plan policy SUS2 (iii) in recognition of the Councils five year housing land supply position. Para 14.1.39-14.1.41 considers the impacts to the Minerals Safeguarding Area. The majority of the land subject of this application is part of a wider site, allocated for development under Policy CHIC2 of the adopted Local Plan. Neighbourhood Plan policies relating to land outside of the allocation also permit the facilitation of the development. Detailed consideration is given to the detailed requirements of these policies, and regard is given to the presumption in favour of sustainable development and impacts on the Minerals Safeguarding Area, and it is considered that the principle of bringing forward this allocated site for development would be acceptable in line with policy.
Assessment having regard to the 2026 NPPF	A permanent presumption in favour of sustainable development applies as per policy S4 of the 2026 NPPF. Policy S4 set out that (1) development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects when assessed against the national decision-making policies in the Framework. This is considered to align with the aims of para (d) of the 2024 NPPF. Policy S4 (2) sets out circumstances where the benefits are likely to be substantially outweighed by adverse effects. These include where the development proposal would (a) have a substantial adverse impact resulting from (i) conflict between the proposals and land allocations within the Development Plan, and (ii) in relation to the application of policies within the Framework for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)); (b) where a development proposal would involve the whole or partial loss of undeveloped land used for a cemetery or burial ground, water storage and/or flood risk management; or (c) where a development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances. In this case, the benefits are not considered to be substantially outweighed by adverse effects. The proposal would be in accordance with the allocation within the Local Plan, would not conflict with policies HC7, HC8, N4, N6 or L2 of the NPPF, it would not involve the loss of land used as a cemetery or for water storage and the proposal would comply with the national decision-

	making policies which otherwise state that development proposals should be refused. Having regard to the small part of development falling outside of the allocation, and in turn policy S5, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework criteria 1 (j) supports development which would address an evidenced unmet need including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test) and where the development would (i) Be physically well-related to an existing settlement and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure. These matters are considered at subsection 14.1 of the report and is considered to be met. Policy S5 (2) sets out circumstances where the benefits are likely to be substantially outweighed by adverse effects. These include where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances. Policy S5 (3) deters against isolated homes, and S5 (4) relates to development falling outside of categories covered, and S5 (5) refers to green belt and designated Local Green Spaces. In this case, the benefits are not considered to be substantially outweighed by adverse effects. The proposal would comply with the national decision-making policies which state that development proposals should otherwise be refused in specific circumstances; the development falls within category 1(j) of the policy, and does not relate to green belt or a designated Local Green Space. Given the above, it is considered that full weight can continue to be applied to the conclusions reached within the 'Principle of Development' section of the original report, such that the presumption in favour of sustainable development as referenced at para 14.1.33 continues to apply, and the balancing exercise at para 14.17.44 of the report remains unchanged. Section 6 of the 2026 NPPF relates to delivering a sufficient supply of homes and is on the whole consistent with the aims of Section 5 of the 2024 NPPF. Policy HO13 in particular sets out provisions to significantly boost the supply of homes. This includes reducing delays in delivery of proposals for major development. The policy continues by setting out provisions for strategic sites, which the NPPF regards as relating to larger scale development than the application under consideration. The provision of development on this site aligns with the aims of Section 6 of the NPPF and with regards to policy HO13, conditions on the consent seek to manage the implementation and phasing of the development.

	Policy M6 (Safeguarding mineral resources and infrastructure through decision-making) is considered to be consistent with the aims of para 225 of the 2024 NPPF, and the considerations set out in the original report, following consultation with the Minerals Authority, are considered to remain relevant. In light of the above, the key considerations as set out within sub section 14.1 of the original report are considered to remain relevant and are consistent with the provisions of the revised 2026 NPPF, such that the principle of development would be acceptable.
Environmental Implications	
Key 2024 NPPF references	Subsection 14 of the 2024 NPPF covered matters relating to meeting climate change, supporting renewable and low carbon energy and associated infrastructure. Para 163-167 of the 2024 NPPF were most pertinent. In turn, para 109-117 of the 2024 NPPF focussed on making provision to support walking and cycling.
Summary conclusion within original report	Environmental implications are considered at sub section 14.3 of the original report, and regard is given to locational considerations at subsection 14.1. The site itself is well located to facilities such that it is considered a sustainable location for housing and the scheme itself incorporates pedestrian and cycle links together with a route suitable for a bus, promoting use of sustainable modes of transport. Contributions to support the uptake of any future bus service or bike provision is to be secured through S106. Homes proposed as part of this scheme would be required to meet Future Homes Standards which seeks all new build homes to be future proofed with low carbon heating and be energy efficient. The scheme would incorporate additional energy saving elements including electric heating via air source heat pumps, provision of solar panels, advanced glazing and increased building fabric efficiencies and air tightness. In line with new Building Regulations Part S, and para 117(e) of the 2024 NPPF, all homes with on plot parking would be served with an EV charge point.
Assessment having regard to the 2026 NPPF	Policy CC2 (Mitigation of climate change) encourages sustainable patterns of development, energy conservation, and the creation of habitats which can act as carbon stores. Policy CC3 (Adaptation to Climate Change) has regard to minimising risk to climate change, including flood risk, which is considered separately, but also references minimising risks from overheating and taking into account measures to mitigate against wildfires. These policies in the main are consistent with the policies within the 2024 NPPF, but add specific reference to mitigating against wildfires where wildfires pose a particular risk, and emphasises the benefit of habitats and green infrastructure as carbon stores.

	The proposed development would have enhanced landscaped edges with woodland planting and habitat areas incorporated into the scheme, consistent with the advice within the NPPF. Notwithstanding proposals to enhance landscaping on the site, the site is not considered to be adjacent to heavily vegetated areas such that wildfires would pose a particular risk in this location. Having considered the environmental implications of the scheme against the 2026 NPPF, the proposal is considered to continue to comply with its policies, and the considerations as set out in the original report, when read in conjunction with the above assessment, are considered to remain relevant and consistent with policy such that the conclusions having regard to the environmental implications of the scheme remain unchanged.
Highways - access, movement and links, parking provision, and highway safety	
Key 2024 NPPF references	Para 109-117 of the 2024 NPPF related to promoting sustainable transport, with paras 115-118 being pertinent to considering development proposals. These paras sought schemes to prioritise pedestrian movement, ensure safe and suitable access, and ensure streets, parking areas and other spaces are appropriately designed. Para 116 stated that "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios*".
Summary conclusion within original report	Sub section 14.5 of the original report considers matters surrounding access, movement and links, parking provision, and highway safety. It has regard to the assessment and conclusions of the submitted Transport Assessment and Travel Plan, forming part of Chapter 9 of the Environmental Statement. The Highway Authority consider that the submitted Transport Assessment is satisfactory and robust and that the residual cumulative impact of the development cannot be thought to be "severe". Para 14.5.5-14.5.7 of the original report considers access to the development; para 14.5.8-14.5.11 considers movement and connectivity having regard to the provision of the central avenue and confirms that the central avenue would incorporate (in the main) a segregated cycle and pedestrian route, with pedestrian and cycle connectivity secured running both north-south and east-west; the central avenue would also be designed to cater for a bus route. Para 14.5.12-14.5.14 and 14.5.15-14.5.21 considers movement and connectivity in terms of prioritising pedestrians and cyclists, and provides comment regarding the permeability of the development, the retention, enhancement and proposed diversion of public rights of way, establishment of cycle facilities, and connection with wider routes. Public rights of way are considered in more detail at para 14.8.46-14.8.50. Para 14.5.22-14.5.30 considers public transport provision and sets out provisions to support the route as a bus route. Para 14.6.31-14.5.36 considers the internal layout and design of streets together with parking provision, which is further considered within sub section 14.6 (Design and Layout) and in

	particular para 14.6.11-14.6.29. Para 14.5.37-14.5.40 considers service accessibility including emergency vehicle access. The Highway Authority have considered the application and consider the proposed works to be acceptable having regard to highway safety and raise no objection subject to minor revisions which can be secured through condition. In light of the above, the proposal is considered to be acceptable having regard to the provisions set out in Local Plan Policy COM7 (Creating a safe & efficient transport network) and COM9 (Parking Provision).
Assessment having regard to the 2026 NPPF	Section 15 of the NPPF relates to promoting sustainable transport. Policy TR3 (Locating development in sustainable locations) of the 2026 NPPF relates to locating development where (a) the location should limit the need to travel, particularly by private car; (b) where existing or proposed transport infrastructure can be optimised; (c) where any significant adverse impacts from the development on the transport network or on highway safety could be mitigated; and (d) where opportunities to mitigate environmental impacts from traffic can be taken (criteria (e) relates to rural areas as defined by the NPPF and do not relate to this site). To contribute to creating well designed places, policy TR4 (Street design, access and parking) requires proposals to (a) give priority first to walking, wheeling and cycle movements, and second, so far as possible, to facilitate easy access to high quality public transport; (b) to support these aims incorporate appropriate features such as permeable street networks, continuous footways and segregated cycle facilities, cycle parking, public seating and appropriate waiting facilities for public transport; (c) ensure that the arrangement of streets and other routes help to create places that are safe, inclusive and attractive for all users; (d) allow for ease of access by service and emergency vehicles; and (e) provide a suitable number of parking spaces for a range of transport modes allow for the charging of electric vehicles in safe, accessible and convenient locations. The policy also sets out that the principles set out in national design guidance should be used to inform how this policy is applied. TR6 (Assessing transport impacts) sets out the need for an appropriate Transport Statement and Travel Plan and the expectations surrounding the assessments within these documents. TR6 (4) states that development proposals should be refused if they would have a severe adverse impact on the transport network or an unacceptable impact on highway safety. TR8 (Public rights of way) sets out that development proposals should (a) protect and enhance the network of public rights of way, including through suitable diversions agreed with the highway authority; and (b) take opportunities to extend, link or improve the quality of existing routes where this enables (i) improved access to green spaces; (ii) connections between local and long distance routes; (iii) the provision of accessible, safe and convenient links to services and facilities and/or improved connections with public transport stops.

	These policies are considered to be consistent with the aims set out within the 2024 NPPF, such that the assessment contained within the original report remains relevant. Having regard to policy TR3, the proposed development is considered to be located within a sustainable location such that the aspirations of TR3 (a)-(d) are met. The report robustly covers matters relating to TR4 and considers these aspects having regard to the National Design Guide, and these matters are also included within the planning balance. Policy TR6 is considered to have been addressed and the Highway Authority have confirmed that the highway related impacts cannot be considered to be severe. Matters relating to TR8 are also addressed within the report, and expanded upon within this addendum.
Scale, design, impact on character and appearance	
Key 2024 NPPF references	The 2024 NPPF at para 131 set out that the creation of high quality, beautiful and sustainable buildings and places was fundamental to what the planning and development process should achieve, placing great importance on good design. Para 135 set out expectations for development proposals, para 136 placed importance on the contribution of trees and para 136-140 all focus on seeking well designed places. Reference to the National Design Code is Guide and National Design Code is also made.
Summary conclusion within original report	At sub para 14.6 detailed consideration is given to the design and layout of the scheme having regard to scale, design quality, and impact on character and appearance, with reference to the former NPPF and National Design Guide throughout, as well as the National Design Code, Building for a Healthy Life and Secure by Design. The report likewise sets out the evolution of the scheme informed by engagement with Officers and Design Review panel. Regard is given to access and movement, including regard given to Inclusive Mobility Guidance. Surveillance of public spaces, the importance of lighting and placement of landscape features, access to properties and placement of windows in the context of safety by design is considered within sub section 14.6 and 14.8; Subsection 14.6 considers the detailed design of and placement of properties and how they respond to the street in respect of built form; and goes on to consider character and street scene having regard to fundamental design principles including identity and context, influenced through materials, boundary treatments, and built form. Subsection 14.6, together with subsections14.8 and 14.10, considers the design of public spaces, taking into account local viewpoints and the provision of natural features as well as facilities such as the school, and has regard to the interaction of these spaces having regard to topography, landscaping, habitat creation, desire lines, movement and accessibility, providing pleasant places for people to gather that support a healthy lifestyle.

	Climate and environmental considerations are considered at sub section 14.3. The report concludes that overall, it is considered that the revised scheme goes some considerable way to improve the built environment. Buildings would more cohesively respond to the street, providing a more continuous building line and with less ad hoc variation in height would establish a stronger rhythm of development within streets. There continues to be concerns regarding detailed elements such as placement of chimneys, lack of detailing and use of split level materials that weaken the schemes response to local context and character. Further, owing to loose application of the parameters defining different character areas, there would be little distinct differentiation in character between areas within phase A. Other matters that challenge design quality relate to the treatment of the central avenue, treatment of parking, and concerns surrounding the western most pedestrian link. It is considered that the revised scheme, despite some misgivings surrounding character, goes some way to address officer concerns, however, given the high bar set by policy to deliver high quality developments, there are nonetheless a number of elements that let the scheme down and it is therefore questionable whether the proposal truly meets the 'high quality' expectation as set out in Local Plan Policy ENV12 and National Planning Policy Framework (NPPF) para 135. This matter needs to be weighed in the planning balance.
Assessment having regard to the 2026 NPPF	Section 14 of the NPPF relates to promoting high quality, healthy, inclusive and sustainable places**.** Policy DP3 (key principles for well-designed places) is consistent with the Nation Design Guide in which the application has been assessed and sets out at criteria 1 that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. At criteria 2 it sets out that to create well-designed places, development proposals should also reflect relevant aspects, as appropriate to the nature of the development and its location of principles set out at (a)-(g). In line with para 139 of the 2024 NPPF criteria 3 sets out that proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan. It sets out that substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals. Criteria 4 refers to the Design and Placemaking planning practice guidance and criteria 5 gives substantial weight to outstanding or innovative design. In summary, the principles set out at criteria 2 include (a) liveability: supporting healthy, mixed, vibrant and integrated communities; (b) climate: contributing to climate change mitigation and adaptation and the transition to

	net zero; (c) nature: incorporating and/or connecting to a network of high quality, accessible, multifunctional green infrastructure to provide opportunities for recreation and healthy living, strengthen habitats, improve climate change resilience and improve air and water quality; (d) movement: providing good connections to the wider settlement, and prioritising walking, wheeling, cycling and public transport; (e) built form: using the pattern of buildings to define the arrangement of streets, squares and other spaces, promoting compact forms of development to optimise the site's potential, distinguishing between public and private areas, creating focal points and, where appropriate, enhancing views into and out of the scheme; (f) public space: include spaces that are safe, secure, inclusive, and accessible for all, encouraging social interaction and play and high quality, clear and legible pedestrian and cycle routes, a variety of recreational spaces and offering natural surveillance; and (g) identity: creating visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting. The policy criteria of DP3 and principles set out at criteria 2 are consistent with, and build upon, the provisions set out in the 2024 NPPF. The principles are in turn consistent with those principles imbedded within the National Design Guide which the application has been assessed against. Policy DP4 (the design process) encourages early engagement, access to design review, the submission of clear plans and seeks to ensure quality is not watered down through future applications. Policy P5 (maintaining public safety and security) seeks to ensure safety and threats to safety are anticipated and mitigated against through the design of the scheme. The current scheme has been informed following engagement with the Local Authority and Design Review, with details of the proposal clearly set out in line with policy DP4. The key principles set out under criteria 1 and 2 of policy DP3 (which are consistent with previous National Guidance) together with safety by design are considered within the body of the original report. Those considerations, and the conclusions reached at para 14.6.88-14.6.90 of the original report, recognising the importance of creating well-designed places, and setting out the benefits and any misgivings within the scheme remain relevant and unchanged having regard to considerations under the above NPPF policies, as does the balancing exercise at subsection 14.17.44. Within this balancing exercise design quality is carefully weighed against the benefits of the scheme, recognition is given to the various iterations worked up and engagement with the Design Review Panel, and consideration is given to the site constraints and challenges faced in bringing this site forward for development, such that it is not considered that policy DP3(3) would present reason to refuse the application owing to unjustified impacts to design quality.

Housing density	
Key 2024 NPPF references	Policy 129-130 of the 2024 NPPF seeks to support the efficient use of land, and where there is a shortage of land for meeting identified housing needs, it places importance on ensuring low density development is avoided and ensuring development optimise the use of each site.
Summary conclusion within original report	The report at para 14.6.46 touches upon the need to balance design aspirations and consideration of local context with the need to ensure layouts and street patterns prioritise pedestrians and cyclists and make efficient use of the land while meeting other policy requirements such as drainage, open space, and landscaping. While the report sets out the design challenges encountered on the site, and acknowledged the various iterations and reduction in housing numbers, it does not provide detailed commentary on density.
Assessment having regard to the 2026 NPPF	Policy L3 (achieving appropriate densities) (1) seeks to ensure proposals make efficient use of the land, taking into account the identified need for different types of housing and other development, local market conditions, the availability of infrastructure (including that supporting sustainable transport modes) and its scope for improvement, a site's connectivity and the importance of securing well-designed, attractive and healthy places. To contribute to making efficient use of land L3(2) seeks that (a) proposals within settlements contribute to an increase in density, unless there is clear justification such that it would be inappropriate or not possible and (b) on allocated sites ensure that development footprints make the best use of a site's development potential. Criteria L3(4) sets out that development proposals that do not make efficient use of land in accordance with para (2) of the policy should be refused. To ensure dwellings respond appropriately to local context from a design perspective, and having regard to the elevation within the site and topographical constraints, it is considered that the resultant development footprints makes best use of the sites development potential in line with policy L2(2)(b), incorporating apartment blocks where appropriate. While the site does not represent a marked increase in density compared to surrounding development (having regard to criteria L3(2)(a)), it is considered that this is appropriately justified in this case. In this regard, various submissions showing higher housing numbers (originally 502) have been submitted to the Council since the application was made, none of which have presented acceptable treatment of streets and spaces, particularly owing to topographical issues amongst others. In the previous iteration for 393 units the Urban Design Officer raised specific concern regarding the quantum of development, which is considered to have been addressed by the current proposals. It is considered that to achieve an increase in density from that currently proposed would compromise the quality of design and amenity of future occupiers, such that it would be inappropriate. Owing to the above, it is considered that the proposed density of housing is justified in

	line with the provisions of L3(2), and L3(4) would not thus present reason to refuse the development. Criteria L3(3) goes on to expect that minimum densities of 35 dwellings per ha within the net deliverable area of a site should be exceeded where possible, especially in areas of high connectivity, to optimise the efficient use of land. The overall density of housing having regard to the net deliverable area of the site as a whole (including land to accommodate the central avenue and segregated foot/cycle ways, but excluding land set aside for the school), would be approximately 28.3 dph. When assessing density policy L3(3) requires consideration of the site's connectivity. Under the Government's connectivity tool, the site achieves a connectivity score of between 50 and 57. This shows the site has relatively good connectivity, but lacks access to facilities that would enable a high score to be obtained. Taking on board that the site is not within an area of high connectivity, and having regard to the site constraints and the design related issues resulting from previous proposals of higher housing numbers, as referenced above, it is considered that the proposed scheme makes efficient use of a steeply sloping site and the density proposed is appropriate having regard to the site constraints and its local context.
Impact on the living conditions of the occupants and neighbouring properties	
Key 2024 NPPF references	Para 135 (f) of the 2024 NPPF seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Para 187 (e) seeks to ensure that development proposals are not comprised by unacceptable levels of soil, air, water or noise pollution or land instability, and para 198 seeks to safeguard development from the impacts of noise. Para 200 sets out the agent of change principle.
Summary conclusion within original report	Sub section 14.7 of the original report relates to residential amenity. It is not considered that the proposed development would significantly detract from the residential amenity of existing occupiers through loss of light, privacy, noise or general amenity, in accordance with Local Plan policy ENV16. The presence of significant retaining features to the rear of properties would compromise the rear garden space and outlook for future occupiers and this matter is weighed in the balance having regard to the benefits of managing levels within plots as opposed to in the public realm. Having carefully reviewed the level of risk from ball strike from the adjoining golf course, the appropriateness and feasibility of mitigation features and their impacts, the proposed land use of those areas subject to high levels of risk, and the impacts of the development on third parties having regard to

	the agent of change principle, it is considered that the June 2026 revisions to the layout of the scheme ensure significant risk can be avoided by ensuring public access and housing is kept away from those areas most at risk.
Assessment having regard to the 2026 NPPF	Policy P3 (living conditions and pollution) seeks healthy living conditions for existing and future occupiers having regard to light, noise, and other pollution sources. Policy P4 (impact of development on existing activities) at criteria 1 seeks to safeguard existing uses from unacceptable impacts of new development, as per the former NPPF agent of change principle. Criteria 2 sets out that where such impacts are likely, development proposals should (a) consider the scope for mitigation and (b) demonstrate that suitable mitigation can be provided prior to occupation. Policy P5 (maintaining public safety and security) seeks to ensure safety and threats to safety are anticipated and mitigated against through the design of the scheme. The assessment at sub section 14.7 of the original report is considered to adequately review matters relating to residential amenity and safety considerations, specifically in respect of the adjacent golf course and adjacent battery storage site. Having regard to the above policy criteria, it is considered that the assessment and conclusion at 14.7.50-14.7.54 contained within the original report, read in conjunction with this addendum, remains relevant and can be relied upon.
Impact on landscape	
Key 2024 NPPF references	Para 189 of the 2024 NPPF placed great weight on conserving and enhancing landscape and scenic beauty. Para 135 (b) and (e) of the NPPF sought that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and incorporate green spaces. Para 136 stated that '*trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible….*'
Summary conclusion within original report	Sub section 14.8 of the original report considers the impact on the visual amenity of the area, including its landscape impact. Consideration is given to the character of the area and its position outside the Dorset National Landscape, but partly falling within Land of Local

	Landscape Importance (LLLI), recognising that the land comprises a locally valued landscape. Detailed consideration is given to the effects of the development on the landscape. Subject to conditions, including a revised landscape scheme and phasing plan, the submission seeks retention and enhancement of existing natural features such as trees and hedgerows where practicable and provides robust east-west green infrastructure and wildlife corridors; creates green focal points within the development acting as gateway locations and presents visually attractive spaces through landscaping. Green open spaces are interspersed with trees and landscape for the community to enjoy, while offering opportunity for amenity and play. The inclusion of street trees and wider strategic planting would be to the benefit of integrating the development visually, enhancing biodiversity and creating well-designed places for the enjoyment of future occupiers and the wider community It is concluded that the proposed development would not have a significant impact on the setting of the National Landscape and the scheme design would safeguard the LLLI from the impacts of development. As such, the scheme would be in compliance with Local Plan policies ENV1, ENV3, ENV10, and CHIC2; Neighbourhood Plan policies CNP10 and CNP11, and NPPF para 135-136 and 189.
Assessment having regard to the 2026 NPPF	To contribute positively to the natural environment and support nature's recovery, criteria 1 of policy N2 (improving the Natural Environment) sets out criteria (a) – (g) that it expects proposals should address. Those relating specifically to landscape impact include (in summary) (a) consideration of the environmental qualities of land; (b) taking account of the quality of agricultural land; (d) to conserve and enhance existing natural features of visual, historic or nature conservation value where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings; (e) use green infrastructure provided as part of the scheme and nature-based solutions to secure multiple benefits; and (g) ensure that green infrastructure and other features to support nature are located and designed to minimise risk of future failure, and that appropriate measures are in place for any necessary long-term management. Criteria 2 and 3 of policy N2 relates specifically to biodiversity. Policy N3 (trees in new development), in recognition of the benefits which trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment, expects development proposals should (a) make new streets tree-lines, and incorporate trees in other suitable locations; (b) ensure that the selection of species and their placement is compatible with highways and other infrastructure requirements and the needs of different users of public spaces; and make provision for the long term maintenance of existing and newly planted trees. Policy N4 (protected landscapes) is relevant having regard to impacts on the Dorset National Landscape, and at criteria 1 places substantial weight on the importance of conserving and enhancing such landscapes. Criteria 2

	and 3 relate to development within the National Landscape, and are therefore not applicable to this scheme, and criteria 4 expects that development proposals within the setting of protected landscapes should be sensitively located and designed to avoid or minimise adverse impacts. It is considered that the above policy provisions are in line with the aspirations of the former NPPF, and likewise National Guidance, such that the original report is considered to adequately address the considerations falling under these policies. It is not considered that the proposal would conflict with the policies within the 2026 NPPF and the conclusions of the original report are considered to remain relevant and unchanged.
Affordable Housing	
Key 2024 NPPF references	Section 5 of the 2024 NPPF set out the need to consider the provision of affordable housing, which should be of a mix to respond to local need.
Summary conclusion within original report	Sub section 14.9 (affordable housing) of the original report considers affordable housing and housing mix. At sub section 14.17 (summary of issues and planning balance) and specifically para 14.17.8, substantial weight is applied to the provision of affordable housing in the planning balance. In summary, the proposed development would provide 35% affordable housing in line with Local Policy. As proposed, affordable housing is well distributed throughout the site and there appears to be no discernible difference in design, layout or parking provision. This will help create a more mixed and balanced community where different tenures are well integrated into the scheme. The proposed development is considered to comply with policies HOUS1 and HOUS2 of the adopted Local Plan.
Assessment having regard to the 2026 NPPF	Policy HO7 places substantial weight to the benefits of providing homes which will contribute to meeting the evidenced need of the community. In turn policy HO8 seeks to ensure developments meet the development plan requirements for affordable housing. It is considered that the conclusions set out in the original report and included within the planning balance remain relevant and unchanged in respect of affordable housing provision.
Biodiversity	
Key 2024 NPPF references	Para 187 and 192-195 of the 2024 NPPF relate to mitigating and enhancing biodiversity. In terms of conserving and enhancing the natural environment, para 187 sets out that developments should minimise impacts and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs. Para 193 (a) sets out that '*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'.
Summary conclusion within original report	Sub section 14.10 considers ecology, with para 14.10.5-14.10.17 relating to protection of species, paras 14.10.18-14.10.20 relating to biodiversity net gain, and 14.10.21-14.10.25 considering protected habitats. Subject to the conditions securing a dormouse bridge, tunnels for small mammals and amphibians, and final details relating to landscaping, lighting strategy, reworking highway components and a CEMP and LEMP, together with mitigation for the Chesil and the Fleet secured via a S106 agreement, it is considered that significant harm to protected species and habitat sites can be avoided, and the functioning of the Chickerell Wildlife Corridor maintained, in accordance with Local Plan policy ENV2 and Neighbourhood Plan policies CNP4 and CNP12, and para 192-195 of the NPPF. In line with the above policy, it is considered that the proposed developments would provide a net increase in biodiversity.
Assessment having regard to the 2026 NPPF	To contribute positively to the natural environment and support nature's recovery, criteria 1 of policy N2 (improving the Natural Environment) sets out criteria (a) – (g) that it expects proposals should address. In summary, having regard to biodiversity, these relate to (c) taking suitable opportunities to connect to and strengthen ecological networks; (d) to conserve and enhance existing natural features of visual, historic or nature conservation value where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings; (e) use green infrastructure provided as part of the scheme and nature-based solutions to secure multiple benefits; (f) minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs; and (g) ensure that green infrastructure and other features to support nature are located and designed to minimise risk of future failure, and that appropriate measures are in place for any necessary long-term management. Criteria 2 of policy N2 states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or, as a last resort, compensated for, then the development should be refused. Policy N6 (areas of particular importance for biodiversity and geodiversity) sets out provisions where proposals impact (a) habitat sites (a site of international importance), (b) a site of national importance such as Sites of Special Scientific Interest (SSSI) and (c) sites of local importance. These provisions requires Appropriate Assessments to be undertaken for habitat sites, and either no impact or for the impact to be outweighed in the planning balance by the benefits of the scheme. Irrespective of the sites status, criteria 2 states that development proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons.

	Through the retention and enhancement of existing natural features, the provision of wildlife corridors and habitat creation, together with appropriate mitigation for priority or threatened species including (but not exclusive to) bats, birds, hedgehogs, and dormice, together with conditions to secure the long term management, it is considered that the proposal responds appropriately to the provisions set out in policy N2.1. Criteria 2 carries forward the previous provisions under the 2024 NPPF 193 (a) and in this respect there is no change to the conclusions reached. Policy N6 likewise carries forwards the expectations set out in the 2024 NPPF. Given the above policy provisions are in line with the aspirations of the former NPPF, and likewise National Guidance, the original report is considered to adequately address the considerations falling under these policies. It is not considered that the proposal would conflict with the policies within the NPPF and the conclusions of the original report are considered to remain relevant and unchanged.
Flood risk and drainage	
Key 2024 NPPF references	Paragraphs 170, and 173-175 of the National Planning Policy Framework (NPPF) seek that development should be steered to areas with the lowest flood risk. Given the sites allocation within the Local Plan the site has already been sequentially tested. In these circumstances para 180 of the NPPF sets out that the sequential and exceptions test need not be applied again. Para 181 and 182 of the NPPF seek that flood risk is not increased elsewhere and that development proposals incorporate sustainable drainage systems.
Summary conclusion within original report	Sub section 14.11 of the original report considers matters relating to flood risk. Adopting a combined approach to surface level and below ground attenuation storage to manage water across the site is justified owing to the benefits to placemaking, and the proposed scheme is considered to be acceptable on flood risk grounds, and in accordance with the provisions of Local Plan policy ENV5, and is considered to accord with the aims of para 181 and 182 of the NPPF (2024), supported by the National Planning Policy Guidance on Flood Risk.
Assessment having regard to the 2026 NPPF	In line with the requirements of Policy F4 (assessing flood risk for decision-making) the application is accompanied by an appropriate Flood Risk Assessment. To ensure development is steered towards the areas at lowest risk of flooding policy F5 (the sequential test) seeks to apply a sequential test approach to development proposals; however criteria F5(2)(a) removes this requirement where allocated sites such as this one have already been sequentially tested at the Local Plan stage.

	Policy F6 (development in areas at risk of flooding from rivers and the sea) (1)(a) and (b) states that development proposals should be refused if the use is incompatible with the risk from river or sea flooding, as set out in Annex F, table 3, which relates to the level of flood risk and vulnerability of the development. In this regard the site contains an area of flood zone 2 and 3a running through the middle part of the site reflecting the position of the Southill Watercourse. While no development capable of occupation is proposed within the high risk area, as the site includes the provision of housing and a school, the development would be regarded as more vulnerable. In line with Annex F, table 3, the development proposed would not be regarded as incompatible triggering reason to refuse and in line with policy F6(2)(a) the exception test need not be applied where the site has been allocated through the Local Plan process, as in this instance. It is considered that the above policy provisions are consistent with the requirements of the 2024 NPPF which the site was originally assessed against. Policy F7 (ensuring development is safe from flooding) seeks to ensure development is safe from flooding and seeks to ensure risk of flooding is not increased elsewhere. F7(2) indicates that development within a location known to be at risk from flooding, should be refused unless (a) within the site the most vulnerable development is located in areas of lowest flood risk (unless there are overriding reasons which justify a different arrangement); (b) the development will be safe throughout its lifetime taking account of the vulnerability of its users; (c) any residual risk can be safely managed, and safe access and escape routes are included where appropriate, as part of an agreed emergency plan; (d) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; and (e) it can be demonstrated that flood risk will not be increased elsewhere. In this case, the central avenue would briefly run through flood zone 2 and 3, but access for future occupiers would be maintained at both its northern and southern extent falling within flood zone 1, and it is considered that the road could quickly be brought back into use following any flood event; in line with guidance, the most vulnerable development would be located at areas subject to the lowest flood risk areas, within flood zones 1. Consideration is given within the original report to matters surrounding flood risk, including risk of flooding on and off site, and those considerations are considered to remain relevant. It is considered that the proposed development would be safe throughout its lifetime, any residual risk could be safely managed, and flood risk would not be increased elsewhere. Further, in line with the provisions of policy F8 (sustainable drainage systems and watercourses) (1) and (2) an appropriate sustainable drainage system is proposed and this is discussed in detail within the original report. Criteria F8(3) seeks that where possible, developments should remove

	existing culverts and re-naturalise river channels, unless to do so would increase flood risk. Owing to the need to accommodate the central avenue, it would not be possible to avoid use of culverts in this case. In light of the above, the policies within the updated 2026 NPPF are consistent with the requirements of the 2024 NPPF. In turn, it is considered that the proposed development complies with the provisions of policy F4, F5 F6, F7 and F8, and the policies do not give reason to refuse the application on flood risk grounds. It is considered that the assessment of flood risk and conclusions reached within the original report remain sound and relevant when considering the application against the updated NPPF.
Impact on heritage assets	
Key 2024 NPPF references	Section 16 of the NPPF, and specifically paras 212-216, requires great weight be given to the conservation of heritage assets having regard to their significance and the effects of the proposal on their significance. Para 212 of the National Planning Policy Framework (NPPF) sets out that great weight should be given to the conservation of designated heritage assets. Para 213 goes on to state that '*any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification*'. Para 215 sets out that '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*'. Para 216 of the NPPF sets out that '*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*'.
Summary conclusion within original report	Taking into account the lack of harm to the significance of identified designated heritage assets and an acceptable level of harm to non-designated heritage assets by the development, it is considered that the proposed scheme would be acceptable and would comply with the provisions of Local Plan policy ENV4 and para 212-216 of the NPPF.
Assessment having regard to the 2026 NPPF	Policy HE4 (securing the conservation of heritage assets) relates to proposals which would affect the significance of heritage assets. In this case, the original report concludes that the proposals would result in no harm to designated heritage assets, but would result in less than substantial harm to non-designated heritage assets, owing to the resulting loss of the lime kiln, and affect on the Romano-British field system. In such circumstances, policy HE4(1) seeks that heritage assets be conserved in a manner appropriate to their significance by (a) maintaining a use consistent with their conservation and (b) avoiding, or minimising, harm

	to the significance of the heritage assets. The retention of the existing hedged boundaries would to some extent retain some of the historic field enclosures and through the archaeological evaluations and the recording of finds, the significance of these features has been captured. It is nonetheless difficult to conclude that the proposed use for housing and a school would be consistent with the conservation of these features, and this needs to be weighed in the balance. HE4(2) relates to designated heritage features, to which no harm is considered to result, and criteria (3) and (4) are not considered to be relevant. Policy HE5 (assessing effects on heritage assets) requires proposals to be accompanied by an appropriate assessment of heritage assets, including archaeological features, and it is considered that the proposal meets the requirements set out. Policy HE6 (proposals affecting designated heritage assets) places substantial weight on the conservation of designated heritage assets, and requires any harm to be carefully weighed against the public benefits of the scheme, with substantial harm potentially triggering reason to refuse, subject to certain circumstances. Policy HE9 (conservation areas) relates to the conservation of conservation areas. The provisions of these policies are on the whole consistent with the provisions within the 2024 NPPF and the assessment of the effects of the proposal on the significance of designated heritage assets, including the conservation area, and the conclusions, of no resulting harm, contained within the original report remain relevant. In this regard, the proposed development is considered to comply with the provisions of policy HE6 and HE9. Policy HE7 (decisions on non-designated heritage assets) (2) and (3), where a development proposal would harm the significance of a non-designated heritage asset, it requires that the harm be weighed against the public benefit. The original report concludes that, having regard to the significance of the non-designated heritage assets (of local interest), and the archaeological evaluation that has allowed for the recording of finds, the impacts would be acceptable; and weighed in the balance, the resulting impact to these assets is not considered to outweigh the benefits of the scheme (including bringing forward an allocated site for the delivery of housing and a school) or cause significant harm to warrant refusal. These conclusions remain relevant having regard to the provisions of policy HE7. Given the above policy provisions are in line with the aspirations of the former NPPF, and likewise National Guidance, the original report is considered to adequately address the considerations falling under these policies. It is not considered that the proposal would conflict with the policies within the NPPF, nor do the policies give reason to refuse the application,

	and the conclusions of the original report are considered to remain relevant and unchanged.
Contaminated Land	
Key 2024 NPPF references	Para 196 and 198 of the 2024 NPPF seeks to ensure development does not result in an unacceptable risk of pollution to waters, the environment, future occupiers or neighbouring uses.
Summary conclusion within original report	The proposed works, subject to appropriate conditions, are considered to be acceptable and to comply with the provisions of Policy ENV9 of the Local Plan, and para 196 and 198 of the NPPF.
Assessment having regard to the 2026 NPPF	Policy L2 (making efficient use of the land) (1) seeks that substantial weight be given to the benefits of proposals which would remediate contaminated land. Further, the need for appropriate remediation is supported by policy P2 (ground conditions) in the interests of mitigating risks. It is considered that, consistent with the requirements of the above policies, appropriate assessment and remediation would be secured as part of the consent, and the conclusions set out within the original report remain relevant and consistent with the updated NPPF.
Infrastructure	
Key 2024 NPPF references	The 2024 NPPF seeks that planning obligations be sought where all three of the tests set out below are met: • necessary to make the development acceptable in planning terms; • directly related to the development; and • fairly and reasonably related in scale and kind to the development. At para 98, the 2024 NPPF seeks that decisions should plan positively for the provision and use of community facilities to enhance the sustainability of communities and residential environments.
Summary conclusion within original report	Sub para 14.15 of the original report reviews infrastructure provision. In particular, para 14.6.59- 14.6.75 of the original report reviews the need for open space and play and has regard to addressing impacts through both on and off-site provision. The assessment is made having had regard to national guidance including Fields in Trust Guidance, Secure by Design, and Natural England's Green Infrastructure Planning and Design Guide. Condition 16 seeks to secure a comprehensive Play Strategy which is required to be prepared having regard to National Guidance. Para 14.15.22-14.1526 of the original report reviews recreational facilities in line with Sports England's Guidance, including their Playing Pitch Strategy and Facilities Calculator.

	Contributions are also sought towards affordable housing provision (on site delivery), NHS, Chesil and the Fleet mitigation, education (on and off site), Willowbed Hall improvements, footpath upgrades and towards promoting bus and cycle use (on and off site). The financial contributions are evidenced through consultation with Chickerell Town Council, relevant consultees, and through your Officer's assessment of the direct impacts that the proposed additional housing would have on existing infrastructure. The financial figures are based on the best available information including local best practice and regard has been given to national guidance & policy to ensure obligations remain proportionate to the scale of development and reasonable in all other regards. No viability appraisal has been submitted and it is not contested that the cost cannot be met while securing the development. The contributions have therefore been demonstrated to be reasonable, necessary and proportionate, to meet the regulations for Community Infrastructure Levy and the NPPF, and have in turn been agreed in principle by the developer.
Assessment having regard to the 2026 NPPF	HC3 (community facilities and public service infrastructure serving new development) (1) seeks that housing development which could give rise to significant numbers of additional people living in the area should (a) be informed by an understanding of the need for any associated improvements to community facilities and public service infrastructure and (b) provide for new or improved community facilities and public service infrastructure which are necessary for the development to be acceptable in planning terms. HC3(2) requires consideration of best practice to identify improvements in the quantity and quality for recreational land and facilities, including Natural England's Green Infrastructure Standards, Fields in Trust recommendations and Sport England Guidance. HC3(3) relates to securing the timely delivery of such facilities. Sub para 14.15 of the original report reviews infrastructure provision, taking on board the need for improvements of local community facilities, infrastructure provision on and off site, considers the recommendations contained within National Guidance, and seeks to secure necessary improvements and provision through the Heads of Terms and conditions set out, in line with the provisions of policy HC3. HC4 (proposals for new and improved community facilities, public service infrastructure and development providing public health benefits) (1) places substantial weight on the benefits of providing new or improved public service infrastructure (including education facilities) or community facilities (including facilities for play, sport and informal recreation), and where proposals make a demonstrable contribution towards promoting good health. HC4 (2) promotes early engagement with the community to support this.

	It is considered that the policies of the 2026 NPPF are broadly consistent with those of the 2024 NPPF, and that the substantial weight given to the provision of a school and significant weight given to the provision of open space in the planning balance is consistent with the updated NPPF. It is considered that the conclusions of the officer report remain relevant and consistent with NPPF policies HC3 and HC4.
Planning Balance	
Summary conclusion within original report	It is noteworthy the various submissions that have been submitted to the Council since the application was made, none of which have presented acceptable treatment of streets and spaces, particularly owing to topographical issues amongst others. Impacts associated with the steep sloping nature of the site are significant, but to some extent unavoidable if development is to be brought forward on this allocated land, and therefore these impacts need to be weighed against the substantial benefits of delivering much needed housing, including affordable housing, at a time when the Council is unable to demonstrate a 5 year housing land supply. The latest submission, while not without its impacts, presents significant improvements to a number of matters compared to previous iterations having regard to providing a successful development that best meets the objectives of planning policy. The assessment at para 14.7 sets out the benefits and the impacts of the proposed development and consideration has been given to the policies of the development plan, the NPPF and other relevant material considerations. The presumption in favour of sustainable development as set out at Paragraph 11d of the NPPF is engaged due to the Council's lack of 5 year housing land supply. Having regard to 11d(i) it is considered that the application of the policies in the Framework that protect areas or assets of particular importance do not provide a strong reason for refusing the development and regard must therefore be had to 11d(ii). Para 11d(ii) of the NPPF says that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. The assessment of the benefits and impacts, as above, sets out the weight attributed to them. It is considered that as a result of the latest iteration of plans (June 2026) and the ability to further refine details at condition stage that the planning balance is such that the benefits of the scheme, namely the housing delivery, provision of affordable housing, provision of land for a school and the provision of high quality amenity space are not significantly and demonstrably outweighed by the adverse impacts of granting planning permission and therefore in accordance with the presumption in favour of

	sustainable development in the NPPF planning permission should be granted.
Assessment having regard to the 2026 NPPF	The presumption in favour of sustainable development remains in place under the updated 2026 NPPF and continues to apply to this application, and the policies within the 2026 NPPF do not provide a strong reason for refusing the development. Para 14.7 of the original report relates to the Planning Balance, and reviews the benefits and impacts of the proposed development. Having regard to the updated 2026 NPPF, the weighting applied within the planning balance is considered to remain as per the original report. It is considered that having regard to NPPF policies substantial weight should continue to be given to housing delivery, provision of a school, and affordable housing provision and when weighing the benefits of the scheme against the impacts, the benefits of the scheme are not substantially outweighed by the adverse impacts of granting planning permission. It is thus considered that the conclusions as set out in the original report are relevant and continue to apply.

5. Conclusion

5.1. The assessment and conclusions as set out in the original report considered by Members on the 15th July 2026 and appended to this update are, when read in conjunction with this addendum, considered to remain relevant and sound, and for the reasons set out and weighed in the planning balance at para 17.17.44, the recommendation remains unchanged, with the exception of the matters raised below:

5.2. For the purposes of clarity, reference to the inclusion of a local connection clause within the Heads of Terms has been added.

5.3. Two additional conditions as requested by Members at the 15th July planning committee (conditions 54 and 55) are recommended relating to the provision of air source heat pumps and air conditioning units, and the fencing of drainage basins.

5.4. Condition 18, requiring a Landscape and Ecological Management Plan, has been updated for the purposes of clarity to include measures to safeguard wildlife areas.

6. Recommendation:

Recommendation A:

To delegate authority to the Service Manager for Development Management and Enforcement or the Development Management Area Manager Southern and Western Team to grant planning permission subject to conditions as set out at the end of this report and the completion of a Section 106 Planning Obligation under Section106 of the Town and Country Planning Act 1990 (S106 agreement) to secure the following:

- No more than 100 dwellings to be occupied prior to the completion of the central avenue;
- Provision of 35% affordable housing with a local connection clause;
- Financial contribution of £722 per dwelling towards NHS;
- Financial contribution of £524.72 per dwelling and £357.77 per flat towards Chesil and the Fleet mitigation;
- Financial contribution of £1,736.06 per qualifying dwelling (house or flat with 2 or more bedrooms), less land value discount of £482,000, towards primary education;

plus a contribution towards SEND provision of £1,487.62 per qualifying dwelling, together with the transfer of land for the school;

- Financial contribution of £22,524 towards sports pitches and training facilities;
- Financial contribution of £106,413 towards Weymouth swimming pool;
- The provision of 0.28ha of play space, which shall include two LAP's, a LEAP, and informal play, together with the transfer of the land to Chickerell Town Council and a financial contribution of £411.84 per 2 bed unit; £587.34 per 3 bed unit; and £669.24 per 4+ bed unit; less land value discount of £98,800 towards play provision; a financial contribution of £420,000 towards maintenance, and to address the shortfall in play provision, a financial contribution of £50,000 towards enhancing the play facilities at Willowbed Hall and/or towards a skate park within the town;
- Financial contribution of £348,532.80 towards open space maintenance, together with transfer of the land to Chickerell Town Council;
- Financial contribution of £50,000 towards improvements to Willowbed Hall;
- Financial contribution of £81,675.76 towards bus infrastructure; sustainable travel cards to be exchanged for 30 day bus ticket or cycle equipment; updating the walking and cycling maps;

7. Financial contribution of £20,000 towards the upgrading of footpath S16/23;
8. Financial contribution of £12,000 towards the upgrading of footpath S16/21.

Conditions:

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

Received 28th Oct 2024:

LOC-00 Rev C Location Plan

Received 31st March 2026:

2602-02-FMOB Full Matters & Outline Boundary Plan

P932/01 G Southern Access

P932-02 G Northern Access

Received 1st April 2026:

P18_2525_EN_52 Rev A Site Location Plan

P932-84 E Phase A General Arrangement Plan 4 of 4

P932-88 E Phase A Proposed Levels and Contours Plan 4 of 4

P932-92 C Phase A Main Drainage Plan 4 of 4

P932-96 C Phase A Swept Path Analysis 4 of 4

P932-97 C Phase A Longitudinal Sections 1 of 4

P932-98 D Phase A Longitudinal Sections 2 of 4

P932-99 D Phase A Longitudinal Sections 3 of 4

P932-100 D Phase A Longitudinal Sections 4 o f4

P932-101 B Phase A Adoptable Construction Details

P932-103 A Phase A Adoptable Drainage Details

P932-104 B Phase A Fire Tender Plan Sheet 1 of 2

P932-105 B Phase A Fire Tender Plan Sheet 2 of 2

Received 22 April 2026:

2602-02-HT-So(mid)-2Br a Solway (mid) Plans & elevations

2602-02-HT-So(mid)-1Br a Solway (mid) Plans & elevations

2602-02-HT-So(end)-3Br a Solway (end) Plans & elevations

2602-02-HT-So(end)-2Br a Solway (end) Plans & elevations

2602-02-HT-So(end)-1Br a Solway (end) Plans & elevations

2602-02-HT-Sh-2St+C a Sherwood Plans & elevations

2602-02-HT-Re(mid)-3Br a Rendlesham (mid) Plans & elevations

2602-02-HT-Re(end)-3Br a Rendlesham (end) Plans & elevations

2602-02-HT-Lb-3Br a Lambridge Plans & elevations

2602-02-HT-Kn-3Br a Knebworth Plans & elevations

2602-02-HT-Kn-1Wb a Knebworth Plans & elevations

2602-02-HT-Hd(mid)-2Br a Haldon (mid) Plans & elevations

2602-02-HT-Hd(end)-3Br a Haldon (end) Plans & elevations

2602-02-HT-Hd(end)-2Br a Haldon (end) Plans & elevations)

2602-02-HT-Hd(end)-1Wb a Haldon (end) Plans & elevations

2602-02-HT-Hd(end)-1Br a Haldon (end) Plans & elevations

2602-02-HT-Gd(end)-3Br a Grizedale (end) Plans & elevations

2602-02-HT-Ga(mid)-3Br a Galloway (mid) Plans & elevations

2602-02-HT-Ga(end)-3Br a Galloway (end) Plans & elevations

2602-02-HT-Ga(end)-2St+C a Galloway (end) Plans & elevations

2602-02-HT-Da(end)-3Br a Danbury (end) Plans & elevations

2602-02-HT-Da(end)-2Br a Danbury (end) Plans & elevations

2602-02-HT-Da(end)-1Br a Danbury (end) Plans & elevations

2602-02-HT-Ct-3Br a Chiltern Plans & elevations

2602-02-HT-Cd-3Br a Charndale Plans & elevations

2602-02-HT-Cd-1R a Charndale Plans & elevations

ARo_2602-02-HT-Br-3Br a Brampton Plans & elevations

2602-02-HT-Br-2St+C a Brampton Plans & elevations

2602-02-HT-Br-2Br a Brampton Plans & elevations

2602-02-HT-Bi-1Wb a Birkdale Plans & elevations

2602-02-HT-Be-3Br a Barndale Plans & elevations

2602-02-HT-Be-2St+C a Barndale Plans & elevations

2602-02-HT-Be-1Wb a Barndale Plans & elevations

2602-02-HT-Be-1R a Barndale Plans & elevations

2602-02-HT-Al(mid)-3Br a Alnmouth (mid) Plans & elevations

2602-02-HT-Al(mid)-1Br a Alnmouth (mid) Plans & elevations

2602-02-HT-Al(end)-3Br a Alnmouth (end) Plans & elevations

Received 9th June 2026:

P932-83 H Phase A General Arrangement Plan 3of4

P932-85 G Phase A Proposed Levels and Contours Plan 1of4

P932-86 G Phase A Proposed Levels and Contours Plan 2of4

P932-87 G Phase A Proposed Levels and Contours Plan 3of4

P932-89 E Phase A Main Drainage Plan 1of4

P932-90 E Phase A Main Drainage Plan 2of4

P932-91 E Phase A Main Drainage Plan 3of4

P932-93 E Phase A Swept Path Analysis 1of4

P932-94 E Phase A Swept Path Analysis 2of4

P932-95 E Phase A Swept Path Analysis 3of4

P932-04 O Proposed Surface Water Drainage Strategy

P932-20 K Proposed Foul Water Drainage Strategy

P932-32 A Detention Basin Cross Sections

P932-37 Non-Motorised Access Arrangements

P932-81 H Phase A General Arrangement Plan 1of4

P932-82 H Phase A General Arrangement Plan 2of4

Received 11 June 2026:

2602-02-HT-Al(end)-1Wb Alnmouth (end) plans & elevations

2602-02-HT-Al(end)-2R Alnmouth (end) plans & elevations

2602-02-HT-Al(end)-2S Alnmouth (end) plans & elevations

2602-02-HT-Al(end)-3S Alnmouth (end) plans & elevations

2602-02-HT-Al(mid)-2R Alnmouth (mid) plans & elevations

2602-02-HT-Al(mid)-2S Alnmouth (mid) plans & elevations

2602-02-HT-Be-2R+C Barndale plans & elevations

2602-02-HT-Be-2Wb+C Barndale plans & elevations

2602-02-HT-Bi-2R Birkdale plans & elevations

2602-02-HT-Bi-2Wb Birkdale plans & elevations

2602-02-HT-Br-2R Brampton plans & elevations

2602-02-HT-Br-2Wb+C Brampton plans & elevations

2602-02-HT-Ct-1Wb b Chiltern plans & elevations

2602-02-HT-Ct-2Wb Chiltern plans & elevations

2602-02-HT-Da(end)-2R Danbury (end) plans & elevations

2602-02-HT-Da(end)-2Wb Danbury (end) plans & elevations

2602-02-HT-Da(mid)-2R Danbury (mid) plans & elevations

2602-02-HT-Gar(d+t) b Garage (double/twin) plans & elevations

2602-02-HT-Gar(single) b Garage (single) plans & elevations

2602-02-HT-Ha(mid)-1Wb Haldon (mid) plans & elevations

2602-02-HT-Kn-2R Knebworth Plans & elevations

2602-02-HT-Lb-2Wb Lambridge plans & elevations

2602-02-HT-Re(mid)-2Wb Rendlesham (mid) plans & elevations

2602-02-HT-Rk-2Wb Rockcliffe plans & elevations

2602-02-HT-Sh-3Br b Sherwood plans & elevations

2602-02-HT-Al(end)-1Br Alnmouth (end) plans & elevations

2602-02-HT-Al(end)-1S Alnmouth (end) plans & elevations

2602-02-DD(A1) b Dwelling Distribution Plan_Phase A1

2602-02-DD(A2) b Dwelling Distribution Plan_Phase A2

2602-02-FG b Figure-Ground Diagram

2602-02-MAT(A1) b Character Areas & Materials Plan_Phase A1

2602-02-MAT(A2) b Character Areas & Materials Plan_Phase A2

2602-02-PH b Phasing Plan

2602-02-PRoW b Public Rights of Way Diversion Plan_Phase A

2602-02-RSBS(A1) b Refuse Strategy + Bicycle Storage Plan_Phase A1

2602-02-RSBS(A2) b Refuse Strategy + Bicycle Storage Plan_Phase A2

2602-02-SH(A1) b Storey Heights Plan_Phase A1

2602-02-SH(A2) b Storey Heights Plan_Phase A2

2602-02-SP(A1) b Sustainability Plan_Phase A1

2602-02-SP(A2) b Sustainability Plan_Phase A2

2602-02-SS b Proposed Street Scenes_Phase A

2602-02-SS_2 b Proposed Street Scenes_2_Phase A

2602-02-SS_3 a Proposed Street Scenes_3_Phase A

2602-02-SSec_2 Proposed Site Sections_2

2602-02-TP(A1) b Tenure Plan_Phase A1

2602-02-TP(A2) b Tenure Plan_Phase A2

2602-02-BT(A1) c Boundary Treatment Plan_Phase A1

2602-02-BT(A2) c Boundary Treatment Plan_Phase A2

Received 17 June 2026:

2602-02-HT-FB(37-42)-2R a Flat block 37-42 - plans & elevations

2602-02-HT-FB(63-66)-1Wb b Flat block 63-66 - Plans & elevations

2602-02-HT-FB(96-99)-2Wb a Flat block 96-99 - Plans & elevations

2602-02-HT-FB(106-114)-1Wb b Flat block 106-114 - Plans & elevations

P18-2525_42 C Dark Zone, Ecological Buffer - Interconnectivity

2602-02-HP(A1) a Hybrid Plan_Phase A1

2602-02-HP(A2) a Hybrid Plan_Phase A2

2602-02-MP(+B+C) b Masterplan -Whole site inc Phases B+C

2602-02-SSec c Proposed Site Sections

2602-02-SSec_3 Proposed Site Sections_3

P18-2525_29 P Strategic Landscape Masterplan

P18-2525_37_1 M Detailed Public Open Space Landscape Proposals 1 of 4

P18-2525_37_2 M Detailed Public Open Space Landscape Proposals 2 of 4

P18-2525_37_3 M Detailed Public Open Space Landscape Proposals 3 of 4

P18-2525_37_4 N Detailed Public Open Space Landscape Proposals 4 of 4

P18-2525_57 B Concept On Plot

Received 26 June 2026:

2602-02-HT-Sh-2Wb Sherwood plans & elevations

Received 29 June 2026

P932/116 Pond Sections

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

Commencement – Detailed element

2. The detailed element of this development to which this hybrid permission relates, as identified on drawing 2602-02-FMOB and referred to as phase A and D on drawing 2602-02-PH, 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).

Commencement – Outline element

3. Approval of the details of the access, layout, scale, appearance and landscaping (hereinafter called the Reserved Matters) of the relevant phase of the development outside of the full permission (granted for Phase A and D of this hybrid permission and as identified on drawing 2602-02-FMOB) shall be obtained from the Local Planning Authority in writing before any development of the relevant phase is commenced other than on Phase A and D of the development.

Reason: To ensure the satisfactory development of the site.

4. An application for approval of any 'reserved matter' must be made not later than the expiration of five years beginning with the date of this permission.

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

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

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

6. Not more than 185 dwellings in total shall be constructed under the outline element of the permission.

Reason: The assessment of the impacts of the scheme are based on a maximum of 328 dwellings across the whole site and additional dwellings would require further assessments of impacts.

Phasing Plan

7. No application for Reserved Matters shall be approved until a Phasing Plan for the development has been submitted to, and approved in writing by, the Local Planning Authority. The Phasing Plan shall generally accord with drawing 2602-02-PH b Phasing Plan but shall include anticipated delivery timescales, including timescales for the delivery of the school. Thereafter, development shall be brought forward in accordance with the Phasing Plan.

   REASON: To allow the development to proceed on a phased basis.

Design Code – phases B and C

8. No application for reserved matters shall be approved until a Design Code has been submitted to and approved in writing by the Local Planning Authority for phase B and C. Each subsequent reserved matters application for development within phase B and C should be accompanied by a written statement which sets out how proposed development in that phase has complied with the principles set out in the approved Design Code. The Design Code shall include details of the following in respect of each Character Area:

   - Minimum and maximum residential densities;
   - a palette of materials to be used in the construction of external surfaces;
   - a palette of architectural features to be incorporated into the design of buildings;
   - a palette of means of enclosure;
   - how affordable housing will be dispersed throughout each character area;
   - typical street scenes;
   - information of how level changes will be addressed;
   - parking design;
   - the location of and minimum amounts of landscaped areas within and between development parcels;

   All subsequent applications for the approval of reserved matters shall be in conformity with the approved Design Code unless justification is provided and an alternative is agreed in writing by the Local Planning Authority.

   REASON: To ensure the provision of a high quality development in accordance with the provisions of Policies ENV1, ENV10, ENV11, ENV12 and ENV15 of the West Dorset Weymouth and Portland Local Plan.

Design Code – School phase

9. No application for reserved matters for the school shall be approved until a Design Code has been submitted to and approved in writing by the Local Planning Authority for the ‘school phase’, as identified on drawing 2602-02-PH b ‘Phasing Plan’. The subsequent reserved matters application for development within the ‘school phase’ should be accompanied by a written statement which sets out how proposed development in that phase has complied with the principles set out in the approved Design Code. The Design Code shall include details of the following:

   - proposed massing and height, with consideration given to the massing of the school from the valley (from the north)
   - a palette of materials to be used in the construction of external surfaces;

- a palette of architectural features to be incorporated into the design;
- a palette of means of enclosure;
- information of how level changes will be addressed;
- the design of parking and access, which focusses on prioritising pedestrians and cyclists, and which seeks to avoid the dominance of parking from the street scene. Details shall include entrances for children/visitors (accessible from the public street/public area), and shall take account of school drop off/collection and the transition from the street into the managed space of the school;
- the location of and minimum amounts of landscaped areas;
- information on how the school will respond to public spaces and contribute to wider placemaking having regard to building lines and frontages;
- how the design responds to Secure By Design Guide for Schools (2014)

All subsequent applications for the approval of reserved matters shall be in conformity with the approved Design Code unless justification is provided and an alternative is agreed in writing by the Local Planning Authority.

REASON: To ensure the provision of a high quality development in accordance with the provisions of Policies ENV1, ENV10, ENV11, ENV12 and ENV15 of the West Dorset Weymouth and Portland Local Plan.

Materials

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

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

Strategic Landscape Phasing Plan

11. Notwithstanding the submitted Landscape Plans (drawing numbers P18-2525_29 P Strategic Landscape Masterplan; P18-2525_37_1 M Detailed Public Open Space Landscape Proposals 1 of 4; P18-2525_37_2 M Detailed Public Open Space Landscape Proposals 2 of 4, P18-2525_37_3 M Detailed Public Open Space Landscape Proposals 3 of 4, P18-2525_37_4 N Detailed Public Open Space Landscape Proposals 4 of 4' received 17 June 2026), prior to commencement of development hereby approved, a Strategic Landscape Phasing Plan shall first be submitted to, and agreed in writing by, the Local Planning Authority. The Strategic Landscape Phasing Plan shall identify strategic planting in and around the site, including along the northern and eastern boundaries, and shall include an implementation timetable making provision for strategic planting to be carried out in advance of the development. Thereafter after all strategic planting shall be carried out in accordance with the phasing and timetables agreed within the Strategic Landscape Phasing Plan.

    Reason: To ensure the provision and establishment of strategic planting to a reasonable standard of landscape to reduce the impact of the development on longer views, in accordance with Local Plan policy CHIC2.

Strategic Soft Landscaping and Planting Scheme

12. Notwithstanding the submitted Landscape Plans (drawing numbers P18-2525_29 P Strategic Landscape Masterplan; P18-2525_37_1 M Detailed Public Open Space Landscape Proposals 1 of 4; P18-2525_37_2 M Detailed Public Open Space Landscape Proposals 2 of 4, P18-2525_37_3 M Detailed Public Open Space Landscape Proposals 3 of 4, P18-2525_37_4 N Detailed Public Open Space Landscape

Proposals 4 of 4' received 17 June 2026), prior to the commencement of development, a Strategic Soft Landscaping and Planting Scheme for that phase shall be submitted to, and agreed in writing, by the Local Planning Authority. The Strategic Soft Landscaping and Planting Scheme shall include:

- identification of all strategic planting in and around the site, including along the northern and eastern boundaries;
- planting plans, written specifications and schedules of all strategic planting (including hedge, shrubs and trees), noting species, planting sizes, position and proposed numbers/densities where appropriate together with implementation timetables (which shall accord with the Strategic Landscape Phasing Plan agreed under condition 11).
- no fewer trees, shrubs and hedges than those shown on the submitted Landscape Plans (drawing numbers P18-2525_29 P Strategic Landscape Masterplan; P18-2525_37_1 M Detailed Public Open Space Landscape Proposals 1 of 4; P18-2525_37_2 M Detailed Public Open Space Landscape Proposals 2 of 4, P18-2525_37_3 M Detailed Public Open Space Landscape Proposals 3 of 4, P18-2525_37_4 N Detailed Public Open Space Landscape Proposals 4 of 4' received 17 June 2026);
- the retention of all trees/hedges proposed to be retained as identified on the Tree Retention and Removal Plan, drawing no. BHA_506_01 and BHA_506_02, submitted within the Arboricultural Method Statement, and as shown on the Strategic Landscape Masterplan, drawing no. P18-2525_29 P.
- tree pit designs where applicable;
- stock proof fence protection installed to woodland buffer and native shrub planting within open space areas until established
- underground modular support systems where applicable;
- earthworks showing existing and proposed finished levels or contours;
- means of enclosure and retaining structures;
- proposed and existing functional services above and below ground infrastructure and services;
- the location of streetlighting;
- precise tree locations and indication of mature canopy spread;
- visibility splays.
- provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 10 years.
- implementation timetable

The Strategic Soft Landscaping and Planting Scheme, as has been agreed, shall be implemented in full in accordance with the agreed implementation timetable within the Strategic Landscape Phasing Plan (agreed under condition 11).

Reason: To ensure the provision and establishment of strategic planting to a reasonable standard of landscape in the interest of visual amenity.

<u>Internal Soft Landscaping and Planting Scheme</u>

13. Notwithstanding the submitted Landscape Plans (P18-2525_29 P Strategic Landscape Masterplan; P18-2525_57 B Concept On Plot), prior to the commencement of development within each phase hereby approved, a Soft Landscaping and Planting Scheme for that phase shall be submitted to, and agreed in writing, by the Local Planning Authority. The Internal Soft Landscaping and Planting Scheme shall include:

- planting plans, written specifications and schedules of all planting within that phase (including hedge, shrubs, trees, ornamental on plot planting and planting for the crib walls), noting species, planting sizes, position and proposed numbers/densities where appropriate together with implementation timetables (which, in relation to any strategic planting, shall accord with the Strategic Landscape Phasing Plan agreed under condition 11).
- no fewer street trees than those shown on the submitted landscape drawings: P18-2525_29 P Strategic Landscape Masterplan; P18-2525_57 B Concept On Plot;
- tree pit designs where applicable;
- underground modular support systems where applicable;
- earthworks showing existing and proposed finished levels or contours;
- means of enclosure and retaining structures;
- proposed and existing functional services above and below ground infrastructure and services;
- the location of streetlighting;
- precise tree locations and indication of mature canopy spread;
- visibility splays
- provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 10 years.
- implementation table

The Internal Soft Landscaping and Planting Scheme for each phase, as has been agreed, shall be implemented in full in accordance with the agreed implementation timetable.

Reason: To ensure the provision and establishment of planting to a reasonable standard of landscape in the interest of visual amenity.

Landscapes Management and Replacement

14. The planting and landscaping shown within the Strategic Soft Landscaping and Planting Scheme and Internal Soft Landscaping and Planting Scheme for each phase (agreed under condition 12 and 13) shall be carried out in full in accordance with the implementation timescales agreed; and in any case not later than the termination of the first planting season following the commencement of that particular phase of the development. In the ten year period following the completion of the strategic soft landscaping and planting scheme of that particular phase of the development any trees or plants that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority.

    Reason: To ensure the provision and establishment of strategic planting to a reasonable standard of landscape in the interests of visual amenity.

Rights of Way Management Plan

15. No development within any phase of development shall commence until a Rights of Way Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Rights of Way Management Plan should be prepared in conjunction with the Public Open Space Management Plan required under condition 16 and shall include:

- detailed design of the access and public rights of way routes, including details of their surfacing, widths, gradients, landscaping, and structures;
- any proposals for diversion and closures of public rights of way and alternative route provision; and
- provisions taking on board advice contained within the Rights of Way informatives listed on the decision notice.

Thereafter the development shall proceed in strict accordance with the Rights of Way Management Plan as has been agreed. Any subsequent changes to the Rights of Way Management Plan, owing to the outcome of the Footpath Diversion Order(s), must be agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring public rights of way are retained at an appropriate standard.

Public Open Space Management Plan

16. Prior to commencement of development of each phase a Public Open Space Management Plan for that phase shall be submitted to and agreed in writing by the Local Planning Authority. The Public Open Space Management Plan shall cover details of hard landscaping and should be prepared in conjunction with the Rights of Way Management Plan required under condition 15. It shall have regard to the 'Advice Note for Practical Design and Management of Greenspace' and recommendations set out in 'Secure by Design', and it shall include:
    - detailed design of all other footways/cycleways not considered under the Rights of Way Management Plan, including details of their surfacing, widths, gradients, landscaping, and structures. The footway proposed along the western corridor of the site shall be surfaced using bound material;
    - details of access and crossing points (in accordance with the Active Travel Movement Plan required under condition 27 and details of crossing points required under condition 32)
    - minor artefacts and structures (e.g. furniture, bollards, cycle facilities, refuse, signage/wayfinding);
    - details of a viewing area to be provided within the northern public open space;
    - proposed and existing functional services above and below ground and location of inspection areas (e.g. drainage, power, communications cables, pipelines, etc indicating lines, manholes, supports, etc);
    - details of how surveillance of public areas shall be maximised having regard to the siting of landscaping;
    - details of lighting of public areas;
    - access and management arrangements;

    Thereafter the development of each phase shall proceed in strict accordance with the Public Open Space Management Plan as has been agreed. Any subsequent changes to the Public Open Space Management Plan, must be agreed in writing by the local planning authority.

    Reason: In the interests of ensuring public open space is provided to an appropriate standard.

Play spaces

17. Prior to the development of areas of play, a comprehensive Play Strategy shall be submitted to and agreed in writing by the Local Planning Authority. The Play Strategy shall have been prepared having regard to 'Secure by Design' principles and 'Design for Play' Guidance and shall have had regard to recommendations by Fields in Trust and the Green Infrastructure Planning and Design Guide. The Play Strategy shall include:

- details, including to scale plans and elevations, of proposed play experiences/equipment at each area of play;
- a detailed specification and plans for each area of play, including details of surfacing, impact absorbing surfaces beneath and around play equipment, boundary treatment, location of entry/exit points;
- minor artefacts and structures (e.g. furniture, refuse, signage/wayfinding);

The Local Area for Equipped Play shall include a minimum of 12 play experiences/equipment, including a minimum of 2 inclusive play experiences/equipment and features that support contact with nature and natural play. Signage shall be incorporated at each formal play space indicating that the area is for children's play and dogs are not welcome.

Thereafter, development shall proceed in strict accordance with such details as have been agreed within the Play Strategy.

Reason: In the interests of safety by design and in the interests of ensuring meaningful play spaces are created to serve the proposed development.

A Landscape and Ecological Management Plan

18. Notwithstanding the submitted Landscape and Ecological Management Plan (LEMP), prior to commencement of development of each phase, a revised/updated LEMP for that phase shall be submitted to and approved in writing by the Local Planning Authority, and shall include:
    - long term design objectives, management responsibilities, and maintenance schedules;
    - for all landscaped areas (other than small, privately owned domestic gardens), a Strategic Soft Landscape Scheme (as per condition 12) and an Internal Soft Landscape Scheme (as required by condition 13) for each phase, to include where practicable planting of large canopy trees at E-W ecological corridors;
    - the mitigation, compensation and enhancement measures detailed in the Ecology and Nature Conservation Chapter (chapter 7) of the Environmental Statement, together with a timetable for their implementation and/or phasing (implementation of landscaping to align with the details submitted in relation to condition 11 and 13);
    - identification of east-west 'wildlife corridors' to support ecological connectivity, together with identification of other key ecological areas, and details of the means of safeguarding these areas from interference from human activity;
    - evidence of compliance for each phase of development including photographic evidence, to be supplied to the Local Planning Authority prior to the substantial completion of each phase of development;
    - a timetable for implementation and/or phasing (implementation of landscaping to align with the details submitted in relation to condition 11 and 13).

    Each phase of development shall subsequently be implemented entirely in accordance with the approved LEMP and agreed implementation timetables, unless any modifications to the approved LEMP as a result of the requirements of a European Protected Species Licence has first been submitted to and agreed in writing by 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 ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation significance and to mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

Protection of trees

19. The development hereby permitted shall be undertaken in accordance with the approved Arboricultural Method Statement (AMS) by Barton Hyett Associates, dated Mar 2026 and Tree Protection Plan (TPP) drawing no. BHA_506_03 Rev A sheet 1 and 2, which also shows protected hedgerows to be retained. The tree and hedgerow protection measures for each phase shall be installed prior to commencement of development of that phase, and shall be retained until the development of that phase is complete. Dated photographic evidence of the erected tree/hedge protective measures fencing must be supplied to the Local Planning Authority at least 5 days prior to the commencement of works and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the written consent of the Local Planning Authority.

    Reason: In the interests of safeguarding and enhancing the character and amenity of the site and locality and to avoid any irreversible damage to retained trees and hedgerows.

Services near trees and hedges

20. Prior to commencement of works (including site clearance and any other preparatory works) a plan showing final service routes, including the position of soakaways and a method for installation near trees and hedges shall be submitted to and agreed in writing with the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

    Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

Construction Environmental Management Plan

21. Prior to the commencement of development on each phase, a Construction Environmental Management Plan (CEMP) for that phase must be submitted to and approved in writing by the local Planning Authority. The CEMP must include the following:
    Risk assessment of potentially damaging construction activities. This should relate to impacts on ecology as well as impacts upon amenity through matters relating to noise, air quality and other construction related activities;
    detail construction hours in respect of various activities;
    the public display of site contacts;
    details of waste management plans;

    - Identification of “biodiversity protection zones”;
    - 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 location and timing of sensitive works to avoid harm to biodiversity features and the amenity of the area;
    - 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;

- Use of protective fences, exclusion barriers and warning signs to safeguard both biodiversity and amenity; and
- protocols in the event unexpected land contamination is found on site.

Thereafter, the development of each phase shall take place strictly in accordance with the approved CEMP.

Reason: To protect biodiversity and amenity during the construction phase.

Dormouse Mitigation Strategy

22. Prior to commencement of development or any clearance of habitat capable of supporting dormice on the site, as identified on p14 of The Hazel Dormouse Mitigation Handbook (Wells, D., Chanin, P. & Gubert, L., The Mammal Society, 2025) a dormouse mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, the Strategy shall include:
    - the provision of a dormouse bridge to be positioned within the wildlife corridor to the south of the site;
    - stock fencing of dormouse habitat, in accordance with details to be submitted;
    - a methodology statement for the dormouse bridge; and
    - implementation timetables, a management plan and monitoring schedule.

    The development shall thereafter take place fully in accordance with the approved details and the mitigation shall be maintained in accordance with the approved details for the lifetime of the development.

    Reason: In the interests of securing appropriate biodiversity mitigation.

Dormouse Bridge

23. Prior to commencement of development or any clearance of habitat capable of supporting dormice on the site, as identified on p14 of The Hazel Dormouse Mitigation Handbook (Wells, D., Chanin, P. & Gubert, L., The Mammal Society, 2025), details of the dormouse bridge (as required as part of the Dormouse Mitigation Strategy (condition 22)) including to scale plans, and details of its positioning (which shall take into account the position of street lighting) shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the dormouse bridge shall be installed and maintained in line with the details within the Dormouse Mitigation Strategy agreed under condition 22.

    Reason: In the interests of securing appropriate biodiversity mitigation and in the interests of highway safety.

Small Mammal/amphibian Mitigation Strategy

24. Prior to commencement of development or any clearance of habitat capable of supporting small mammals or amphibians on the site, a Small Mammal and Amphibian Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall include provision for a minimum of 7 tunnels running under the north-south central avenue, and shall provide details of their siting and design together with a methodology statement, implementation timetable, management plan and monitoring schedule. It shall also make provision for hedgehog holes within boundary fences. The development shall thereafter take place fully in accordance with the approved details and the mitigation shall be maintained in accordance with the approved details for the lifetime of the development.

    Reason: In the interests of securing appropriate biodiversity mitigation and in the interests of highway safety.

Lighting Strategy

25. Prior to the commencement of development on each phase, a Lighting Strategy for that phase shall first be submitted to and agreed in writing by the Local Planning Authority. The Lighting Strategy will seek to, wherever practicable:
    - keep lighting to less than 0.5 lux within the Wildlife Corridors (as identified within the submitted Landscape and Ecological Management Plan (condition 18)):
    - avoid all-night lighting;
    - have regard to siting street lighting columns at the greatest distance possible from the dormouse bridge (as required by condition 23) and wildlife corridors; and
    - include details of any lighting within areas of public open space.

    The Strategy shall include:
    - details of the design of the columns and their height, position, direction of lighting, use of accessories such as cowls or hoods and details of the lights;
    - the proposed locations of all street trees and their mature canopy spread;
    - the hours the lights will be turned off

    Thereafter, each phase shall proceed in strict accordance with such details as have been agreed.

    Reason: In the interests of securing appropriate biodiversity mitigation and in the interests of highway safety.

Badgers

26. Prior to the commencement of development on each phase a badger sett survey of the development site for that phase and immediately adjacent areas shall be undertaken. A report detailing the results of the survey shall be submitted to the Local Planning Authority. If surveys show that specific relevant works require a licence to disturb a badger sett, a copy of a valid licence is to be submitted to the Local Planning Authority prior to the commencement of the relevant works within that phase.

    Reason: In the interests of securing appropriate biodiversity mitigation.

Active Travel Movement Plan

27. Notwithstanding the submitted plans (drawing numbers P932-81 H Phase A General Arrangement Plan 1 of 4, P932-82 H Phase A General Arrangement Plan 2 of 4, P932-83 H Phase A General Arrangement Plan 3 of 4, received 9th June 2026; and P932-84 E Phase A General Arrangement Plan 4 of 4, received 1st April 2026), prior to commencement of development of each phase, an Active Travel Movement Plan for that phase shall be submitted to and agreed in writing by the Local Planning Authority. The Active Travel Movement Plan shall include:
    - a plan indicating desire lines throughout the site;
    - details of the position of footway and cycle links within that phase having regard to desire lines;
    - details of crossing points (including type and colour of hard surfacing proposed) within the phase, which shall, as far as practicable, avoid the use of raised tables or other highway features that require all-night lighting;
    - details of the position of crossing points, having regard to desire lines/footway/cycle links. This shall include appropriately located crossing points connecting any public open space (i.e.. either side of the central avenue); and
    - provision of an east-west cycle route linking the central avenue with Lower Putton lane.

    Thereafter, the development of each phase shall take place strictly in accordance with the details as have been agreed.

Reason: In the interests of highway safety

Access Arrangements

28. No part of the development shall be occupied until the access onto School Hill, including a 6.5m wide vehicle carriageway access with shared use paths on either side, as indicated on Phase A General Arrangement Plan sheet 1 of 4 (Drawing P932/81 Rev H) has been provided in accordance with details to be first agreed in writing by the Local Planning Authority.

    REASON: To ensure that sustainable modes are prioritised and safe and suitable access to the site is provided for all users, in accordance with Paragraph 115 of the National Planning Policy Framework.

29. No more than 50 dwellings shall be occupied until the connection for pedestrians and cycles to the western boundary of the site in vicinity of School Close and Mariners Way has been provided and open for use to a specification which shall have first been agreed in writing by the Local Planning Authority.

    REASON: To prioritise sustainable transport modes and ensure that safe and suitable access to the site is provided for all users, in accordance with Paragraph 115 and 117 of the National Planning Policy Framework.

30. No more than 100 dwellings shall be occupied until the upper connection to Lower Putton Lane, as indicated in the Non-motorised Users Access arrangements (Drawing P932/37 Rev #) and Phase A general Arrangement sheet 2 (Drawing P932/82 Rev H) has been provided and open for use in accordance with a specification to be first agreed in writing by the Local Planning Authority.

    REASON: To prioritise sustainable transport modes and ensure that safe and suitable access to the site is provided for all users, in accordance with Paragraph 115 and 117 of the National Planning Policy Framework.

31. No more than 300 dwellings shall be occupied until the lower connection to Lower Putton Lane, as indicated in the Non-motorised Users Access arrangements (Drawing P932/37 Rev #) and Phase A general Arrangement sheet 2 (Drawing P932/82 Rev H), has been provided and open for use in accordance with a specification to be first agreed in writing by the Local Planning Authority.

    REASON: To prioritise sustainable transport modes in accordance with Paragraph 115 and 117 of the National Planning Policy Framework.

Crossing points

32. Notwithstanding the submitted plans (drawing numbers P932-81 H Phase A General Arrangement Plan 1 of 4, P932-82 H Phase A General Arrangement Plan 2 of 4, P932-83 H Phase A General Arrangement Plan 3 of 4, received 9th June 2026; and P932-84 E Phase A General Arrangement Plan 4 of 4, received 1st April 2026), prior to commencement of development of each phase, details of crossing points (including type and colour of hard surfacing proposed) within that phase shall have been submitted to and agreed in writing by the Local Planning Authority. These shall, as far as practicable, avoid the use of raised tables or other highway features that require all-night lighting, respond positively to placemaking, and ensure pedestrian and cycle priority at junctions.

Thereafter, the development of each phase shall proceed in strict accordance with such details as have been agreed.

Reason: In the interests of highway safety, placemaking and biodiversity.

Phase A

33. Notwithstanding the submitted plans (drawing numbers P932-81 H Phase A General Arrangement Plan 1 of 4, P932-82 H Phase A General Arrangement Plan 2 of 4, P932-83 H Phase A General Arrangement Plan 3 of 4, received 9th June 2026; and P932-84 E Phase A General Arrangement Plan 4 of 4, received 1st April 2026), prior to commencement of development for phase A, plans showing the proposed estate roads, footways, footpaths, tactile paving, cycleways, verges, junctions, including revised layout of junction of Central Avenue with road 5), street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, and street furniture shall be submitted to and approved by the Local Planning Authority. Thereafter, the estate roads and parking areas in Phase A shall be laid out in accordance with the details as have been agreed.

Reason: In the interests of highway safety, residential amenity and to provide safe and suitable access.

Bus stops

34. Prior to commencement of development, details of bus stop location and layout shall have been submitted to and agreed in writing by the Local Planning Authority. This shall include details of the siting of the stops, appropriate passenger waiting facilities, hard surfacing and proposed infrastructure (including to scale plans of the bus shelters and poles, lighting and display information), and a timetable for implementation. Thereafter, the development shall proceed in strict accordance with such details as have been agreed.

Reason: In the interest of highway safety and ensuring appropriate provision is made to support the use of the route as a bus route.

Visitor Parking

35. Notwithstanding the submitted plans (drawing numbers P932-81 H Phase A General Arrangement Plan 1 of 4, P932-82 H Phase A General Arrangement Plan 2 of 4, P932-83 H Phase A General Arrangement Plan 3 of 4, received 9th June 2026; and P932-84 E Phase A General Arrangement Plan 4 of 4, received 1st April 2026), prior to commencement of development for phase A, amended plans showing enhancement of the visitor parking layout shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

Reason: To ensure provision of adequate visitor parking

Cycle Parking

36. Prior to first use or occupation of each phase of development hereby approved, a scheme showing details of the proposed cycle parking facilities for that phase shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details, including to scale plans, of on-plot bike storage facilities and cycle facilities to be provided within public areas of the spaces. Thereafter the development shall proceed in

strict accordance with such details as have been agreed and cycle facilities serving public spaces shall be maintained and kept free 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.

Turning and Parking

37. Before development within each phase is first occupied or utilised the estate road details, including geometric requirements, turning and vehicular parking areas shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, these areas must be provided on site, permanently maintained, kept free from obstruction and available for the purposes specified.

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

Construction Traffic Management Plan

38. Prior to commencement of each phase of development hereby approved a Construction Traffic Management Plan and programme of works relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include
    - construction vehicle details (number, size, type and frequency of movement)
    - a programme of construction works and anticipated deliveries
    - timings of deliveries so as to avoid, where possible, peak traffic periods
    - a framework for managing abnormal loads
    - location of construction site access
    - contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
    - wheel cleaning facilities
    - vehicle cleaning facilities
    - inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
    - a scheme of appropriate signing of vehicle route to the site
    - a route plan for all contractors and suppliers to be advised on
    - temporary traffic management measures where necessary

    The development of each phase shall thereafter be carried out strictly in accordance with the approved Construction Traffic Management Plan for that phase.

    Reason: In the interests of road safety.

Travel Plan

39. Notwithstanding the submitted Residential Travel Plan, no part of the development shall be occupied until an updated Travel Plan, details of travel plan co-ordinator and timetable of implementing measures, broadly reflecting the details in the March 2026 Residential Travel Plan prepared by PFA Consulting dated Mar 2026, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the Travel Plan shall be implemented in accordance with the agreed details.

    REASON: To ensure that opportunities to promote walking, cycling and public transport in accordance with paragraph 109 of the National Planning Policy Framework.

Surface water scheme prior to commencement

40. 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, shall be submitted to and approved in writing by the Local Planning Authority. The Surface Water Scheme shall provide clarification of how drainage is to be managed during construction, shall include a timetable for implementation of the scheme, and a methodology for pond reconfiguration of the Highway Authority drainage features at the south of the site. The design should generally be in accordance with the recommendations and designs within the report 'Flood Risk Assessment and Drainage Strategy, by PFA Consulting, Ref P932, issue 14 and dated June 2026' and the design shown on drawing 'Proposed Surface Water Drainage Strategy, by PFA Consulting, ref P932/04, rev O and dated 5 June 2026'. The scheme should have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS). 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 and to take into account current national standards for SuDS.

Maintenance and management of the surface water scheme

41. Prior to the occupation of the development, details of maintenance and management of the surface water sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS). The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

    Reason: To ensure the future maintenance of the surface water drainage system, and to prevent the increased risk of flooding and to take into account current national standards for SuDS.

Amenity

42. Prior to first occupation of each phase of development hereby approved, details of retaining structures, including to scale plans of the crib walls and details of how they abut the street scene, shall have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development of each phase shall procced in accordance with such details as have been agreed.

    Reason: In the interests of the amenity of occupiers and visual amenity of the area.

43. No dwelling shall be occupied until the boundary treatment for that plot, as shown on the approved drawings shall have been erected. Thereafter, the boundary treatment, where shown to be at a height of 1.8m on the approved plans shall be retained at that height and no lower.

    Reason: In the interests of safeguarding the amenity of neighbouring occupiers, particularly given the difference in levels between plots.

44. Notwithstanding the submitted plans 2602-02-HT-SH-2Wb, 2602-02-HT-Ga(end)-3Br a, and 2602-02-HT-AL(end)-3Br a, no development above damp proof course shall

commence until revised plans and elevations showing a side facing window within the dwellinghouses at plots 29, 46 and 115 shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with the details as have been agreed.

Reason: In the interests of safety by design and to ensure improved surveillance of car parking court yards.

Garden Gate Design

45. Garden gates providing side or rear access to property gardens shall be a minimum height of 1.8m and capable of being securely locked with key operated access from both sides.

Reason: In the interests of safety by design.

Earthworks

46. Prior to the commencement of each phase of development, full details of earthworks for that phase shall be submitted to and approved in writing by the Local Planning Authority. These details shall be based on a site survey showing the existing ground levels including at the boundaries at the adjoining properties and shall include proposed grading and mounding of land including the levels and contours to be formed (in both private and public spaces, including property gardens, roads, footpaths and open space) and showing the relationship of the proposed mounding to the existing vegetation, surrounding landforms and built development. In addition, the heights of all retaining structures will be confirmed. No part of each phase of development shall be occupied until the works are completed in accordance with the approved details.

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

Finished floor levels

47. Prior to commencement of each phase of development, full details of the finished floor level(s) of all the building(s) within that phase shall have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be relative to an ordnance datum or such other fixed feature as may be agreed in writing by the Local Planning Authority. Thereafter, the development of each phase shall be carried out in accordance with the approved details for that phase.

Reason: In the interests of visual amenity.

Air Source Heat Pumps

48. Prior to occupation of each phase, details (including design, scale, positioning, noise output and mitigation measures where necessary, and an assessment against the Microgeneration Installations Standards: MCS-20) of any air source heat pumps shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the air source heat pumps shall be installed in accordance with the details as have been agreed and any mitigation measures permanently retained.

Reason: In the interests of the residential amenity.

Land Contamination

49. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority:
1) a 'desk study' report documenting the site history.

2) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment.

3) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when this developed.

4) a detailed phasing scheme for the development and remedial works (including a time scale).

5) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time.

The Remediation Scheme as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved detailed phasing scheme for the development and remedial works and before the development within any phase first comes in to use or is occupied. A written confirmation that all works were completed in accordance with the agreed details and phasing scheme shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

Verification

50. If contamination remediation is required, prior to the first occupation or use of each phase of development hereby permitted as set out in the detailed phasing scheme approved under condition 49 a verification certificate to confirm that the land subject to that phase is fit for purpose following remediation shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

Unexpected Land contamination

51. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

Archaeology

52. No works shall take place within each phase until the implementation of a programme of archaeological work for that phase has first been secured, in accordance with a written scheme of investigation which has been submitted to, and approved in writing by, the Local Planning Authority. This scheme shall cover additional archaeological fieldwork to the trial trench evaluation reported within the Archaeological Evaluation Report dated 2016 together with post-excavation work and publication of the results and shall include a timetable for implementation. Thereafter, works for that phase shall proceed in accordance with the programme of archaeological work and agreed implementation timetable.

Reason: In the interests of securing and recording archaeological evidence.

Golf strike zone

53. Prior to occupation of any dwelling, a Strategy for addressing risk from golf strike shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a plan clearly identifying the golf course to the east of the site and the golf strike risk zones within the development site. Within the golf strike risk zones, there shall be no residential development, and the Strategy shall set out the detailed design and landscaping proposed for this area, aimed to deter public access, and including the provision of fencing and the provision for signage to be installed indicating risk from ball strike. The details as have been agreed shall be implemented prior to occupation of any dwelling. Thereafter, the mitigation measures set out in the Strategy shall be retained.

    Reason: To ensure risks from ball strike are minimised.

Air Source Heat Pumps

54. Prior to occupation of any residential unit of accommodation hereby approved, that unit of accommodation shall first be served by an air source heat pump and shall be equipped with an air conditioning unit, both of which shall be operational prior to occupation, and which shall be provided in accordance with details which shall first have been submitted to and agreed in writing by the Local Planning Authority.

    Reason: In the interests of sustainable development.

Fencing of Drainage Basins

3.1. Prior to the first occupation of each phase, fencing shall first be erected around all drainage basins required to be provided to support that phase and shall be provided in accordance with details that shall have first been submitted to and agreed in writing by the Local Planning Authority. Thereafter, fencing shall be retained and maintained in accordance with such details as have been agreed.

    Reason: To deter access into the drainage basins for reasons of safety.

Informatives

1. S106
   This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to [Insert key matters covered in the agreement].

2. National Planning Policy Framework Statement

In accordance with policy DM3 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, a Planning Performance Agreement was made which facilitated design workshops and regular reviews. The applicant/agent was consequently updated of any issues and provided with the opportunity to address issues identified by the case officer.

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

4. Street Naming and Numbering
   The Council is responsible for street naming and numbering within our area. This helps to effectively locate property to deliver post and for access by emergency services. New or changed addresses must be registered with the Council. This link has more information. https://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering/street-naming-and-numbering.

5. Water Supplies for Fire Fighting
   The proposed development should be served by the necessary water supply and fire hydrants for use in the event of a fire. It is recommended that these requirements are established prior to commencement of development. This ensures a firefighting water supply is in place during the construction phase, hydrants are connected at the right locations, and at the right time.

6. Sprinkler systems
   The Dorset and Wiltshire Fire and Rescue Service would recommend that the developer looks to provide at least a 32mm minimum diameter water main which would enable the installation of sprinkler systems within the approved dwelling(s). Further, Dorset and Wiltshire Fire and Rescue Service would recommend that the proposed school is also fitted with a sprinkler system. The Council considers this to be a key element in reducing the impact of fires. The Council believes there is compelling evidence that sprinklers systems are a cost effective way of not only reducing the number of fire deaths and injuries, but also reducing the economic, social and environmental impact of fires.

7. Biodiversity Net Gain
   The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:
   (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
   (b) the planning authority has approved the plan.
   The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.
   There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in full in a subsequent informative below.
   Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.
   - The application for planning permission was made before 12 February 2024.

   Read more about Biodiversity Net Gain at
   https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain

8. Biodiversity Net Gain exemptions

Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i)the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

(ii)the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;

ii) planning permission is granted which has effect before 2 April 2024; or

iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

ii) is carried out on a site which has an area no larger than 0.5 hectares; and

iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

9. Hazel dormice

The applicant is advised that Hazel dormice are protected in the UK by Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Part 3 of the Conservation of Natural Habitats and Species Regulations 2017 (2019 EU exit) and they are a European Protected Species. Work should proceed with caution and if any Hazel dormice are found, all work should cease, the area in which the Hazel dormouse/dormice have been found should be made secure and advice sought from Natural England (tel: 0300 060 3900), website www.naturalengland.org.uk before proceeding. More information on development planning and Hazel dormice is available here https://www.gov.uk/guidance/hazel-or-common-dormice-surveys-and-mitigation-for-development-projects

10. Nesting Birds
The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

The Natural Environment Team, Dorset Council recommends that vegetation, hedge, shrubs and tree removal; translocation or cutting back avoids the bird nesting season which runs from mid-February to 31st August. This is in order to avoid impacts to nesting birds and infringement of the legislation.

Vegetation or site clearance as a result of this development should be undertaken outside of the nesting season specified above. In some seasons the nesting period may start before or extend beyond these dates, so the applicant should be aware that the dates are a guide only.

If clearance work has to be undertaken during the nesting season, a breeding bird survey needs to be carried out by a suitably qualified person no more than 48 hours before clearance /cutting works commence. Any active nests identified should be protected by a 5m exclusion zone until the young have left the nest.

As a general rule, it should be assumed that birds will be nesting in trees, scrub, reeds or substantial ditch side vegetation during the core breeding period, unless a survey had shown this not to be the case. In addition, some species are ground nesting, such as the skylark and lapwing, both of which can occur on grassland areas and cleared sites where there is a time lapse between demolition and development.

11. Badgers
Badgers are protected under the Badger Act 1992. Section 3 of the Act states:
“A person is guilty of an offence… by doing any of the following things… -
a) damaging a badger sett or any part of it;
b) destroying a badger sett;
c) obstructing access to, or any entrance of, a badger sett;
d) causing a dog to enter a badger sett; or
e) disturbing a badger when it is occupying a badger sett,
intending to do any of these things or being reckless as to whether his actions would have any of those consequences” If a badger(s) or badger sett is discovered during works; all work should stop and advice sought from Natural England by calling 0300 060 3900 or Dorset Council Natural Environment Team by calling 01305 221697 / net@dorsetcouncil.gov.uk, before proceeding.

12. Rights of Way (PRoW)

The footpaths running across the site (footpaths S16/21, S16/22 and s1623) must be diverted by legal order and that order must be confirmed before any works obstructing the path are commenced. Obstruction of the PROW by the developer before the confirmation and certification of an Order for the diversion or extinguishment of the PROW, or in the absence of such an order will in normal circumstances result in the Council using the powers available to it under the Highways Act 1980 to act to remove the obstruction and return the PRoW to a satisfactory condition.

13. Rights of Way (PRoW)
Prior to the occupation of those units to be constructed on the original line of the PRoW, the new route of the PRoW will have to be provided to a certifiable standard, certified by the appropriate officer and the Definitive Map and Statement amended to reflect the new alignment.

14. Rights of Way (PRoW)
The site access and any public rights of way crossed by vehicles shall be maintained in a good state of repair and kept clean and free of mud and debris and all times.

15. Rights of Way (PRoW)
Provision shall be made for the installation and maintenance of a drainage system to ensure that no slurry or water from the development area flows onto the PRoW.

16. Rights of Way (PRoW)
Prior to the commencement of the development, the developer is advised that the definitive line of the RoW should be marked out on site, along with proposed new alignments and temporary alternative routes constructed with appropriate safety fencing at an appropriate unobstructed width.

17. Rights of Way (PRoW)
No excavating or tipping of or storage of material shall occur within 2m of the RoW or temporary routes.

18. Rights of Way (PRoW)
Landscaping and or planting schemes will consider the proximity of the PRoW, including the required width when mature so as not to obstruct free passage and prevent light and air reaching the PRoW surface.

19. Rights of Way (PRoW)

Investigations such as for utilities, archaeological, ecological, geological, etc should be conducted away from the line of the PRoW or temporary route, follow safe working practices, and include appropriate safety fencing. A temporary closure of the PRoW or temporary route may be needed.

20. Rights of Way (PRoW)
Tree works or vegetation removal close to or within falling distance of a PRoW may require a temporary closure whilst the works takes place.

21. Rights of Way (PRoW)
Site occupation by construction staff, i.e. site compounds, should be segregated from the PRoW or temporary route.

22. Rights of Way (PRoW)
‘Construction nuisances’ should be avoided or mitigated prior to commencement.

23. Rights of Way (PRoW)

As the development will result in the irreversible obstruction of the PRoW and therefore requires the PRoW to be diverted before development may lawfully proceed, we will not make an order to temporarily close the PRoW until an order to divert or extinguish has been confirmed. The application for a temporary closure should be made at least 13 weeks prior to when the closure is required via this link Temporary traffic restrictions for works and activities - Dorset Council. The initial closure period can be 6 months and extension can be applied for via the Secretary of State. A fee is applicable to this application.

24. Rights of Way (PRoW)
Any new infrastructure will adhere to the British Standard BS5709:2018, minimum widths and surfacing specifications as given by Dorset Council.

25. Rights of Way (PRoW)
Structures known as 'limitations' cannot be certified within the development area on a Public Right of Way.

26. Rights of Way (PRoW)
A specification may be provided for simple structures by the PRoW Officer. The structure required will be subject to the County Council's technical approval process the cost of which is to be met by the developer.

27. Rights of Way (PRoW)
For any new structure, it is expected that the responsibility for the maintenance of the structure will rest with the management company who will put in place appropriate measures for its inspection and maintenance. The Council will not contribute to the costs of maintaining or inspecting the structure but requires that records of inspection and maintenance are made available on request.

Recommendation B:

Refuse planning permission for the reasons set out below if the S106 agreement is not completed within 6 months from the committee resolution or such extended time as agreed by the Corporate Director for Planning, the Service Manager for Development Management and Enforcement or the Development Management Area Manage within 6 months from the committee resolution. The reasons for refusal for failure to secure the necessary obligations are set out below:

1. In the absence of a mechanism to secure 35% affordable housing provision on site, the proposed development would fail to provide an appropriate level of affordable housing contrary to policy HOUS1 of the West Dorset, Weymouth and Portland Local Plan (2015) and Policy HO8 of the National Planning Policy Framework (2026).

2. In the absence of a mechanism to secure financial contributions towards mitigating the likely significant impacts of development on the European Protected Habitat: Chesil and the Fleet, designated as a Special Area of Conservation (SAC), Special Protection Area (SPA) and a Ramsar site in recognition of its exceptional ecological importance, the proposed development would result in unacceptable harm arising from recreational pressures, contrary to the provisions of policy ENV2 and COM1 of the West Dorset, Weymouth and Portland Local Plan (2015) and Policy N6 of the National Planning Policy Framework (2026).

3. In the absence of a mechanism to secure and facilitate the provision of on-site infrastructure (including land for a school; public open space and play facilities; and a connecting central avenue); and in the absence of a mechanism to secure off-site

infrastructure contributions (including contributions towards NHS; education; sports provision; play provision and maintenance; open space maintenance; improvements to Willowbed Hall, bus infrastructure and the upgrading of footpaths), the proposed development would result in unacceptable harm to existing and future residents, and place unacceptable pressure on local infrastructure, contrary to the provisions of policy COM1 and COM7 of the West Dorset, Weymouth and Portland Local Plan (2015) and Policies CC2, DP3, TR3, TR4, TR8, HC3 and N2 of the National Planning Policy Framework

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Appendix 1:
Officer Committee Report
dated 15 July 2026

Application Number:	WD/D/20/002569
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land East Of Chickerell And South Of Coldharbour Chickerell
Proposal:	An outline application for up to 328 dwellings with full details supplied in respect of 143 dwellings (Phase A) including creation of new accesses onto School Hill and Chickerell Link Road (B3157), including details of the internal spine road, landscaping, drainage, car parking, public open space and associated works for Phase A. All other matters reserved in respect of 185 dwellings (Phases B and C) and land for a primary school, public open space including, landscaping and associated works
Applicant name:	Mr D Buczynskyj
Case Officer:	Penny Canning
Ward Member(s):	Cllr Clifford and Cllr Taylor

1. **Reason application is going to committee:**

1.1. The Service Manager for Development Management and Enforcement has exercised their discretion to refer this application to committee.

2. **Summary of recommendation:**

2.1. To delegate authority to the Service Manager for Development Management and Enforcement or the Development Management Area Manager Southern and Western Team, in consultation with the Chair of the committee, and subject to no new material planning objections being received to the amended plans the current subject of consultation to

A) grant planning permission subject to conditions as set out at the end of this report and the completion of a Section 106 Planning Obligation under Section106 of the Town and Country Planning Act 1990 (S106 agreement) to secure the following:

- No more than 100 dwellings to be occupied prior to the completion of the central avenue;
- Provision of 35% affordable housing;
- Financial contribution of £722 per dwelling towards NHS;
- Financial contribution of £524.72 per dwelling and £357.77 per flat towards Chesil and the Fleet mitigation;
- Financial contribution of £1,736.06 per qualifying dwelling (house or flat with 2 or more bedrooms), less land value discount of £482,000, towards primary education; plus a contribution towards SEND provision of £1,487.62 per qualifying dwelling, together with the transfer of land for the school;
- Financial contribution of £22,524 towards sports pitches and training facilities;
- Financial contribution of £106,413 towards Weymouth swimming pool;
- The provision of 0.28ha of play space, which shall include two LAP's, a LEAP, and informal play, together with the transfer of the land to Chickerell Town Council and a financial contribution of £411.84 per 2 bed unit; £587.34 per 3 bed unit; and £669.24 per 4+ bed unit; less land value discount of

£98,800 towards play provision; a financial contribution of £420,000 towards maintenance, and to address the shortfall in play provision, a financial contribution of £50,000 towards enhancing the play facilities at Willowbed Hall and/or towards a skate park within the town;

- Financial contribution of £348,532.80 towards open space maintenance, together with transfer of the land to Chickerell Town Council;
- Financial Contribution of £50,000 towards improvements at Willowbed Hall;
- Financial contribution of £81,675.76 towards bus infrastructure; sustainable travel cards to be exchanged for 30 day bus ticket or cycle equipment; updating the walking and cycling maps;
- Financial contribution of £20,000 towards the upgrading of footpath S16/23;
- Financial contribution of £12,000 towards the upgrading of footpath S16/21.

Or

B) Refuse planning permission for the reasons set out at the end of the report if the S106 agreement is not completed within 6 months from the committee resolution or such extended time as agreed by the Service Manager for Development Management and Enforcement or the Development Management Area Manager Southern and Western Team. The reasons for refusal for failure to secure the necessary obligations are set out in full at the end of this report.

3. Key planning issues

Issue	**Conclusion**
Principle of development	The majority of the land subject of this application is part of a wider site, allocated for development under Policy CHIC2 of the adopted Local Plan. Neighbourhood Plan policies relating to land outside of the allocation also permit the facilitation of the development. Detailed consideration is given to the detailed requirements of these policies, and it is considered that the principle of bringing forward this allocated site for development would be acceptable.
Highway impacts, safety, access and parking	The Highway Authority have considered the application and consider the proposed works to be acceptable having regard to highway safety and raise no objection subject to minor revisions which can be secured through condition. In light of the above, the proposal is considered to be acceptable having regard to the provisions set out in Local Plan Policy COM7 (Creating a safe & efficient transport network) and COM9 (Parking Provision).
Scale, design, impact on character and appearance	Having regard to the revised plans (submitted June 2026) it is considered that the resulting scheme goes some considerable way to improve the built environment. Buildings would more cohesively respond to the street, providing a more continuous building line and with less ad hoc variation in height would establish a stronger rhythm of development within streets. There continues to be concerns regarding detailed elements such as placement of chimneys, lack of detailing and use of split level materials that weaken the schemes response to local context and character. Further,

Issue	Conclusion
	owing to loose application of the parameters defining different character areas, there would be little distinct differentiation in character between areas within phase A. Other matters that challenge design quality relate to the treatment of the central avenue, treatment of parking, and concerns surrounding the western most pedestrian link. It is considered that the revised scheme, despite some misgivings surrounding character, goes some way to address officer concerns, however, given the high bar set by policy to deliver high quality developments, there are nonetheless a number of elements that let the scheme down and it is therefore questionable whether the proposal truly meets the 'high quality' expectation as set out in Local Plan Policy ENV12 and National Planning Policy Framework (NPPF) para 135. This matter needs to be weighed in the planning balance.
Impact on the living conditions of the occupants and neighbouring properties	It is not considered that the proposed development would significantly detract from the residential amenity of existing occupiers through loss of light, privacy, noise or general amenity, in accordance with Local Plan policy ENV16. The presence of significant retaining features to the rear of properties would compromise the rear garden space and outlook for future occupiers and this matter should be weighed in the balance having regard to the benefits of managing levels within plots as opposed to in the public realm. Having carefully reviewed the level of risk from ball strike from the adjoining golf course, the appropriateness and feasibility of mitigation features and their impacts, the proposed land use of those areas subject to high levels of risk, and the impacts of the development on third parties having regard to the agent of change principle, it is considered that the June 2026 revisions to the layout of the scheme ensure significant risk can be avoided by ensuring public access and housing is kept away from those areas most at risk.
Impact on landscape	Subject to conditions, including a revised landscape scheme and phasing plan, the revised (Jun 2026) submission seeks retention of existing hedgerows and provides robust east-west green infrastructure and wildlife corridors; enhances strategic links where pedestrian movement is at its greatest; and in doing so creates green focal points within the development acting as gateway locations. Green open spaces are interspersed with trees and landscape for the community to enjoy, while offering opportunity for amenity and play. It is considered that these latest revisions appropriately address the key concerns raised by the Landscape Officer. Further the proposed development would not have a significant impact on the setting of the National Landscape. As such, the scheme would be in compliance with Local Plan policies ENV1, ENV3, ENV10, and CHIC2;

Issue	Conclusion
	Neighbourhood Plan policies CNP10 and CNP11, and NPPF para 135-136 and 189.
Affordable Housing	The proposed development would provide 35% affordable housing. Affordable housing is well distributed throughout the site and there appears to be no discernible difference in design, layout or parking provision. This will help create a more mixed and balanced community where different tenures are well integrated into the scheme. The proposed development is considered to comply with policies HOUS1 and HOUS2 of the adopted Local Plan.
Biodiversity	Subject to the conditions securing a dormouse bridge, tunnels for small mammals and amphibians, and final details relating to landscaping, lighting strategy, reworking highway components and a CEMP and LEMP, together with mitigation for the Chesil and the Fleet secured via a S106 agreement, it is considered that significant harm to protected species and habitat sites can be avoided, and the functioning of the Chickerell Wildlife Corridor maintained, in accordance with Local Plan policy ENV2 and Neighbourhood Plan policies CNP4 and CNP12, and para 192-195 of the NPPF. In line with the above policy, it is considered that the proposed developments would provide a net increase in biodiversity.
Flood risk and drainage	Adopting a combined approach to surface level and below ground attenuation storage to manage water across the site is justified owing to the benefits to placemaking, and the proposed scheme is considered to be acceptable on flood risk grounds, and in accordance with the provisions of Local Plan policy ENV5, and is considered to accord with the aims of para 181 and 182 of the NPPF (2024), supported by the National Planning Policy Guidance on Flood Risk.
Impact on heritage assets	Taking into account the lack of harm to the significance of identified designated heritage assets and an acceptable level of harm to non-designated heritage assets by the development, it is considered that the proposed scheme would be acceptable and would comply with the provisions of Local Plan policy ENV4 and para 212-216 of the NPPF.
Contaminated Land	The proposed works, subject to appropriate conditions, are considered to be acceptable and to comply with the provisions of Policy ENV9 of the Local Plan, and para 196 and 198 of the NPPF.
EIA	The proposal is EIA development for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and so this application is supported by an Environmental Statement (ES). The conclusions of the ES are important material considerations and are referenced throughout this report.

4. Description of Site

4.1. The application site relates to land to the East of the Chickerell settlement. The site comprises 23.9ha of land extending north of the B3157 towards Coldharbour, directly adjacent to the built development of Chickerell. The land, on the whole, comprises agricultural land, subdivided into medium-large sized fields used mainly for grazing purposes, which span the undulating landscape, rising quite steeply in places from south to north.

4.2. At the southern extent of the site, adjacent to the B3157 (Chickerell link road) are a number of drainage ponds which receive run-off water from the B3157. North of this, the land extends across land associated with the residential property Sunny Dale. From here, a large agricultural field rises northward extending adjacent to Wessex Golf Centre to the east, and adjacent to industrial/commercial units, allotments, and residential properties to the west, before falling at a mid point where it meets the Southill watercourse running in an east west direction. At this point a number of rights of way traverse the site, generally in an east west direction, but with a north south link. These include footpath S16/23 located south of the watercourse and footpaths S16/21 and S16/22 north of the watercourse. Extending further north, the land continues to rise, taking in a number of smaller agricultural fields, subdivided by hedgerows. Adjacent to the site, the Chickerell electricity sub station sits to the east, a solar farm and Battery Storage site to the north and east, and residential properties to the west. The northern extent of the site falls adjacent to School Hill with a small part of land separating the site from Coldharbour. The site tends to be, on the whole, bound by hedgerows and trees.

4.3. The wider area comprises predominantly the settlement of Chickerell to the west together with Bennetts Water Garden; the Granby Industrial Estate lies to the south, residential properties of Coldharbour and agricultural land to the north, and with the exception of the aforementioned uses above (including the golf course, substation, and solar farm) together with Wessex Stadium, agricultural land lies to the east, providing a green wedge between Chickerell and Southill.

4.4. The application site relates to an allocated site within the Local Plan, allocated under Policy CHIC2, and forms the eastern part of a wider designation. It falls outside of the Dorset National Landscape, but traverses a locally designated Wildlife Area to the South and Land of Local Landscape Importance to the north. The site falls within flood zone 1, with parts of the site susceptible to surface water flooding. The Crookhill Brick Pit Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) is located approximately 525m to the west of the application site; the Chesil and Fleet SAC, Special Protection Area (SPA) and Ramsar Site is approximately 1km to the south west of the application site; and the Radipole Lake SSSI is approximately 475m to the east of the application site. The site falls outside of any heritage asset, and outside of the Chickerell Conservation Area.

5. Description of Development

5.1. The application is presented in a hybrid form, with full details provided in respect of 143 dwellings (Phase A), located in the northern part of the application site, together with full details relating to the creation of new accesses onto School Hill and Chickerell Link Road (B3157) with a linking central avenue running north-south through the development. All other elements of the application are provided in outline form, with details reserved for subsequent consideration. This relates to 185 dwellings to be provided within Phase B (situated towards the south of the site) and Phase C (situated to the east of the site), and provision of a school (located in the middle portion of the site). The proposed development includes provision of open space, landscaping and associated works.

5.2. The development is “EIA development” for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The application is

accompanied by an Environmental Statement (ES). A copy of the Environmental Statement Non-Technical Summary (March 2026) is appended to this report.

6. Relevant Planning History

6.1. In 2014-2015 the applicant submitted the following Environmental Impact Assessment (EIA) applications, and a broad pre-application submission in relation to the proposed development:

Application:	Site:	Type:	Date:	Decision:
WD/D/14/002716	Land East of Chickerell	EIA screening opinion	Nov 2014	Officer conclusion: EIA development.
WD/D/15/000819	Land East of Chickerell	EIA scoping opinion	Jun 2015	Officer conclusion: Scoping opinion provided.
WD/D/15/001397	Land East of Chickerell	Pre-app enquiry	Sep 2015	Officer conclusion: Advice provided on design concept, including acceptance of southern linking road extending beyond the development boundary, supported under policy SUS2; acceptance that a school should be included within the proposals to respond to the increased capacity required resulting from the development; caution offered in respect of the need to carefully consider development extending to the north. Advice provided on policy for affordable housing and housing mix; advice on highway matters including discussion over complexities and ambition to secure a connecting road from Chickerell link road and need to provide permeability. Comments provided on delivery of infrastructure/community facilities.

WD/D/18/001316	Land East of Chickerell	EIA screening opinion	Jul 2018	Officer conclusion: EIA development.

6.2. The current application was submitted to the Local Planning Authority at the end of 2020, and since then numerous amendments have been made, with various iterations of the scheme having been re-publicised over time accordingly. Recognising the importance of the site in delivering one of the Council's strategic housing allocations, and in accordance with Para 38 of the National Planning Policy Framework (NPPF), Officers have endeavoured to work closely with the developer in a positive and proactive way to identify issues at an early stage and to provide advice on how issues identified could be overcome. Broad pre-application discussions had taken place to consider matters relating to the location of the school and general principles of development, and while no pre-application submission was submitted in respect of the detailed matters relating to the proposal, officers have been able to bring key consultees together alongside the developer and their specialist officers in an effort to seek solutions to issues identified. The developer also submitted the initial scheme and a further iteration to a Design Review Panel in 2021 and 2025 to further aid consideration of key issues. Where relevant, the advice provided will be referred to within the body of this report.

6.3. Significant revisions have been made to the scheme including a reduction in the application site area, such that the plans no longer include land south of Green Lane previously envisaged to provide football pitches, changing rooms and a skate park. This was not a result of Officer advice, but a consequence of the land no longer being available to the developer for development.

6.4. Amendments also include a reduction in the number of dwellings proposed, originally proposed at 502, and now proposed to be up to 328. This has resulted from the need to respond to various site constraints. The latest revisions also show amendments to the layout, landscaping, design, house types, car/cycle/pedestrian facilities, drainage strategy, open space, and location of play compared to previous iterations.

6.5. Owing to various challenges with bringing development forward on this allocated site, proposals have had to evolve to respond to issues raised over time and it has taken time to get to the latest submission. Unfortunately, issues continued to present in the latest scheme; these are discussed within the body of the report. Subsequently, a further set of revised plans have been submitted in an effort to address these, and those revised plans have been publicised (week commencing 22 June 2026). While most of the amendments are not considered to materially affect third parties, changes to the house types, and therefore quantum of 2 and 3 bed units to be provided, would have a more material affect in terms of the delivery of housing at the site. Ordinarily Officers would await the end of the publicity period before presenting a scheme to Committee. However, owing to exceptional circumstances relating to the developer's Options on the site (without a committee resolution the developer would lose their Options on the land) the scheme, and its revised plans, are brought forward with a recommendation to delegate authority to grant subject to no new material planning objections being received, in an effort to work proactively in bringing forward housing on this allocated site.

6.6. The below table indicates the iterations publicised under the current proposal and notes the timing that the plans were presented to Design South West for review:

Iteration	Description of development	Notable changes
Nov 2020	Outline application for 502 dwellings with full details supplied in respect of 277 dwellings (Phase A) including creation of new accesses onto School Hill and Chickerell Link Road	

	(B3157), details of part of the internal central avenue, landscaping, drainage, car parking, public open space, associated works and diversion of three public right of ways and with all matters reserved in respect of 255 dwellings (Phases B and C) and a primary school, public open space including field and skate park and changing facilities, landscaping, part of the internal central avenue, drainage and associated works	
Jan 2021	Plans presented to Design South West Review Panel for consideration.	
Jan 2023	Outline application for 393 dwellings with full details supplied in respect of 186 dwellings (Phase A) including creation of new accesses onto School Hill and Chickerell Link Road (B3157), details of the internal central avenue, landscaping, drainage, car parking, golf ball fencing of various heights up to 30m, public open space, associated works and diversion of three public right of ways and with all matters reserved in respect of 207 dwellings (Phases B and C) and a primary school, public open space including field and skate park and changing facilities, landscaping, drainage and associated works.	Reduction in housing numbers including housing omitted to the north (on land of local landscape importance); inclusion of central avenue in detailed element of scheme, amendments to layout incorporating cycle tracks, responding to ecological corridors and relocation of children's play area; revision to football pitch; 30m high golf net added to proposal in response to concerns.
Nov 2023	Outline application for 393 dwellings with full details supplied in respect of 186 dwellings (Phase A) including creation of new accesses onto School Hill and Chickerell Link Road (B3157), details of the internal central avenue, landscaping, drainage, car parking, golf ball fencing of various heights up to 30m, public open space, associated works and diversion of three public right of ways and with all matters reserved in respect of 207 dwellings (Phases B and C) and a primary school, public open space, landscaping, drainage and associated works	Changes to layout and house design, including parking solutions; amendments to drainage scheme; skate park, football pitch and changing facilities omitted from proposal
Nov 2024	Outline application for up to 393 dwellings with full details supplied in respect of 183 dwellings (Phase A) including creation of new accesses onto School Hill and Chickerell Link Road (B3157), including details of the internal central avenue, landscaping, drainage, car parking, public open space and associated works and diversion of three public right of ways for Phase	Further amendments to layout; 30m high golf net removed from proposal; details of retaining structures included.

	A. All other matters reserved in respect of 210 dwellings (Phases B and C) and land for primary school, public open space, landscaping and associated works	
Jan 2025	Plans presented to Design South West Review Panel for consideration.	
Mar 2026	An outline application for up to 328 dwellings with full details supplied in respect of 143 dwellings (Phase A) including creation of new accesses onto School Hill and Chickerell Link Road (B3157), including details of the internal central avenue, landscaping, drainage, car parking, public open space and associated works for Phase A. All other matters reserved in respect of 185 dwellings (Phases B and C) and land for a primary school, public open space including, landscaping and associated works	Reduction in housing numbers, amendments to layout including parking provision, location of children's play, position of drainage ponds.
June 2026	Revised plans are submitted making the following revisions: - Change to drainage strategy - Changes to open space provision and provision for play; - Amendment to house/apartment types; detailing and material treatment; position of apartments; - Amendment to boundary treatment; - Amendments to landscaping; - Amendments to parking arrangements; narrowing of courtyard entrances.	

6.7. Other relevant planning history adjacent to the application site:

Application:	**Site:**	**Proposal:**	**Date:**	**Decision:**
WD/D/16/001134	Land at 20B School Hill	Outline application to develop land for residential purposes of up to 15 dwellings	Dec 2019	Refused
WD/D/16/001443	Land at Bank and Ridge Farms	Outline application to construct 292 dwellings and associated infrastructure.	Aug 2018	Grant
WD/D/18/001922	Land at Bank and Ridge Farms	Reserved Matters application to construct 292 dwellings and associated infrastructure.	Dec 2018	Grant
WD/D/19/002561	Land North of 20B School Hill	Formation of access road.	Feb 2020	Refused

WD/D/20/002918	Land at 20B School Hill	Outline application to develop land for residential purposes of up to 15 dwellings	Nov 2021	Refused

6.8. The site comprises the eastern portion of the CHIC2 allocation, one of the Local Plan's strategic housing allocation sites. Land at Bank and Ridge Farms, referenced above, comprises the northern part of the allocation. The site also abuts the newly developed residential area adjacent to Putton Lane, which was likewise allocated in the previous Local Plan for development, and which is now complete.

7. Constraints

7.1. Land of Local Landscape Importance;

7.2. Wildlife Corridor and ecological network;

7.3. Landscape Character; South Dorset Ridge and Vale;

7.4. Public Rights of Way (S16/21; S16/22; S16/23, S16/24);

7.5. Risk of Surface Water Flooding: 1 in 30; 1 in 100; 1 in 1000;

7.6. Groundwater susceptibility to flooding;

7.7. Chesil Beach & the Fleet RAMSAR, Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site – 5km buffer

7.8. Crookhill Brick Pit Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI);

7.9. Radipole Lake SSSI;

7.10. Minerals and Waste Safeguarding Area;

7.11. Contaminated Land;

7.12. Dorset Council Land (southern drainage basins);

7.13. SGN medium and high pressure gas lines (medium pressure gas line runs through the site, high pressure gas line adjacent to the site);

7.14. Radon

8. Consultations

8.1. All consultee responses can be viewed in full on the website at www.dorsetcouncil.gov.uk.

8.2. Consultees

8.3. **Chickerell Town Council** – have not raised an objection (in respect of the Mar 2026 submission) but have provided comments on the proposal raising a number of concerns.

8.4. For context, Chickerell Town Council raised no objection to the 2020 submission, raised an objection to the 2023 submission, and raised no objection to the 2024 submission.

8.5. The latest response from Chickerell Town Council makes the following comments:

8.6. The Town Council acknowledge the site is an allocated site and there is a shortfall of housing, but seek that the development is appropriate in scale, design and infrastructure provision, and that the impacts on Chickerell are carefully managed. In this regard they raise the following concerns:

- *The proposal represents another significant urban extension to the town;*
- *The scale of development risks altering the character and identity of Chickerell;*

- *The level of growth, when combined with existing and committed developments, places worrying increasing pressure on the town and its existing infrastructure.*
- *Timing and delivery of the school;*
- *Capacity of local GP surgeries and healthcare services;*
- *Pressure on community facilities and local services.*
- *Infrastructure must be delivered in step with development, not after it;*
- *Any Section 106 contributions should prioritise local needs within the parish of Chickerell.*

The Town Council acknowledged the proposed ecological buffers and biodiversity measures, but strongly request:

- *Assurance that these measures will be secured, maintained and managed long-term;*
- *Protection of existing wildlife corridors and habitats.*
- *What developer contributions will be secured for the Chickerell community*
- *All social housing should be allocated to people with a proven Chickerell connection.*

Chickerell Town Council wish to see contributions towards:

- *Community facilities*
- *Open space and recreation*
- *Healthcare provision*

8.7. Following the publicising of the revised June 2026 plans, Chickerell Town Council provide comment, seeking the early provision of the spine road; the early implementation of landscaping; and the prioritising of affordable housing to those with a local connection.

8.8. **Ward Members** – No comment has been received from ward members in relation to the 2026 submission. Comments have been made previously and are referred to below:

8.9. Cllr Dunseith (former Chickerell ward member) – in 2023 requested the application be considered by committee, and made comments relating to use of the spine road for construction traffic, raised concerns about residents parking on the spine road; made comment on footpath diversions and pedestrian entrances for the proposed school; welcomed the retention of hedges and green corridors running east-west; sought no connectivity with Mariners Way, and noted the segregated cycle/footways.

8.10. Cllr. Bell (adjacent ward member (Radipole)) – in 2024 sought that pedestrian and cycle links were carefully considered, particularly having improved safety infrastructure being installed across the B3157 and Wessex roundabout.

8.11. Cllr Holland (adjacent ward member (Chesil Bank)) – in 2024 raised concern regarding increased traffic volumes, particularly around the Glennie Way junction.

8.12. Cllr Fuhrmann (adjacent ward member (Weymouth town)) – in 2024 sought consideration be given to pedestrian and cyclists crossing the Wessex roundabout.

8.13. Cllr Brown (adjacent ward member (Radipole)) - in 2024 sought that pedestrian and cycle links were carefully considered, particularly having improved safety of school children crossing the Wessex roundabout.

8.14. **Dorset Council Highways Authority** – Raise no objection to the June 2026 plans, subject to conditions, and comment as follows:

8.15. The Transport Assessment is considered to be satisfactory and robust, and the residual cumulative impact of the development cannot be thought to be severe having regard to para 115-116 of the NPPF.

8.16. Having regard to access, the Highway Authority have previously confirmed that due to junction capacity issues at Glennie Way, it would be necessary to secure by S106 a 100 house cap on development until the proposed internal link road between the Chickerell Link Road and School Hill is complete.

8.17. The southern access/junction proposed as a staggered signal-controlled crossroads is considered to be acceptable.

8.18. The principle of the priority junction proposed onto School Hill (the northern access) is accepted, noting the revised Jun 2026 plans providing further refinement of the cycle provision/connection between the site and Dunster Rise and assessment of this junction. Detailed design of the northern access should be secured by condition.

8.19. Recommendations are made seeking improvements to pedestrian and cycle provision and the submission of an active travel movement plan is recommended. A lighting strategy is also recommended in the interests of ensuring lighting is integrated into the scheme. Details of bus stops are also sought.

8.20. Regarding the provision of structures within the highway to support wildlife, such as tunnel crossings beneath the highway and/or the provision of a dormouse bridge over the highway, no details have been submitted. While they could be considered acceptable in principle, clarity on what is proposed is sought.

8.21. Redesign of the side-road crossings is recommended.

8.22. The Highway Authority confirm that the proposed development includes appropriate parking provision, and dwellings would be provided with cycle parking facilitates and have access to electrical vehicle (EV) charging provision. Recommendations are provided to improve parking provision for visitors.

8.23. The Highway Authority confirm that the submitted Travel Plan is broadly acceptable and sustainable travel vouchers towards public transport and/or cycle equipment, to the value of £150, should be included within any s106 agreement.

8.24. A Construction Traffic Management Plan, including location of plant site facilities, access and the impact of construction movements to and from the site will need to be secured by condition.

8.25. The Highway Authority have previously raised a number of queries regarding drainage and have since confirmed that the proposals would be acceptable subject to a detailed methodology for pond reconfiguration being first submitted and agreed.

8.26. Conditions are recommended regarding details where the development adjoins existing highways, re-design of side roads, and revision to footpath links.

8.27. **Dorset Council Street Lighting Team** – The Lighting Team advise, having regard to the Mar 2026 submission, that any roads or footpaths proposed for adoption would be required to be lit to British Standards. Consequently, careful consideration should be given to the position of adoptable footpaths and roads relative to ecological corridors and hedgerows.

8.28. Where footpaths are shown physically separate from estate roads, these would require an additional lighting system; minimising additional systems would be beneficial having regard to lifetime energy and carbon emissions.

8.29. The Lighting Team note that ‘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’. Due to the lack of landscaping detail it is difficult to fully evaluate impacts from trees on highway lighting, consequently the highway lighting design cannot at this stage be verified, nor its impact on the landscaping scheme be fully understood.

8.30. The use of vertical traffic calming features shown will require permanent all-night street lighting in some areas and the Team also note that 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.

8.31. **Dorset Council Urban Design Officer** – is unable to support the application, based on the Mar 2026 submission, concluding that the proposal fails to satisfactorily respond to the topography of the site and the character and appearance of the area.

8.32. Concerns are raised having regard to the lack of consistency and coherence in the way streets and spaces are formed and are framed by buildings; the lack of reference to local context in the layout and design of the site; the response to topography resulting in significant retaining structures at property boundaries, and terminating within the street scene; the significant engineered embankments and drainage basins and their impact on the quality the public open space; the lack of clear and legible connections linking people with where they want to go; the lack of surveillance of footpaths; the treatment of car parking and lack of street planting; the lack of clear character areas within the built form; and the materials and design of dwellings and boundary treatments.

8.33. Having regard to the design of the scheme, the Urban Design Officer advises that the proposed development is considered to fall contrary to Local and National Guidance on design.

8.34. **Dorset Council Landscape Officer** – is unable to support the application, based on the Mar 2026 submission, for the following reasons:

8.35. The proposals fall short of the standards required with regards the adequate provision of landscaping to successfully integrate the Development with the character of the Site and its surrounding area. In relation to CHIC2 – whilst the Scheme does provide, to some degree, a traditional street with frontage development and a bus route, connecting corridors of semi-natural green spaces along the eastern margin and biodiversity enhancements – the details/design quality of these would be significantly compromised by the extensive use of Permacrib retaining walls within rear gardens and an over-reliance on heavily engineered solutions for drainage.

8.36. **Dorset Council Lead Local Flood Authority (LLFA)** – Following an initial holding objection, the LLFA raise no objection to the Jun 2026 revisions, subject to conditions.

8.37. The LLFA confirm that the revised combined approach to drainage would be acceptable, noting that the tanks would discharge into open features.

8.38. Regarding the effects of flooding on third party land, the LLFA note that there are significant areas of reduced flood depths shown across the golf course, there is also a much smaller area of increased flood depth. The FRA states that the increase in flood depth is less than 30mm in 'an area of scrub that is not actively used by the golf course'. The flood modelling shows a much greater area of reduction in flooding across the golf course than the small area of increase; the area of increase is located in an undeveloped area. Based on the flood modelling the proposed surface water management scheme for the subject site would lead to a general overall and tangible reduction in flood risk to the golf course. Therefore, the LLFA consider that the requirements of the NPPF with regards to ensuring that flood risk is not increased elsewhere has been satisfied.

8.39. **Dorset Council Environmental Protection** – having regard to the Mar 2026 submission, have no adverse comment to make regarding the proposed development.

8.40. Environmental Protection have recommended a Construction Environmental Management Plan (CEMP) be conditioned to address matters relating to noise, air quality and other construction related activities that could cause disturbance. Comment has also been made having regard to operational noise resulting from the electricity sub station and its effects on the development post construction, and conclude no harm. Environmental health subsequently raised no objection to the proposal.

8.41. **Dorset Council Housing Enabling Team** – raise no objection to the Mar 2026 submission, noting a policy compliant 35% affordable housing provision, of a policy compliant tenure mix and well distributed across the site.

8.42. **Dorset Council Tree Officer** – Offered no comment on the scheme design, based on the Mar 2026 submission, but advised additional detail would be required.

8.43. **Dorset Council Design and Conservation Team** – raise no objection to the Mar 2026 submission, stating '*the proposed scheme has been assessed, in relation to perceived impacts on encompassing heritage assets, considered of special architectural/ historical significance, and their associated settings to which, on built heritage grounds, no objection is raised*'.

8.44. **Dorset Council Natural Environment Team** – raise concerns regarding the proposed development, based on the Mar 2026 submission. They note that whilst the latest iteration of the scheme is a step in the right direction, and the updated ecological documentation does address some of the concerns raised previously, the absence of detailed information about lighting is a significant issue as it means that there is significant uncertainty about the efficacy of certain key elements of ecological mitigation including the east-west ecological corridors, the Dormouse bridge, and the wildlife corridor.

8.45. More detailed comments are made having regard to protected species, with key concerns relating to the impacts on dormice and bats. These are discussed within the body of the report.

8.46. It is noted that an appropriate level of biodiversity net gain is achieved in the latest proposals.

8.47. **Dorset National Landscape Team** – raise no objections to the Mar 2026 submission, concluding that the proposal is unlikely to result in undue harm to the setting of the Dorset National Landscape.

8.48. **Dorset Fire and Rescue** – raise no objection to the Mar 2026 submission, but make a number of recommendations relating to Building Regulation matters in the interests of raising them at an early stage. The matters include giving consideration to ensuring adequate access to the site for the purpose of firefighting, ensuring the provision of suitably located fire hydrants ahead of commencement, and encouraging the use of sprinklers in both homes and schools.

8.49. Having regard to the submitted information, including swept path analysis and layout, it is considered that access by firefighting officers would not be impeded through the scheme design and that the above recommendations could be secured. These matters will be addressed in more detail at the Building Regulations stage.

8.50. **Dorset Council Environmental Mitigation Delivery Team** – raise no objection based on the Mar 2026 submission, subject to considerations around public open space with reference to 'Advice Note for Practical Design and Management of Greenspace'.

8.51. Comments raised in previous submissions have also been made regarding the provision of open space, planting, attenuation tanks, play and public rights of way.

8.52. **Dorset Council Rights of Way** – raise no objection to the Mar 2026 submission subject to informatives, the upgrading of local footways and a condition requiring a Rights of Way Management Plan that covers the lifetime of the development and details the design of access and public rights of way routes and their surfacing, widths, gradients, landscaping, and structures; any proposals for diversion and closures of public rights of way and alternative route provision; and consideration of the additional informatives.

8.53. **Crime Prevention Officer** – raised no objection to the Mar 2026 submission, but raises the following concerns:

8.54. It will be necessary to ensure that tree placement within open spaces with play are appropriately positioned to ensure good surveillance of these spaces is maintained. Given proximity of the parks to the road, boundary treatment is recommended.

8.55. Advice and recommendations are made regarding parking provision.

8.56. Advice is recommended regarding rear garden gates.

8.57. Advise is recommended regarding spaces adjacent to the school, to ensure appropriate surveillance.

8.58. **Ramblers Association** – raise disappointment regarding the Mar 2026 submission that the proposed footpath diversions would require walkers using footways alongside estate roads, and in some places cross the 'primary movement route'. They recommend safe crossings be secured at such junctions.

8.59. **Natural England** – raise no objection to the Mar 2026 submission, subject to appropriate mitigation measures, including the provision of the dormice bridge and small mammal tunnels.

8.60. **Sport England** – raise significant concerns to the Mar 2026 submission regarding the parts of the development falling within the golf strike zone and seek additional detail relating to the use of land falling within the ball strike trajectory, and proposed mitigation. Their key concern relates to the impact on the golf course as a result of the 'agent of change' principle. Sport England also refer to comments made by England Golf who concur with these comments and comment: '*We would like the safety aspect to be mitigated suitably, potentially wild meadow without a path would mean people wouldn't be accessing the area'.*

8.61. **WPA Land Contamination Consultants** – raise no objection to the Mar 2026 submission and comment as follows:

8.62. '*Contaminated land planning conditions need to be applied. WPA notes the conclusions made in Ch 13 of the Environment Statement drawing from prior site investigation and reporting. No significant contaminant linkages have been identified but a watching brief concerning potentially unidentified contamination is recommended. Further reporting concerning unexpected finds, adherence to standard protocols for alerts in the Construction Environmental Management Plan (CEMP), Waste Management Pan (WMP) and generally reported demolition / materials management processes is to be expected for review prior to agreeing completion of contaminated land planning conditions'*.

8.63. **SGN** – raise no objection to the Mar 2026 submission.

8.64. **Office for Nuclear Regulations** – No comment in respect of the Mar 2026 submission.

8.65. **Public Health and Prevention** – has no comment to make on the Mar 2026 submission. Previous comments relating to the 2023 submission were made making comment on public open space provision and the affordable housing mix.

8.66. **Dorset Wildlife Trust** – commented in 2020 that they were unable to support, but no further comment has been received in relation to other iterations of the scheme.

8.67. **The Countryside Access Team** – raised no objection to the 2020 submission. No further comment has been received in relation to other iterations of the scheme.

8.68. **The Open Spaces Society** - raised no objection to the 2020 submission. No further comment has been received in relation to other iterations of the scheme.

8.69. **Historic England** – raised no objection to the 2020 and 2023 submissions, and made no comment in 2024. No further comment has been received in relation to the latest scheme.

8.70. **Dorset Travel** – have previously comments on the proposal seeking contributions towards bus infrastructure. No comment has been made in respect of recent submissions.

8.71. **Active Travel England** - raised no objection to the 2023 and 2024 submission. To the 2023 submission comments were made in relation to the configuration of the southern and northern access having particular regard to cycle provision; recommendations for a segregated cycle way to be incorporated along the entirety of the spine road; and recommendations regarding footway links and junctions crossings; support was given to of enhanced east-west links; and recommendations made regarding access to the school site. 2024 comments recognised some improvement has been secured. No comment has been received relating to the Mar 2026 submission.

8.72. **Environment Agency** – raised no objection in 2020 and 2024. No further comment has been received in relation to the latest iteration of the scheme.

8.73. **Wessex Water** – raised no objection and offered comment to the 2023 scheme. No further comment has been received in relation to later iterations of the scheme.

8.74. **NHS Dorset** – raised no objection to the 2020 scheme. No further comment has been received in relation to other iterations of the scheme.

8.75. **Scottish and Southern Electricity** – raised no objection in 2020 and 2024. No further comment has been received in relation to the latest iteration of the scheme.

8.76. **Scottish and Southern Thermal** – raised concerns regarding matters relating to noise in 2020. No further comment has been received in relation to other iterations of the scheme.

8.77. **Health and Safey Executive** – raised no objection to the 2020 scheme. No further comment has been received in relation to other iterations of the scheme.

8.78. **National Grid Plant Protection** – raised no objection in 2020, 2023 and 2024. No further comment has been received in relation to the Mar 2026 submission.

8.79. **Dorset Council Waste Team** – raised no objection in 2023. No further comment has been received in relation to other iterations of the scheme.

8.80. **Bournemouth Water Ltd** - raised no objection in 2023. No further comment has been received in relation to other iterations of the scheme.

8.81. **National Air Traffic Services (NATS)** - raised no objection in 2023. No further comment has been received in relation to other iterations of the scheme.

9. Representations received

9.1. The following third party comments have been submitted and broken down to relate to the various submissions. Full details of third party comments can be found on the Council's website.

9.2. Nov 2020 submission:

9.3. 34 Third party comments were received in response to the initial 2020 consultation.

9.4. The comments received raised the following concerns:

- Impact on Area of Outstanding Natural Beauty. Impact on the environment; loss of green open space; loss of agricultural land, and impact upon farming practice.
- Impact on local wildlife, including protected species, impact on domestic animals. Impact on habitat, including the east/west wildlife corridor running adjacent to the link road.
- Impact on traffic; traffic light issues; increased volume of traffic at both access points would be to the detriment of highway safety, with a high volume of traffic already

utilising the local highway network, particularly School Hill. Noise and air pollution due to additional traffic.

- Impact on residents
- Significant volume of housing already built within the local area over the past 5 years; cumulative impact on the community of Chickerell as a consequence of the large volume of building within the locality.
- Insufficient infrastructure; capacity of doctors and hospitals, poor phasing leaving the school until last, capacity of secondary schools and further education, capacity of sewerage network, contributions would be required to support bus service.
- The phasing of development should allow the primary school, health centre contribution, skate park and assistance with bus service to fall in phase 1.
- Insufficient employment within the area
- Impact on tourism in the area
- Anti-social behaviour
- Drainage concerns due to sloping site
- Housing in the area is not affordable, and not serving the local community
- Insufficient electric car charging points
- Impact on rights of way
- Merging of Chickerell and Weymouth
- Pedestrian access to and from school adjacent to busy car garage
- Contradiction of Inspectors report

9.5. The following non-material planning considerations were raised:

- Impact on view from existing residential properties
- Impact of construction through dust, noise and construction traffic disturbance, particularly as construction traffic will have to access the site via the existing road network as opposed to the new road

9.6. The following benefits were identified:

- Provision of a new primary school
- Based on submitted information, the impact on the environment would be acceptable
- Addressing local need for additional affordable homes
- Creation of jobs within the area
- Development respects the character of the area

9.7. Jan 2023 submission:

9.8. 17 third party comments were received in response to the Jan 2023 consultation.

9.9. The comments received raised the following concerns:

- Location of skatepark at Green Lane unacceptable given access, road crossing and car parking issues, Green Lane is partly private and already issues in Putton Lane, Farewell Crescent
- Concerns with parking at sports facilities and skate park; already skate parks in Weymouth and Portland with more planned; site proposed for skatepark has high biodiversity value and would result in loss of green space; skatepark would lead to crime, litter

- Existing transport network can't cope
- Significant existing pressure on health services in area (e.g. WR and Lanehouse Practice), with patients travelling long distances. Development fails to make provision for Chickerell Health Centre, which should be a pre-requisite for consent; more amenities needed, alongside new GP, public spaces for socialising; schools currently overcrowded
- Infrastructure issues compounded by phases A, B and C; large number of dwellings for town with poor amenities
- Boundary treatment to school playing fields should be considered, as to how would affect neighbouring properties
- Loss of open green space and wildlife habitat, and land which was designated as Land of Local Landscape Importance (LLLI). Govt commitment to protecting greenspace is at odds with this development. Harm the character and landscape of the area, as noted by Ind Govt Inspector in 2007
- Chickerell should remain independent from Weymouth
- East and West Streets in need of regeneration, parking and road navigation/pedestrian safety should be addressed in these locations
- Too large in scale and loss of village feel, cumulatively impactful alongside other development, e.g. solar farm
- Loss of farming land and tradition field patterns; loss of dog walking paths
- Lead to air and noise pollution, partly given increase in car use
- Need to ensure housing is made affordable for young and local people
- Archaeological remains need to be safeguarded
- Design of houses are visually offensive and do not fit character of the area; 3 storey houses would restrict views toward coastline
- Houses nearest to Mariners way would introduce loss of privacy to occupants of 8 Mariners Way, fenestration of proposed Denbury House raised as an issue. No hard boundary between Mariners Way and new development, needed for security; fencing appears to be in place.
- Carparking arrangement for dwellings unacceptable, shared parking leads to disputes, inability to charge EV, issues with deliveries. Carparking should be established in frontage of properties
- Drainage issues within Greys Field, path to Putton Lane. Drainage naturally occurs across site toward Chafeys Lane and natural drainage channels should be protected
- Walking along narrow Green Lane unacceptable. A pedestrian lane should be provided for walking and cycling, linking Putton Lane to Green Barn
- Hedges along roadsides need to be responsibility of property owners to maintain, wooden fences a poor substitute
- Wide verge on corner of Putton Lane and Green Lane should not be development land, was created by Dorset Council for visibility

9.10. The following benefits were identified:

- School is a welcome addition and needs to be built given Greys Field Estate was meant to have one

9.11. Nov 2023 submission:

9.12. 23 third party comments were received in response to the Nov 2023 consultation.

9.13. The comments received raised the following concerns:

- Loss of Land of Local Landscape Importance (LLLI), open green space and wildlife habitat, e.g. to Barn Owl, Golden Plover and Lapwing.
- Comments related to Mariners Way field: Loss of green buffer zone/field between new development and Mariners Way; revised plans show increase in housing in this location; would cause loss of habitat, loss of mature trees and hedges; issue with existing pipes and drainage; remove a vital noise and visual screen between two estates and introduce higher levels of traffic to an incompatible single lane road; ecological report identifies biodiversity value of buffer; objection to the house type and fenestration proposed for housing near Mariners Way, in particular 8 Mariners Way, resulting in loss of privacy to occupants of this property.
- School and green space should be constructed prior to housing habitation.
- Concerned with construction activity and how this would affect residents in neighbouring estate, in particular those at Mariners Way. Other similar schemes in area have resulted in noise/air pollution to residents.
- Concerns with change in provision of sporting facilities, namely skate park, with this having been previously compatible with wildlife corridor. If skate park located on other open space then DC would need to calculate developed infrastructure contributions accordingly.
- Concerns with large development which does not secure vital amenities, medical centre, road infrastructure.
- Concern with impact to private property due to loss of vista, disturbance from new sports facilities, being overlooked from new housing, and impacts of construction.

9.14. The following benefits were identified:

- Supportive of principle of development bringing much needed housing and economic development.

9.15. Nov 2024 submission

9.16. Further third party comments were received in response to the Nov 2024 consultation.

9.17. The comments received raised the following concerns:

- Overdevelopment within Chickerell, with over 1500 new builds in recent years, all on green fields with little regard to wildlife.
- Loss of Land of Local Landscape Importance (LLLI), open green space and wildlife habitat impacting wildlife (e.g. nesting birds and feeding ground for scarce birds, badger setts, hedgehogs, flora and fauna) resulting in irreversible impacts to the ecosystem; impacts on all species (not just protected species) has not been thoroughly reviewed. Impacts on people's health and wellbeing through loss of green space.
- Loss of farmland, needed for growing food.
- Comments related to Mariners Way field: Mariners Way cannot cope with traffic coming from the development if a vehicular connection were to be established, further such a connection would be illegal as there is a strip of land outside of the developers ownership; there looks to be a road crossing a buffer area where there are pipes; should revert to plan to provide small field at the end of Mariners Way as a buffer with trees and hedges; loss of vegetation, shrubs and established trees used by wildlife; a buffer at the end of Mariners Way would help with noise and disturbance this development might cause; a hard boundary wall should be installed at the end of Mariners Way; overdevelopment adjacent to Mariners Way (number of properties increased from 4 to 6, and green buffer lost); positioning of proposed properties do

not need to line up with Mariners Way properties as they are separate estates; loss of privacy to neighbouring properties, in particular No. 8 and 25 Mariners Way; revised plans, compared to those submitted Oct 2022 would see the loss of ecological corridors, green sound barriers and wildlife friendly areas to the detriment of the residents of Mariners Way.

- Concerned about impact on existing properties: loss of vista, space and continual noise from building works and any sports facilities, as well as being overlooked by numerous houses; loss of property value and impact on housing market.
- Impact on flooding through increased water run off impacting properties and land, particularly on the western side of the development; the fields currently offer some retention capacity, but building will remove this; impact on properties on lower ground and further down stream; the flood protection and water management plans inadequately address flood risk.
- Concern regarding the removal of the golf nets, and impacts upon both the golf course and risk to third parties; while the developer has sought to explore options within the golf course, those changes would have implications for the golf course site in terms of its status and memberships, causing financial ramifications; it is recommended that public access be restricted in the areas adjacent to the golf course and that trees are planted in this area.
- Concern regarding impacts from the site proposed as a Battery Energy Storage System (BESS) site, making the proposed development undesirable.
- Concern regarding the impact on local road networks, including at the Wessex roundabout and the Weymouth Link Road, the cut through to Upwey, and Glennie Way; financial contributions should be secured to improve road network; insufficient parking within Chickerell. The proposed junction at School Hill will not safely accommodate the traffic movements from School Hill, Dunster Rise, Courage Way and Coldharbour and that a more comprehensive junction is considered i.e. a medium sized roundabout, which should be funded by the developer.
- Concerns regarding impact upon local infrastructure, in addition to local roads, schools, local healthcare provision including GPs and dentists, green spaces, water and sewerage networks would all be affected; local shop offers inadequate facilities for population increase; poor local public transport links (bus stops at 8pm); queries raised over the delivery of proposed infrastructure at the site.
- Insufficient job opportunities within the local area to serve the increased population.
- Historically (2007) concerns were raised by an independent Govt Examiner regarding the development of this site owing to its impact on landscape character and visual amenity.
- Replacement of skate park with housing would be detrimental; loss of skate park from the plans should be addressed through a financial contribution.
- Questions over ‘need’ in light of housing not selling quickly in the local area.

9.18. The following benefits were identified:

- Should help contribute to addressing housing need.
- Assist economic growth for this part of Dorset.
- To date Chickerell may not have received all the infrastructure improvements and protection of its environment it needs and arguably deserves.

9.19. <u>Mar 2026 submission</u>

9.20. Further third party comments have been received in response to the Mar 2026 submission.

9.21. The comments received raised the following concerns:

- Overdevelopment within Chickerell, undermining the area and undermining coordinated growth.
- Area is the last buffer between Chickerell and the more urban spaces in Weymouth; should not link Chickerell to Southill; cannot be considered in isolation to CG Fry's plans on the fields behind the police station.
- Loss of open green space and wildlife habitat; impact on rural walking routes and access to green spaces, which are proven to support physical and mental wellbeing; green spaces that would be lost are vital for carbon absorption; lost green spaces would impact the character of Chickerell, children use the fields to play in. Impacts on an important wildlife corridor and fragmentation of corridors; queries regarding the incorporation of underground wildlife corridors; failure to comply with the Conservation of Habitats and Species Regulations 2017 - a robust Habitat Regulations Assessment is required; insufficient ecological information - lack of comprehensive protected species surveys; no clear measurable biodiversity net gain; limited detail on long-term habitat management. Measures must be put in place to protect the current boundary hedges. Particularly important at the boundary of the site with the current Grey's Field development with Lower Putton Lane and Green Lane. A hedgehog highway should be put in place, and bat boxes and swift bricks placed in some buildings.
- A hard boundary wall should be installed at the end of Mariners Way.
- Impact on flooding through increased water run off; the flood risk assessment inadequately considers run-off from Lower Putton Lane or the impacts on existing drainage systems; there will be environmental impact of building on land that floods.
- Drainage concerns including potential impacts on the Fleet Lagoon.
- Concern regarding traffic generation as a consequence of the new road proposed; impact on local roads, including Glennie Way and School Hill, with increased traffic causing further degradation of the road surface and compounding the safety issues already experienced in the area with speeding motorists and visibility limits when turning in and out of Lower Putton Lane, Lower Way and East Street.
- Concerns regarding impact upon local infrastructure, including schools and local healthcare provision, including GPs and dentists; local shop and pharmacy offers inadequate facilities for population increase; poor local public transport links; no clear infrastructure delivery plan is provided.
- Insufficient job opportunities within the local area to serve the increased population; local jobs mainly seasonal and poorly paid.
- Properties will not be affordable to local people; likely intended as second homes rather than meeting local need;
- Low quality builds of the developer will undermine the nature of Chickerell.
- Consideration should be given to exiting households in the area when planning the play/outdoor space to ensure large scale anti-social behaviour is not brought into an existing residential area.
- The proposal conflicts with the Development Plan and Neighbourhood Plan, with insufficient infrastructure proposed; there is inconsistency with the strategic direction of the emerging Dorset Council Local Plan, particularly in relation to climate, biodiversity and sustainable development.
- Dorset Council is proposing housing on the site already designated for a future skate park and football pitch.

- Insufficient provision for older children
- Housing should be directed to brownfield land.
- Hazard to life if there were to be a fire at the nearby Chickerell Solar Farm.
- The Chickerell Link Road should be used for contractor vehicles and they should be banned from using the School Hill approach.

9.22. The following benefits were identified:

- Pleased the developer has reduced the number of houses and made some attempt to reconfigure the new road form link road to the top of School Hill to make it less of a race track.
- Pleased to see the field at the end of Mariners Way is to be left unbuilt upon. Hope instead it might be a children's play park or a natural wildlife setting.

10. Duties

10.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10.2. Section 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty) when making any decision which affects such land.

10.3. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is 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.

10.4. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11. Relevant policies

11.1. Development plan

11.1.1. Local Plan Adopted West Dorset and Weymouth & Portland Local Plan:

11.1.2. In this case the development plan comprises:

- INT1 – Presumption in favour of Sustainable Development
- ENV1 – Landscape, Seascape and Sites of Geological Interest
- ENV2 – Wildlife and Habitats
- ENV3 – Green Infrastructure Network
- ENV4 – Heritage Assets
- ENV5 – Flood Risk
- ENV8 – Agricultural Land and Farming Resilience
- ENV9 – Pollution and Contaminated Land
- ENV10 – The Landscape and Townscape Setting
- ENV11 – The Pattern of Streets and Spaces
- ENV12 – The Design and Positioning of Buildings
- ENV13 – Achieving High Levels of Environmental Performance
- ENV15 – Efficient and Appropriate Use of Land
- ENV16 – Amenity
- SUS1 – The Level of Economic and Housing Growth
- SUS2 – Distribution of Development

- HOUS1 – Affordable Housing
- HOUS3 – Open Market Housing Mix
- HOUS4 – Development of Flats, Hostels and Houses in Multiple Occupation
- COM1 – Making Sure New Development makes Suitable Provision for Community Infrastructure
- COM4 – New or Improved Local Recreational Facilities
- COM6 – The provision of Education and Training Facilities
- COM 7 – Creating a Safe and Efficient Transport Network
- COM 9 – Parking Standards in New Development
- COM10 – The provision of Utilities Service Infrastructure
- CHIC2 – Chickerell Urban Extension

11.1.3. Bournemouth, Christchurch, Poole and Dorset Minerals Sites Plan 2019

- Policy MS-8: Preventing Land-Use Conflict

11.1.4. Bournemouth, Dorset & Poole Minerals Strategy 2014

- Policy SG1 - Mineral Safeguarding Area
- Policy SG2 - Mineral Consultation Area
- Policy SG3 - Safeguarding of mineral sites and facilities

11.1.5. Bournemouth, Dorset & Poole Waste Plan 2019

- Policy 22 - Waste from new developments
- Policy 24 - Safeguarding waste facilities

11.1.6. Chickerell Neighbourhood Plan 2019-2036 (made 22/06/2021)

- CNP1 – Chickerell Local Centre and other valued community facilities
- CNP4 – Chickerell Wildlife Corridor
- CNP9 – The Fleet and Heritage Coast
- CNP10 – Locally Valued Landscape north and east of Chickerell village
- CNP11 – General Design Principles
- CNP12 – Enhancing Biodiversity

11.2. Other material planning considerations:

11.2.1. Emerging Dorset Council Local Plan:

11.2.2. Paragraph 49 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).

11.2.3. The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

11.2.4. Local Nature Recovery Strategy

11.2.5. The Dorset Local Nature Recovery Strategy identifies local priorities for nature recovery and maps areas where action would be most beneficial. In planning

decisions it is a material consideration, helping to ensure that development supports biodiversity enhancement and aligns with Dorset's agreed priorities for nature recovery.

11.2.6. National Planning Policy Framework (NPPF) 2024 (as amended 2025)

11.2.7. As far as this application is concerned the following sections from the NPPF are particularly relevant:

- Section 2 Achieving sustainable development
- Section 4 Decision-making
- Section 5 Delivering a sufficient supply of homes
- Section 7 Ensuring the vitality of town centres
- Section 8 Promoting healthy and safe communities
- Section 9 Promoting sustainable transport
- Section 11 Making effective use of land
- Section 12 Achieving well designed places
- Section 14 Meeting the challenge of climate change, flooding and coastal change
- Section 15 Conserving and enhancing the natural environment
- Section 16 Conserving and enhancing the historic environment
- Section 17 Facilitating the sustainable use of minerals

11.2.8. Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

11.2.9. Of particular relevance, the NPPF considers the following:

- Section 4 'Decision making': Para 39 - 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'. This outlines the government's objective in respect of land supply.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places'. This 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’. Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 ‘Conserving and Enhancing the Historic Environment’- Paragraph 212 says that 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. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

11.2.10. National Planning Practice Guidance (NPPG)

11.2.11. National Design Guide

11.2.12. Building for Healthy Lives

11.2.13. National Standards for SUDs

11.2.14. West Dorset Landscape Character Assessment 2009

11.2.15. WDDC Design & Sustainable Development Planning Guidelines (2009)

- Policy (a) Work in harmony with the site and its surroundings
- Policy (b) Involve the right people at the design stage
- Policy (h) Maintain and enhance local character
- Policy (j) Achieve high standards of environmental performance

11.2.16. Long Bredy, Portesham, Chickerell, Abbotsbury and Langton Herring Conservation Area Appraisal, adopted December 2007 (amended 2008).

11.2.17. Guidance Notes for Residential Developments on waste storage, collection and management (2022).

11.2.18. Sustainable Urban Drainage (SUDs) Manual

11.2.19. Advice Note for Practical Design and Management of Greenspace

11.2.20. Secure by Design

11.2.21. Fields in Trust Guidance

11.2.22. Housing land supply

11.2.23. Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. In addition, the strategies for meeting housing needs in the adopted local plans are not designed to deliver the housing need under the Government’s standard method and therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan(s) are out of date and the presumption in favour of sustainable development applies. The emerging Dorset Local Plan is not sufficiently progressed and can be afforded very limited weight in decision making.

11.2.24. This does not result in automatic approval of residential development. Paragraph 11(d) requires that permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusal, or unless the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

11.2.25. Housing Delivery Test (HDT)

11.2.26. The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

12. Human rights

12.1. Article 6 - right to a fair trial.

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

12.3. The first protocol of Article 1 protection of property.

12.4. 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. 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. In this case, Chickerell has a range of facilities and infrastructure within reach of the proposed development, and the development incorporates a road suitable to accommodate a bus route, providing opportunity to enhance sustainable transport provision within the village in the future, promoting opportunities to access a wider range of facilities. Its sustainable location means there is access to services to support future occupiers, including those with protected characteristics. Existing facilities within easy reach of the development include a doctors surgery, local shop, small library, school and pre-school, and residential care homes, amongst others. The site is therefore ideally located to support future occupiers. In turn, the provision of housing could also help support existing facilities and services to ensure these remain viable. These factors could have a positive impact on rural isolation.

13.4. The provision of affordable housing as part of the development could have a positive effect on people in socio-economic deprivation.

13.5. The allocation of land towards a school would ensure that there is suitable provision for education to support young people. Provision of play spaces and contributions towards improving local sporting opportunities would also have a positive impact on younger people. Contributions towards health care would likewise support a range of people with and without protected characteristics.

13.6. Mobility Guidance provides guidance to ensure that the design of places meets the needs of disabled people, people travelling with small children or carrying luggage or heavy shopping as well as people with temporary mobility problems and older people. In line with Inclusive Mobility Guidance, footways have been designed to accommodate appropriate widths to support people using a stick, cane, wheelchair and/or pushchair. A cycle link is also proposed with acceptable widths, provided as a segregated link or where there are alternative routes as a shared path. The pedestrian and cycle routes increase ease of access through the development for both pedestrians and cyclists, and on the whole take into account desire lines. Links where possible have been made into surrounding networks to link the site with existing and proposed facilities. It is regrettable that greater permeability with the existing built form is not shown. The lack of connection with the existing built form of Chickerell would have a negative impact on those with protected characteristics, increasing the length of journey to reach existing and planned

facilities for both existing and future residents. The developer has demonstrated an effort to improve these connections, but this has not been possible due to third party land and lack of willingness by third party owners. The impacts associated with the limited connections into the existing development need to be taken into account. There are also a number of opportunities where pedestrian connectivity and footway links could be improved, and where these do not mimic desire lines, this could present a barrier or hindrance to those with protected characteristics. Tactile pavement along the central avenue and changes in materials help to delineate crossings and prioritise pedestrians and cyclists aiding movement for those with a disability. Priority crossings across side roads could nonetheless be enhanced to further aid ease of movement throughout the development, together with improvement for cyclists at the School Hill access. Where poor pedestrian and cycle links/lack of priority present, these could be addressed through seeking amendments to the scheme in line with an active travel plan.

13.7. In terms of site levels, these present a challenge for this site. Mobility Guidance at Para 4.3 states: 'Generally, pedestrian environments should be level, which means that there should be no gradient in excess of 1 in 60. Effort should be made to ensure that the route is smooth, since even small dips or gaps in paving joints might present a hazard such as to people who use a stick or a crutch. If a level route is not feasible, then gradients should not exceed 1 in 20. Limited detail has been provided to assess levels, including within the detailed element of the scheme (phase A), but level data has been provided for the roads, and the finished floor levels (FFL) of the properties, offering some indication. It is estimated, based on road levels provided, that some of the footways within the proposed development would occasionally have an incline of 1:10m, particularly within the vicinity north of the proposed school; and often an incline of less than 1:20m, with the steepest sections along central avenue 2 and in the vicinity of the school and north of the school. The latest layout does on the whole present an improvement to previous iterations having regard to responding to the gradients of the site, with roads and footpaths most frequently less than 1:20. However, where streets do exceed the recommended gradients of 1:20 as set out in Mobility Guidance these routes could present restrictions for pedestrians and cyclists and their ability to easily move throughout the scheme. When having regard to the impacts of this, account needs to be taken of the natural topography of the area and the steep sloping nature of the site as existing.

13.8. Concern was previously raised regarding the number of stepped entrances into properties, owing to site levels, with 103 dwellings previously shown as having a stepped entrance, in comparison to 58 dwellings with a level or ramped access. With regards to the latest proposal, this level of detail has not been provided, but a broad assessment can be made comparing finished floor levels (FFL) and level data for the road. On the whole, it would appear that the revised scheme presents a more level entrance to properties from the street, such that it is anticipated that the current scheme would be unlikely to present disadvantages to those persons with protected characteristics.

13.9. Parking is provided on the whole within easy access of units, either in front, or to the side, of dwellinghouses, or within a conveniently located courtyard. Where provided to the side of a property, parking is in close proximity but frequently laid out in a tandem arrangement, which can be less convenient for occupiers. There are some noteworthy exceptions where parking is not conveniently located relative to the property they serve, for example at plot 22, however, these occurrences appear to be exceptions and significant improvement has been made since the previous iteration of the scheme, with short distances on the whole between property and parking allocation and where positioned in a courtyard, rear access is often viable.

13.10. Having regard to the Public Sector Equalities Duty, rights in this regard are qualified rights, which means interference in the public interest may be justified. The impacts resulting from developing a steeply sloping site have to be weighed in the context of delivering a key allocated housing site which to some extent the impact of significant

changes in levels would be unavoidable. Bringing forward the proposed scheme would provide a wide range of benefits including the delivery of both open market and affordable housing, the delivery of a school, and delivery of public open space/play facilities. Though the proposal would not in its entirety advance equality of opportunity owing to its steeply sloping streets, limited permeability with the existing built form, and detailed elements discussed such as pedestrian and cycle facilities (for which there would be scope to secure improvements), it cannot be concluded that allowing the development would result in significant harm to those with protected characteristics such as to warrant refusal of the application. In this regard it is considered that sufficient provision has been made on site to ensure that those with protected characteristics are not unlawfully disadvantaged.

13.11. In view of this, and having regard to the legitimate and well-established planning policy aim of supporting development within this sustainable site, a refusal of permission would not be proportionate and necessary. Granting consent would be consistent with the PSED duty contained within Section 149 of the Equality Act 2010.

14. Planning Assessment

14.1. Principle of development

14.1.1. Development Plan

14.1.2. The majority of the land subject of this application is part of a wider site, allocated within the West Dorset Weymouth and Portland Local Plan, as a development site.

14.1.3. Policy CHIC2 sets out the key requirements for the allocated site as a whole, and states the following:

i) Land to the north and land to the east of Chickerell, as shown on the policies map, will be developed for housing and related community facilities. Small-scale employment uses may be provided within the site, appropriate to a mixed-use neighbourhood.

ii) The development will deliver highway improvements necessary for the development to go ahead.

iii) The growth will be phased to deliver a steady rate of growth over at least a 10 year period through the development of:

- *land to the north (to be developed for housing and public open space);*
- *land to the east (to be developed for housing, public open space and to include a local food store of a scale appropriate to a local centre if there is still a need for such a facility, and securing land for a new primary school).*

iv) Development should be in accordance with a masterplan for each area prepared by the developer / landowner in conjunction with the local community, Chickerell Town Council and Dorset County Council, and agreed by West Dorset District Council. In order to address sustainable development issues, the masterplan will need to be subject to a sustainability assessment, such as a BREEAM Communities Assessment, carried out by a suitably qualified assessor. The masterplan should ensure that:

- *the development will be focused around a traditional street with frontage development connecting from the Chickerell Link Road to School Hill, and from School Hill to Chickerell Hill. The street should be able to accommodate a bus route. The development should also provide improved pedestrian /cycle links to Weymouth Town Centre and surrounding area;*

- *strategic planting is carried out in advance of the site being developed, in accordance with an agreed strategic landscape phasing plan, to reduce the impact of the development on longer views particularly along the northern and eastern boundaries. This should include a connecting corridor of seminatural green space along the eastern margin of the allocation and biodiversity enhancement. A network of open green spaces, for amenity /recreation and drainage purposes, should run through the development and link to the open countryside;*
- *there is adequate on-site provision of community infrastructure;*
- *areas prone to surface water flooding are kept free of built development and due consideration given to flood risk elsewhere.*

14.1.4. The site comprises, in the main, land to the east of Chickerell as set out in the proposals map and allocated under policy CHIC2, with a small area of land at 20b School Hill not included within the scope of the application. A parcel of land to the south, formerly included and proposed for use as a sports/recreation hub, is also excluded from the application, but does not form part of the Local Plan site allocation nonetheless. An additional area extending outside of the allocation is proposed to the north and south. The Local Plan indicates that the allocated site as a whole could bring forward somewhere in the region of 820 homes, and is expected to provide essential infrastructure, including a connecting street between the Chickerell Link Road and School Hill (bypassing Chickerell Road), together with a primary school, and food store if needed; the latter two to be provided within 'CHIC2 east'. The supporting text within the Local Plan indicates that of the 820 homes, 350 could be delivered within 'CHIC2 north', and 470 homes within 'CHIC2 east'. Planning consent has been granted on land to the north for 292 dwellings.

14.1.5. The application broadly accords with the key principles set out by criteria (i) which earmarks the site for the delivery of housing, alongside other related community and employment uses. Whilst the site does not include any employment, other than the employment opportunities brought forward by the provision of a new school, compliance with policy is not dependant on employment provision, the policy simply indicates that some small scale employment may be acceptable. It is not therefore considered that the proposal conflicts with criteria (i).

14.1.6. Criteria (iii) is more specific in as much as it specifies the provision of both a food store, where there is a need for such a facility, and school within the eastern portion of the site, together with the provision of housing and open space. The application includes provision for housing, a school, and formal and informal public open space, but does not include a food-store. Consideration should therefore be given to the need for such a facility.

14.1.7. Within the heart of Chickerell is a small local centre, as defined within the neighbourhood plan, including the Post Office Stores. The neighbourhood plan identifies the stores as being particularly well used by local residents according to household questionnaires. It is clear that this is an important facility serving Chickerell, and until recent years this store was the sole food-store serving Chickerell village, with a further Post Office and Stores serving Charlestown, and a number of convenience stores serving the part of Chickerell surrounding Lanehouse road.

14.1.8. Since the Local Plan was made, in 2017 Aldi food stores opened on the edge of the Granby Industrial site. The neighbourhood plan identifies the lack of in-store bakery, fresh meat counter etc. as a deficiency, which could mean that local people might still choose to travel to supermarkets located to the east of the Chickerell/Weymouth conurbation, but recognises the store as Chickerell's first major supermarket, ideally located between Chickerell village, Charlestown and Lanehouse residential areas. In

2018, the redevelopment of a former petrol station to form a small local centre with a Co-op food store and two takeaway restaurants has also been developed.

14.1.9. In recent years Chickerell has become well served by both independent small stores as well as larger food chains, and the neighbourhood plan does not identify a need for a further food-store. The local store within Chickerell village and Aldi are both located such that they would be accessible to future occupiers of the proposed development. In this regard, it would be difficult to argue that there is a high demand for a further store within the allocation. Compliance with policy is not dependant on a store being provided, this is only required where a need can be demonstrated. In this case, it is not considered that there would be an overriding need; therefore the proposal is not considered to conflict with this part of the policy.

14.1.10. Criteria (iii) anticipates that the development should be phased over at least a 10 year period. In this regard, implementation and construction of the development to the North of Chickerell has commenced, and while this application is for 328 dwellings on land to the east, full details are only being sought on phase A for 143 dwellings with detailed matters being reserved for phases B and C.

14.1.11. Regarding criteria (ii) (highway improvements), the submitted scheme shows new junctions with School Hill and Chickerell Link road, with a new estate central avenue between the two.

14.1.12. Criteria (iv) (masterplan), requires any application to be accompanied by a formerly agreed masterplan to ensure that a number of principles are met, as set out in the policy. The masterplan submitted was not formerly agreed as per the requirements of the policy, and does not include the portion of land at 20b School Hill, falling within separate ownership. The developer has however engaged with the Council, and shown engagement with the community prior to the submission of an application. Prior to the submission of amended plans, the developer has also engaged with the South West Design Review Panel and engaged in a number of Design Workshops with the Council ahead of submitting the latest masterplan. Further consideration will be given to the acceptability of the masterplan in the remainder of the report, but having regard to the principles set out in Policy CHIC2, the scheme includes a linking route suitable for a bus route, together with pedestrian and cycle links, the scheme is accompanied by a strategic landscape scheme, and includes connecting ecological corridors and a network of open space. The scheme is accompanied by a Drainage Strategy and makes provision for community infrastructure including a local play area and school. Depending on the acceptability of these features, the proposed development largely complies with part (iv) of the policy.

14.1.13. Not only is it important to ensure that masterplans are prepared in conjunction with the council and community to ensure that they respond positively to the needs of the local area, a further benefit of seeking a masterplan for each area is to avoid the development coming forward in a piecemeal manner, and in turn to secure a cohesive development. In this regard, it is regrettable that the masterplan does not incorporate land at 20b School Hill. The omission of land at 20b School Hill has resulted in key infrastructure having to be diverted outside of the allocated site, and without careful consideration at the detailed matters stage, has the potential to present a fragmented scheme. This matter nevertheless has to be weighed against the resulting harm of delaying a key allocated site coming forward. The land at 20b School Hill is a relatively small parcel of land in the wider scheme, and with careful consideration at the detailed matters stage, it is still possible to secure a cohesive development overall.

14.1.14. In light of the above, the principle of development within the allocated site area is established, subject to detailed consideration of the scheme. The proposed development however extends beyond the northern boundary of the allocated site

and outside of the defined development boundary into open countryside where Local Plan Policy SUS2 seeks to strictly control development. This area of land is also designated under Neighbourhood Plan (NP) Policy CNP10 as Land of Local Landscape Importance (LLLI), in recognition that the land comprises a locally valued landscape. Further to this, the southern extent of the site, the area linking the allocated site with the Chickerell Link Road, extends into a Wildlife Corridor, safeguarded by NP Policy CNP4.

14.1.15. Having regard to the above, policy SUS2 sets out a number of uses that may be permitted outside a defined development boundary, and this includes:

14.1.16. *'specific allocations in a development plan document and associated landscape and infrastructure requirements'.*

14.1.17. Since Policy CHIC2 requires the CHIC2 development to provide road connections to School Lane and Chickerell Link Road, the proposed road junctions and associated highway links that are outside the DDB can be considered to be compliant with this exception. The remaining area to the north, in the main, has been retained as public open space in recognition of its sensitive positioning and land designations. Nevertheless, the submitted plans do show a small amount of housing creeping onto land to the north of CHIC2, outside the DDB. This part of the proposal, be it limited, would be contrary to Policy SUS2.

14.1.18. With respect to the LLLI, which crosses the northern and eastern edges of this application, Policy CNP10 states:

14.1.19. *'The area on and below the ridgeline running east-west from Chickerell Hill (north of Courage Way) to Coldharbour (junction with Harbour Hill), as shown on Map 5 as Land of Local Landscape Importance, is a locally valued landscape that should be protected for the following qualities:*

- *long views to the Dorset AONB to the north;*
- *rural setting for Chickerell and Radipole villages and wider rural backdrop to north-west Weymouth;*
- *green wedge between Chickerell and Southill / Radipole; and*
- *part of the north-south wildlife corridor from Radipole Lake SSSI. .*

14.1.20. *Opportunities to enhance the landscape features, biodiversity and informal recreational use of this area will be supported. The impact of any development required for the successful delivery of the new road connecting the Chickerell Link Road with School Hill, should not result in significant damage to the landscape and wildlife corridors that cannot be successfully mitigated'.*

14.1.21. With respect to the Wildlife Corridor, which crosses the southern portion of this application, Policy CNP4 states:

14.1.22. *'The undeveloped Chickerell Wildlife E-W Corridor forms an important network of multifunctional green space capable of delivering a wide range of environmental benefits. Development that would significantly detract from this function will be resisted. The impact of any development required for the delivery of the new road connecting the Chickerell Link Road with School Hill (LP policy CHIC2) should not result in any significant adverse consequences which cannot be successfully mitigated'.*

14.1.23. Both Policies CNP4 and CNP10 recognise the need to deliver the new road as part of the CHIC2 development and state the need to avoid or mitigate significant harm to the Wildlife Corridor and LLLI, inferring some acceptance of infrastructure extending into these protected areas, subject to the harm.

14.1.24. As part of the examination of the Chickerell Town Neighbourhood Plan, the examiner gave careful consideration to whether the proposals in the draft neighbourhood plan would conflict with policies in the adopted local plan, and in

particular, on the successful delivery of development brought forward under the provisions of policy CHIC2.

14.1.25. The examiner was made aware of the current application, and the examiner's attention was brought to three historic masterplans for the areas dating from 2010, 2012 and 2015. To the south these all showed access being taken from Chickerell Link Road. To the north the access arrangements from School Hill varied, but they all showed housing extending further north than the CHIC2 allocation, similar to the current application.

14.1.26. Chickerell Town Council's response to the examiner (23 November 2020) also noted the planning application in question. With respect to any conflict between it and the proposed east-west Wildlife Corridor, the Town Council stated:

14.1.27. *"…CTC is satisfied that the Natural England has been involved in discussions regarding the potential mitigation for both wildlife corridors. …The policy [CNP4] is not intended to frustrate the delivery of this much needed link (which would otherwise increase traffic issues on local roads), but to ensure that its design would ensure it has minimum impact…"*

14.1.28. With respect to any conflict with the LLLI, the Town Council stated:

14.1.29. *"The policy (CNP10) has been drafted in a manner that was meant to provide some leeway if such an encroachment is shown to not impact on that landscape's qualities (i.e. the long views to the Dorset AONB to the north; the rural setting for Chickerell and Radipole villages and wider rural backdrop to north-west Weymouth; the green wedge between Chickerell and Southill / Radipole; and the north-south wildlife corridor from Radipole Lake SSSI). Whilst further study of the planning application is needed, it is considered that the policy should reinforce the need to consider whether suitable landscaping, reduced building heights and minimising light spillage for the qualities for which the LLLI is valued will be sufficient so as to ensure that this valued landscape would not be unduly compromised by such an encroachment".*

14.1.30. The above correspondence between Chickerell Town Council and the neighbourhood plan examiner, suggests that Chickerell Town Council are confident that their designations are not intended to frustrate development coming forward, but rather to ensure that negative impacts are minimised and mitigated through careful design.

14.1.31. In response to the above policy constraints on land to the north, the agent has sought to retain much of the land as open space, seeking to respond to the undeveloped character of the site and respect its value as Land of Local Landscape Importance. Very few dwellings extend into the southern extent of the designated land, beyond the development boundary, and these are provided at a lower density to much of the rest of the site.

14.1.32. Where the units extend beyond the development boundary, there is clearly a policy conflict, and consideration will need to be given in the remainder of the report in terms of the impacts of development on the designated land. In terms of the principle of development, clearly land east of Chickerell is considered to be a sustainable location for new housing, hence the allocation of the remainder of the site within the Local Plan. The site is located on the edge of Chickerell and has good access to the main village via existing footways. Chickerell is regarded as one of the larger settlements within the District with a wide choice of facilities including a shop, village hall, library, chemist, hairdressers, Church, primary school, two public houses and a regular bus service. The site itself is not isolated being adjacent to the existing built-up area of the village, therefore making access to the facilities identified above possible by foot. The development would make a positive contribution to the local economy during construction and would support existing businesses within Chickerell, which are accessible from the site, and would contribute to the vitality

and viability of the village and its facilities. In order to be considered sustainable development, the environmental impacts of the proposal also need to be considered alongside the economic and social aspects of sustainability. These are considered in more detail in the remainder of the report.

14.1.33. National Planning Policy Framework (NPPF)

14.1.34. In the context of the NPPF, at the heart of the Framework is a presumption in favour of sustainable development. For decision making, this means approving development proposals that accord with up-to-date development plans, without delay. The Council has published its five year housing land supply figures, which confirms that the Council are unable to demonstrate a five year housing land supply (the deliverable housing land supply (DHLS) being 2.53 years).

14.1.35. In light of this, the policies for the delivery of housing are consequently considered out of date and as the Neighbourhood Plan does not include housing allocations and is more than 5 years old, in accordance with para 14 of the NPPF, it does not prevent the tilted balance from applying. As such, the presumption in favour of sustainable development applies, as set out at para 11 of the NPPF.

14.1.36. Notwithstanding this, it is relevant that work on the West Dorset Weymouth and Portland Local Plan in 2018, and now the Dorset Council Local Plan, which has culminated in the publication of the Options Consultation in Jan 2021, shows policies SUS2 and CHIC2 renamed DEV7 and CHIC1 respectively, but retained with only minor differences, indicating that the Council continue to consider the policies to be up-to-date. A further Options Consultation in Aug 2025, continues to identify the allocated site East of Chickerell as an opportunity site for housing. The Council's published DHLS includes a contribution of 280 dwellings from the Chickerell Urban Extension East site.

14.1.37. Nonetheless, having regard to the presumption in favour of sustainable development, as per para 11(d) of the NPPF, the overarching aim of Para 11 is to support sustainable development. As such it is important to consider what would constitute sustainable development. Para 8 of the NPPF states that '*achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways'*. These objectives relate to economic, social and environmental considerations. In this case, the proposed development would during its construction have a positive economic impact, and owing to the site's location on the edge of an existing settlement future occupiers could contribute to the viability and prosperity of the town. Having regard to the social dimension of sustainable development the proposal has the potential to reduce the current shortfall in housing, contribute to the provision of affordable housing, and is sited on the edge of a town where occupants would contribute to the vitality of the area. Furthermore, given its location on the edge of an existing settlement, facilities are in reach of future residents and reliance on the car is reduced. In terms of environmental impacts, the site is well located where opportunities for active travel are possible reducing the reliance on the car. Further consideration is given within the report to the environmental impacts of the development. Subject to these impacts, having regard to para 11, the proposed scheme could subsequently be considered to comprise sustainable development. As such, the tilted balance as set out in para 11 of the NPPF is considered to apply. For decision making this means granting planning permission unless that would conflict with specific policies of the framework which indicate that development should be restricted (as set out at para 11(d)(i) of the NPPF), or where doing so would lead to significant and demonstrable harm that outweighs the benefits of the scheme (as set out at para 11(d)(ii) of the NPPF).

14.1.38. When considering impacts of the development, it is important to note that as per para 12 of the NPPF, *"the presumption in favour of sustainable development does*

not change the statutory status of the development plan as the starting point for decision-making". As such policies within the adopted Local Plan unrelated to housing provision, including its environmental policies, can still be given weight in the decision making process.

14.1.39. Policy SG1 (Minerals Safeguarding Area)

14.1.40. Policy SG1 - Mineral Safeguarding Area sets out that the Mineral Planning Authority will resist proposals for non-mineral development within the Mineral Safeguarding Area, as shown on the Policies Map, unless it can be demonstrated that the sterilisation of proven mineral resources will not occur as a result of the development, and that the development would not pose a serious hindrance to future mineral development in the vicinity. Where this cannot be demonstrated, and where there is a clear and demonstrable need for the non-minerals development, prior extraction will be sought where practicable and where it would not leave the site incapable of non-mineral use.

14.1.41. The impact on the delivery of housing and the demand/supply of the material forms a material planning consideration. In this case, the minerals safeguarding area relates to the northern portion of the site (all land north of the watercourse), and the area is safeguarded for building stone. However, having regard to the relatively low levels of demand for this stone together with the unreasonable delay that would occur to the delivery of the development as a consequence of prior extraction of the building stone, and then backfilling/compacting the void in advance of the proposed built development, it is not considered that it would be reasonable to resist the development for this reason alone, with the benefits of the proposal outweighing the impacts relating to the sterilising of the minerals below the site.

14.2. **Public Benefits**

14.2.1. The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / value	Weight to be attributed
Material Planning Considerations		
Affordable housing	35% on site provision equating to approx. 115 affordable dwellings	This should be attributed **substantial** weight in the planning balance in light of no demonstrable 5 year housing land supply.
Open Market Housing	Approx. 213 open market dwellings	This should be attributed **substantial** weight in the planning balance in light of no demonstrable 5 year housing land supply.
Quantum of green space	In excess of 5.3ha of green space	This should be attributed **significant** weight in the planning balance.
Play Areas	The proposed development will bring forward 0.28ha of play space, which shall include two LAP's, a LEAP and informal	This should be attributed **significant** weight in the planning balance.

	play space. To address the shortfall in provision, a financial contribution will be secured towards enhancing facilities at Willowbed Hall and/or provide a skate park within the town.	
Contribution to health care	£722 per dwelling, equating to £236,816, in accordance with the Developer Contributions for NHS Infrastructure report.	**Neutral** weight is given as this contribution addresses the impacts of the development.
Education contribution	Land to be provided for an 2FE primary school, together with a contribution of £1,736.06 per qualifying dwelling (less land value discount of £482,000), plus a contribution towards SEND provision of £1,487.62 per qualifying dwelling, in accordance with DfE 2023 Guidance.	The provision of land for a 2FE primary school is a benefit that should be given **substantial** weight in the planning balance.
Promotion of a bus link and cycling	Provision of a route suitable for a bus, together with £81,675.76 towards bus infrastructure and travel cards This includes: • A total of 4 bus stopes (provided both sides of the road in two locations); • A shelter at the stops closest to the school, and a pole at the phase A stops. These will be fitted with real time technology. • A Sustainable Travel Voucher up to the value of £139 per dwelling, either to be used towards 2 adult bus cards per dwelling or towards cycle equipment. • Updating Walking and Cycling map.	This should be given **significant** weight in the planning balance, in the interests of supporting active travel
Chesil & the Fleet Mitigation	£524.72 per dwelling; £357.77 per flat, in accordance with the Interim Strategy.	**Neutral** weight is given as this contribution addresses the impacts of the development.

Upgrading of footpath links	£20,000 towards the upgrading of footpath S16/23, and £12,000 towards the upgrading of footpath S16/21	This should be given **significant** weight in the planning balance in the interests of increasing pedestrian links both with the existing settlement and wider area, improving connections with Weymouth Town Centre.
Sporting facilities	Contributions of £106,413 towards the upgrading of Weymouth swimming pool, and £22,524 towards upgrading sports pitches and training facilities.	While this contribution addresses the impacts of the development, it facilitates improved facilities within the area which is considered a benefit to which **significant** weight should be given.
Non-Material Planning Considerations		
CIL Contributions	Zero rated	No weight
New Homes Bonus		No weight
Council Tax		No weight

14.3. **Environmental Implications**

14.3.1. The proposed development would give rise to additional CO2 emissions through the construction process, from both the transportation and delivery of materials, site construction workers and the operation of machinery on site, as well as from the activities of future residents post construction.

14.3.2. In order to reduce the environmental impacts of the development the houses would be designed to Part L standards of the Building Regulations requiring high levels of insulation, energy efficient heating systems, natural ventilation and all white goods offered with an energy rating of A+.

14.3.3. In response to the Net Zero, Energy Efficiency and Future Homes Standards, and the Government's 2050 Net Zero targets the submission recognises that homes proposed as part of this scheme will be required to meet these arrangements and will be built with additional thermal energy to the fabric of the building including the roof, walls, floors and windows. Homes will also have increased air tightness and System 3 ventilation.

14.3.4. The Future Homes Standard seeks all new build homes to be future proofed with low carbon heating and world leading levels of efficiency. It will incorporate additional energy saving elements including, for example, replacing gas boilers with electric heating via air source heat pumps, provision of solar panels, advanced glazing and increased building fabric efficiencies. Persimmon is currently developing its Future Home Standard specification to incorporate these elements. With the exception of those properties fronting the central avenue, the majority of the properties would be south facing, or have a south facing roof slope, suitable to support any future solar energy provision.

14.3.5. In line with new Building Regulations Part S, and para 117(e) of the NPPF, all homes with on plot parking will be served with an EV charge point. Under the current scheme no charging points are proposed to be available for public use. Whilst this is regrettable, the challenges associated with adopting EV charging points within the public highway are complex, and until policy is in place to support such provision, it is challenging for developers to provide them in such locations. Nevertheless, the majority of units would have direct access to EV charging points.

14.3.6. Each dwellinghouse would have access to a garden, accessible by a garden gate, and for those without a garage would be provided with a bike storage shed to support cycling as a sustainable means of travel. This is also true for the apartments, which would be provided with bike storage facilities in an accessible location for occupiers. The site itself is well located to facilities such that it is considered a sustainable location for housing and the scheme itself incorporates pedestrian and cycle links together with a route suitable for a bus, promoting use of sustainable modes of transport. Contributions to support the uptake of any future bus service is also to be secured through S106.

14.3.7. The above considerations are supported by Local Plan Policy COM11, ENV13 and Neighbourhood Plan CNP11.

14.3.8. Having regard to the Sustainability Statement and Checklist for Planning Applications Interim Guidance Note Consultation document (April 2023), given the above energy considerations, it is considered that the application broadly complies with the key objectives through reducing energy consumption and carbon emissions through its design and construction.

14.4. **Environmental Statement**

14.4.1. The submitted Environmental Statement (ES) comprises a series of reports, appendices and figures which shall be referred to where relevant to support considerations relating to the impacts of the proposal on the environment. It is considered that the ES adequately address' the environmental impacts of the development on the site.

14.5. **Highways - access, movement and links, parking provision, and highway safety**

14.5.1. Local Plan Policy COM7 and COM9 seek to ensure appropriate parking provision, safe efficient routes and priority to pedestrians. This is supported by para 109-117 of the NPPF which seeks schemes to prioritise pedestrian movement. Inclusive Mobility Guidance provides guidance to ensure that the design of places meets the needs of all abilities.

14.5.2. <u>Highways: Impact on local road network</u>

14.5.3. Critical to the successful delivery of the development is the establishment of an access point and connecting road off Chickerell Link Road and School Hill. Not only is this a policy requirement (LP policy CHIC2), but due to capacity issues at the Glennie Way junction, its establishment at an early stage is pivotal in order to avoid significant impacts resulting from the development on the free flow of traffic within the settlement. As a result, full details are provided for the linking road, and it would be necessary to secure its delivery ahead of more than 100 dwellings being occupied on the site to avoid a negative knock on effect at the Glennie Way junction. This is proposed to be secured through a S106 legal agreement, in line with the advice of the Highway Authority.

14.5.4. Chapter 9 (Transport) of the ES considers highway related impacts resulting from the proposal and incorporates an updated Transport Assessment following updated traffic surveys on critical road links and junctions. The assessment has used baseline traffic conditions and, allowing for committed development, has compared the predicted traffic flows when the development is completed. The junction capacity

modelling demonstrates that the highway network would operate within operational capacity in all forecast traffic scenarios. The ES concludes that any residual negative effects resulting from the proposed development would be negligible whilst there would be positive effects on pedestrians and cyclists through new infrastructure which forms part of the proposed development. Overall, the proposed development is not predicted to result in a significant increase in vehicular trips over the morning and evening peak periods. The Highway Authority considers that the submitted Transport Assessment is satisfactory and robust and that the residual cumulative impact of the development cannot be thought to be "severe" when consideration is given to paragraphs 115 and 116 of the National Planning Policy Framework (NPPF).

14.5.5. Highways: Access to the development site

14.5.6. It has not been possible to secure an access onto School Hill from within the allocated site as a result of landownership issues forcing the linking road to extend outside of the allocated area on land to the north, designated as Land of Local Landscape Importance (LLLI). Though it would have been preferable to secure this important link with School Hill without extending outside of the site allocation, the policies safeguarding this land do not exclude the necessary infrastructure required to support the CHIC2 development, and its connection with School Hill would rather sensibly sit adjacent, in a staggered position, to the School Hill access into the newly developed land forming the northern part of the CHIC2 allocation (Dunster Rise). This junction would be in the form of a simple priority junction. Further consideration is given in the remainder of the report in terms of the landscape impacts associated with this solution, and the policy implications are explored in more detail above. From a highways and master-planning perspective, the sighting of the access onto School Hill is certainly not illogical and would provide the important link required to ensure the development of the allocation as a whole is deliverable. It would also provide a vehicular access into the remaining undeveloped part of the allocated site at land at 20B School Hill. The Highway Authority have been consulted and raise no objection in respect of the location of the access. In terms of its detailed design, additional information has been sought in the form of swept path analysis, and amendment has been sought to provide for cyclists heading from the west (Dunster Rise) east into the site. The Highway Authority are content that these matters could be addressed by way of a condition.

14.5.7. The southern access, which would form the primary access to the site, would adjoin the Chickerell link road (Hampshire Road) in the form of a signalled junction, with a dedicated right turn lane for cars approaching from the east. This would encapsulate upgrades to the existing signal controlled junction onto Hampshire Road, to form a staggered signal controlled crossroads with an additional arm serving the new development. Following advice from Dorset Highways and the Sustainable Transport Team, the junction has been designed as a single phased crossing giving priority to pedestrians and cyclists travelling in a north south direction. The Highways Authority have reviewed the details and consider the junction design to be acceptable in planning terms.

14.5.8. Highways: Movement and connectivity - Central Avenue

14.5.9. Connecting the two accesses is a central avenue shown extending the length of the development north to south. This would extend through the southern wildlife corridor, designated under NP policy CNP4 and the LLLI to the north, designated by NP policy CNP10. As discussed above, these policies specifically note that the development of the connecting link road should not result in any significant adverse impacts which cannot be successfully mitigated, but do not in principle restrict the delivery of the access' and connecting route. The policy basis is considered in more

detail above, with more detailed consideration of the landscape and ecological impacts considered later in the report.

14.5.10. The central avenue would be designed to have a width of 6.7m to cater for a bus route (though the true width shown on the plans seems to fluctuate between approx. 6.7m and 7.3m) and separated by a 2m verge to offer separation between traffic and pedestrians/cyclists, a 3m segregated cycle route and 2m segregated footpath would extend along its length, with the exception of its most northern portion. The surfacing of the roads and pavements would on the whole reflect a typical black bituminous material. Block paved raised tables and, in some places, narrowing to approx. 5.4m at junctions and crossing points are designed to slow traffic down while offering priority to pedestrians and interest at key intersections.

14.5.11. The Highway Authority note that the design of the side road crossings requires further refinement to reflect best practice and advice contained within LTN 1/20 ensuring priority is given to pedestrians and cyclists crossing the side roads. The Highway Authority advise that this could be achieved by adopting Copenhagen style crossings or dropped kerb access (as opposed to raised tables) and that the precise design of these highway features could be secured at condition stage to ensure compliance with best practice. They also note that their placement does not always respond to desire lines, and this should also be reviewed at condition stage.

14.5.12. <u>Highways: Movement and Connectivity - Pedestrians</u>

14.5.13. A particular challenge has been finding opportunities to improve the connectivity of the development with the rest of Chickerell, specifically ensuring future occupiers can access key facilities within the heart of Chickerell, and in turn, ensuring connectivity between existing residents and the proposed development, including the proposed school. Inhibiting this, is a series of ransom strips along the development's boundaries. Consequently, the only vehicular access between the development and Chickerell is via the School Hill access to the north of the site. Pedestrian links have been included where rights of way and/or boundaries allow, and the developer has agreed a commuted sum to support the upgrading of existing rights of way leading into the site both from the east and west. Otherwise, opportunities are unfortunately limited to the detriment of the wider allocation. That said, the development is not devoid of pedestrian links into Chickerell, and the development has been designed to maximise any future opportunities to improve links should the restrictions be overcome in the future, presenting opportunities to create a far more permeable and inclusive development. Seeking connectivity between urban extensions with existing settlements is not an uncommon challenge, and owing to the connecting routes shown, the application cannot be considered to be segregated such that this would be reason to refuse permission on this allocated site.

14.5.14. Aiding connectivity has been the presence of several footpaths which traverse the site. This includes footpaths S16/21 comprising a narrow footway leading into the site from School Hill. Despite being constrained by housing either side and poor surfacing, this is an important link in terms of offering pedestrian access to the heart of Chickerell and its facilities, including the East Street bus stop, playing field, and village centre beyond; and vice versa, from the existing built form, to the school and facilities of the development. The developer has agreed to contribute to the upgrading of this footpath, including its resurfacing where it extends between east Street and the development site, which is considered essential to assist permeability. This path links with footpath S16/22, linking Lower Putton Lane, and provides access across the site to land to the east, extending north of the electrical transmitting station. Footpath S16/23 extends from Lower Putton Lane to the East, south of the electrical transmitting station and north of the golf centre. This also provides an important link towards Southill and beyond. In recognition of the need to

improve links with the rest of Weymouth, a commitment set out in LP policy CHIC2, the developer has agreed to the upgrading of this footpath also, between the development site and its intersection with the unnamed road to the east (providing access to the electricity substation). Further consideration is given within para 14.8.46 of the report to the effects of the development on public rights of way, including rights of way traversing the site and their proposed diversion.

14.5.15. Highways: Movement and Connectivity - Cycle Provision

14.5.16. The linking central avenue has been designed to deliver pedestrian and cycle links, improving access to Granby Industrial Estate, wider Chickerell, and Weymouth town centre. In this regard the proposed cycle route would connect to the established Wessex Route cycleway which connects with the Granby Industrial Estate and provides connectivity between Chickerell and Weymouth town centre via National cycle route 26, which also extends to Dorchester. In close proximity is also the Marsh cycleway connected via the Putton Lane marked cycle route which provides connectivity to Charlestown, including Budmouth Academy, Weymouth Swimming Pool and Weymouth town centre. While minor improvements are recommended to the detailed design it is considered that the development would successfully connect to the existing cycle network and provide good connectivity.

14.5.17. Within the development site, the cycle route is provided in the form of a 3m segregated cycle route, set behind a verge and running adjacent to the central avenue for most of its length. At its most northern part the cycle route extends in the form of a 3m shared cycle/pedestrian route that deviates from the road, with the central avenue offering an alternative cycle option for those preferring to cycle on the road. Attempts to incorporate priority crossings for cyclists at junction crossings dictated by a change in surfacing/colour and levels (provided as a raised table) has been made. The Highway Authority advise that these junctions, as well as the provision for cyclists at the site's northern junction with School Hill, would require amendment to better cater for cyclists, but this could be dealt with by condition, with the principle accepted. Revised plans (submitted Jun 2026) seek to address matters relating to the northern access and the Highway Authority have confirmed that the revised cycle provision at the School Hill junction would, subject to detail, be acceptable.

14.5.18. It is considered that the provision of the north-south cycle route complies with the principles of Local Transport Note (LTN) 1/20 Cycle Infrastructure Design guidance, with segregated provision for cyclists provided in the main (in line with best practice), and where there is shared provision, an alternative route available to offer a choice of routes while maintaining suitable connectivity. Regard has been had to recommended widths as set out in the guidance, together with design principles, and consideration has been given to the population size, likely desire lines, and likely range of users when considering cycle provision within the development. In this regard the north-south cycle link provides good overall connectivity and a safe route to school.

14.5.19. A misgiving with the proposal (Mar 2026) is the lack of a dedicated east-west cycle route linking the development with Putton Lane. Officers are advised that this is due to difficulty with steep levels in this part of the site and the link being 'pinched' between two basins. This is nonetheless a missed opportunity to provide important cycle links between the development and its facilities, namely the school and children's play, and the rest of Chickerell and its facilities. While the Highway Authority have raised no objection having regard to this point, the lack of cycle connectivity east-west weighs against the proposal. However, since raising these concerns, revised plans together with a revised drainage strategy have been submitted (Jun 2026). These plans show the repurposing of the open area east of Lower Putton Lane, and the removal of the basins. Consequently, there is greater

opportunity to incorporate an east-west cycle route, and while the plans have not been updated to include this, the developer is agreeable to providing a cycle route in this location and it is considered that this should form a condition of the consent.

14.5.20. In light of the above, and subject to conditions relating to final design of cycle provision, junction design to ensure priority to pedestrians and cyclists, and the incorporation of an east-west cycle route linking with Lower Putton Lane, the development is considered to be well served by pedestrian and cycle routes and would present a permeable and accessible environment. To enhance use of the site by pedestrians and cyclists, in line with para 111(d) and 117(a) of the NPPF, developer contributions would facilitate updating the interactive Weymouth & Portland Walking and Cycling Map to include the new development so that it can be utilised as part of the active travel plan for the area. Further, each household would be eligible for a sustainable travel voucher that could either be put towards bus tickets or cycle equipment in the interests of supportive active travel at the site.

14.5.21. In addition, each dwellinghouse would have access to a garden and, for those without a garage, would be provided with a bike storage shed to support cycling as a sustainable means of travel. Bike storage is also provided in an accessible location for occupiers of the apartments, in line with para 111(d) of the NPPF. The Design and Access Statement indicates further cycle parking at the two areas identified for play. These facilities are not indicated on the submitted plans, but could form a condition of any consent.

14.5.22. <u>Highways - Movement and Connectivity - Public Transport</u>

14.5.23. Having regard to bus provision, Chickerell is currently served by the No.8 bus route, which runs to the West of the development, and would be accessible to future occupiers via Putton Lane and/or a connecting pedestrian route, proposed to be upgraded as part of the development. The no.8 bus route provides connectivity between Chickerell and Weymouth Town Centre by public transport.

14.5.24. The linking central avenue has been designed to address the policy requirement to be suitable to serve a bus route (with a minimum width of 6.7m) with the provision of 4 bus stops (2 serving northbound buses and 2 serving southbound busses) within the development. No details have been provided to confirm the precise placement of these stops or the design of the stops, despite previous requests for this information. It is expected that two would be provided with a bus shelter, and the other two would be served by a pole; both would have real time technology. The provision of this infrastructure would be secured via a S106 legal agreement, and further detail in respect of their placement and design would be required prior to installation, which could form a condition of the consent.

14.5.25. Following consultation, detailed consideration has been given to the need for a contribution towards First Bus, to enable the introduction of an additional bus into the service to support the extension of the No.8 bus route to include the new development. Having regard to the sum requested by First bus as part of the first round of consultations, of approximately £600,000, consideration has been given to whether such a contribution would be necessary to make the development acceptable, would be directly related to the development, and would be fairly and reasonably related in scale and kind to the development, bearing in mind that policy CHIC2 seeks only to provide a route which is suitable for a bus, and the particular bus operative is not a matter to be determined by the planning system.

14.5.26. Consideration has been given to the harm, and the significance of that harm in the context of a climate emergency, in the event that a bus route is not established within the development. The greatest harm would be to the future occupiers of those units positioned furthest away from an existing bus stop on the outer periphery of the proposed development, where units fall outside of the recommended walking

distance to the existing bus route running along Glennie Way/Putton Lane. The harm is noteworthy owing to both the impact on accessibility, but also the environmental implications.

14.5.27. To better assess the impact, the harm has to be considered in the context of the wider scheme, which, in line with para 109 (e) and 117 (d) of the NPPF focusses on making provision to support walking and cycling. Para 117 (a) seeks schemes to prioritise pedestrian and cycle movement, ahead of seeking to facilitate public transport, with layouts designed, so far as possible, to maximise the catchment area for bus and other transport services. In this regard the proposal as submitted, subject to revisions to ensure routes respond to desire lines, does give priority to pedestrians over other sustainable transport modes, with cycle movement also supported in the scheme. It is regrettable that as a consequence of ransom strips the pedestrian links are not as extensive as hoped and an east-west cycle route has not been secured, but otherwise, the rest of the development would be connected by footways and cycleways to support walking and cycling. In turn, the layout maximises the catchment area for buses by having a portion of the houses within 400 metres of the existing bus route and by ensuring the development is designed to accommodate a bus in the future, with facilities, including bus stops and shelters to support its use as a bus route, agreed to be provided. The proposed development in turn satisfies the requirement of Policy CHIC2 by providing a road suitable for a bus route, facilitating the provision of a bus, if not now, in the future.

14.5.28. The impact of a proportion of the development being outside of the recommended walking distance to a bus stop, when weighed against the other provisions within the scheme to encourage walking, cycling and electric car charging is not considered to be significant to warrant refusal of the application. Owing to the site's location on the edge of an existing settlement with facilities, and the above provisions within the scheme, the development would comprise sustainable development. The provision of a route suitable to accommodate a bus route through the development is considered satisfactory in this case to meet the policy requirements, making provision for a bus route now, or in the future.

14.5.29. In light of the above, the requested contribution by First Bus to cover the purchasing of an additional bus is not considered to meet the NPPF tests. However, in line with para 117 (e) of the NPPF, which seeks appropriate facilities to encourage public transport use, it is considered reasonable that a scheme be developed to support the establishment of a bus route, as advocated by local policy. In this regard, the developer is agreeable to funding a sustainable travel voucher which could be put towards funding a 30 day bus card scheme for future occupiers to encourage the establishment and use of any future bus service. This has been agreed in line with advice by Dorset Travel and the Highways Authority, including the Sustainable Transport Team and is included within the submitted Travel Plan.

14.5.30. The Highways Authority consider the submitted Travel Plan to be acceptable. This includes more detailed monitoring of the Travel Plan.

14.5.31. <u>Highways: Movement and Connectivity - Internal layout</u>

14.5.32. The layout of the wider development site is influenced by a wide range of factors, including the provision of the central avenue, consideration of rights of way, and establishment of key connections and desire lines. Highway related matters, ecological buffers/corridors, landscape and urban design factors, and topography have all played a part in shaping the development. More detailed consideration of non-highway related matters will be given in the remainder of the report.

14.5.33. Focussing on the highway related matters, and turning to the detailed layout of phase A, housing is shown accessed off the central avenue via secondary roads, and in some cases smaller tertiary roads. These three street typologies are identified

within the Design Statement as the ‘central avenue’, ‘traditional streets’, and ‘garden edge drives’. The central avenue is described at para 14.5.8 (above). Formal tree planting is shown incorporated within the road verges either side. The secondary roads, referred to as ‘traditional streets’ would be served by a 2m footway and would in some places include a 2m verge. They would continue to be surfaced in black bituminous material, except for where priority junctions are delineated by a change in surface material and colour. Some tree planting is proposed within verges, and within front/side gardens and between parking where space allows. ‘Garden edge drives’ reflect a tertiary status, more reflective of a private drive. A change in surfacing material/colour of the highway is proposed to delineate a change in character and priority within these streets. These are small intimate roads with no footway, constructed of bound material to reflect a shared surface and less formal space, to serve a small number of dwellings, generally between 5 and 6 residential units.

14.5.34. Parking is provided in a mix of formats including on-plot parking, parking courts, and some on street visitor parking. Where provided on-plot, these would have EV charging points in line with para 117(e) of the NPPF. Providing sufficient parking and having car parking spaces conveniently located to the front door avoids unsociable parking elsewhere. All units would have access to a parking space, 1 space would be allocated to serve 1 bed units, 2 spaces would be allocated for 2 and 3 bed units, and 3 spaces for 4 bed units, together with on-street visitor spaces. In phase A the resulting number of visitor spaces would be 29 (a further 8 visitor spaces are proposed along the central avenue adjacent to phase B, which will be factored in at the reserved matters stage for that phase). This meets the recommended number of visitor spaces required by the Bournemouth, Poole and Dorset Residential Guidelines. The Guidelines recommend, in addition to visitor parking, a number of unallocated parking spaces should be provided, 19 in total. While no additional unallocated parking is proposed, the number of allocated parking spaces provided exceeds that set out within the Guidelines, and overall, the Highway Authority consider that a suitable level of parking is shown, in accordance with the Authority’s guidance and which meets the operational needs of the development. Parking for the school will be considered at the reserved matters stage and is expected to be provided on site.

14.5.35. The Highway Authority consider most of the internal estate roads to meet the requirements of the Council’s ‘Adopted Highways’ policy, and it is accepted that several low order roads and/or footpaths, would not be offered up for adoption. Subject to a few minor amendments that could be dealt with by condition, mainly relating to the provision of footways, particularly across junctions and revision to the cycle way at the northern access (now addressed by the Jun 2026 plans), the Highway Authority raise no objection.

14.5.36. While the parking strategy is effective, and from a highway safety aspect, save for a few minor points raised by the Highway Authority, would be acceptable; the proposed arrangement of parking courtyards presents a number of urban design issues, as do the arrangement and position of on-plot parking. The Crime Prevention Officer likewise makes recommendations regarding parking. As this has not been raised as a highway safety issue, this will be explored further in the Layout/Design section of the report.

14.5.37. <u>Highways: Service Accessibility</u>

14.5.38. The Refuse and Waste Strategy has been developed in line with Dorset Council’s Guidance Notes for Residential Developments on waste storage, collection and management (2022). Gated access has been provided to rear gardens of dwellinghouses, providing space for the storage of bins away from the street frontage. Apartments are served by communal bin stores, accessed via private

parking courts. Details of tracking for the bin lorries has been provided indicating access and turning, and details of bin drag distances has also been provided. The number of cul-de-sac/dead end turnings have also been reduced to improve connectivity, in line with the Guidelines. No objection has been raised by the Dorset Waste Team, and the scheme is considered to take on board the recommendations contained within the Guidance note.

14.5.39. Access for Emergency vehicles including Fire Service vehicles would be provided to within 45m of the entrance of all one and two-storey premises and to within 36m of the entrance of the apartment blocks.

14.5.40. The swept path analysis carried out is suitable to demonstrate that refuse vehicles and fire tenders can access and manoeuvre within the proposed site.

14.5.41. Highways: Construction

14.5.42. The applicant has suggested that the development will take approximately 6 years to complete. The initial construction access would be from the proposed access off School Hill. Following construction of the 100th dwelling, the construction access would then be wholly from the Chickerell Link Road access, requiring the upgraded signals to be provided to facilitate safe use by construction traffic. The Highway Authority advise that a Construction Traffic Management Plan (CEMP) should be secured to address impacts from construction traffic on the local highway network, and this can be secured by condition.

14.5.43. Highways: Highway Drainage

14.5.44. A number of queries have been raised by the Highway Authority in respect of highway drainage. This relates specifically to the proposed changes to the highway drainage basins to the south of the site, currently serving the B3157 (Hampshire Road). Owing to the meandering route of the central avenue between two balancing ponds there has previously been a highway safety concern that if water is not appropriately managed and flooding were to occur at the site entrance, southbound traffic could be affected. On this basis, the Highway Authority have previously recommended refusal.

14.5.45. Additional detail has since been provided regarding the capacity of the resulting basins, providing assurance regarding their ability to effectively manage surface water and avoid potential flooding of the central avenue, addressing the above highway safety concern. In light of the additional information submitted, the Highway Authority have removed their objection and advise that the proposed works to the drainage basins would be acceptable, subject to conditions agreeing the methodology for undertaking these works to ensure appropriate provision for surface water is retained throughout the duration of any works. It is thus recommended that a condition requiring the submission of methodology for pond reconfiguration and works to be carried out in accordance with approved plans should be attached in the granting of any consent.

14.5.46. Highways: Conclusion

14.5.47. Overall, from a highway perspective, the development is considered to respond appropriately to the development brief set out under bullet point 1 of the policy (LP policy CHI2) which states the following:

14.5.48. *‘the development will be focused around a traditional street with frontage development connecting from the Chickerell Link Road to School Hill, and from School Hill to Chickerell Hill. The street should be able to accommodate a bus route. The development should also provide improved pedestrian /cycle links to Weymouth Town Centre and surrounding area’.*

14.5.49. The Highway Authority have considered the application and consider the proposed works to be acceptable having regard to highway safety, and raise no objection

subject to minor revisions which can be secured through condition. In light of the above, the proposal is considered to be acceptable having regard to the provisions set out in Local Plan Policy COM7 (Creating a safe & efficient transport network) and COM9 (Parking Provision).

14.6. **Design and Layout - having regard to scale, design, impact on character and appearance**

14.6.1. Design and Layout: Proposal

14.6.2. Phase A is located within the upper portion of the site and relates to the provision of 143 dwellings. Phase B relates to development to the south, situated either side of the central avenue. Phase C relates to development to the east of the site, adjacent to Phase A. Phase B and C are intended to collectively provide 185 dwellings. Areas are provided along the eastern periphery of the site and south of Phase A to accommodate drainage facilities, an area of play and some green space. Another area of open space is provided to the north of phase A, and to the west of the site adjacent to Mariners Way, which is intended to provide further play. Land is set aside for provision of a school located within the middle part of the site, to the west of the central avenue.

14.6.3. The overall layout of the site seeks to broadly deliver the objectives set out in LP policy CHIC2 , but to fully assess whether these ambitions are successfully achieved, detailed consideration is required having regard to adopted policy and National guidance on design. To best set out considerations on this hybrid application, consideration will be given to the outline and detailed elements separately.

14.6.4. Design and Layout: Detailed Phase A

14.6.5. The NPPF is unambiguous in its stance on the importance of design, and this is clearly set out in Para 131:

14.6.6. '*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, creates better places in which to live and work and helps make development acceptable to communities*.'

14.6.7. Para 139 clearly stating that '*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design'*.

14.6.8. The test for development proposals is therefore not whether they avoid bad design, but that they are achieving good design as contained in the National Design Guide and National Model Design Code as well as relevant local and neighbourhood plan policies.

14.6.9. NP policy CNP11 sets out a number of expectations having regard to general design principles. It expects that development should enhance the local landscape character, and demonstrate high quality of design, including details and materials that are sympathetic to the character of the area. This is in line with the expectations within the National Design Guide. In particular, the policy sets out that regard should be given to providing cottage-style properties within the housing mix, with clusters of cottages positioned around informal greens and drives, using a mix of materials, including use of local stone.

14.6.10. To ensure the development achieves this, advice has been provided by Officers, including the Council's Urban Design Officer, and the developer has also put the development before a Design Review Panel, both in 2021 and again in 2025.

14.6.11. Design and Layout: Detailed phase A – Layout, access and movement

14.6.12. Phase A relates to development to the west of the central avenue, with secondary and tertiary streets leading off, a cycle route running north-south, and pedestrian routes running east-west as well as north-south through the development, including an off-road pedestrian route running along the western boundary. Areas of open space, which seeks to accommodate drainage basins, space for play and footways is incorporated within phase A.

14.6.13. The National Design Guide provides advice on the various characteristics (there are ten in total) that help influence and establish the character of well designed places. A key characteristic, amongst others, identified within the National Design Guide that influences character is 'movement' having regard to ensuring developments are accessible and easy to move around. The National Design Guide provides the following advice:

14.6.14. '*A well-designed movement network defines a clear pattern of streets that: are safe and accessible for all, function efficiently to get everyone around, takes account of the diverse needs of all its potential users and provides a genuine choice of sustainable transport modes by limiting the impacts of car use by prioritising and encouraging walking, cycling and public transport, mitigating impacts and identifying opportunities to improve air quality; promotes activity and social interaction, contributing to health, well-being, accessibility and inclusion; and incorporates green infrastructure, including street trees to soften the impact of car parking, help improve air quality and contribute to biodiversity'*.

14.6.15. The submitted layout (Mar 2026) seeks to respond to Officer advice and comments from Design South West. Both in their 2021 and 2025 comments Design South West raised concern that the overall layout was heavily influenced by the linear vehicular linking street running north-south, and failed to respond appropriately to, and take opportunity to enhance, the walkable and cyclable east-west connections to the historic village centre. The panel recommended that emphasising and embracing these connections could offer opportunities to provide important nodal points within the development which could improve legibility and define the heart or centre of the new neighbourhood from which activities can radiate off. It was also advised that greater connections within internal roads could be made to avoid turning heads.

14.6.16. In terms of the linking road, advice by Design South West, and supported by Officers, has been to better integrate the central avenue within the development using junctions and/or flat tables to assist in slowing traffic while offering spaces where buildings can be grouped to add variety and placemaking, pedestrian crossings points can be prioritised easing movement and connectivity, and nodal points or activity hubs within the development can be formed. This approach is likely to assist in the creation of a 'street' as opposed to a 'link road', which is an important consideration given the CHIC2 policy requirement to create a 'traditional street' through the development. Also influencing the latest (Mar 2026) iteration of the scheme is the topography of the site. Managing the significant level changes on site has presented technical and design challenges for the developer, having regard to resulting impacts on accessibility of streets and properties, amenity, and placemaking, which have been a concern for Officers. Design South West consider that there are opportunities to respond more favourably to landscape and topography which will enhance the identity of the development. The latest iteration of the scheme seeks to manage topographical changes within plots, and to work with the contours running east-west to minimise impacts at street level. This has been a significant influence on layout. Careful balancing of topographical constraints has enabled the number of cul-de-sac/dead-end streets to be reduced, resulting in a better connected and permeable development, with pedestrian connectivity maintained throughout. In response to comments from Design South West the connecting north-south road has been moderately realigned, with the most significant change to the north, where it has been more centrally aligned to run

through a northern block of development and green corridor, before returning to its previously shown route to the east of phase A in its southern part.

14.6.17. The central avenue nonetheless remains a continuous route, and though the provision of raised tables at junctions and at crossing points, occasional narrowing, and realignment of the route offers an attempt to address the points raised by Design South West, the central avenue would arguably act more as a 'link road' than a street. It does not significantly deviate or meander through the development to create small incidental 'squares' celebrating east-west connections framed by active frontages or landscaping, as envisaged by Design South West.

14.6.18. Where the central avenue does meander through the development to the north, development would not front the street to provide active frontages or particularly contribute to placemaking, with property boundaries instead framing the road. The above noted, it is acknowledged that the orientation of properties is in part a consequence of seeking to manage levels outside of the street scene, with alternative iterations where streets with frontage development running north-south presented significant issues in terms of the accessibility of properties and the effects of retaining structures within the street scene. It is also acknowledged that properties within this northern block do celebrate the surrounding green spaces and have a positive outlook in line with the notion within NP policy CNP11, and with appropriate tree planting, the relatively short stretch of boundary edges along the central avenue could be softened. Overall, the treatment of the central avenue, particularly in its northern part, is disappointing, but this needs to be weighed in the balance having regard to the significant topographical challenges of developing this site.

14.6.19. Further south within the scheme development would front the western edge of the central avenue offering an active frontage along one side of the route. Raised tables are proposed at crossing points to respond to north-south and east-west links, while slowing traffic and seeking to prioritise pedestrian movement. From an urban design perspective, it is questionable whether these would be successful in achieving incidental spaces that contribute to a sense of place, and they are not always positioned to respond to desire lines for people wishing to access areas of play, open space, and public rights of way further threatening their success. The use of raised tables, which are required to be lit throughout the night, in locations which intersect wildlife corridors presents further issues from a biodiversity perspective. These will be discussed within the remainder of the report, but the Urban Design Officer advises that the use of raised tables is an overly engineered response to creating 'place'. The Urban Design Officer advices that narrowing the highway and changing its surface so there is a visual continuation of footpaths would reflect a place-based response to creating variation along the central avenue and contributing to a more pedestrian and green infrastructure focussed design. The Highway Authority have confirmed that other highway solutions exist to enable the slowing of traffic and prioritising of pedestrians and cyclists. It is therefore recommended that the design of highway features and traffic calming measures, including their placement which should respond to a clear and legible connectivity plan, is revised to avoid the number of raised tables currently proposed and to provide a less engineered approach to creating 'place' along the central avenue. The developer has committed to working with the Urban Design Officer and Highways Team to find a more suitable approach and it is considered that these amendments could be dealt with by condition.

14.6.20. The cycle route on the whole is a segregated route which maintains the route of the linking road, with the exception of its northern deviation where a shared pedestrian cycle route is shown. This provides a safe cycle route through the development and cycle storage is also proposed to be provided with each dwelling, encouraging active travel. As previously set out, the lack of a dedicated east-west cycle route linking the development with Lower Putton Lane and the rest of Chickerell is regrettable and

fails to respond to advice provided by Design South West who recommended enhancing east-west connections for pedestrians and cyclists. Para 117 (a) of the NPPF expects applications to give priority to pedestrians and cyclists, and the lack of an east-west cycle route would be a missed opportunity. Though wider footpaths are shown east-west, these paths are not ideal for cyclists due to their widths and potential for conflict. It is therefore considered that as part of any consent, a condition requiring an east-west cycle link between the central avenue and Lower Putton Lane should be secured, and the developer has agreed to addressing this through condition.

14.6.21. The latest iteration does well to respond to east-west pedestrian links, and to some extent responds to desire lines. There are some exceptions to this, though minor amendments to footpaths and the placement of crossing points in line with a legible connectivity plan could address this and it is recommended that this is secured through condition. A pedestrian link is also provided along the western boundary of the site to provide an off-road route. This could be a positive feature, and while it would need to be sensitively lit owing to its position within the wildlife corridor, it has the potential to offer an alternative route to and from school. There are a number of instances however where the route of this footway runs along the rear boundaries of gardens. Concerns have been raised, that lack of surveillance, embankment feature of unknown height, and the width of corridor (7m at its narrowest) coupled with close boarded fencing of rear boundaries could result in a route that is compromised. In response to Officer concerns, amended plans, alongside additional details in the form of sections (submitted Jun 2026) have been submitted. All timber boundary treatments facing the public realm have been omitted and replaced with brick boundary walls with native shrub planting against them to avoid poorly maintained boundaries fronting the footpath link and a soft edge. Section details provided indicate that embankments adjacent to the footpath link would not be significant (ranging from approx. less than 1m to 2.45m in places) and owing to sufficient width between the footway and nearest boundary (on the whole 2m or more), the embankments would grade away from the footpath, and would not significantly enclose it. The revised plans/additional details offer reassurance that the footway could operate as a pleasant alternative route through the development. Surveillance remains limited in parts which is regrettable, though this only relates to relatively short sections of the footpath, and increased openings shown within the apartment blocks would assist with surveillance. It will be important to condition details of levels as part of any consent. The revised (Jun 2026) plans also extend the footpath, where it previously ended at unit 19, to instead continue to connect with the wider footpaths running through the northern part of the site following natural desire lines. Overall, the revisions/additional details indicate that the western footpath link could present as a positive element of the scheme, and while surveillance of the footpath could ideally be increased, it is not considered to be so compromised to warrant refusal, particularly given other alternative north-south routes exist.

14.6.22. In concurrence with the Highway Authority advice, the Urban Design Officer notes that the intersection of cycle path, street and footpath at units 21-22 is awkward, stating that it is unclear who has priority and creates small left-over spaces. It is considered that this would need to be addressed by condition.

14.6.23. The use of retaining structures to the rear of properties to manage level changes within the site means that properties are proposed at street level, avoiding the high number of stepped entrances previously shown and avoiding significant level changes within garden spaces, which is considered to present a more accessible scheme having regard to Inclusive Mobility Guidance.

14.6.24. All dwellinghouses would have access to a garden, accessible from the street to assist in servicing bins/bicycles. The Crime Prevention Design Advisor makes a number of recommendations regarding the design of garden gates providing rear

access. Gates providing side access to rear gardens or yards should be of robust construction and match the height of the adjoining boundary treatment, with a minimum height of 1.8m. They should be capable of being securely locked, with key-operated access from both sides, in keeping with secure-by-design principles. It is considered that these recommendations can be secured through condition.

14.6.25. Owing to the level changes and use of retaining structures between rear properties and parking courtyards the previous scheme presented restricted access and poor connectivity between private rear gardens/property frontages and location of their parking in numerous places. Introduction of on street parking, and ensuring parking courtyards are well connected and overlooked was a recommendation of Design South West, as well as the need to celebrate pedestrian corridors and connections to Chickerell. It is considered that the current scheme generally overcomes previous issues with regards to connectivity between properties and parking. Parking is provided on the whole within easy access of units, either in front or to the side of dwellinghouses, or within a conveniently located courtyard. Where there was exception to this (plot 22) revised plans (Jun 2026) have been submitted which address this.

14.6.26. A range of parking solutions is proposed, with parking provided to the side of properties, front of properties and within parking courtyards. Where provided to the side of a property, parking is on the whole in close proximity but frequently laid out in a tandem arrangement, which can be less convenient for occupiers and can give way to unsociable parking. Though to some extent tandem parking can reduce the dominance of the car within the street scene, tucking the second car behind the dwellinghouse while keeping it close, however where parking sits uncomfortably tight against the pavement and/or side elevations this can have a detrimental impact on the visual quality of the street scene. The Urban Design Officer raises this as a continued concern and advises that '*where in plot spaces break the building line cars will be more visible in the street … where possible they should be set back behind the building line or framed by robust planting so that cars do not dominate the street*'. Revised plans submitted Jun 2026 shows on the whole increased space between parking and the edge of the pavement in an effort to address these concerns and avoid conflict between parked cars and the pavement. Ornamental planting to the fronts of plots would also assist to break up prominence of the car within the street.

14.6.27. In line with advice from Officers and Design South West, space incorporated within the street for parking is provided within this latest iteration which goes some way to offset possible unsociable parking and present increased options for residents and visitors, but it is not always provided in the most suitable and/or convenient locations. Therefore, while provision of on-street parking represents an improvement, the Urban Design Officer advises that it could be placed more conveniently. Otherwise, its provision is a positive revision to the scheme and street parking is on the whole broken up with landscaping which assists its integration in the street scene.

14.6.28. Where frontage parking is provided, these dominate the street scene due to lack of tree planting to break up the impact of parked cars. To alleviate this issues, revised plans (Jun 20206) have been submitted which shows additional street trees provided to break up parking within the street, with frontage parking on the whole broken up every four to five spaces with tree planting, with the exception of plots 87-89. This is considered an improvement to the scheme and to a large extent addresses the Urban Design Officer's concerns.

14.6.29. Amendments have been made in the Mar 2026 plans to reduce the number and size of rear parking courts. In terms of courtyards serving dwellinghouses, these have been reduced to three instances within phase A, and in each case would only serve

four dwellings. This represents a significant improvement on previous schemes, however these have not been wholly successful as spaces are relatively poorly surveyed. The Urban Design Officer advises that in one instance, the provision of an additional footpath link from the wider public realm which coupled with the lack of surveillance could increase the risk of crime and anti-social behaviour. The Crime Prevention Design Advisor likewise offers caution to car parking courtyards where surveillance is more limited. The Urban Design Officer also advises that entrances into courtyards are unnecessarily wide which would have a detrimental impact on the quality of the street scene and create a lack of distinction between public and private spaces. While concerns regarding parking courts remain outstanding, revised plans (Jun 2026) show the entrances into courtyards narrowed in an effort to improve the street scene. It is recommended that if permission is granted, this should be subject to a condition requiring an additional side facing window on plots 46 and 115 to improve surveillance of the courtyard.

14.6.30. Design and Layout: Detailed phase A – House design

14.6.31. Having considered matters relating to movement, another characteristic identified within the National Design Guide that influences character is 'built form' having regard to establishing a coherent pattern of development. This includes having regard to the height of buildings and the consistency of the building line in relation to the street itself, and the sense of enclosure that results; ensuring frontage development to provide interest, overlooking and active frontages; and careful consideration regarding the placement of taller buildings having regard to their relationship to context and impact on local character.

14.6.32. The submitted scheme (Mar 2026), showed dwellinghouses comprising on the whole 2 storey units with some 2 ½ and 3 storey units provided within the lower (southern) portion of Phase A. In line with officer advice, and advice from Design South West, split level properties which did not respond well to the street scene have been removed from the scheme.

14.6.33. The Mar 2026 plans indicated properties predominantly built using one roofing material (slate effect), and of 1 of 2 bricks, with some occasional render and stone facing, and use of weatherboarding or tile cladding. While improvements have been made to house types through the introduction of cills and headers and the occasional chimney (offering a more 'cottage style' property), the overall approach to architecture is simple with limited architectural detailing. Despite advice, chimneys are not always traditionally placed on the ends of units, affecting their ability to reflect a traditional feature, and the proposed use of tile and weatherboarding, materials that are not distinctive within the locality (red brick, stone and render tend to dominate), reduce the schemes ability to respond to its local context. It should be noted that split material properties are not commonly found in the area. Where different facing materials are used, previous advice to terminate facing materials at the unit edges rather than awkwardly partially wrapping around the unit seems to have been disregarded. These perhaps minor points, collectively reduce the design quality of the scheme and the lack of reference to local context through materials is disappointing, particularly given the advice of Design South West who have advised that the material palette would be a way to connect with and develop the character of the settlement.

14.6.34. To address these concerns, amended plans (Jun 2026) have been provided, amending the material treatment of properties. All hanging tile, a non-traditional material in the area, has been omitted from properties and either replaced with weatherboarding or replaced with render. While split materials are not a characteristic in the area, and this is maintained, the material palette is considered to be more appropriate.

14.6.35. Properties on the whole more cohesively respond to the street than previous iterations, providing a more continuous building line, but the Mar 2026 plans continue to include an inconsistent mix of house types within each street (with differences in height, roof pitch, porch, materials, and design) affecting the way streets and spaces are framed to the detriment of the character of the area. Advice from Design South West is that “in the formation of the blocks and the distribution of housing types it would be good to develop more consistency and repetition to create coherence to the way streets and spaces are framed by buildings”. While the Mar 2026 iteration does rationalise the number of house types and shows improvement in their placement compared to previous iterations, the Urban Design Officer continues to raise concern regarding the consistency and coherence of street formation and how streets are framed by buildings, and it is considered that this is a weakness of the scheme.

14.6.36. By way of an example, where 2 ½ story units are proposed (seen in the Saunton house type), there is continued concern that these would appear unbalanced in their design, with disproportionately high rooves (approx. 10m) and acute roof pitches of 90° compared to other house types (typically 110°). In the Mar 2026 submission, the number of 2 ½ storey properties have been reduced, with the Saunton proposed occupying just 5 plots. This is considered an improvement. The units would nonetheless be positioned within streets of mixed housing types, generally set back behind the building line owing to their front porch design, and would stand between 1.7 and 2m taller than their adjacent units, with a differing pitch, affecting how the units sit alongside each other and appear in the street scene. These concerns have been raised during previous iterations of the scheme, and so it is disappointing to see these continue to be proposed in the Mar 2026 iterations sitting amongst differing house types.

14.6.37. In turn, the number of 3 storey units have been reduced as part of the Mar 2026 scheme. Where these are provided (seen in the Ashdown house type) they are intermixed with other house types, so rather than consistently framing the street, they add further to the mix of house types which differ in their height (with a difference of more than 2.5m between adjacent properties). There is also concern that the Juliet balconies to the front of these properties would not positively contribute to the public realm. These are concerns that have been raised previously. Adding further to the mix is the disparity in the width of properties which range from (discounting the Birkdale and Chiltern house types which are only found at the end of a terrace) approx. 6.5m to 9.4m. The wide distribution of different house types within streets and resultant lack of coherence and rhythm to development fronting the street fails to take on board advice provided by Design South West to the detriment of the scheme and public realm.

14.6.38. In response to the above concerns, amended plans have been submitted (Jun 2026). These directly address concerns regarding the above referred to house types by omitting these (the Saunton and Ashdown) from the scheme and replacing them with more traditional house types. The resulting phase A development would comprise solely 2 storey units (with the exception of a three storey apartment block within the southern extend of phase A). The remaining units would be more akin to ‘cottage style’ properties (although only broadly so) better addressing the expectations of NP policy CNP11, and would sit more coherently next to each other offering more cohesivity and a stronger rhythm of development.

14.6.39. Apartment buildings are proposed in four separate blocks, and are of a similarly simple design. Three out of four of the blocks comprise 2 storey height buildings, with one 3 storey building. Having regard to the Mar 2026 submission, it is noted that the two larger apartment blocks have a single point of access to the rear, accessed via rear parking courts as opposed to from the street; this is a sign of poor design as set out in Building for a Healthy Life. Further, due to overly small windows

resulting in a particularly large void to brick ratio, the apartments do not have an overly domestic feel, they do not offer as much surveillance as they could, and overall they respond poorly to the street, further impacting the built form and placemaking.

14.6.40. In response to these concerns, revised plans (Jun 2026) have been submitted amending the arrangement of apartments. While it has not been possible to reconfigure units 37-42 to enable a front entrance, owing in part due to its position within the site, the remaining three apartment blocks now all include a front entrance such that they would be accessible from the street. Window arrangements have also been revised, enlarging window openings and introducing additional openings where lacking. These revisions would not only benefit light into the internal spaces, but present a more domestic feel to the apartment blocks, and increased surveillance of public spaces.

14.6.41. Revisions have also been made to their appearance, including material treatment and detailing. The previous split material treatment running horizontally through the blocks has been amended, with variation in materials now used to emphasise vertical elements within the building design, and with a simple horizontal brick course in some blocks. Lifting the gable within the two storey units also adds vertical interest. Window heads and cills have been added to rear elevations adding detail to the design. Materials would comprise on the whole a mix of render and weatherboarding. Ornamental hedging defining the rear amenity space and back edge of parking (in places) improves the external areas, and the repositioning of units 63-66 such that it has a better frontage with the street and greater separation from the rear parking spaces will improve the outlook for occupiers and benefit placemaking.

14.6.42. Overall, the proposed amendments to house types presents a significant improvement. The Material palette better responds to materials within the area, and buildings would more cohesively respond to the street, providing a more continuous building line and less variation in height between properties within the same street. This would establish a much stronger rhythm to development. The treatment of apartment blocks and their placement has also improved, though it is considered more could be done to improve their overall appearance and amenity value. House types continue to be relatively simple in their design with limited architectural detailing (though cills and headers do assist), chimneys continue to respond poorly to traditional placement, and split level materials continue to be proposed, which are elements that weaken the schemes response to local context and character. These matters would need to be weighed in the planning balance.

14.6.43. <u>Design and Layout: Detailed phase A – Character and street scene</u>

14.6.44. The importance of ensuring that proposals reflect and reinforce local character and identity, in terms of both landscape and built form, is fundamental in creating a development which integrates positively into its surroundings and is embedded within its local context. NPPF para 135 states that *‘Planning policies and decisions should ensure that developments: are sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change (such as increased densities).’*

14.6.45. Establishing a clear ‘identity’ having regard to creating an attractive and distinctive development is identified as another key characteristic within the National Design Guide that influences character. This depends on development responding to the site’s local ‘context’ and ‘built form’ (other key characteristics), with identity derived from the composition of streets scenes; individual buildings, and their elements; the height, scale and relationship of buildings; views and vistas; the scale and proportions of streets; and hard and soft landscaping, amongst others.

14.6.46. In terms of built form, referencing local context includes street patterns, boundary treatments, set-backs, plot ratios and detailed design features. It is also accepted that there needs to be some flexibility so that layouts and street patterns can prioritise pedestrians and cyclists, minimise the impact of parked cars and make more efficient use of land, while also ensuring that there is space for open spaces, sustainable drainage features, trees and other landscaping.

14.6.47. Advice from Design South West is that "*more consistency in the relationship between building types, street interfaces and street types*" is needed and they reference applying consistency to parking approaches and boundary treatments as an example of reinforcing street typologies and creating well defined edges that are sociable and easy to maintain, as well as applying consistency to materials. They have advised that "*the development of character should be more positively evidenced…. Chickerell has a varied character, but this is not a rational for contributing an undefined character*".

14.6.48. There are 3 character areas identified on the submitted 'character and materials' plan. These relate to units fronting the central avenue (character 1), units fronting green spaces (character 2) and units fronting internal streets (character 3). However, between the proposed character areas there is little variation in terms of building type, building line, architectural style, architectural detailing, boundary treatments, and materials. With few distinctive architectural features between units, character is gained through a variation in materials. However, the parameters defining each character area are applied inconsistently across the three areas such that distinctiveness between the character areas is watered down. For example, character 1 is described as being defined by brick, weatherboarding and render, but there are nonetheless buildings proposed with stone frontages, and in fact only 3 rendered buildings proposed. Character 2 is described as consisting of brick, tile hanging (though this material has since been removed from the scheme (Jun 2026 amendments)) and weatherboarding, but it includes an entire street frontage of stone faced dwellings. In terms of boundary treatments, in character areas 1 and 3 where corner plots are described as being defined by railings, this is not always the case, and character area 2, where boundary treatments are described as comprising post and rail fencing, front boundaries include 1.2m high metal railings. There is subsequently little consistency in the house types, architectural detailing, materials and/or boundary treatments to define three distinct character areas within phase A.

14.6.49. A key characteristic identified within the National Design Guide that influences good design and the 'identity' of places is having an understanding of, and responding well to, 'local context' in terms of layout, form, scale, appearance, details and materials, as well as responding to topography, landscape character, movement and other environmental factors.

14.6.50. Having regard to local context, weatherboard and tile hanging are not commonly found in the area, nor are split material frontages. Amended plans submitted Jun 2026 have since removed hanging tile from the proposals. Roofing materials are more varied within the vicinity too and although grey coloured roofing is more common there are still examples of terracotta roofs. The materials proposed fail to add interest or strengthen the distinction of different character areas. While the formation of blocks and the distribution of housing types is more consistent than previous iterations of the scheme, it is not based on a considered understanding of the local context. Overall, there is limited variation or distinction between character areas and a disconnect with its local context. In this regard, the Urban Design Officer advises as follows:

14.6.51. "…*there should be more consistency and coherence in the way streets and spaces are formed and are framed by buildings. The layout and design should reference more than just local architectural styles and materials. It should also reflect*

relationships between existing buildings and the public realm; how buildings sit together in groups and make streets – how they curve and feel contained by buildings or open up in places to incorporate incidental landscape areas, trees and common boundary treatments. NPPF para 135, National Design Guide C1, I1, West Dorset, Weymouth & Portland Local Plan ENV10".

14.6.52. As a consequence of the limited variation in character areas and the lack of reference to the development of Chickerell, there is concern that the built form would lack the identify and distinctiveness required to create a legible and characterful development that appropriately responds to its local context, where there is far greater variety in built form. While it is recognised that not all development in the area is of high quality there are still significant elements that can inform the scheme so that it better reflects the character of the area.

14.6.53. Some notable improvements have been made to the scheme over time to strengthen the relationship of units with the street. This has included greater consistency in the building line helping to define streets and refinement of the mix of house types proposed. Differences in ridge heights and building spans and the variation in house types, materials, and boundary treatments however continue to challenge cohesiveness. The use of timber fencing and lack of hard boundaries to rear gardens where they face the public realm has been a significant concern as timber fences are often maintained in an ad hoc manner due to different ownership which can negatively impact the street scene. Revised plans (submitted Jun 2026) have addressed this point with the provision of brick boundaries where they front the public realm. The Urban Design Officer advises that the lack of a consistent approach to hard boundary treatments to front gardens, particularly where they front the central avenue, also has the potential to degrade the public realm; where front gardens are left open there can be a lack of definition to plots and there is a risk that the overall quality of the street suffers as individual residents add features to help provide a more private space to the front of dwellings. This is especially likely to be the case along the central avenue which will be a busy, main route through the site and would further impact the street scene. The definition of front gardens through ornamental hedging is however shown on the landscape plans, and therefore while hard boundary treatment could be refined, the gardens would be defined to some extent by hedging.

14.6.54. Both 'identity' and 'context' are two of the 10 characteristics identified in the National Design Code as being essential to create well designed places and these concepts are integral to the 'Building for a Healthy Life', which para 138 and 139 of the NPPF gives weight to. Concerns regarding detailed elements such as placement of chimneys, lack of detailing and use of split level materials weakens the schemes response to local context and with little distinct differentiation in character between areas within phase A this impacts upon identify, legibility and distinctiveness compromising the quality of the scheme. These aspects would need to be weighed in the balance.

14.6.55. <u>Design and Layout: Detailed phase A – Topography</u>

14.6.56. In the latest iteration of the scheme, the number of retaining features within the public realm have been reduced. There continues to be a heavy reliance on retaining features to manage levels, but these are now shown running east-west across the site and positioned to the rear of gardens where properties sit back to back. Managing topographical changes within plots such that they are not visible from frontages aligns with the advice of Design South West (2020). Further detail would be required to understand how these features abut the street. The latest Jun 2026 revisions show them mainly terminating at brick boundary walls such that they would not be discernible from the street, therefore to a large extent retaining structures would be out of the street scene. Properties are proposed at street level,

avoiding the high number of stepped entrances previously shown, and properties would benefit on the whole from level gardens, resulting in improvements to both the street scene, accessibility and amenity. The shift in approach to managing levels on site has improved the relationship between properties and the street.

14.6.57. The consequence of these amendments is that the retaining structures at the rear of gardens are significant in height, ranging from 0.4m to 4.8m at its highest, with a 1.8m timber fence above, resulting in a substantial feature (at its maximum 6.6m in height) and positioned approx. 10m from the rear elevation of properties in some instances. Approx. 28 properties would have a retaining feature over 2m in height (plus a 1.8m fence above) along the northern edge of their garden. This would be an imposing feature at the rear of property gardens which has the potential to impact upon the amenity value of the property and outdoor space. To soften the impact of the proposed retaining features, it is proposed that the retaining features would comprise crib walls, that would gently grade back and be planted up to provide a green backdrop.

14.6.58. Managing levels in this way has had a positive impact on the street scene, accessibility to properties and the functionality of garden spaces serving dwellings, however the provision of such significant retaining features to the rear of dwellings and their potential to impact upon amenity of future occupiers needs to be weighed against these benefits, and the broader benefits of bringing forward development on a steeply sloping site. The impact on the residential amenity of future occupiers is explored further in the report, and is a matter to be weighed in the planning balance.

14.6.59. <u>Design and Layout: Detailed phase A – Open Space and play</u>

14.6.60. As part of Phase A an area of open space would be provided within the northern portion of the site, capitalising on available views from the higher ground designated as Land of Local Landscape Importance and providing a green entrance into the site. A further area of open space, providing opportunities for play is proposed within a pocket of land adjacent to Mariners Way at the western extent of the site and land along the eastern extent of the site. The remaining land in the March 2026 submission, including a portion of land to the East of the Central Avenue a portion of land to the south of Phase A development at the western pedestrian entrance to the site, and the remaining land along the eastern extent of the site has the potential to offer public open space, but was compromised by the number of large engineered drainage basins proposed.

14.6.61. Incorporating drainage basins into the site is challenging owing to the sloping levels at the site. As part of the 2024 submission, a combined approach was taken to managing water, with increased reliance on above ground basins, in response to National Guidance, in combination with a series of linked attenuation tanks and oversized sewers. This in-combination approach was accepted as a sensible compromise between seeking to manage water at surface level where possible, while seeking to increase the developable area of the site and area for public open space. The Mar 2026 submission however moved away from a combined approach and seeks to manage all surface water through above ground drainage basins.

14.6.62. The basins would on the whole be grassed, with some marginal planting at their base and, with the exception of a few basins that would retain a small micropool of water, they would otherwise be dry outside of a design flood event. Owing to their relatively shallow depths and 1:3 slopes, it is not considered that fencing of the features would be necessary in line with the SUDs Manual, however the drainage basins would present significant engineered features within the public open space and would reduce the usable area of open space to the detriment of the recreational and visual amenity of the site.

14.6.63. In particular, two large basins shown on the Mar 2026 plans located at the eastern pedestrian entrance to the site would completely dominate this important focal point within the development. Advice from Design South West was to take opportunity in the layout to embrace east-west as well as north-south links where pedestrian movement would be at its greatest to create multi-functional nodal points within the development. The central area, located north of the school and west of the proposed play and open space, and a gateway location for pedestrians entering the development, should be a prime location to create a space which contributes positively to placemaking and a focal point for activities to radiate form. However the effectiveness of this space in achieving this is lost owing to the space being consumed by two large drainage basins, with a single path running through. These would appear as engineered features with sloping sides and gabions at their bases near the outlet. Being dry and grassed they would offer little in the way of biodiversity benefits, and owing to their engineered design they would not have the appearance of a naturalistic feature within the landscape. Due to being poorly integrated within the layout they would reduce the usable area of open space for informal play, gatherings and social interaction, and the SuDS would fail to meet the expectations set out within the SuDS Manual, National Design Guide and National Standards for SuDS.

14.6.64. The area of open space to the east of the development is proposed for play and includes areas of landscaping, but as shown in the Mar 2026 plans the remaining land is largely dominated again by drainage basins. This space also has the potential to be well used and to provide recreational amenity space, being located adjacent to the school and being well connected with east-west and north-south connectivity. The space is nonetheless compromised by two drainage basins located to the north of this space, which would be dry outside of a flood event with 1:3 slopes, and a further drainage basin located to the south of this space, which would include some micro-pooling offering biodiversity benefits.

14.6.65. Other areas of open space include land to the north of development within phase A, at the entrance to the site on land designated as land of local landscape importance and (LLLI). This area would create a green entrance into the development and would provide opportunity for planting and capitalising on views available from this higher ground.

14.6.66. The Mar 2026 plans also indicate a further area of open space proposed within the outline element of the scheme adjacent to phase B. This is proposed to incorporate a ‘trim trail’ and footpath. However, based on a golf strike assessment commissioned by Persimmon and a submitted ‘golf ball trajectory plan’ submitted Jun 2026, this land falls within an area at risk from ball strike from the adjacent golf course. As such, public access to this land should not be encouraged and the use of this area to deliver open space is not considered appropriate.

14.6.67. Owing to the above, the area of meaningful public open space to be provided as part of the Mar 2026 scheme was considered limited, with much of it compromised either by ball strike or overly engineered drainage basins. It is not considered that all drainage basins have been designed to meet the multifunctional benefits expected by the NPPF and without these benefits, they would unnecessarily negatively impact the value of public open space proposed.

14.6.68. Owing to the steepness of the site and the need to form large embankments to the southern extent of the basins to ensure their effectiveness, together with the need to strike a balance between the developable area and other competing demands upon space, designing naturalistic features that integrate well will the space has been a significant challenge for the developer. The resulting overly engineered approach and large quantum of drainage basins proposed means that they consume much of the open space and do not positively contribute to the development.

14.6.69. While it is accepted that some above ground storage would be beneficial in line with National Guidance and advice, to overcome the issues raised the developer has revisited the drainage strategy to consider whether a combined approach to managing water could enable a reduction in drainage basins, particularly where basins would be seasonally dry and would provide less benefits. In particular, the omission of drainage basins from the open space at the pedestrian gateway to the site, north of the school and adjacent to Lower Putton Lane, and the reduction in drainage basins within the public open space to the east of the central avenue would significantly benefit the scheme such that a combination of below ground storage would be well justified in this case.

14.6.70. Revised plans together with a revised drainage strategy (submitted Jun 2026) shows the removal of four basins and seeks to adopt a combined approach to managing water above and below ground. Water would continue on the whole to be managed through a series of drainage basins running through the site, but where these compromise the open space, water would be managed by a series of underground tanks in these locations. The revised plans show the removal of the two drainage basins within the gateway location east of Lower Putton Lane and the two most northern drainage basins to the north of the public open space located east of the central avenue. The Lead Local Flood Authority have confirmed that the principle of these amendments could be accepted. On this basis, the proposed development would be served by a larger area of open space that has the potential to offer meaningful benefits to the scheme. The larger space could provide for informal play, social interaction and would also enable sufficient space to accommodate an east-west cycle link improving movement and connectivity between the site and existing development. To ensure that the public open space is appropriately managed a financial contribution towards maintenance of this space has been agreed. It is considered that these revisions address the concerns raised regarding open space provision.

14.6.71. The Mar 2026 proposals offered two areas of play, at the western extent of the site, and to the east of the central avenue. In light of the Jun 2026 amendments to the drainage strategy and the opening up of the space to the south of phase A and north of the school, this could provide a more desirable location for equipped play, the same side of the central avenue to the school. Within the area of open space to the east of the central avenue and south of phase C, space is thus provided for naturalistic/informal play. Within the pocket of green space east of Mariners Way the developer proposes for a trim trail. The design of these spaces is considered to follow the general principles of the ‘Advice Note for Practical Design and Management of Greenspace’, in line with the advice of the Environmental Mitigation Delivery Team, but further detail would be required at the condition stage in respect of surfacing of paths, access and crossing points, cycle facilities, benches, signage and other relevant details. In turn, the design of these spaces would need to follow recommendations set out in Secure by Design taking on board the need to ensure appropriate surveillance, effective lighting, access and management arrangements in line with the advice of the Crime Prevention Design Advisor. It is recommended that these details are incorporated into an Open Space management Plan secured by condition.

14.6.72. All spaces would be of sufficient size to provide a Local Area of Play (LAP) and a Local Equipped Area of Play (LEAP) and some informal play. They would be located at nodal points within the development at activity corridors such that they would respond well to desire lines and form an integral part of the open space. All future residents would be within 700m of the play space to the east and west of the central avenue which would each provide approx. 0.11ha of play space; and residents of phase A and C would be within 400m of the play space to the West which would provide approx. 0.06ha, totalling 0.28ha of play space within the development. The

latest guidance indicates play provision for the development should equate to 0.45ha. Broken down this equates to approx. 0.2ha of equipped play (in this case FiT recommend provision in the form of a LAP and LEAP), and 0.25ha of informal play, which can include Multi Use Games Area (MUGA) and skateparks, play trails, sensory routes and other. In terms of play provision, the site would consequently offer a shortfall of approx. 0.17ha of play, with a particular shortfall in an area large enough to support informal play.

14.6.73. Consideration has been given to incorporating informal play, and play for older children, such as a skate park within the development. It is recognised that, while not a policy requirement, the provision of a skate park within Chickerell is strongly desired locally, and this has been highlighted by Chickerell Town Council (CTC) who wish to see this delivered and brought forward on the site. Following withdrawal of the land to the south from the application submission (which previously included provision of a skate park) consideration has been given to whether another suitable location can be found for a skate park within the application site boundaries. While the developer has reviewed a number of alternative sites for the skate park, owing to a lack of detail relating to the skate provision proposed, it has not been possible to rule out concerns relating to alternative siting and potential impacts upon amenity of future occupiers. Following liaison with Environmental Health, the Crime Prevention Officer and Urban Design Officer, the developer has chosen not to provide a skate park as part of the development, but to provide a financial contribution towards such a facility being provided within the locality.

14.6.74. The existing play provision within Chickerell at Willowbed Hall, which includes informal play including a MUGA is within approximately 537m from the development, such that it would be accessible for some but not all. Through liaison with CTC, it is clear that there is a local demand for play to support the increase in population within the town, and this development would increase the use of the existing play facilities at Willowbed Hall. CTC are keen to see a contribution to enhance these facilities in addition to the LAP/LEAP provided on site. Owing to the challenges associated with incorporating informal play such as skate provision and/or a MUGA within the development (having regard to potential siting and potential impacts on housing numbers), it is considered reasonable in this case, that the shortfall in play provision at the site is addressed through a financial contribution to enhance the facilities at Willowbed Hall and/or provide a skate park within the Parish which would support older children which are not catered for within the development.

14.6.75. While the developer has set out intentions for each of the play spaces, the play facilities are to be brought forward by Chickerell Town Council (CTC), and it is considered reasonable to provide flexibility within the S106 legal agreement as to how these spaces are used to address play, with a requirement that two LAPs are provided, together with a LEAP in one location and some informal play in another. Minimum specifications will be set out for the LAP and LEAP in line with FiT Guidelines, and details would first need to be submitted to, and agreed by, the Local Planning Authority. Taking on board advice from the Crime Prevention Design Advisor boundary treatment should be incorporated around equipped play areas to enhance safety. It is recommended that a minimum 1.2m high fence should be provided to help deter casual access, create a defined and secure play environment, and reduce the potential for damage to equipment. To maintain visibility and support natural surveillance, the fencing should consist of open-style materials, such as hooped-top metal railings or similar. In addition, providing a single, clearly defined entry and exit point will assist parents and guardians in supervising children effectively. These specifications can be secured through condition, and in line with advice from the Environmental Mitigation Delivery Team should form part of a comprehensive Play Strategy, developed having regard to ‘Design for Play’ Guidance. Regarding the trim trail, it is understood that a trim trail is already

provided for within the town, so by building in flexibility into the S106, this will allow CTC to ensure play provision provided best serves the community. The contributions towards on-site provision have been based on the West Dorset Planning Obligations SPD tariff which applies to open market units only. It is noteworthy that the removal of the SuDS, and the release of an increased area of open space, does present Chickerell Town Council more opportunities for play in the future, subject to relevant permissions.

14.6.76. Design and Layout: Outline - Phases B and C

14.6.77. Having regard to the outline aspect of the proposal, consideration is given to the principle of new housing in the eastern and southern extents of the site, totalling 185 units. Limited details have been provided in respect of scale, layout, appearance or landscaping as these are reserved matters for subsequent consideration. To assist consideration, an indicative plan showing a possible layout has nonetheless been provided, and this is useful in terms of demonstrating whether the site is capable of accommodating the number of units and infrastructure sought, with this being a key concern in the previous iteration which sought 210 units within these two phases.

14.6.78. Other constraints on phase B development in particular is the adjacent golf course and potential for balls surpassing the boundary. To fully assess the impacts of potential ball strike within the development a ball strike assessment has been submitted. Matters relating to this are considered in more detail in the report, but the potential for ball strike has presented a further constraint on development and influenced the developable area of the southern portion of the site.

14.6.79. Phase B would provide 88 units comprising a mix of dwellinghouses plus a number of apartment blocks and is shown to the south of the proposed school site, with units located either side of the central avenue. The Design and Access Statement envisages a ‘contemporary front garden range’ of housing within this phase. While this is not explicitly clear within the indicative plans, with some properties appearing set back from the street and others fronting on to road edges, matters of detailed design and siting can be reviewed at the reserved matters stage to ensure development positively defines streets and spaces with consistent plot patterns and frontages to establishing a strong sense of character. The indicative plan shows a single cul-de-sac to the north of the housing block and the remaining housing accessed via an interconnecting street to the west of the central avenue. Due to differences in levels, retaining structures are shown at the rear gardens of properties to manage levels at the site away from the street scene. Along the central avenue, properties would on the whole front the main thoroughfare, with development to the east following the length of the avenue. This is in part to keep properties outside of areas at risk from potential ball strike from the adjacent golf club to the east.

14.6.80. Along the western edge of the site a swale would offer a way of managing water above ground, which has the potential to contribute positively to the character of the site. This would feed into drainage basins to the south of phase B, west of the central avenue. Along the eastern edge of phase B, an area of open space is proposed with a shallow drainage basin at its northern and southern extent. The most southern basin would include a permanent micro-pool, but otherwise the features would only be seasonally wet. The golf ball trajectory plan shows that the open space indicated on the Mar 2026 plans along the eastern edge of phase B would fall within the golf strike zone. Providing public access in this area would be a concern and revised plans (submitted Jun 2026) removes public access to this area. it is recommended that at the reserved matters stage this green space is planted for biodiversity providing a green link for wildlife along the eastern boundary, with public access discouraged through planting. It is considered that this could be secured through condition, and that subject to a revised drainage scheme and removal of

drainage basins from land north of the school, sufficient public open space would be provided on site to serve the development.

14.6.81. A raised table and visitor parking area is proposed within a central location of phase B along the central avenue to add variation and a break in the street. Careful consideration should be given to the treatment of units framing this area to ensure clear legibility and identity of this space such that it contributes to placemaking. These matters are however for the reserved matters stage. Overall, previous concerns regarding the compact nature of this part of the site are alleviated and it is considered that in principle, the quantum of development shown could be accommodated within phase B with matters of layout, scale, landscaping and appearance reserved for future consideration.

14.6.82. Phase C is shown to the East of the central avenue, adjacent to phase A and would provide 97 units comprising mainly dwellinghouses plus an apartment block. The main part of phase C sits behind north-south and east-west wildlife corridors where units are shown fronting an interconnecting road with incidental squares within. Retaining walls are again used to manage levels across the site and placed at rear gardens. Where these run down the slope, careful management of levels and the effects of these on street frontages would be required. A further pocket of development north of the public open space is proposed as part of phase C, which as currently indicated would accommodate an apartment block. The quantum of development indicated is considered to be acceptable in principle with matters of layout, scale, landscaping and appearance reserved for future consideration.

14.6.83. Based on the indicative drawings, the Urban Design Officer advises that having reviewed the size of the development parcels at Phase B and C, and recognising the constraints of the site having regard to surrounding land uses, the requirements for drainage, landscaping, parking provision, and a balanced mix of dwelling sizes, it would be possible to successfully accommodate 185 units with landscaping across the 2 phases such that the development would meet the NPPF expectations set out under para 135 for achieving well designed places.

14.6.84. <u>Design and Layout: Outline - School Phase</u>

14.6.85. The provision of a school within the development responds to the policy requirements set out within policy CHIC2, and would serve to address capacity issues resulting from the wider allocation and resulting population increase of Chickerell. A review of education capacity is ongoing and will inform how future needs within the settlement are best met in terms of whether the school provides an enlarged replacement, or an additional school alongside the existing Chickerell Primary Academy. In the event of the former scenario, Policy CHIC3 in the Local Plan supports the potential redevelopment of the existing school in the event a new replacement school is provided. In this regard, the allocation of land towards a primary school suitable to accommodate a 2 form entry (FE) school is considered to respond appropriately to future education needs within the locality.

14.6.86. In terms of the siting of the school, this is located within a central location, aiding ease of access from both the proposed development and existing development, with pedestrian links provided directly to the north with Lower Putton Lane. These links are important in terms of providing pedestrian access from the school to the heart of the settlement, as well as providing a link between the two school sites in the absence of a direct vehicular link. An additional off-road pedestrian route is proposed along the western side of the development, in addition to that provided along the central avenue, which provides an alternative off-road link to the school from development to the north of Chickerell. The school is shown accessed directly off the central avenue running through the development, which provides suitable widths to accommodate buses, and provides additional pedestrian and cycle access.

14.6.87. In terms of the positioning of the school on its plot, the indicative layout is led by a number of factors, and responds to the significant variation in levels at the site. The school is currently shown with a single point of access and with the built element positioned to the east of the plot fronting the road, and its playing fields located to the rear. The external Design Review Panel considered that it could be beneficial to orientate the school west, as apposed to east, and this will need to be considered at the detailed design stage. The site levels, security needs and access limitations to the existing built development to the west are limitations that will need to be factored in alongside this, matters which the Crime Prevention Design Advisor notes. For this outline stage, the plans are sufficient in showing that the site is capable of accommodating a 2FE school on the site, which would address pressures in education resulting from the development. The current proposals therefore achieve the policy objectives to provide a school, and this will be secured through legal agreement. The detailed design stage will provide opportunity to further consider how the school can innovatively respond to its setting, levels and site characteristics to promote a positive relationship between the school and surrounding development, natural environment, access and play. At this stage, it is not clear whether the school will be brought forward by Dorset Council or the Department of Education. It is recommended that a condition be placed on the consent seeking a phasing plan for the delivery of the school to ensure that it is provided alongside the development.

14.6.88. Design and Layout: Conclusion

14.6.89. Having regard to the revised plans (submitted Jun 2026) and noting amendments to material treatment (removing non-traditional materials); the rationalising of house types (removing 2 ½ and 3 storey units); positioning of properties; revisions to boundary treatments; the set back to on plot parking; narrowing of parking courtyard entrances; additional street planting/landscaping; improved termination of retaining structures; and the opening up of public open space (enabling and east-west cycle links improving movement improvements) it is considered that the resulting scheme goes some considerable way to improve the built environment. Buildings would more cohesively respond to the street, providing a more continuous building line and with less ad hoc variation in height would establish a stronger rhythm of development within streets. There continues to be concerns regarding detailed elements such as placement of chimneys, lack of detailing and use of split level materials that weaken the schemes response to local context and character. Further, owing to loose application of the parameters defining different character areas, there would be little distinct differentiation in character between areas within phase A. It is nonetheless considered that the revised scheme, despite some misgivings surrounding character, goes some way to meeting the policy objectives set out in policy.

14.6.90. Overall, the proposed revisions go some way to addressing the concerns, but given the high bar set by policy to deliver high quality developments, there are a number of elements that let the scheme down. It is therefore questionable whether the proposal truly meets the ‘high quality’ expectation as set out in Policy ENV12 and NPPF para 135. This is a matter that would need to be weighed in the planning balance.

14.7. **Impact on amenity**

14.7.1. The application site is located adjacent to residential development on its western side, and along its eastern side is bound by a golf course and electricity substation.

14.7.2. LP policy ENV16 confirms that development should be designed to minimise its impact on the amenity of existing neighbours and confirms that proposals will only be permitted provided that they do not have a significant adverse impact on the living conditions of occupiers of residential properties through loss of light, privacy, activity/noise or emissions. LP policy HOUS4 seeks to ensure apartments are provided with sufficient private amenity space.

14.7.3. Residential amenity: Phase A – impacts on existing occupiers

14.7.4. Starting at the northern extent of the site, the development would sit adjacent to the rear boundaries of 20B School Hill and properties along Woodland Way, comprising on the whole 2 storey properties but also some single storey properties. The rear boundary of properties comprises on the whole timber fences but also timber post and wire fencing with the existing field boundary running along the western edge of the site. This field boundary comprises, in places, a raised shallow bund with some 'patchy' sections of hedgerow and a number of trees and shrubs within providing variable levels of screening between existing properties and the application site. Some properties (at the most northern extent) benefit from a green boundary and others (further south) are provided with an open aspect over the application site as the hedge line diminishes. It is proposed that existing hedgerow and trees are retained along this boundary, and that the boundary is enhanced to create a green corridor for biodiversity to include woodland/tree block planting and native scrub planting, with some wildflower planting also proposed. This would create a soft edge to the development and offer occupiers of the existing development a green backdrop. A 10m wildlife buffer is applied along the length of this boundary in the interests of protected species; consequently the built form of the proposed development would be set back from this boundary with a footpath link separating the proposed development from the edge of the development site. While some lighting would be required to light the footpath, this would be in the form of sensitive down-lit lighting in the interests of biodiversity.

14.7.5. The proposed development would sit along existing contours running east-west through Woodland Way and the development site, such that proposed properties would not be sited on significantly higher ground to the existing development, with proposed ridge heights on the whole lower than that of neighbouring two storey dwellings. The greatest impact would be in relation to plots 37-42 and no. 11 and 12 Woodland Way. This is owing to the single storey nature of these existing properties adjacent to a proposed two storey apartment block which would be of greater massing and height compared to the existing bungalows. In this regard there would be a height difference of approx. 4.8m, though this is less a result of ground levels, and more due to the differing heights between properties. While proposed properties adjacent to this boundary would be 2 storey in height, they would be positioned in excess of 13m from the edge of the rear boundary of properties and in excess of 24m from the rear elevation of dwellinghouses. Owing to the set back position of proposed development from the boundary and resulting separation distances between the existing and proposed built form, together with enhanced planting along this boundary, the proposed development is considered to present an acceptable relationship with neighbouring properties such that it would not significantly compromise the light, privacy or general amenity of neighbour occupiers.

14.7.6. As the development extends further south the proposed built form of development moves away from the western boundary to respond to existing hedgerows and desire lines and to form an area of open space adjacent to Mariners Way suitable for play. Properties here do not front or have their main outlook on to the application site but some have secondary windows at first floor allowing a vantage across the fields. Currently, existing timber fenced boundaries to properties bound the area, and shrub and bramble vegetation consumes the parcel of land with a small footway cut through. It is proposed that the area would be cleared of brambles and along the western and southern boundary would be a hedgerow, with native scrub planting and wildflower planting offering a natural green buffer between existing development and the proposed area of play. The area would also include tree planting within, including a feature tree. No details are currently provided in respect of the proposed play facilities for this area, as the Town Council wish to develop these spaces in consultation with their residents. It is recommended that the provision for play is

secured by S106 and that details of play facilities are first submitted to and agreed with the Local Planning Authority in the interests of safeguarding residential amenity. With these provisions in place, the proposed treatment of this area is considered to be appropriate, and responds to significant third party objection to development in this area previously.

14.7.7. Neighbouring occupiers continue to seek a hard boundary in the form of a wall be provided along the western edge of the site between the existing development and the application site. While there is no prospect currently of providing a connecting route into Mariners Way at present owing to ransom strips, such a hard feature would prevent any future opportunities to create pedestrian or cycle links into the existing development which would be a missed opportunity if ever it arose, particularly given the constraints of the adjoining footway. Development should seek to connect and integrate seamlessly into the existing built form as opposed to having hard boundaries built between ‘older’ and ‘newer’ developments. In this case, it is considered that the proposed soft treatment to the boundary would be an acceptable approach, and the lack of built wall would not be reason to refuse the application.

14.7.8. As the development extends southward and eastward it abuts the eastern boundary of properties along Lerrett Close, and the northern boundary of properties along Lower Putton Lane. Here boundaries are variable comprising timber fencing, hedging, post and wire fences and/or low stone boundary walls, all of varying heights. Properties comprise a mix of two storey dwellinghouses, chalet bungalows and single storey properties which currently enjoy an outlook across the open fields. It is proposed that hedging, and some shrub planting, as well as tree planting, would extend along the rear boundary of properties which would provide a consistent soft boundary to the development edge.

14.7.9. Due to the topography of the site, the application site would sit on higher ground to existing properties. Particular regard is given to the relationship between existing and proposed properties where the impact of the development would at its greatest. The proposed development would be set back from neighbouring boundaries with a footpath link continuing to separate the proposed development from the edge of the existing development. In this regard the rear boundaries of plots 83-86 would be set approx. 10m back from the rear boundary of properties along Lorrett Close and approx. 15m from the rear boundaries of Putton Farm Cottages on Lower Putton Lane, with a separation distance of more than 20m between the existing and proposed built form at Lorretts Close and Putton Farm Cottages. Owing to the higher finished floor levels of plots 83-86 compared to the existing development, proposed units would sit at a higher position to properties along Lorretts Close and Putton Farm Cottages with a ridge height of between 3.6m and 4.8m higher than that of existing dwellinghouses. Notwithstanding this, given the significant set back distances and the orientation of the proposed dwellings, it is not considered that the proposed development would unduly dominate or significantly compromise the light, privacy and general amenity of existing occupiers to warrant refusal of the application.

14.7.10. This relationship of proposed properties sitting on higher ground to existing development continues along the length of Lower Putton Lane owing to the topography of the site. The ridge height of plot 87, which is positioned approx. 9.1m from the nearest boundary of properties along Lower Putton Lane would have a ridge height approx. 2.8m higher than the ridge height of no. 8 Putton Lane Cottages. In this instance the difference in ridge height is noteworthy, but less severe and there would be a separation distance of approx. 17.7m between the built form of dwellinghouses such that this relationship would be acceptable.

14.7.11. Differences in ridge height between existing and proposed development increases further along Lower Putton Lane owing to the 1 or 1 ½ storey nature of existing

properties, though properties also sit further back in their plot from the development site. For example, the difference in ridge height between the apartment block (units 96-99) and the chalet bungalow at 18 Putton Lane would be approx. 5.5m. This difference is in part a result of the topography of the site, but also a consequence of 2 storey properties abutting 1 and ½ storey development. The apartment block would be positioned approx. 11m from the boundary of properties at Lower Putton Lane with a separation distance of more than 25m between the built form of development. As the development extends south past Lower Putton Lane, there continues to be a difference in ridge heights given the single storey nature of the bungalow at the corner of Lower Putton Lane. In this regard there is a difference of approx. 4.9m between the ridge height of plot 100 and the bungalow at 17 Lower Putton Lane. Here, plot 100 would be set back approx. 20m for the boundary of no. 17, and would not affect the main outlook of this property. As such, the relationship between properties here is considered to be acceptable.

14.7.12. While there are noteworthy differences in height between proposed dwellings and the existing built form, either resulting from the topographical changes or owing to differences in building heights (and in some places a combination of both), owing to the set back distances of the proposed dwellings, it is not considered that proposed properties would be significantly overbearing in their impact or that they would significantly compromise the light, privacy and general amenity of existing occupiers to warrant refusal of the application. Full details of levels, including sections through the existing development, would be required by condition in the interest of safeguarding the residential amenity of existing occupiers.

14.7.13. <u>Residential amenity: Phase A – impact on future occupiers</u>

14.7.14. Careful consideration has been given to the siting of properties, placement of windows and management of levels on site to avoid overlooking and loss of light. In terms of window placement and positioning of properties, no significant issues are raised, with appropriate boundary treatments providing privacy at ground floor, and properties positioned so as to avoid loss of light or overbearing impacts.

14.7.15. In terms of the nationally described space standards, all properties have access to a separate storage space, accessed from the street making provision for bins/cycles/prams, as well as adequate storage within the properties. Rooms are appropriately sized and meet the necessary widths and floor areas required by the Technical Standards, in accordance with the provisions of Local Plan Policy ENV12. The living space within the one bed dwellinghouse at plot 85, due to its positioning at the end of a terrace, has less restricted openings meaning that the open plan space at the front of the property is well lit, but as it extends to the back of the property it would benefit from less natural light. This property also, while benefiting from a small garden area, would not have direct access to its outdoor space from the property. While these aspects are less ideal, it is not considered that the living conditions would be compromised to such an extent that this would be reason to refuse. Overall, the proposed scheme would provide appropriate living spaces well served by natural light and with an outlook from all habitable spaces, such that the scheme is considered to accord with the provisions set out in Policy ENV16. All dwellinghouses would have access to a garden. Garden sizes range from generous (approx.13.9.m by 15.8m (plot 10)) to small but adequate (approx. 5.5m by 7.8m (plot 43) and 3.6m by 7m (plot 85 and 86), with most gardens sizes falling somewhere within this range. No individual garden space is provided to serve the apartments which is regrettable. The Urban Design Officer recommends that where appropriate to the street scene, apartment blocks could be reorientated to provide ground floor apartments with an area of private amenity space, and that balconies positioned to the rear of apartments could provide an open aspect for upper floor apartments. In this respect LP policy HOUS4 seeks that sufficient private amenity space (it recommends 20% of the site area) is provided to serve flats. It is

regrettable that the scheme does not cater for this. The latest revisions (June 2026) do amend the siting of one block to better respond to the street, providing more space to the rear, and adds ornamental hedging to better define communal green open space, but the revisions do not go so far as to address the Urban Design Officer comments or the requirements of policy HOUS4 in respect of providing individual plots with private amenity space. Accepting that the apartment blocks would on the whole have some limited green space around them and have access to the open space to be provided within the scheme, the impact on future occupiers is lessened; it is nonetheless a matter to be weighed in the planning balance.

14.7.16. Various layouts adopting different approaches to managing levels have been submitted prior to the latest submission which have been fraught with issues. In addition to urban design and placemaking issues, these have frequently led to significant retaining features within close proximity to properties combined with terracing and rollovers within garden spaces making them less usable, substantial stepped entry to access properties, and inconvenient access to parking, to the detriment of the residential amenity of future occupiers. The latest submission seeks to address some of these issues, but in doing so other issues present. The most significant and influential changes includes the reduction in housing numbers, the realignment of the layout to better work with the contours of the site (all retaining features within phase A run along the contours of the site east-west), and the provision of crib walls at the rear of gardens to manage levels outside of the street scene. This has presented a number of benefits in terms of placemaking, as well as amenity benefits in terms of providing more usable garden areas and avoiding uncomfortable retaining features within immediate proximity to properties. The consequence of seeking to manage all level changes at the rear of plots is the resulting height of retaining features proposed, ranging from 0.4m to 4.8m at its highest, far greater than previous iterations. The retaining features would have a 1.8m timber fence above, providing the rear boundary to the properties at the higher level resulting in a substantial feature (at its maximum 6.6m in height) and positioned approx. 10m from the rear elevation of properties. For perspective, this would be approx. 1.2m lower than the eaves height of some properties. While this is the most significant example, consideration has to be given to the effect of this on the amenity of future occupiers, as this would be an imposing feature to have at the rear of your garden. In order to soften the impact of the proposed retaining features, it is proposed that the retaining features would comprise crib walls, that would be planted up to provide a green backdrop. Crib walls comprise a cellular structure, constructed of either timber of concrete, which would gently grade back with the slope away from the property. It is proposed that planting would be incorporated within the cellular structure to soften what would otherwise be a hard boundary. The retaining walls would be sited to the north of properties, so would be unlikely to affect direct sunlight.

14.7.17. Whilst presenting a more usable garden space that would not be compromised by significant terracing, the provision of such significant retaining features to the rear of dwellings is less than ideal and could be overbearing. The retaining wall would certainly present a dominant feature to the rear of properties and would no doubt affect the feel of rear garden spaces by reducing the openness of those spaces, and would also alter the rear outlook from living spaces, negatively impacting upon residential amenity. As to whether such a feature would have a ‘significant’ negative impact on the amenity of future occupiers having regard to Local Plan policy ENV16 is perhaps more difficult to conclude. The retaining walls would be set back from the rear of properties, would grade away, and the design of the crib walling would allow a ‘green wall’ to establish which would go some way to softening the impact. Future occupiers would be fully aware of the presence of the crib wall prior to purchasing and would have the opportunity to review whether its presence would be of concern

to them or not. Occupiers if they so wished could swap the planting for their own and would benefit from a level garden. It is considered that the provision of 1.8m fencing would prevent overlooking and loss of privacy between neighbours. The presence of significant retaining features to the rear of properties certainly weighs against the proposal and will need to be weighed against the benefits of managing levels within plots as opposed to in the public realm. These matters all need to be weighed in the wider planning balance in terms of delivering development on this steeply sloping site.

14.7.18. All properties are proposed to include air source heat pumps. No details of the air source heat pumps have been provided, and it will be necessary to seek details of these prior to their installation to ensure that they meet the Microgeneration Installations Standards: MCS-20 having regard to their sound output. Subject to details of the air source heat pumps first being agreed, taking into account their positioning relative to openings of habitable rooms, and boundary treatments between neighbours, it is not considered that the proposed air source heat pumps would significantly compromise the amenity of future occupiers, having regard to occupiers of the property and neighbouring occupiers.

14.7.19. Amenity: Outline element

14.7.20. Limited detail has been provided relating to detailed layout and design of properties for the outline elements of the scheme. Nonetheless, from the indicative layout, it is considered that the quantum of development proposed would be acceptable and would enable appropriate levels of amenity to be achieved. Further detailed consideration of matters relating to the relationship of properties, windows and so forth is reserved for subsequent consideration.

14.7.21. Having regard to the position of phase B relative to the golf course, it is necessary to consider potential impacts, both in terms of impacts upon the development and future occupiers resulting from potential ball strike from the golf course, and impacts upon the running of the golf course which could be compromised due to a more sensitive use being introduced on the adjoining land thereby increasing safety implications resulting from potential ball strike (the indirect impacts on the golf course is referred to as the agent of change principle). Para 200 of the NPPF highlights this as a material planning consideration.

14.7.22. At the time of allocation and as part of the Local Plan Review, neither the golf course nor Sport England objected to the site being allocated within the Local Plan, and no specific comments were made in relation to the Chickerell allocation within the 2021 consultation review regarding concerns over the relationship of the site with the golf course. However, as part of the current application Sport England has made representation raising concerns regarding the impact of development on the golf course due to risk of ball strike. It is thus appropriate for the developer to consider mitigation measures to protect the development from the impacts of golf strike.

14.7.23. To fully assess the level of risk, two ball strike assessments were submitted in line with the advice from Sport England. The initial golf strike assessment found (taking into account the type of golf course and type of player, together with the format and profile of the course) that there was a ‘significant’ risk of a ball surpassing the boundary. The trajectory suggested balls would be between the height of 4 and 30m (30m max height). It noted that 30m fencing would not stop all golf balls but would significantly reduce their frequency. The second report looked at whether a lower fence of 5 or 10m would be suitable. That report concluded that this would not be a practicable solution to reduce the risk posed by balls surpassing the boundary. The submitted strike assessments seek to take a balanced and proportionate approach to assessing risk. Accepting that all risk can’t be ruled out and accepting there is a risk in everyday activities, the advice looks to reduce risk following good practicable health and safety principles considering likelihood and severity.

14.7.24. In an effort to mitigate the impacts, the developer proposed a 30m high golf net between the development site and golf course, taking on board the recommendations of the golf strike assessment. Following consultation on the revised plans, and through careful consideration of the resulting impacts of such a high fence, the proposed 30m high fencing was considered unacceptable by Officers in terms of the visual amenity, landscape and ecological impacts associated with its provision (these concerns are discussed in greater detail within the consultation replies to those plans).

14.7.25. Following consideration of the strike assessments, the developer was asked to provide a more detailed risk assessment which sought to better quantify the risks to enable further consideration of the issues. A further golf risk assessment was submitted which provided a more detailed review of the likelihood of balls surpassing the boundary at different heights depending upon the angle and speed of the shot. It considers the greatest risk to site boundaries relates to an iron shot on hole 7 and driver shot on hole 8, where the report indicates a risk of the ball surpassing the site boundary.

14.7.26. In respect of an iron shot on hole 7, at a worst case scenario (that is if hit at 135mph and at an angle of 12 degrees) there is a risk of the ball surpassing the boundary at a height of 20m (with no mitigation). The report does not attempt to predict the likelihood of such a strike. The report recommends a fence of up to 16.5m would reduce the risk from ball strike by 20%.

14.7.27. In respect of a driver shot on hole 8, at a worst case scenario (that is if hit at 167mph and at an angle of 11.9 degrees), this shows that there is a risk of the ball surpassing the boundary at a height of approx. 24m (with no mitigation). The report does not attempt to predict the likelihood of such a strike. The report recommends a fence of up to 20.5m would reduce the risk by 20%. The difference in hight to reduce the risk to 40% is not significant.

14.7.28. The latest assessment reveals a 30m high fence would not be required as first predicted, which is welcomed, however Officers continue to share significant concerns surrounding the acceptability of fencing up to 20.5m in height. It is understood that these recommendations are based on worst case scenarios, but taking the median results, it is noted that fencing of a significant height is still recommended to minimise risk. It is also clear from the latest report, that to reduce the height of the fencing to as low as 10m for example, as assessed under Risk Assessment 2 (V3), fencing at this height would only capture a very limited number of strikes.

14.7.29. In an effort to address the issues and in line with Officer advice in the interests of seeking a resolution, the developer has reviewed other potential options such as working with the golf club to reprofile/reorganise tees/holes within the site and/or provide fencing of a reduced height closer to the tees in an effort to mitigate the impacts in a more sensitive manner. It is incumbent on the LPA to seek the most sensitive solution, and having regard to the risk assessment and its recommendations, it was considered reasonable that this be explored as an option. If an appropriate solution could be reached and all parties were willing to sign up to a legal agreement to secure such measures, this could have presented a more sensitive solution, however, no agreement has been reached with the golf course in this respect.

14.7.30. There are a number of competing considerations here, and these include the need for housing delivery and other policy considerations, matters of safety (a material planning consideration), and the impact upon third party land (the agent of change principle). It is not for the planning system to rule out all risk, that would be an impossible task as everyday life carries risk, but safety is a material planning consideration, and it is relevant to consider the level of risk, what measures can be

put in place to moderate that risk, and to weigh up whether matters around safety are significant such that they outweigh housing need in this case.

14.7.31. In the absence of an acceptable solution to mitigate the impacts of golf strike on the development, and in seeking to strike an appropriate balance between managing risk and delivering housing, Officers have advised that careful consideration needs to be given to land use within the area of impact identified within the risk assessment, and any dwellings within the impact zone should be removed.

14.7.32. The later more detailed risk assessment indicates likely impact zones from golf strike and the developer has shown these on a golf ball trajectory plan. This shows that the central avenue and associated pedestrian and cycle routes would fall outside of the area of risk, such that there would be no reasonable grounds to refuse the principle of development, subject to risk being appropriately managed on site. Officers consider that the risk of ball strike from hole 7 would be limited to the area proposed as a drainage basin within the southern extent of phase B. The risk of ball strike from hole 8 would however extend across the area of public open space and proposed trim trail within the eastern extent of phase B as, shown on the indicative plans submitted Mar 2026. It is considered that providing public open space within the area would not be an appropriate way to manage and reduce risk, placing future occupiers at risk from ball strike. To address this it is recommended that the final landscape plans for this area (which fall within the outline element of the scheme) should show this area planted up in a way that discourages public access and which could provide biodiversity benefits. Signage should also be erected to alert passers by of the potential risk. The developer is agreeable to these amendments, and it is recommended that conditions be placed on any consent to require the submission of a golf strike mitigation strategy.

14.7.33. Having given careful consideration to the appropriateness and feasibility of mitigation features at the site taking into account the resultant impacts of such measures, and having carefully reviewed the level of risk and the proposed land use of those areas subject to high levels of risk, it is considered that through revisions within the layout of the scheme, significant risk can be avoided by ensuring public access and housing is kept away from those areas most at risk. While all risk cannot be ruled out, it is considered that the developer has done all they can to reduce and moderate the risk, such that the benefits of progressing the site for development would outweigh the harm, both in terms of safety within the site, and in terms of impacts upon the neighbouring golf course.

14.7.34. <u>Amenity: Whole site – Noise impacts</u>

14.7.35. Chapter 11 of the Environmental Statement reviews the potential effects of noise from surrounding land uses on future occupants together with the effects of the development on surrounding noise-sensitive receptors.

14.7.36. To address noise during construction, in the interests of the amenity of neighbouring residents, the Environmental Statement makes a number of recommendations. These include careful consideration of plant and machinery type, and use of hoardings to minimise noise from construction, together with the adoption of a Construction Environmental Management Plan (CEMP), which would be expected to detail construction hours in respect of noisy activities, require the public display of site contacts, detail waste management plans, and mitigation measures as appropriate. The CEMP should take into account the effects from noise, vibration, odour and dust on the amenity of nearby residents, and in line with the advice of Environmental Protection, should form a condition of any consent. The Environmental Statement concludes that with appropriate mitigation and control measures in place potential noise and vibration effects would be reduced to an acceptable level for residential development.

14.7.37. On the above basis, Environmental Protection raise no objection in this regard, and with a CEMP in place, and bearing in mind the temporary nature of the construction stage, the impacts of construction are considered to be within the acceptable range, and would not be reason to refuse the development.

14.7.38. In terms of the effects from activities arising from other land uses, the site sits adjacent to an existing electricity sub station, with an Open Cycle Gas Turbine (OCGT) to provide supplementary electricity for the grid when needed. It also sits adjacent to a nearby solar farm, and to a committee approved site for a Battery Energy Storage System (BESS). Other noise sources include nearby roads and the proposed school site.

14.7.39. In terms of noise generated by increased traffic on nearby roads, the Environmental Statement considers the impacts of noise would not cause significant adverse impacts. In terms of the nearby solar farm, the Environmental Statement considers the impacts from noise generated by the inverter containers on the proposed development and, following noise monitoring, finds no adverse impacts associated with the operation of the solar farm. These findings are accepted by Environmental Protection who raise no objection in respect of these elements.

14.7.40. Planning permission for a Battery Energy Storage System (application P/FUL/2023/04657) located on land to the north east of the proposed development was granted Jan 2025. Given the approved status of this application, the BESS is a material planning consideration. A noise assessment was prepared to accompany the planning application for the BESS, which considers the potential impacts upon the proposed development. The assessment concluded that the operation of the BESS would not result in a potential for adverse noise impacts within the residential development, subject to mitigation measures. Conditions are attached to the grant of planning permission, specifying numerical limits on BESS noise emissions at that development's site boundary, requiring any mitigation necessary to achieve those limits, and requiring operational noise monitoring tests to confirm that these limits are not being exceeded. Given the measures secured under that consent, it is considered that future occupiers of the proposed development would be appropriately safeguarded from unacceptable levels of noise.

14.7.41. The Environmental Statement provides calculations to support the position that noise from the electricity sub station would be acceptable, and its findings on this specific issue and in relation to current noise sources on this site are accepted.

14.7.42. The above noted, para 200 of the NPPF sets out the importance of ensuring that new development can be integrated effectively with existing businesses and, in this regard, the NPPF is clear that existing businesses and facilities should not have unreasonable restrictions placed upon them as a result of development permitted after they were established (known as the 'agent of change' principle). As set out in Para 009 of Planning Practice Guidance (Noise):

14.7.43. *'….the agent of change will need to take into account not only the current activities that may cause a nuisance, but also those activities that businesses or other facilities are permitted to carry out, even if they are not occurring at the time of the application being made….*'

14.7.44. This important point is considered in detail by Environmental Protection.

14.7.45. The question of whether unforeseen (but legitimate in planning terms) changes could occur at the existing substation under permitted development, but which could present significant additional noise to the proposed new dwellings is considered by Environmental Protection. The applicant's report outlines that in the past an OCGT was legitimately (in planning terms) added to the substation, and this was noisy, and led to complaints from nearby residents. SSE responded to concerns by employing an acoustic consultant and by enclosing the OCGT in an acoustically designed

building. This demonstrates two points, 1) it is thus foreseeable that additional noise generating infrastructure could be introduced at the site, and 2) with appropriate mitigation, the effects of noise from such equipment can be reduced to acceptable levels (confirmed by the Environmental Statement, and informed by a noise assessment).

14.7.46. Environmental Protection have reviewed these matters closely, having regard to the level or risk, ability for the operator to moderate noise, and the effects from the agent of change. Planning guidance clearly conveys the principle that the planning regime should not seek to unnecessarily manage matters that another regime already address'. It is thus relevant to consider the remit of Statutory Nuisance, with the two regimes intersecting over matters such as noise. Environmental Protection advise that whilst the two regimes differ in terms of their legal concepts and point of engagement, their common aim in terms of noise is a material consideration. Environmental Protection advise that under the Statutory Nuisance regime, utility operators will wish to demonstrate that they have exercised 'best practicable means' to avoid causing a nuisance, in order to provide a strong defence to any abatement notice, should one be issued due to a statutory noise nuisance being identified. It is thus in the operator's interests to mitigate the impacts of noise when introducing new equipment, otherwise such measures can be required under the Statutory Nuisance regime. In this respect, it is clearly possible that should an additional OCGT, or other noise emitting equipment, be introduced to the site, that noise can be mitigated to an acceptable level, as this is demonstrated by the presence of the existing OCGT on site, and acoustic reports carried out which indicate acceptable noise levels. The utility operators will wish to use 'best practicable means' to mitigate noise, and if not, such measures could be reasonably legally required. It is thus considered possible for additional equipment required as part of the operation of the substation site to be brought on to the site, and for noise to be appropriately mitigated, with the added safeguard of the statutory nuisance regime if not, to safeguard future occupants. Given the proximity of the site to existing residential areas, the requirement to employ appropriate mitigation when introducing noisy equipment would not be considered to be an unreasonable expectation or restriction on the operator.

14.7.47. Weighing up the matters, and having regard to the 'agent of change' principle, while it is perhaps impossible to rule out all risks of unforeseen noise, when considering the levels of such risk, the significance of the statutory nuisance regime, and the reasonableness to expect mitigation measures to be employed by the operator, on balance, Environmental Protection do not consider it reasonable to require changes to dwellings design, or to refuse the application, having regard to the 'agent of change' principle. It follows, that the proposed development is not considered to place unreasonable restrictions upon the operations of the sub-station, with appropriate acoustic mitigation considered a reasonable consideration for the operator. It is also relevant that no objection has been received from SSE (the current operators) to the latest consultation.

14.7.48. Having regard to cumulative impact on background noise levels, the Environmental Assessment fails to fully consider the possibility that different noise sources might combine to have a greater effect, and there is a lack of explicit clarity in the Noise report about this issue. To better understand the likely cumulative impacts, Environmental Protection have offered comment:

*"Whilst this is of course acoustically quite conceivable, the question is whether such combination effects might be significant. I've looked in careful detail at the locations of the various sources in relation to the proposed dwelling locations and considered this in mathematical acoustic terms. I think in fact that the likelihood that such a phenomenon would be significant here is very low; whilst it would have been useful t*o have greater clarity in the report, that of itself does not merit refusing the

application on this point. Therefore on this specific point I have no adverse comment."

14.7.49. In light of the above, Environmental Protection raise no objection, subject to a suitably worded condition to require a CEMP to address air quality and noise during construction. Owing to noise levels from surrounding uses being assessed as low and within acceptable ranges, it is not considered that the amenity of future occupiers would be significantly affected to warrant either additional mitigation measures on site, or refusal of the scheme. In this regard the application has been reviewed in the context of the National Planning Policy Framework, Planning Practice Guidance (noise), and other relevant nationally recognised acoustic standards / criteria, and the Dorset Council Local Plan Policy ENV16, and it is considered that noise has been satisfactorily addressed when considered in the context of all material considerations.

14.7.50. Amenity: Conclusion

14.7.51. It is not considered that the proposed development would significantly detract from the residential amenity of existing occupiers through loss of light, privacy, noise or general amenity, in accordance with policy LP policy ENV16. The presence of significant retaining features to the rear of properties would however compromise the rear garden space and outlook for future occupiers and this matter will need to be weighed in the balance having regard to the benefits of managing levels within plots as opposed to in the public realm.

14.7.52. Sufficient information has been submitted to demonstrate that the impacts of ball strike would be limited to a small area to the east of the development site such that the principle of development is acceptable and the quantum of housing proposed is considered achievable.

14.7.53. While all risk cannot be ruled out, it is considered that the developer has done all they can to reduce and moderate the risk, such that the benefits of progressing the site for development would outweigh the harm, both in terms of safety within the site, and in terms of impacts upon the neighbouring golf course.

14.7.54. Owing to noise levels from surrounding uses being assessed as low and within acceptable ranges, it is not considered that the amenity of future occupiers would be significantly affected.

14.8. **Impact on the visual amenity of the area/Landscape Impact**

14.8.1. Visual and Landscape Impact: Setting

14.8.2. The application site lies to the east of the built development of Chickerell, within the Weymouth Lowlands National landscape character area and Ridge and Vale local character area. The site falls outside of the designated Dorset National Landscape, but falls within its setting at approx. 700m from its boundary to the west.

14.8.3. The National Parks and Access to the Countryside Act 1949, and the Countryside and Rights of Way Act (CRoW) 2000, sets out the general duty of Local Planning Authorities in relation to AONB's/National Landscapes and para 85 (1) states the following:

14.8.4. In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. This duty applies to designated National Landscapes (former AONBs; the terminology of which is considered interchangeable having regard to local and national policy references).

14.8.5. Policy ENV1 of the WDWP Local Plan seeks to safeguard the natural beauty of the landscape. In this regard, policy ENV1 states the following:

14.8.6. Development which would harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Beauty or Heritage Coast, including its characteristic landscape quality and diversity, uninterrupted panoramic views, individual landmarks, and sense of tranquillity and remoteness, will not be permitted.

14.8.7. The National Planning Policy Framework (NPPF) places great weight on conserving and enhancing landscape and scenic beauty, offering National Landscapes/AONB's the highest status of protection in relation to these issues (para 189 of the NPPF).

14.8.8. The site comprises agricultural land that has been allocated within the Local Plan for development, with the exception of the site's most northern extent which falls outside of the allocation. This most northern extent of land forms part of a large piece of land designated under NP policy CNP10 as Land of Local Landscape Importance (LLLI), in recognition that the land comprises a locally valued landscape. This sits at a high point towards the ridge to the north and provides a vantage point across the lower land to the south, with the remainder of the site sloping steeply down towards a small watercourse before rising and falling again as the site extends south. LP policy ENV3 seeks to safeguard green infrastructure, such as LLLI's from harm.

14.8.9. To review the wider visual impacts related to development of the site, including its impact upon the setting of the National Landscape, an updated Environmental Statement (ES) has been submitted and includes an updated Landscape and Visual Impact Assessment (LVIA). Also included within the ES is an arboricultural assessment, context baseline views and photo views, internal site views, and photomontage viewpoints (dated Oct 2024). While the Landscape Officer has not offered detailed comment within the latest consultation, the Landscape Officer was previously content with the viewpoint photography and the viewpoint coverage within the area, which has been undertaken regarding best practice. The photomontages offer a guide to visual impact but it is understood that these have not been updated to reflect the latest iteration of the scheme, having been prepared in 2024 relating to an earlier revision. These will not therefore represent the additional landscaping proposed nor will they respond to the reduction in storey heights. In this regard the Landscape Officer recognises that the proposed east-west band of planting proposed within phase A would provide a green link running across the development, and would assist in breaking up longer-distance views from the south, for example from Lane House Rocks Road. This will not however be evident in the photomontages. It is also noted that housing has been modelled with the same elevational treatment and roof type, and so does not offer a full representation of the proposed scheme as a result, portraying a uniform treatment across the site. The photomontages therefore need to be treated with caution.

14.8.10. The LVIA, forming part of the ES, nonetheless concludes that the proposed development would not result in significant effects on landscape character, including the Dorset National Landscape. In turn, the LVIA concludes that the proposed development would not result in significant effects on visual amenity at representative viewpoints located in the wider landscape, during any phase of the proposed development. The LVIA concludes that short lengths of existing footpaths which cross the application site would experience a 'major' and 'significant' effects during the construction phase and at year 1. By year 15, the LVIA concludes that the effect would reduce to 'moderate' as the proposed green infrastructure within the application site establishes and matures. No potential significant cumulative effects with other development in the area were found. The Landscape Officer has not raised a principle objection to the development of the site, and the land is allocated for housing within the Local Plan.

14.8.11. The National Landscape Officer is content with the conclusions of the LVIA regarding impact upon the National Landscape and provides the following advice:

14.8.12. *The site is within the setting of Dorset National Landscape, at approximately 755-850m from its boundary. The LVIA concludes that impacts on the defining characteristics of the National Landscape would not be significant during construction, operation and in the long term. Visual effects on users of Public Rights of Way within the National Landscape, including the South Dorset Ridgeway, are also assessed as not significant, owing to intervening topography, vegetation and distance, with the development not breaking the skyline nor altering key panoramic views. It is noted that Footpath S16/37 (Viewpoint11) would experience a moderate effect. This is the most substantial foreseeable effect on the National Landscape, although it is not considered significant given the site's relationship with surrounding built development. Overall, it is our opinion that the proposal is unlikely to result in undue harm to the setting of the Dorset National Landscape.*

14.8.13. Visual and Landscape Impact: Policy considerations

14.8.14. Having regard to the part of the site that is designated LLLI, the policy seeks that the land should be protected for its qualities, including its ability to provide long range views towards the National Landscape to the west; its function to provide a rural setting to the built up development, acting as a 'green wedge'; and its links with the wildlife corridor to the south, safeguarded by NP Policy CNP4. Provision is made for the inclusion of the central avenue and the policy supports opportunities taken to enhance the landscape features, biodiversity and informal recreational use of the land.

14.8.15. Local Plan policies ENV1 (landscape, seascape and sites of geological interest), ENV10 (the landscape and townscape setting) and ENV11 (the pattern of streets and spaces) seek to ensure developments contribute positively to the character of the area, contributing to local identity and distinctiveness, seeks the conservation, retention and enhancement of natural features and that appropriate soft and hard landscaping is secured, and seeks that streets and spaces are well defined, safe and pleasant.

14.8.16. Para 135 (b) and (e) of the NPPF seeks that developments 'are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;' and '*optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks*'. Para 136 states that '*trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible….*'.

14.8.17. Two key characteristics identified within the National Design Guide that influences good design are 'nature' and 'public spaces'. In this regard the Design Guide recognises that nature contributes to the quality of a place and people's quality of life. It recommends that natural features including natural and designed landscapes, high quality public open spaces, street trees, and other trees, grass, planting and water are integrated into development to form well designed places. It recognised that public spaces can take different forms are the setting for most movement. The design of a public space encompasses its setting and integration into the wider network of routes and should incorporate trees and other planting for people to enjoy, whilst also providing shade, and air quality and climate change mitigation.

14.8.18. These objectives are supported by Local Plan policies ENV1 (iii) which requires appropriate measures to be in place to moderate the adverse effects of development on the landscape, ENV10 (iv) which requires the retention and protection of trees,

and policy CHIC2 which requires strategic planting to be carried out in advance of the site being developed … to reduce the impacts of the development on longer views. It states '*This to include a connecting corridor of semi- natural green space along the eastern margin of the allocation and biodiversity enhancement. A network of open green spaces, for amenity /recreation and drainage purposes, should run through the development and link to the open countryside'.*

14.8.19. NP policy CNP11 also sets out a number of expectations having regard to general design principles. It expects that development should enhance the local landscape character, and expects regard to be given to the retention and inclusion of hedgerows, trees, grass verges, informal greens and gardens to promote a generally 'green feel' to streets and spaces within the built-up areas – both through the retention of existing site features and the introduction of new elements.

14.8.20. In line with the provisions of LP policy CHIC2, a strategic landscape masterplan has been submitted. This indicates a connecting ecological corridor and a network of open space together with varying types of soft landscaping. No detailed landscape drawings including planting schedules indicating size and densities of planting have been submitted with the latest submission, though a 'concept on-plot' drawing has been submitted providing an indicative planting palette comprising small-scale trees, specimen shrubs, ornamental hedgerows, and ornamental shrub/herbaceous planting.

14.8.21. To help achieve the policy objectives relating to landscaping, advice has been provided by Officers and Landscape specialist from Design South West. Design South West advised that the layout should be developed to create more multi-functional east-west links across the site to connect the development into the existing settlement as well as the surrounding green assets.

14.8.22. They recommend using the local high point to capitalise on local views and recommend the location and layout of open spaces and landscaping be informed by further examination of local topography. In this regard they advise as follows: '*The gateway to the north can work harder in terms of placemaking and celebrating the topography. Here, the natural high point could be developed as a landscape space e.g. a grove of robust evergreen trees – which could work as a transition to the wider ridgeline beyond the site as well as shelter more vulnerable deciduous natives. There are opportunities to enhance the character of this locally valued area of landscape'*.

14.8.23. Design South West also recommended revisiting the location of community areas and play to ensure that it is strategically placed to optimise movement corridors. In this regard they advise as follows:

14.8.24. '*The parcel of unmanaged land adjacent to Mariners Way, currently proposed for homes, has great potential to provide an area of natural play as well as delivering biodiversity net gain uplift*'; '*We suggested reviewing the location of the proposed village green. There is potential to move this focal point to a more strategic position where pedestrian movement will be at its greatest, en-route to the proposed school, and where it can serve as an asset to both the new and to create a green, pedestrian gateway from the town. Locating the village green at the west end of Lower Putton Lane, would capitalise on a sheltered position within the site'*.

14.8.25. Consideration will be given to matters of visual amenity/landscape impact in two parts, first consideration will be given to the general layout as a whole, and second consideration will be given to the detailed element of the scheme.

14.8.26. <u>Visual and Landscape Impact: Strategic landscaping</u>

14.8.27. As part of Phase A an area of open space would be provided within the northern portion of the site, capitalising on available views from the higher ground designated

as LLLI and providing a green entrance into the site. In this regard, the submitted plans seek to restrict development within this area, save for the central avenue, and to take opportunities to enhance the landscape and ecological value of this area through provision of planting, and to support informal recreational through the provision of footpath links. It is considered that the proposed landscape led approach to this area of LLLI responds appropriately to its valued qualities set out within NP policy CNP10. The footpath links would enable people to pass through the green space and appreciate its elevated position offering vantage points across the development site, and the retention of the area as a green space responds appropriately to its function as a rural backdrop to development in the area. It is considered that the treatment of this local high point largely responds to the advice by Design South West, though views from the high point have not been tested. The Landscape Officer advises that the scattered tree planting within this area would create a green and pleasant space but recommends that more could be done in terms of placemaking in this area in terms of sheltered areas for benches and a recognised viewpoint. It is considered that these features could reasonably be incorporated, and it is recommended that this is addressed through a condition seeking hard landscape details.

14.8.28. Overall, proposed planting within this area, which wraps around and extends along the eastern boundary of the site to connect with the wildlife corridor to the south would enhance the biodiversity and landscape value of the space, and the area would provide a soft green entrance into the development site from Chickerell with two feature trees shown at the entrance of the development. Buildings abutting this area of open space would be two storey in height and while lighting would be required along the central avenue, through minimising the built form in this area, light spillage would be kept to a minimum. Having regard to the requirements of NP policy CNP10, it is considered that the layout of the site takes into account the provisions set out and responds appropriately to the LLLI designation.

14.8.29. A wide east-west green ‘corridor’ (in excess of 30m width in places) is proposed to the south of the most northern block of housing, separating the northern-most development block from the block to the immediate south. This green corridor would accommodate a proposed native species hedgerow which, although segregated by the central avenue, would otherwise extend from the western boundary of the site to an existing hedgerow running along the northern boundary of phase C and connecting with the eastern boundary of the site. The area would provide wildflower meadowed grassland with tree planting, largely comprising a mix of large forest type trees, including Oak, Hornbeam and Field Maple along the edge. The Landscape Officer advises that the tree planting appears somewhat ‘scattered’ in terms of its layout and species selection, comprising a mix of native and ornamental planting, and recommends that the species selection, in particular the two Royal Red trees proposed, is reviewed for this area to ensure that they respond appropriately to the landscape setting while ensuring they support the proposed ecological enhancements across the corridor. The submitted Landscape Plans show a commitment to planting, and revised landscape plans show the removal of the Royal Red from this area and their replacement with Oaks in response to the Landscape Officer’s concerns and in line with advice provided. It is considered that final details of species selection, size and densities could be secured by condition to ensure an appropriate mix of tree planting is provided which addresses concerns raised by the Landscape Officer. Subject to securing any revisions and/or planting schedules, it is considered that this green link would offer pause within the built form and promote a ‘green feel’ to spaces in line with NP policy CNP11 while providing a wildlife corridor in the interests of enhancing biodiversity, in accordance with NP policy CNP12.

14.8.30. A smaller east-west green corridor is provided at the pedestrian entrance to the site from School Hill, running along the line of an existing hedgerow to be retained and

which would connect to the eastern boundary of the site. This hedgerow would be enhanced with woodland planting and native shrub planting and together with a small pocket of green space to the east of Mariners Way would provide a multi-functional green link at this pedestrian entrance, connecting with the settlement to the west and footpath links to the east, while creating a space for people to gather and offering biodiversity benefits through provision of a wildlife corridor. It is considered that this directly takes on board advice by Design South West.

14.8.31. A number of large specimen trees, comprising two Oaks, are proposed within the green space amongst other trees including Field Maple together with woodland planting, native shrub planting and wildflower meadow offering biodiversity benefits and a 'green feel' to the space. This area would enable the retention of existing hedgerows while offering opportunities for play. While tucked away from the main thoroughfare, its location adjacent to an east-west pedestrian link and footpath into the site, and its connection north-south by proposed footpath links offers logic to its placement, and responds to the advice of Design South West. Overall, it is considered that this space responds well to site constraints and would contribute positively to the character of the area. No objection is raised by the Landscape Officer regarding the landscape treatment of this space.

14.8.32. A further east-west green corridor runs to the immediate north of Footpath S16/21, to the south of phase A and phase C development, segregated by the central avenue. This is a substantial area within the development site and a key location for movement and activity, adjacent to the Lower Putton Lane pedestrian entrance, north of the school and providing footpath links to the east of Chickerell. The Landscape Officer notes that the open space within this area would be significantly physically and visually impacted by the dominance of drainage basins and earth embankments.

14.8.33. In response to concerns the developer has submitted revised plans (Jun 2026) together with a revised drainage strategy which would rely on a combined approach to managing water above and below ground. The revised plans show the removal of the two drainage basins within the gateway location south of phase A, to be replaced by underground tanked storage and a small swale running east-west within this space, and to remove the two most northern drainage basins within the public open space located south of phase C and east of the central avenue. It is considered that the revisions would better serve the development with a meaningful public open space, allow for improved movement links, and providing areas which could accommodate more meaningful tree/shrub planting to form an improved natural green link with swale that is integrated with the development and contributes positively to the character of the area. It is considered that such amendments would address the concerns raised by the Landscape Officer and takes on board advice by Design South West, such that the space could offer a high quality and valued community space within the scheme and offer enhanced opportunities for play. Revised plans indicate large specimen trees being incorporated into the area, including Oak, Willow, Beech and Alder, amongst smaller specimens including Hornbeam and Cherry, which would add interest, shade and enhance the quality of the green space. It is recommended that final planting details should be subject to condition to ensure appropriate landscaping and maintained surveillance of the public open spaces. It is recommended that the detailed design of the open spaces forms part of an Open Space Management Plan, secured by condition to ensure accordance with the Advice Note for Practical Design and Management of Greenspace' and in line with Secure by Design Guidance, taking on board the need to ensure appropriate surveillance, effective lighting, appropriate access and the provision of appropriate management arrangements in line with the advice of the Crime Prevention Design Advisor.

14.8.34. The southern entrance to the site will be influenced by the presence of the existing, albeit modified attenuation basins. These relate to basins serving the existing highway. Further attenuation basins are provided on approach to phase B. These will to some extent influence the character of the area, but will sit amongst larger species of trees, including Oak, together with a native woodland mix, native shrubs and marginal planting offering a naturalistic approach to the area. This approach follows the advice of Design South West and the Landscape Officer is supportive of the proposed landscaping at this southern entrance to the site.

14.8.35. Along the western edge of Phase A, and along the eastern edge of the site, north-south green corridors are formed providing connectivity with the east-west wildlife corridors and with the wildlife corridor to the south. These boundaries are on the whole enhanced with woodland planting and native shrubs, with some tree planting. Along the western edge of phase A a footpath link is provided within the green corridor, and the Landscape Officer raises concerns regarding the containment of this footpath link owing in particular to embankments proposed of unknown heights. This matter is considered in more detail at para 14.6.21. Advice is that the footpath link is surfaced in a less formal material such as bound gravel, as opposed to tarmac. It is considered that surfacing materials and treatment of footpaths could be dealt with through an appropriately worded condition.

14.8.36. <u>Visual and Landscape Impact: Street planting</u>

14.8.37. Para 136 makes clear the expectation that new streets should be tree lined, and this is supported by the National Design Guide which highlights their contribution to softening the impact of car parking while benefiting the environment and nature. Tree lined streets, with trees placed within the public realm as opposed to private ownership, is also a green flag within Building for a Healthy Life guidelines.

14.8.38. Turning to the central avenue, planting is shown within the verges either side of the vehicular route where space permits. The approach to planting along this route was reviewed by Design South West. In this respect they advised as follows:

14.8.39. *'The idea of a tree boulevard and use of single trees was discussed in detail, with the suggestion that a more clustered approach to tree planting may be more successful in terms of placemaking and especially given the microclimate. The potential value of copse and clumps of trees to maintain and re-enforce east/west connections (noting on site constraints re utilities and lighting requirements) was highlighted'.*

14.8.40. Notwithstanding the above advice, the approach to planting along the central avenue is to provide formal planting comprising on the whole a single species; field maple. The Landscape Officer advises that this is a medium-large compact tree frequently used for street plantings, and has previously advised that avenue planting comprising a single 'large canopy' species of tree such as the native Lime tree could be acceptable. However, following a design workshop with Design South West, this formal approach to provide 'avenue planting' conflicts with the latest advice provided by Design South West, who recommend a more naturalistic approach. It is considered this more naturalistic approach would provide greater opportunities to overcome constraints resulting from street lighting, allow placement of trees to best respond to ecological corridors and would better respond to the landscape character of the area. Further, reliance on a single species would not aid resilience to drought and/or disease. The Landscape Officer subsequently advises that the tree planting shown along the central avenue would not be appropriate taking on board Design South West's advice. The developer has offered a commitment to reviewing landscape details further and as such it is recommended that any grant of consent be subject to conditions requiring a revised landscape scheme to address treatment of the central avenue. It is recommended that if a formal approach be taken, a single larger specimen tree is used along the avenue, which would present a strong

‘identity and visual coherence; otherwise, it is recommended that a more naturalistic approach be taken to planting along the central avenue to build in resilience and provide a less formal approach.

14.8.41. In terms of on-plot planting, properties along the central avenue would consistently have an ornamental hedgerow at their frontage, often with ornamental shrub planting behind or less frequently ornamental gravel. This is carried through to several streets within the development, but not all, and the Landscape Officer raises concern regarding the subsequent lack of identity and character formed between development blocks as a result of inconsistent application of landscape treatment to plots. Provision of ornamental hedgerows to the fronts of properties is applied consistently within particular streets, but their provision appears to have little corelation between character areas or street typologies. On the whole, it is the connecting streets that appear to have been treated this way, with those streets which terminate with no through access tending to be planted with ornamental shrubs where no frontage parking exists.

14.8.42. Generally, where side boundaries front the street, and where crib walling terminates within the street, tall shrubs are proposed to assist screening and soften hard boundaries. Further details of how the crib walls will terminate within the street scene are sought by the Landscape Officer. Details of this should be agreed and can be dealt with at the condition stage.

14.8.43. Within internal streets, streets on the whole are tree lined, with trees on the whole provided within the public realm, strengthening their presence in the street and reducing risks of inconsistent maintenance by home owners. Street trees tend to be placed within the verges and contribute to breaking up and softening visitor parking within the street.

14.8.44. The developer has shown a commitment to increasing street trees through the submission of a revised planting plan for Phase A. In particular, this shows additional street trees provided to break up parking within the street, with frontage parking on the whole broken up every four to five spaces with tree planting, with the exception of plots 87-89. This is considered an improvement to the scheme.

14.8.45. To better assess the impacts of light spill within the development and to ensure all planting within streets is achievable, details of lighting have been sought. While matters surrounding the position and design of lighting are matters often left to post determination, having details up front would have enabled more detailed assessment of the likely impacts having regard to implications of lighting on both landscaping and ecological matters, and would have helped inform the landscape scheme. Street lighting needs to be provided in line with best practise and columns need to be spaced appropriately to provide appropriate lighting levels. To ensure there is no conflict between lighting columns and the canopy of trees, as well as ecological corridors, it would be necessary to have details of the lighting strategy. Due to this information not having been submitted, it is not possible for the Lighting Team or Landscape Officer to verify whether the Landscape Scheme shown would be achievable. Given the sensitivities of the site having regard to the LLLI and wildlife corridors and to ensure proposed landscaping is achievable, it is considered reasonable that a condition be placed on the consent requiring a full lighting strategy to be submitted, indicating the location of lighting columns relative to ‘dark wildlife corridors’ and mature canopy sizes in the interests of ensuring an appropriate and deliverable landscape scheme is secured, and in the interests of ensuring minimum light spill is achieved within the LLLI and ecological corridors.

14.8.46. <u>Visual and Landscape Impact: Rights of way</u>

14.8.47. In terms of incorporating the rights of way within the development, these would be subject to a rights of way diversion order. From an initial review of the planned

diversion, whilst it has not always been possible to avoid re-directing the footpaths along streets within the development, no footpath has been simply absorbed into estate roads. Footpath S16/21 is currently compromised at its western end by poor surfacing and its funnelled nature running along the backs of rear gardens. On leaving the built development of Chickerell, this footpath is currently predominantly rural in nature, albeit heavily influenced by the built form of the settlement, the electricity generating centre and electrical pylons it passes by. The proposed plans would see the resurfacing and upgrading of this footpath at its western extent. The proposed diversion would see this footpath transitioning from existing built form, into a proposed green link within the development site. It is likely the path would need to be directed along the central avenue, though only for a short stretch. Footpath S16/22 relates to a short connecting footpath between S16/21 and S16/23 which is entirely rural in nature. This route would be diverted around the perimeter of the site within the green wildlife corridor. This route would avoid the estate roads but the nature of the route would alter from running through open fields, to a more constrained footpath running within a green link between the existing and proposed development. Footpath S16/23 is rural in nature, but influenced by the built forms which surround it. This footpath would likewise be directed along a green wedge within the development avoiding estate roads on the whole. The Ramblers Association raise disappointment that the proposed footpath diversions would require walkers using footways alongside estate roads, and in some places cross the 'primary movement route'. While the character of the footways would alter as a result of the development, in terms of the longer footpath routes S16/21 and S16/23 this is only for a relatively short stretch, and by avoiding long stretches of estate roads, the rural nature of the path is not completely lost. Given the requirement for a north-south link it would not be possible for the footpaths to avoid crossing the central avenue, however safe crossing points would be essential to ensure ease of movement along the footpath route. It is considered that minor amendments to the placement of crossing points in line with a legible connectivity plan would be required and it is recommended that this is secured through condition.

14.8.48. The Rights of Way Team raise no objection subject to a condition requiring the submission of a Rights of Way Management Plan that covers the lifetime of the development. This shall include the provision for the design of access and public rights of way routes and their surfacing, widths, gradients, landscaping, and structures; any proposals for diversion and closures of public rights of way and alternative route provision; and should take on board advice contained on the recommended informative listed in their comments. It is considered that such a condition would be reasonable to ensure re-routed public rights of way are provided to an acceptable standard, and it is recommended that flexibility is built in to any such condition to ensure the Rights of Way Management Plan can be amended depending on the outcome of the footpath diversion order. It is recommended that this could be provided in addition to, or combined with, a Public Open Space Management Plan. It is considered that securing these matters through condition would also meet the requirements of the Environmental Mitigation Delivery Team.

14.8.49. In this interests of improving links into the development and in the interest of the amenity and visual experience of footpath users, a contribution of £20,000 is sought towards the upgrading of footpath S16/23 to improve pedestrian links with Weymouth, as sought under policy. This includes provision of two sleeper bridges, surfacing, and vegetation clearance. A contribution of £12,000 is sought towards the upgrading and resurfacing of footpath S16/21 which is currently in poor condition with uneven footing, to improve pedestrian links with the heart of Chickerell. It is considered that these contributions are directly related to the development and respond to requirements by LP policy CHIC2 to improve connectivity.

14.8.50. The Rights of Way Team also seek financial contributions of £45,000 towards the resurfacing of footpath S16/24. This footpath runs along the western perimeter of the site, outside of the application site itself, and is in good condition; it having been resurfaced and lit as part of the adjacent development. Where the route meanders south through the wildlife corridor, the proposed development would see the provision of a segregated cycleway and footway providing north-south connectivity. It is not thus considered reasonable or necessary to collect a financial contribution towards the resurfacing of this footpath link, given appropriate provision is made within the development to improve pedestrian connectivity. The Rights of Way Team also seek £21,560 towards replacing styles with gates, within a 1 mile radius of the site, and upgrading bridges/water crossings within half a mile of the application site. It is not considered that these improvements are directly related to the development, and as such, they do not meet the tests for applying obligations under para 58 of the NPPF.

14.8.51. Visual and Landscape Impact: Conclusion

14.8.52. Overall, the scheme (submitted Mar 2026) offers an improved treatment to landscaping, with a commitment to retain and enhance existing natural features, as per the provisions of LP policy ENV10, and would provide enhanced east-west green corridors and improved better connected green infrastructure. Internal planting, while perhaps ineffective at contributing to the identify of character areas, would offer a ‘green feel’ to streets, with an increased number of street trees incorporated into the layout.

14.8.53. The developer has submitted revised plans (Jun 2026), and has committed to revising the landscape treatment of the central avenue through an appropriately worded landscape condition. Additional landscaping has been provided within plots. Final details of on plot planting is also a matter that can be refined and agreed at condition stage.

14.8.54. Based on the latest revisions it is considered that, in line with policy CHIC2, the scheme would provide a network of green spaces for amenity/recreation and drainage purposes which run through the development and link to the open countryside, while providing a connecting green corridor along the eastern margin. Streets and spaces would generally have natural features incorporated within them in line with the advice within the National Design Guide a ‘green feel’ in line with NP policy CNP11

14.8.55. Subject to a revised landscape scheme to be secured by condition, it is considered that the revised plans appropriately address the key concerns raised by the Landscape Officer. Matters that would need to be conditioned, include details of landforms including heights/profile to ensure these are not excessive; a detailed landscape scheme to include refinement of species and their positioning and a planting schedule to include size and densities; tree pit designs to ensure the effective establishment of landscaping; stock proof fence protection to woodland buffer and native shrub planting within open space areas until established; landscape phasing plan to ensure advanced planting in line with the requirements of policy CHIC2; and detail of how the crib walls will be terminated within the street.

14.8.56. In light of the above, subject to conditions, the revised (Jun 2026) submission is considered to provide for the retention of existing hedgerows and present visually attractive spaces through landscaping, optimise the provision of well planted public open space, and provide tree lined streets to soften the development. The scheme design would safeguard the LLLI to the north of the site from the impacts of development and would not have a significant impact on the setting of the National Landscape. It is thus considered that these latest revisions appropriately address the key concerns raised by the Landscape Officer. Further the proposed development would not have a significant impact on the setting of the National

Landscape. As such, the scheme would be in compliance with LP policies ENV1, ENV3, ENV10, and CHIC2; NP policy CNP10 and CNP11, and NPPF para 189.

14.9. **Affordable housing and Housing mix**

14.9.1. Local Plan Policy HOUS1 and HOUS2 support an appropriate mix of affordable housing and tenure, to be distributed throughout the site. To comply with Policy HOUS1 35% of the accommodation provided should be affordable housing, with any shortfall collected in the form of a financial contribution. Within this provision, 70% of the accommodation should be rented and 30% shared ownership.

14.9.2. The Housing Enabling Team raise no objection, noting a policy compliant 35% affordable housing provision, and a policy compliant tenure mix, with affordable housing well distributed across phase A. Noting comments from CTC it is considered reasonable to include a local clause be applied within the S106 to ensure priority is given first to local residents.

14.9.3. The proposed revisions to house types do not affect affordable housing. Though amendments to the three storey apartment block have resulted in changes to the apartment provision, the net number of 1bed and 2bed units remain unchanged. Essentially, where three 2bed units have become a 1 bed unit, elsewhere three 1 bed units have been revised to provide 2 bed units. It is not therefore considered that the revised plans affect the provision of affordable housing, and the scheme remains compliant with policy HOUS1 and HOUS2 of the adopted Local Plan.

14.10. **Ecology**

14.10.1. <u>Ecology: Policy consideration</u>

14.10.2. The Council has a legal duty to protect, conserve and restore habitat sites, having regard to the Conservation of Habitats and Species Regulations 2017 (the Habitat Regs), and this is supported by policy ENV2 of the Local Plan which seeks to safeguard Internationally designated wildlife sites, including Chesil and the Fleet, and seeks to resist development that would cause unmitigated likely adverse impacts on the site's integrity. In turn, the policy seeks to support proposals that conserve or enhance biodiversity, encourages ecological enhancement and expects opportunities to be taken to improve the wider ecological network, particularly for major developments. The policy seeks adequate provision to be made for the retention or relocation of protected species. NP policy CNP12 seeks that development protects, and where practicable enhances biodiversity, and NP policy CNP4 which relates specifically to the Chickerell wildlife corridor, seeks to avoid development that would significantly detract from its function as a wildlife corridor, noting that the central avenue should not result in significant adverse impacts.

14.10.3. The above aims, having regard to mitigating and enhancing biodiversity on site, are supported by para 187 and 192-195 of the NPPF. Para 195 is noteworthy as it makes clear that the presumption in favour of sustainable development at para 11(d) does not apply where proposals are likely to have a significant effect on a habitats site. In terms of conserving and enhancing the natural environment, para 187 sets out that developments should minimise impacts and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs. Para 193 (a) sets out that '*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'*.

14.10.4. There are therefore two key considerations that need to be considered in respect of ecology; that is the direct impact of the development on species and habitat at the site, and the impact of the development on European Protected sites.

14.10.5. Ecology: Impact on protected species

14.10.6. To assess the impacts upon ecology the Ecology and Nature Conservation Chapter (chapter 7) of the ES substitutes as an Ecological Impact Assessment (EcIA). A Landscape and Ecological Management Plan (LEMP) has also been submitted in support of the application. These document the habitat and species surveys carried out at the site. The surveys confirm bat activity within the area, though found no active roosts within the application site. The survey results indicate use of the site by badgers, but no active badger setts on the site itself, and it is considered that the application site supports a modest assemblage of breeding birds and low populations of reptiles. The presence of potential dormouse nests were also identified within field boundaries. Natural England and the Natural Environment Team advice that in the absence of further dormice surveys, it should be assumed that dormice present on the development site form part of a wider dormouse population that includes occupation of the habitats to the west of Putton Lane. The ES concludes that with the mitigation and enhancement measures proposed, the proposed development would not result in any significant adverse residual impacts on habitat or species, would have an overall positive impact having regard to European protected species/habitat, and would provide a net increase in biodiversity at the site.

14.10.7. Significant concerns have previously been raised regarding the impact of the development on ecology. In particular, due to the proposed central avenue bisecting the existing east-west 'wildlife corridors', together with the lack of arboreal connectivity and lack of large canopy trees at intersections with the central avenue, ecological permeability east-west through the site, for dormice and bats in particular, was poor. Without mitigation, the central avenue has the potential to isolate the woodland and scrub habitats present at Chickerell Downs and the Water Gardens and fragment the local dormouse population. Both bats and dormice would be further impacted by light spill from street lighting and there was also concern that the proposal would result in a significant loss of on-site habitat for dormice. It is considered that past iterations of the scheme have not previously incorporated appropriate biodiversity mitigation to moderate the effects on protected species.

14.10.8. In an effort to mitigate the impacts of the development on protected species and address both Officer's concerns and the comments of Design South West, the revised site layout (Mar 2026 and Jun 2026) seeks to respond to ecological constraints, and facilitates the retention and enhancement of existing hedgerows, with development buffers of approx. 10m around these, and introduces a number of key east-west and north-south green links through the site. A naturalistic approach to the southern wildlife corridor has been taken, in line with advice. These east-west links are in some places of substantial width and have the potential to provide valuable ecological corridors; the difficulty remains at their intersection with the central avenue, which has the potential to impede protected species. NP policy CNP4 specifically seeks to avoid development within the Chickerell wildlife corridor (accepting the central avenue will need to run through) that would significantly detract from its function as a wildlife corridor. It is therefore important that concerns regarding connectivity within the south of the site are carefully considered.

14.10.9. To assist connectivity, the developer proposes the provision of a dormouse bridge within the wildlife corridor to the south. No details of the dormouse bridge have been submitted with the application, so these details would need to be conditioned, and again, concerns are raised by the Natural Environment Team regarding its effectiveness in the absence of lighting details. Natural England are supportive of

the dormouse bridge and advise that there is some useful evidence that these can be effective at maintaining links across routes. The Natural Environment Team advise that to ensure its effectiveness it will be necessary for street lighting along the stretch of the central avenue where the bridge is located to be designed such that light spill onto the bridge is minimised as far as is possible. Accepting that the central avenue will need to meet adoptable standards for street lighting this should be achieved by: requiring lighting columns to be located at the greatest possible distance from the bridge; having street lighting switched off at night; ensuring that the bridge terminates in dense vegetation at each end; and requiring provision of large canopy trees adjacent to the bridge to create a screening effect. Natural England support the advice of the Natural Environment Team, and recommend suitable conditions be placed on any consent to secure the bridge in perpetuity with appropriate provision provided for any necessary repairs and potential replacement.

14.10.10. To improve connectivity for other amphibians and small mammals such as toads, great crested newts and hedgehogs, the developer proposes to provide tunnels under the central avenue. Natural England and the Natural Environment Team are supportive of this, and advise that such tunnels can function for both groups. The developer currently shows these in two locations, but Natural England and the Natural Environment Team recommend a further five be provided along the central avenue, in correlation to east-west/north-south green corridors, to aid connectivity. Subject to this further connectivity for small mammals and amphibians, the Natural Environment Team are satisfied that appropriate mitigation would be in place, including for great crested newts which are known within the area. In turn, it is recommended that mitigation would need to be in place and agreed prior to commencement to safeguard great crested newts during the construction stage.

14.10.11. Other forms of mitigation within the development include the provision of nest boxes within new dwellings. In this regard, bird boxes would be installed at a ratio of 1:1 with dwellings, provided in clusters of 3- 4 as opposed to on each dwelling. Bat boxes are proposed to be erected on retained semi-mature/ mature trees or integrated within new buildings at a ratio of 1:5 with dwellings. Bee bricks and reptile and amphibian hibernacula are also proposed. These would be secured through the provision of a LEMP.

14.10.12. The Natural Environment Team advise that in respect of badgers, a pre-commencement condition requiring that an update survey is undertaken no more than one month prior to any ground works commencing would be required, such that appropriate mitigation can be put in place and a licence sought where necessary ahead of works. This will also be addressed by a suitably worded condition requiring the submission of a CEMP for each phase of the development.

14.10.13. Having regard to the ecological hierarchy, National Planning Policy is clear that priority should be given to avoiding harm, mitigating harm and compensating harm to protected species, in that order. The provision of the central avenue as a connecting north-south route is considered to cause unavoidable harm; without the central avenue the proposed development would fall contrary to policy and would result in a poorly connected development with highway implications to local roads. The north-south linking route is thus considered essential if development is to be successfully brought forward on this allocated site, and in the planning balance, it is accepted that there would be some harm caused in the interests of bringing the site forward. Where harm is unavoidable, it is nonetheless necessary that the development provides appropriate mitigation to minimise and mitigate that harm to protected species.

14.10.14. It is considered that the provision of the dormouse bridge and tunnels at strategic locations, together with the incorporation of wildlife corridors, would be an appropriate mitigation measure to limit the harm to protected species and their

population. As part of the latest revisions (Jun 2026) large canopy trees are indicated either side of the central avenue within the northern wildlife corridor running east-west, which has the potential to further assist with connectivity. The siting of these trees, together with proposed tunnels and the proposed dormouse bridge will however need to be reviewed having regard to the position of lighting columns, a detail currently absent, offering uncertainty regarding their finalised siting and casting doubt over the effectiveness of the east-west corridors if not well planned. However, the plans do show a commitment to providing connectivity across the central avenue where possible. In other locations, large specimen trees do not offer the same provision, and it would be necessary to condition a revised landscape scheme to ensure the appropriate siting of large canopy tress to assist the function of east-west corridors where practicable.

14.10.15. One of the ways to help mitigate the impacts of development will thus be to carefully consider a sensitive lighting scheme adjacent to wildlife corridors and strategically place large canopy trees either side of the road to enable dormice to cross over intersections through the tree canopies. Street lighting is discussed at para 14.8.45 of the report, and owing to the lack of detail provided it is not possible for Officers to make a judgement on the impacts of lighting and tree placement as these will need to be agreed in conjunction with one another to ensure deliverability. The absence of detailed information about lighting is a significant concern for the Natural Environment Team, as it means there is uncertainty about the efficacy of certain key elements of ecological mitigation including the east-west ecological corridors and dormice bridge.

14.10.16. Further, the Street Lighting Team advise that vertical elements within the highway (i.e.. raised tables) would need to be permanently lit throughout the night. Where these are provided at intersections within the wildlife corridor, these threaten the effectiveness of these green links to support the movement of protected species. As a consequence this remains a concern for the Natural Environment Team.

14.10.17. The provision of raised tables are discussed at para 14.6.19 where alternative softer options to manage traffic and provide safe crossings are recommended that do not require installing humps or raised tables. It is considered that by adopting a softer less engineered approach to highway intersections this would offer benefits from a placemaking and ecological perspective. It is therefore recommended that the design of highway features and traffic calming measures are revised to avoid raised tables or other features which would require all night lighting, particularly where these crossing points intersect with wildlife corridors. While revisions to highway features are not shown within the latest set of amended plans (June 2026), the developer has committed to working with Officers to find a more suitable solution and it is considered that these amendments could be dealt with by condition.

14.10.18. <u>Ecology: Biodiversity Net Gain</u>

14.10.19. Having regard to the mandatory requirement to deliver 10% biodiversity net gain (BNG) introduced in 2025; given the submission of the application pre-dates these requirements coming into effect, the mandatory provisions regarding BNG do not apply in this case. In line with policy ENV2 which seeks to encourage opportunities to incorporate and enhance biodiversity in and around developments, and in line with NPPF para 187(d) and 193, schemes should nonetheless secure measurable net gains for biodiversity or enhance public access to nature. Advice from Design South West was to enhance biodiversity and to raise aspirations to deliver 10% biodiversity net gains. They also noted insufficient data to provide meaningful comments on BNG.

14.10.20. To assist in understanding the measurable net gain for the site, a BNG calculation has been provided in respect of the Mar 2026 submission. This sets out that there would be an approx. 8% net gain relating to habitat areas; through the enhancement

to the existing hedgerows and new planting of hedgerows, there would be an approx. 81% biodiversity net gain on site; and in terms of water features, there would be a measurable net gain of approx. 16%. The revised drawings submitted Jun 2026 provide greater areas for planting, and while it would see the loss of four basins, given these would only be seasonally wet, it is expected that the revisions would not significantly compromise net gain on the site. The Natural Environment Team in their latest review of BNG confirmed that they were satisfied that the Biodiversity Metric submitted demonstrates that net gains for biodiversity can be achieved, and raise no objection in this regard. Overall, it is thus considered that the proposed developments would provide a net increase in biodiversity within the application site, and would be in accordance with LP policy ENV2, NP policy CNP12 and para 187 and 193 of the NPPF.

14.10.21. Ecology: European Protected Habitats - Chesil and the Fleet

14.10.22. Chesil Beach and the Fleet is designated as a Special Area of Conservation (SAC), Special Protection Area (SPA) and a Ramsar site in recognition of its exceptional ecological importance. Natural England have advised that development which results in an increase in population within 5km of the Chesil Beach and the Fleet European site may contribute to an unacceptable increase in recreational pressures on the features of the designated area. The proposed development is approximately 1.2km to the northeast of the Chesil and the Fleet European site and will result in an increase in population. Therefore, the proposed development would result in a likely significant effect upon Chesil and the Fleet.

14.10.23. Prior to evidence being gathered and a strategy being adopted to manage the effects of recreational pressure upon the Chesil and the Fleet, an interim strategy has been introduced to temporarily address the effects of recreational pressure. The Interim Strategy provides a mechanism for collecting financial contributions from new development and using them to deliver a package of mitigation measures to ensure that an adverse effect upon the integrity of the Chesil and the Fleet European Site is avoided. The cost of these mitigation measures is £191,673 per year, which over the period to 2038 equates to a total cost of £3,450,114.

14.10.24. The anticipated housing supply within 5km of the Chesil and the Fleet over the period to 2038 equals 6,904 dwellings. The cost charge per dwelling is therefore £3,450,114 / 6,904 = £499.73. An administration fee of 5% of the total contribution is also applied to the per dwelling charge to account for Dorset Council's cost of collection and distribution of the obligation, resulting in a contribution of £524.72 per dwelling. This contribution would be secured through a S106 agreement. Mitigation in respect of Chesil Beach and the Fleet would thus be addressed through a financial contribution. A completed Appropriate Assessment has been considered by Natural England, who concur with the assessment conclusions setting out that likely significant impacts would be appropriately mitigated in this way.

14.10.25. Ecology: European Protected Habitats – Crookhill Brick Pit

14.10.26. Crookhill Brick Pit is a disused brick pit which contains several ponds which support populations of Great Crested Newt *Triturus cristatus.* One of the ponds supports one of the highest counts of the species in Dorset and indeed across the UK. Crookhill Brick Pit also contains a variety of habitats used by Great Crested Newt in the terrestrial phase, including grassland, scrub and quarry spoil.

14.10.27. The proposed development is approximately 780m from the Crookhill Brick Pit SAC, which is considered to be at a sufficient distance to avoid disturbance, loss of habitat, and splitting and subsequent isolation of the population of great crested newts associated with the SAC.

14.10.28. Natural England have been consulted on the application and amendments, and acknowledge the proximity to the Crookhill Brick Pit SAC and that it is immediately

adjacent to the Chickerell Water Lily Farm SNCI (a County Wildlife Site) that supports a significant population that is likely to form part of the metapopulation of GCN from the SAC. However, based on the results of the GCN surveys of the development site completed in support of the application Natural England remains satisfied the potential impacts to the Crookhill Brick Pits SAC may be screened out from assessment under the Habitat Regulations.

14.10.29. Ecology: Conclusion

14.10.30. Overall, it is considered that the proposed developments would provide a net increase in biodiversity within the application site in line with expectations set out within policy ENV2 and para 187 and 193 of the NPPF

14.10.31. To ensure the best possible outcome in terms of mitigating impacts upon protected species, it would be necessary to condition final details of landscaping and a lighting strategy to ensure that these components all work successfully together. Reworking of the highway intersections to avoid raised tables and all-night lighting would also be necessary. It is regrettable that details of lighting have not been provided up front to be able to assess its impact on the ecological corridors in more detail at this stage, however, accepting the need for the central avenue, what is fundamental is to mitigate that impact as far as practicable in line with the ecological mitigation hierarchy set out at para 193(a) of the NPPF, and it is considered that final details with regards to the above can be secured by condition. Conditions will also be required in relation to details and placement of tunnels and the dormice bridge, with careful consideration of landscaping adjacent to the bridge, as these comprise critical component of the mitigation strategy owing to reservations surrounding the impacts of the central avenue. Subject to agreeing the above, it is considered that the proposed scheme would, as far as practicable, provide coherent ecological networks and connectivity across the site in line with the policy, and the function of the Wilfie corridor would be maintained in line with NP policy CNP4.The Natural Environment Team also advice that conditions would be necessary to install stock fencing along the interior edge of the woodland planting so as to prevent access into this habitat and to provide an effective buffer to disturbance.

14.10.32. As such, the proposed scheme is considered to be in accordance with the provisions of LP policy ENV2 and NP policies ENP4 and CNP12. Furthermore, the proposal, subject to conditions would seek to mitigate and enhance biodiversity on site in line with para 192-195 of the NPPF.

14.11. **Flood Risk**

14.11.1. Local Plan policy ENV5 seeks to safeguard development against flood risk. Paragraphs 170, and 173-175 of the National Planning Policy Framework (NPPF) seek that development should be steered to areas with the lowest flood risk. This advice relates to risk from all forms of flooding. Further advice is provided in the National Planning Policy Guidance (NPPG).

14.11.2. The site falls largely within flood zone 1 which indicates that the site is at low risk from fluvial flooding, with the exception of a linear (east-west) stretch designated as flood zone 2 and 3 running through the middle part of the site reflecting the position of the Southill Watercourse. There is localised surface water flooding around the Southill Watercourse, and existing flow routes across the site which are considered to present a medium 1% (1 in 100 year event) and high 3.3% (1 in 30 year event) risk of flooding. Applying an allowance for climate change shows these areas more severely affected in the future. The site also lies within an area susceptible to groundwater.

14.11.3. Given parts of the site are identified as being at high risk from fluvial, surface water and groundwater flooding, para 175 of the NPPF expects that a sequential test be applied. Given the sites allocation within the Local Plan the site has already been

sequentially tested. In these circumstances para 180 of the NPPF sets out that the sequential and exceptions test need not be applied again, unless there are aspects of the proposal that were not considered previously, and/or unless new flood risk data should be taken into account. It is not considered that there has been any material change to the anticipated development to be brought forward on the site since its allocation, and while flood data has been updated since its allocation, it is not considered that the flood risk has substantially changed at the site to warrant a further sequential and/or exceptions test being applied.

14.11.4. Matters of flood risk are considered within Chapter 12 (hydrology) of the ES, which includes a Flood Risk Assessment. The ES concludes that having regard to the drainage strategy proposed, the effects of the proposal on surface water drainage and flood risk would be minimised to an acceptable level.

14.11.5. The site rises from the south to the north by approximately 57m, and drains into two catchment areas, defined by watercourses. The upper part of the development would drain (via what is referred to by the Lead Local Flood Authority (LLFA) as the 'northern drainage line') into the Southill watercourse, which receives water from much of the Chickerell catchment, taking it east through the site, where it is culverted beneath the electricity sub-station through to Southhill, and eventually into the River Wey and into Radipole Lake.

14.11.6. The southern part of the development would drain (via what is referred to by the LLFA as the 'middle drainage line') to an un-named stream (referred to by the LLFA as the 'southern watercourse') located north of the B3157 which discharges into Chafey's Lake to the east and eventually Radipole Lake via a culvert running under the A345. The highway drainage ponds located to the south of the unnamed watercourse collect surface water from the B3157 and drains into the unnamed watercourse.

14.11.7. Water levels at Chafeys Lake and Radipole Lake are controlled via sluice gates which regulate flows into Weymouth Marina and out to Weymouth Bay.

14.11.8. The Environmental Statement recognises that the proposed development would disrupt the existing surface water drainage regime and increase the extent of impermeable area leading to a potential increase in the rate and volume of surface water runoff discharged to the receiving watercourse and disruption to the natural drainage regime. Unless mitigation measures are put in place the Environmental Statement identifies that there would be an increased risk of flooding both onsite and offsite as a result of the development. To address the risk of flooding, a drainage strategy has been developed.

14.11.9. The submitted Flood Risk Assessment (FRA) confirms, that following site investigation, the ground conditions are not suitable for the use of soakaways to effectively dispose of surface water runoff, with the underlying soil showing poor permeability. To effectively manage surface water at the site it is proposed to store and attenuate runoff, discharging at greenfield run off rates to the local watercourse, ditch system and sewer network.

14.11.10. The detention basins seek to utilise the existing topographical catchment areas and associated discharge points to best mimic pre-development conditions. It is accepted by the Lead Local Flood Authority that this would be an appropriate strategy given the ground conditions at the site.

14.11.11. The attenuation storage is proposed to be provided using Sustainable urban Drainage Systems (SuDS), where possible in the form of drainage basins. Latest revisions (June 2026) show basins used in combination with a series of linked attenuation tanks and oversized sewers.

14.11.12. It is understood from the submitted FRA and plans that the proposed basins would be grassed and on the whole designed to drain completely such that they would only be seasonally wet, with the exception of a portion of some of the basins which would retain a wet base/micro-pool. The maximum depth of any of the ponds is 1.5m, though during a design flood event (1 in 100yr event plus an allowance for climate change) they would not be expected to reach those levels. Where permanent micropools are incorporated into the design, these are anticipated to be approx. 0.3m deep. The swale to the west of phase B would have a depth of 0.2m-0.3m during a design flood event and would only be seasonally wet.

14.11.13. They are designed to have a 1:3 slope to allow access in and out and where permanent pools of water are proposed to be retained a 1.5m aquatic bench is proposed for safety. Depending on the siting of the pond, surveillance towards them is variable, but generally present. Owing to the shallow nature of the drainage basins, and their design, fencing would not be considered necessary in this case, in line with the advice contained within the SuDs Manual.

14.11.14. In response to concerns already outlined in this report the developer provided a revised drainage strategy (June 2026) to address concerns, which would rely on a combined approach to managing water above and below ground. Water would continue on the whole to be managed through a series of drainage basins running through the site, but where these compromise the open space, water would be managed by a series of underground tanks in these locations. In this regard, the developer proposes to remove the two drainage basins within the gateway location east of Lower Putton Lane and the two most northern drainage basins to the north of the public open space located east of the central avenue.

14.11.15. The Lead Local Flood Authority (LLFA) have been reconsulted on the June 2026 revisions and note the replacement of four drainage basins with tanked storage. While the LLFA generally prefer open storage features such as basins rather than closed underground features such as tanks from a surface water management perspective, it is understood that the changes proposed respond directly to concerns relating to poor open space provision. Noting that the tanks discharge to open features within the site, the LLFA confirm that the revised drainage strategy would be acceptable, and consequently raise no objection.

14.11.16. To seek to manage flood risk to properties, it is proposed that the minimum ground floor levels of properties located within proximity to the Southill watercourse would be set at least 600mm above the 1 in 100 year risk of surface water flooding level.

14.11.17. The FRA also sets out the need to manage runoff flows that minimise risk to property. Previous schemes raised a number of drainage related issues with overland flows of surface water relating to the northern drainage line traversing the proposed built development, placing proposed properties in this area at risk from flooding. There were also concerns regarding whether the northern drainage line could be adequately accommodated within the recipient drainage basin, with insufficient detail provided in respect of the volume of run-off, frequency, and the effects on the functioning of the drainage basin. There was also a lack of clarity in respect of the flow path for the middle drainage line and how this reaches the unnamed watercourse. All these matters have been addressed as part of the latest drainage strategy addressing previous concerns raised by the LLFA.

14.11.18. Previously, the submitted drainage scheme also indicated an increased risk of flooding (both in area and depth) on third party land, resulting from the effects of the proposed development on the middle and southern drainage lines such that the scheme failed to meet policy requirements. The revised flood modelling now shows no increased risk of flooding to surrounding dwellinghouses or to the B3157 Chickerell Link Road. There would be some small worsening to flood depths at the undeveloped southern periphery of the watercourse, but this would be countered by

significant betterment across a much wider area of the golf course, which would experience reduced flood depths such that there would be an overall reduction in flood risk at the site. The FRA states the increase in flood depth at the southern extent is less than 30mm in 'an area of scrub that is not actively used by the golf course'.

14.11.19. Para 181 of the NPPF is clear that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. In this regard, the proposed Surface Water Management Scheme for the site would lead to a general overall and tangible reduction in flood risk to the golf course. On this basis, it is considered that the requirements of the NPPF with regards to ensuring that flood risk is not increased elsewhere has been satisfied and the LLFA raise no objection.

14.11.20. The latest Drainage Strategy provides sufficient detail to show how runoff from the west would traverse the proposed link road without leading to flooding of this route, which was another concern with the previous Drainage Strategy, and appropriately details the reconfiguration of the B3157 drainage ponds, ruling out further impacts on surface water flooding.

14.11.21. Flood Risk: Conclusion

14.11.22. Having regard to the benefits to placemaking through adopting a combined approach to surface level and below ground attenuation storage to manage water across the site, and in light of an acceptable drainage strategy having been submitted, it is recommended that a condition be placed on the consent requiring the development to proceed in accordance with the updated plans and drainage strategy received Jun 2026.

14.11.23. Based on the above assessment, the proposed scheme is considered to be acceptable on flood risk grounds, and in accordance with the provisions of Local Plan policy ENV5 (Flood Risk), and is considered to accord with the aims of para 181 and 182 of the NPPF (2024), supported by the National Planning Policy Guidance on Flood Risk.

14.12. **Impact on heritage assets**

14.12.1. Impact on heritage assets: Policy consideration

14.12.2. Local Plan policy ENV4 seeks to ensure development respects its historic environment. Section 16 of the NPPF, and specifically paras 212-216, requires great weight be given to the conservation of heritage assets having regard to their significance and the effects of the proposal on their significance.

14.12.3. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is 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.

14.12.4. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

14.12.5. Chapter 8 of the ES considers the impacts of the development on heritage features and has helped inform considerations of heritage impacts.

14.12.6. The site contains no designated heritage assets. However, development on the site has the potential to affect the significance of a number of nearby heritage assets, including through impacts on their setting. These include:

- Montevideo House (Grade II listed)

- Chickerell Conservation Area
- Lime Kiln near Putton Farm (non-designated)
- Romano-British Field System/Enclosures (non-designated)
- Historic (post medieval) Field Boundaries (non-designated)

14.12.7. Impact on heritage assets: Designated heritage assets

14.12.8. Para 212 of the National Planning Policy Framework (NPPF) sets out that great weight should be given to the conservation of designated heritage assets. Para 213 goes on to state that '*any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification*'. Para 215 sets out that '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*'.

14.12.9. The views NE from Montevideo House are extensive, owing to the fall of the immediate land and the low-lying relief of land further towards Weymouth. Direct line-of-sight of the proposed development would be impeded somewhat by land-form and intervening tree cover and modern development. Where visibility of the development from Montevideo House is possible, then it is not considered that it would form a distinct or prominent visual element.

14.12.10. The setting of the Chickerell Conservation Area has been much reduced by the extent of 20th century and later development around the historic core, particularly to the E and to the S. For this reason, and taking into account the more modern character of the 2008 extension along East Street to the recreation ground, it is not considered that the development of the site would impact upon such contribution that remains.

14.12.11. Taking into account the elements of significance of potentially affected designated heritage assets above, it is not considered that the proposals will result in a discernible impact on them and no harm to these assets is identified by the Design and Conservation Officer.

14.12.12. Impact on heritage assets: Non-designated heritage assets

14.12.13. Para 216 of the NPPF sets out that '*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*'.

14.12.14. The archaeological field evaluation has confirmed that the area around the site was occupied by the Romano-British period and identified ditched features relating to a field system and/or enclosures. It seems likely that these features indicate the agricultural hinterland of a Romano-British settlement in or near Putton Brickworks, where other contemporary finds and burials have been discovered. This area continued to be a focus for settlement and agriculture in the medieval period and the earlier name of Putton, 'Podington', indicates an Anglo-Saxon settlement. The site is in close proximity to the recently discovered manorial complex on Lower Putton Lane, during which finds from the 9th to the 11th century seem to point to this earlier phase, whilst the main structural remains related to late 12th to 14th-century manorial buildings. The site is likely to have formed part of open arable field system associated with this manor, though later enclosed to form a series of fairly regular, straight-sided fields. The whole area remained agricultural throughout the 19th

century, with only slight incursions of industrial activity, such as the brickworks at Putton and the lime-kiln on the application site.

14.12.15. The proposals would see the total loss of the lime kiln, and the Romano-British field system/enclosures will be affected. In terms of the latter, there will be some loss of the historic field boundaries which divide the current fields, though in the main hedgerows are retained. These assets are of local interest but are not designated features. The County Archaeologist advises that following archaeological evaluations and the recording of finds, no further archaeological evaluation or mitigation is required, and no objection is raised. The Design and Conservation Officer considers the harm to these elements to be less than substantial, whose nature and extent is such as to be acceptable.

14.12.16. In light of the above, having regard to the significance of the non-designated heritage assets (of local interest), the archaeological evaluation that has allowed for the recording of finds, and the advice of the Arcaheological Officer and Design and Conservation Officer, that the impacts would be acceptable; weighed in the balance, the resulting impact to these assets is not considered to outweigh the benefits of the scheme (including bringing forward a strategic allocated site for the delivery of housing and a school) or cause significant harm to warrant refusal.

14.12.17. Impact on heritage assets: Conclusion

14.12.18. Taking into account the lack of harm to the significance of identified designated heritage assets and an acceptable level of harm to non-designated heritage assets by the development, it is considered that the proposed scheme would be acceptable, and would comply with the provisions of LP policy ENV4 and para 212-216 of the NPPF.

14.13. **Contaminated Land**

14.13.1. The proposed site is subject to an area of contaminated land. Policy ENV9 of the West Dorset Weymouth and Portland Local Plan seeks to ensure development does not result in an unacceptable risk of pollution to waters, the environment, future occupiers or neighbouring uses. This is supported by para 196 and 198 of the NPPF.

14.13.2. Matters relating to contaminated land are considered within the submitted Environmental Statement at Chapter 13. These rely on site investigation and reporting and identify no significant contaminant linkages on site. WPA, having reviewed the conclusions of the ES recommend land contamination conditions including a watching brief concerning potentially unidentified contamination. WPA advice that further reporting concerning unexpected finds, adherence to standard protocols for alerts in the Construction Environmental Management Plan (CEMP), Waste Management Pan (WMP) and reported demolition / materials management processes would be required prior to discharging contaminated land planning conditions. Subject to these conditions no objection is raised, and the proposed scheme is considered to be acceptable having regard to impacts arising from land contamination.

14.13.3. In light of the above assessment the proposed works, subject to appropriate conditions, are considered to be acceptable and to comply with the provisions of Policy ENV9 of the Local Plan, and para 196 and 198 of the NPPF.

14.14. **High Pressure Gas Line**

14.14.1. The proposed application is within the vicinity of a high pressure gas line, which resulted in an initial holding objection being raised by SGN until they considered the detail. Following further assessment, the high pressure gas line would be in excess of 20m from the application site, and in excess of 100m from the nearest built development. The proposed development therefore falls outside of the SGN building

proximity buffer of 16m and SGN have confirmed that they have no objection to the proposal. It is recommended that informatives be placed on the consent to ensure that the development is mindful of this constraint.

14.15. **Infrastructure Provision**

14.15.1. Infrastructure Provision: Policy considerations

14.15.2. In order to make development acceptable in planning terms, applications for housing developments are expected to make infrastructure contributions, and this is usually collected by way of the adopted Community Infrastructure Levy (CIL) charge. Owing to the scale and complexity of the allocated site at Chickerell, the site is excluded from CIL, on the basis that some forms of infrastructure would need to be provided as part of the proposed development, and in recognition that the impacts of such a large scheme are likely to differ from smaller sites. As such, a bespoke S106 legal agreement is required to make suitable provision for community infrastructure, in line with Local Plan Policy COM1.

14.15.3. Regulation 122(2) of the Community Infrastructure Levy Regulations (2010) (CILR) provides that: -

14.15.4. A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

14.15.5. The NPPF reiterates that planning obligations should only be sought where they meet all three of the tests set out in Regulation 122(2) are met.

14.15.6. Where unacceptable impacts are identified, in line with Policy COM1 it is considered necessary to require either provision on the ground or a financial contribution towards enhancement and improvement of specific infrastructure, in order to mitigate the impacts, and make the development otherwise acceptable in this regard.

14.15.7. Infrastructure Provision: Key Heads of Terms

Planning Obligation	**On/Off site provision**	**Contribution**
Affordable Housing	On site	35% on site provision, in accordance with West Dorset, Weymouth & Portland Adopted Local Plan 2015 Policy HOUS1.
NHS Contribution	Off site	£722 per dwelling, in accordance with the Developer Contributions for NHS Infrastructure report.
Chesil & the Fleet Mitigation	Off site	£524.72 per dwelling; £357.77 per flat, in accordance with the Interim Strategy.
Education (Primary)	On site	Land transfer
Education (Primary)	Off site	A contribution towards SEND provision of £1,487.62 per qualifying dwelling, plus a contribution of £1,736.06 per

		qualifying dwelling (less land value discount of £482,000) towards primary education, in accordance with DfE 2023 Guidance.
Sports pitches and training facilities	Off site	£22,524, in accordance with Sport England's Sports Facilities Calculator.
Weymouth Swimming Pool	Off site	Contributions of £106,413
Play provision	On site	Land transfer The proposed development will bring forward 0.28ha of play space, which shall include two LAP's, a LEAP, and informal play.
Play provision	Off site	A financial contribution based on the following: • 2-bed at £411.84 • 3-bed at £587.34 • 4+ bed at £669.24 • Less land value discount of £98,800 To address the shortfall in provision, a financial contribution of £50,000 will be secured towards enhancing the play facilities at Willowbed Hall and/or towards a skate park within the town.
Play Maintenance	Off site	A maintenance contribution of £420,000 is sought to cover maintenance costs of the LAP/LEAP for a 20 year period. These have been based on guidance provided by DC leisure team and are based on experience of average costs.
Open Space	On site	Land transfer
Open Space Maintenance	Off site	£348,532.80
Willowbed Hall	Off site	£50,000 towards improvements to the Willowbed Hall site.
Bus Services & Sustainable	On site	Provision of a route suitable for a bus

Transport Contributions		
Bus Services & Sustainable Transport Contributions	Off site	£81,675.76 towards bus infrastructure and travel cards This includes: • A total of 4 bus stopes (provided both sides of the road in two locations); • A shelter at the stops closest to the school, and a pole at the phase A stops. These should be fitted with real time technology. • A Sustainable Travel Voucher up to the value of £139 per dwelling, either to be used towards 2 adult bus cards per dwelling or towards cycle equipment. • Updating Walking and Cycling map.
Footpath S16/23 E	Off site	£20,000 towards the upgrading of footpath S16/23.
Footpath S16/21 W	Off site	£12,000 towards the upgrading of footpath S16/21
Highways	On site	Completion of the central avenue prior to more than 100 dwellings being occupied.

14.15.8. Having regard to the Regulation 122(2) tests the above infrastructure contributions are considered necessary to make the development acceptable in planning terms. This is supported by Policy COM1 of the Local Plan, and where relevant, detailed justification is offered within the report. Further detail is provided below, for those infrastructure types not already discussed.

14.15.9. Infrastructure Provision: NHS Contribution

14.15.10. In response to competing needs across the health care service, having regard to both primary care and secondary (acute) care, together with the acknowledgement that all new dwellings have an impact upon the healthcare service, a message that is borne out from consultation replies to the publicising of the application, Dorset Council has agreed a Framework for calculating developer contributions, which applies to all new dwellings. On CIL liable developments this is collected via CIL, and for developments not subject to CIL, a per dwelling cost of £722 towards health care is applied. This financial contribution is considered to meet the tests set out within the NPPF.

14.15.11. Infrastructure Provision: Education

14.15.12. Serviced and accessible land for 2FE Primary School (c.2.4ha) is sought under the current application.

14.15.13. The education contribution is calculated by the number of Qualifying Dwellings (house or flat with 2 or more bedrooms) multiplied by £5,444. This is split between

primary and secondary education provision, £1,739.06 towards primary and £3,705.36 for secondary.

14.15.14. Since the application was first submitted there has been a reduction in demand for secondary places such that the Local Authority would not be able to demonstrate a sufficiency argument to secure funding for secondary education. Chickerell nonetheless continues to be in demand for expanded primary provision. As such, only a contribution towards primary education is sought in this case at £1,739.06 per qualifying dwelling. The proposals directly respond to the demand for a new primary school by allocating land for its provision within the development site. In recognition of this, the financial contribution will be discounted by the land value of the site.

14.15.15. In line with the DfE 2023 Guidance, a contribution towards special education needs and disabilities (SEND) provision, commensurate with the need arising from the development is sought. The contribution is justified where the Local Authority can evidence a shortage in SEND provision resulting in long travel times for placements within the Local Authority area, calculated in line with guidance having regard to pupil yield data. In this case, a contribution of £1,487.62 towards SEND provision is sought per qualifying dwelling.

14.15.16. Infrastructure Provision: Sport

14.15.17. Sport: Weymouth Swimming Pool

14.15.18. Following a Borough Sports Facility Strategy 2014, a detailed report reviewing the options for Weymouth Swimming Pool and Fitness Centre was prepared in 2015. This reviews the value and usage of Weymouth Swimming Centre, sets out some of the limitations surrounding the existing leisure facility, identifies and defines the Centre's catchment for its main users (within a 10min drive), and explores opportunities and costs to provide an improved facility. A Built Facilities Assessment – April 2018 further explores the need for improvements to the facility.

14.15.19. The assessments confirm that Weymouth Swimming Pool is rated as 'below average' in terms of quality, and that quality is expected to continue to deteriorate to 2031 as demand increases. Sport England's Facilities Calculator recognises that population increases will add to the demand for pool space in Weymouth and Portland (by 2031) by 1.12 lanes at a cost of £1,026,093. The application site falls within a 1 mile radial catchment of Weymouth Swimming Pool, and with no community accessible pools within Chickerell, it would serve the proposed development.

14.15.20. The 'Options for Weymouth Swimming Pool and Fitness Centre' document identifies a changing village as an appropriate project to improve capacity, particularly at peak times. Contributions have thus been collected towards a project to enhance the existing changing provision within the existing centre which has been identified as being well below modern standards. The project has been calculated at £350,000, which includes the conversion of the existing wet changing rooms to a village changing area (an open plan area where all changing takes place within individual cubicles and where there is a unisex shower area), creation of sperate male and female dry changing rooms for fitness suite customers, and increasing capacity within one of the fitness studios. These works would increase capacity at the Centre and also makes it easier for parents to accompany children (e.g. male parent and female child).

14.15.21. The calculations for the Chickerell contribution has factored in the anticipated growth from the Council's key strategic sites around Weymouth and surrounding areas, including Chickerell developments and the Littlemoor development to ensure any contribution is proportionate. As such the contribution sought is a pro-rate amount of the overall cost.

14.15.22. Sport: Sports Pitches and Training Facilities (in lieu of 'Senior Grass Pitch' & 'Changing Facilities')

14.15.23. On first submission of the application, an additional parcel of land was provided to the south, to provide a senior and youth football pitch and changing facilities. This was provided in response to identified needs at the time, connected to Chickerell Football Club and the limitations of the existing sloping football ground in terms of enabling progression within the league. Following an initial Sport England objection, and concerns raised by Chickerell Town Council, further assessment of need was undertaken, in consultation with the local football team, Town Council, Sport England, Dorset Football Association and the Football Foundation. The solution at the time was to provide a flexible pitch that could meet the needs of various formats, including senior, junior and mini teams. Since then, the land has been withdrawn from the application, and on-site provision is no longer proposed. The provision of grass pitch and changing facilities is not a policy CHIC2 requirement, but consideration needs to be given to whether the development would contribute to an increased demand and place unacceptable pressures on existing facilities which could be addressed by an off-site contribution.

14.15.24. In response to this, Sport England has set out a need to secure contributions towards pitches. They refer to the Playing Pitch Strategy (PPS) and Action Plan. The PPS is reflective of a point in time, and though it takes into account population growth, it does not take into account population growth resulting from planned urban developments. It is therefore a useful evidence base and sets out an overall demand for pitches, and supports the need for additional pitch provision as well as the need for improvements to the quality of pitches within the area. In particular, it recognises the latent demand for match pitches and training facilities within Chickerell, and in particular 11v11 pitches at the time of reporting. It is not considered that the need for improvements to, and/or additional, pitches has been met, and the resultant increase in population resulting from the current developments is likely to increase demand on both adult, youth and mini pitches. It is therefore considered that an off-site contribution towards sports pitches is justified in light of the omission from the application of the football pitch and facilities previously proposed to be provided on site. This is also supported by Sport England's Sports Facilities Calculator (SFC), which is a tool used to predict the increasing demand upon facilities resulting from development.

14.15.25. Turning to the contribution itself, the SFC looks at the provision of artificial pitches, and takes into account the likely population increase resulting from the development. Referring back to the PPS the demand locally seems to relate more to grass pitch provision and improvements to existing pitches and facilities, including changing facilities, and liaison with the Local Football Club and Town Council supports this. On this basis, it is considered reasonable to use the relevant figure provided by the SFC of £22,524 and, to ensure it is effective in targeting local need, seek that it be allocated to increase provision of pitches (including grass pitches) locally and/or improvements to pitches and facilities locally where the contribution could secure improvements to the quality of pitch provision and training facilities which support those pitches, all identified under the PPS as a need. It is considered that this would be more deliverable locally, and better respond to local need, than a contribution specifically allocated to artificial pitches.

14.15.26. In particular, Chickerell Town Council have identified a specific costed project to upgrade the existing changing facilities at the Pavillion, located at the Stalls (in lieu of the previously proposed 'changing facilities' which has since been withdrawn from the application). Further details are required in respect of the project, however, it is considered that this project could be funded through the above contribution as an improvement to the facilities at the Stalls pitch within Chickerell, and by doing so

would address an identified local need, which would be increased as a result of the development. In light of the above, a contribution of £22,542 is considered justified.

14.15.27. Infrastructure Provision: Play provision

14.15.28. The proposed development will bring forward 0.28ha of play space, which shall include two LAP's, a LEAP, and informal play.

14.15.29. The play facilities are to be brought forward by Chickerell Town Council (CTC) and the contributions towards on-site provision have been based on the West Dorset Planning Obligations SPD tariff which applies to open market units only.

- 2-bed at £411.84
- 3-bed at £587.34
- 4+ bed at £669.24
- Less land value discount of £98,800

14.15.30. A maintenance contribution of £420,000 is sought to cover maintenance costs of the LAP/LEAP for a 20 year period. These have been based on guidance provided by DC leisure team and are based on experience of average costs.

14.15.31. To address the shortfall in provision, an additional financial contribution will be secured of £50,000 towards the enhancement of the play facilities at Willowbed Hall and/or provide a skate park within the town. This costing is based on a total estimated cost to deliver a skate park of £250,000, and is a proportionate cost based on other developments coming forward locally.

14.15.32. Infrastructure Provision: Willowbed Hall

14.15.33. There is a costed project to increase the capacity of the community facility to respond to the increase in population resulting from this and other developments. In particular, the project to extend the hall seeks to respond to the need to expand indoor sporting facilities, creating greater recreational space for classes and other indoor activities serving the local catchment. While the project to extend the hall is underway, a further financial contribution would enable further improvements to the Willowbed Hall to support the current project to improve the site. Residents of the site are likely to use the Willowbed Hall regularly as the nearest community facility and add pressure to this valued site. It is thus considered reasonable that a financial contribution is sought to support the project to improve the facility. This would be in leu of a contribution to Redlands Sports hub.

14.15.34. Infrastructure Provision: Sustainable Transport Contribution

14.15.35. The need for bus contributions is discussed at para 14.5.25-29 of the report. The contribution has been costed taking into account the cost for 2x single poles with real time technology, including installation at £6,263.03 and 2x bus shelters with real time technology, including installation, at £11,653.85, totalling £35,833.76 to serve the installation and provision of bus stops.

14.15.36. In addition, costings for a 30 day bus card scheme, plus admin for distributing tickets, works out at £69.50 per card. In the interests of supporting the establishment of a bus route, it is considered reasonable to seek a contribution accounting for a bus card for each household up to a maximum cost equivalent to 2 adult tickets per dwelling. At £69.50 per card this would equate to £45,592.

14.15.37. Taking on board advice from the Sustainable Transport Team, and recognising the policy need to prioritise pedestrian and cycle movements within the development, it is considered reasonable that the per household contribution towards bus tickets can be interchangeable with a voucher towards cycle equipment. It is considered that a sustainable travel voucher towards either bus provision or cycle equipment would best address active travel objectives in line with policy.

14.15.38. A further £250 is sought by the Highway Authority to cover the cost of updating the interactive Weymouth & Portland Walking and Cycling Map to include the new development so that it can be utilised as part of the active travel plan.

14.15.39. The above contributions are recommended by the Highway Authority and Dorset Travel.

14.15.40. Infrastructure Provision: Conclusion

14.15.41. The above financial contributions are evidenced through consultation with Chickerell Town Council, relevant consultees, and through your Officer's assessment of the direct impacts that the proposed additional housing would have on existing infrastructure. The above figures are based on the best available information including local best practice and regard has been given to national guidance & policy to ensure obligations remain proportionate to the scale of development and reasonable in all other regards. No viability appraisal has been submitted and it is not contested that the cost cannot be met while securing the development.

14.15.42. In light of the above, the contributions have therefore been demonstrated to be reasonable, necessary and proportionate, to meet the regulations for Community Infrastructure Levy and the NPPF, and have in turn been agreed in principle by the developer.

14.16. **Use of Conditions**

14.16.1. The agent is supportive of addressing the outstanding issues, identified in this report, through conditions, and whilst it would be desirable to have all information up front, through the use of pre-commencement conditions, it would be possible to secure satisfactory details ahead of development proceeding. This is considered a reasonable way forward given the outstanding concerns relate to matters of detail rather than principal matters. To refuse the application on matters of detail that could be reasonably conditioned would add vulnerability in the event of an appeal. As pre-commencement conditions, the development could not proceed without appropriately satisfying matters of detail, providing appropriate assurance regarding the resolution of matters. It is considered that through revisions secured by condition this would appropriately respond to the comments of Officers including the Landscape Officer, Urban Design Officer and Highways Authority.

14.17. **Summary of Issues and Planning Balance**

14.17.1. The above assessment sets out some remaining issues with the proposed scheme, but also identifies significant benefits. To assist in the weighing up of these matters these are considered in turn and separated for ease into 'benefits' and 'impacts'.

14.17.2. **Benefits**

14.17.3. Housing delivery

14.17.4. The proposed development would see the provision of 328 dwellings. The delivery of housing on this allocated site is considered to accord with LP policy CHIC2, and is supported by CNP4 and CNP10. Owing to the demonstrable lack of 5 year housing land supply, and the need for housing delivery, substantial weight should be given to the proposed delivery of housing on the site, weighing in favour of the proposal.

14.17.5. Provision of a school

14.17.6. The proposed development would see land brought forward for the delivery of a 2FE primary school in accordance with LP policy CHIC2. Given the need for additional primary spaces locally, this should be given substantial weight in the planning balance, and weighs in favour of the proposal

14.17.7. Affordable Housing

14.17.8. The proposed development would comprise 35% affordable housing, equating to approx. 115 affordable dwellings delivered as part of the scheme. The provision of affordable housing is considered to comply with policies HOUS1 and HOUS2 of the adopted Local Plan. Its provision should be attributed substantial weight in the planning balance in light of the high need for affordable housing, and weighs in favour of the proposal.

14.17.9. Promotion of a bus link, and walking and cycling

14.17.10. The proposed scheme, subject to conditions to secure an east-west cycle route, would maximise pedestrian and cycle movement links and provide a route suitable for a bus, in line with the requirements of LP policy CHIC2. It would also fund bus infrastructure as appropriate, and fund sustainable travel vouchers interchangeable for either bus tickets or cycle equipment. The proposal would also see the upgrading of local footways, improving pedestrian links in the area. It is considered that the benefits of promoting active travel should be given significant weight in the planning balance, weighing in favour of the proposal.

14.17.11. Western Pedestrian link

14.17.12. Having regard to the proposed pedestrian link along the western boundary of the site, there has been concerns, partly owing to a lack of detail in the submission, regarding its effectiveness to provide a safe and pleasant off-road route owing to its position, at times running along the rear boundaries of properties; the width of the corridor; and topographical impacts. The latest details address some of these concerns, showing that the embankments would not be significant or overbearing and would grade away from the footpath, revisions to boundary treatments and enlarged openings within the apartment blocks would also assist in ensuring the footway is a safe and pleasant route. While there are elements of the footpath which are constrained in parts, given there are also other alternative routes within the development, weighed in the balance, the proposed footpath is considered to be a positive element of the scheme. For the purposes of the planning balance, taking heed of the fact that some elements would be constrained, but that overall it would positively contribute to the scheme, it is given limited weight, in favour of the proposal.

14.17.13. Permeability and highway related matters

14.17.14. Turning first to matters relating to highways and strategic connectivity. Owing to restricted opportunities to provide connecting routes between the existing and proposed development, regrettably permeability is to some extent compromised. However, these limitations have been reviewed by the developer and are outside of their control and are thus issues with the allocation and its relationship with the existing built form rather than a consequence of the proposals submitted. However, through revisions in the layout which seek to maximise east-west/north-south connections, and the incorporation of pedestrian and cycle links, connectivity between the existing settlement and its facilities and the proposed development has been strengthened such that the scheme would be appropriately connected to the existing built form. The scheme also shows good connectivity with wider movement networks. As such, and on balance, the proposed scheme would be acceptable in this regard, and it is not considered that this should weigh unfavourably in the planning balance.

14.17.15. From a highway perspective, it would be necessary to condition the detailed design of junctions and the design/placement of crossing points; the latter should have regard to a connectivity plan. Details of footways and cycle provision would also need to be finalised at the condition stage, and it would be necessary to condition an east-west cycle route linking with Lower Putton Lane. Subject to conditions, the proposal presents an acceptable scheme in highway safety terms and would be in

accordance with Local Plan Policy COM7 (Creating a safe & efficient transport network) and COM9 (Parking Provision).

14.17.16. Overall, maximising points of connection to strengthen connectivity and permeability is an important consideration and is given moderate weight in the planning balance, weighing in favour of the proposal.

14.17.17. Public Open Space/Play

14.17.18. Significant concerns raised regarding the quality of public open space have been addressed through the revision of the drainage strategy for the site. In this case, the benefits to placemaking justifies adopting a combined approach to drainage (including above ground and below ground attenuation). The public open space south of phase A development would provide meaningful public open space, allow for improved movement links, and provide areas which could accommodate more meaningful tree/shrub planting to form an improved natural green link with a swale that is integrated with the development and contributes positively to the character of the area. Large specimen trees are shown incorporated into the area which would add interest, shade and offer a high quality and valued community space within the scheme and enhanced opportunities for play. This would be a benefit of the scheme.

14.17.19. Subject to conditions, including a revised landscape scheme (addressing concerns relating to the treatment of the central avenue) and phasing plan, the revised submission seeks retention of existing hedgerows and provides robust east-west green infrastructure and wildlife corridors; enhances green infrastructure links where pedestrian movement is at its greatest; provides tree lined streets and on plot planting to soften the impacts of development; and offers well landscaped public open spaces within the development that would act as visually attractive gateway locations. It is thus considered that the June 2026 revisions appropriately address the key concerns raised by the Landscape Officer and meet expectations set out in policy. Given the policy drive to bring forward high quality development this should be given significant weight in the planning balance, weighing in favour of the proposal.

14.17.20. Further the proposed development would not have a significant impact on the setting of the National Landscape, nor would it significantly compromise land designated as LLLI. As such, the revised scheme would be in compliance with LP policies ENV1, ENV3, ENV10, and CHIC2; NP policy CNP10 and CNP11, and NPPF para 135-136 and 189.

14.17.21. **Impacts**

14.17.22. Impact on amenity

14.17.23. Having carefully reviewed the level of risk from ball strike from the adjoining golf course, it is considered that the revised plans (June 2026) to the layout of phase B indicate that significant risk can be avoided by ensuring public access and housing is kept away from those areas most at risk. In this regard, the proposed development is considered to be acceptable having regard to impacts on amenity on site and in terms of impacts to the golf course having regard to the ‘agent of change principle’ as set out in para. 200 of the NPPF.

14.17.24. There is however conflict with policy HOUS4 owing to the lack of private amenity space serving the proposed apartments.

14.17.25. In addition, accommodating the significant level changes on site has presented challenges, resulting in large retaining structures. The significant height of retaining structures at the rear boundary of some gardens, ranging from 0.4m to 4.8m at its highest, with a 1.8m timber fence above, would present a substantial feature at the rear of properties. This has the potential to impact upon amenity of future occupiers, and through glimpsed views of the structure between properties has the potential to

detract from the quality of some streets. Having regard to policy ENV16 which seeks to safeguard the residential amenity of future occupiers from significant adverse effects, it is considered that the impacts would not be significant, though the impacts do weigh against the proposal.

14.17.26. The benefits of managing levels in this way are noteworthy. It would present more accessible streets and spaces (though these would still be compromised to some extent), reduce the high reliance on stepped entry to properties, present more usable level gardens, contribute to placemaking by removing large retaining structures from the street scene, and present a more accessible, safe and attractive environment.

14.17.27. Overall, the provision of large retaining structures and the lack of private amenity space to apartments is regrettable and does weigh unfavourably in the planning balance. In light of the challenging site levels at this allocated site, and acknowledging the far greater impacts resulting from various other iterations to manage levels at the site, and noting the large areas of open space to be provided to serve the development, the impact on amenity is given moderate weight, weighing against the proposal.

14.17.28. Design Quality

14.17.29. A significant concern running through consideration of the various iterations of the scheme has related to the detailed design and the treatment and landscaping of the built environment. Planning policy is clear in its aims to support high quality sustainable and inclusive design that is sympathetic to the character of the area and includes appropriate planting of streets and public spaces in the interests of creating attractive well designed places. This is set out in policy ENV12, ENV10, NP policy CNP11, and para 117, 131-139, 182 of the NPPF. Managing the significant level changes on site has presented technical and design challenges for the developer, with resulting impacts on accessibility of streets, amenity, and placemaking. Layout and design has subsequently been heavily influenced by the topography of the site, amongst other factors including provision of a linking route suitable for a bus, ensuring the layout responds to movement corridors, making provision for biodiversity and incorporating appropriate landscaping and placemaking considerations.

14.17.30. Design Quality – central avenue

14.17.31. A shortfall within the scheme affecting the quality of the built environment has been the treatment of the central avenue. The latest submissions show an improved layout that works better with topography, but it falls short of meeting the expectations of Design South West in terms of creating a route that meanders through the development with small incidental spaces at nodal points.

14.17.32. There are parts of the central avenue at its most northern extent where development would not actively front this central route with property boundaries and native shrubs instead framing the road. This challenges the requirement for ‘frontage development’ as per policy CHIC2. It is acknowledged that the orientation of properties is in part a consequence of seeking to manage levels outside of the street scene, and these properties would have a pleasant outlook onto green spaces. However, the lack of frontage development properly framing the street affects the character of the central avenue and, further, owing to the highway requirements surrounding the design of the bus route and cycle/pedestrian paths, its resulting width also negates its ability to offer a ‘traditional street’ as sought under LP policy CHIC2. Details such as the raised tables at crossing points can be designed out at the condition stage.

14.17.33. It is also of note, that roads and footpaths most frequently are greater than 1:20, but where they are less than this, this does present a conflict with Inclusive Mobility

Guidance recommendations and could present restrictions to pedestrians and cyclists and their ability to move easily throughout the scheme.

14.17.34. Owing to the concerns raised, and the high expectations within policy to provide high quality design, it is questionable whether the proposal truly meets the high bar set by LP policy ENV12 and NPPF para 135 in terms of design. Taking on board the policy and highway requirements relating to the provision of a linking route suitable for a bus, together with topographical challenges at the site, it is considered in this context that the resulting harm to the overall quality of the development should be given moderate weight, weighing unfavourably in the planning balance.

14.17.35. Design Quality – Parking

14.17.36. Also affecting design quality is parking. Treatment of car parking is always problematic within schemes owing to the practicalities of high car ownership and the desire to deliver places that are not dominated by the car. The proposed parking provision is acceptable having regard to the Dorset, Bournemouth and Poole parking Guidelines, but concerns have been raised in relation to its placement and impact on the built environment. The Urban Design Officer advises that visitor parking could be placed more conveniently, where tandem parking is proposed it could be better tucked behind the building line in places, street planting could work harder to soften the effects of parking, and rear courtyards could be better overlooked. The latter being a matter raised also by the Crime Prevention Design Advisor.

14.17.37. Trees and on-plot landscaping are however incorporated into all streets (previously they were not) and these will help to soften the impacts of parking, in particular visitor parking within the street and, to some extent, frontage parking. It is noteworthy that the Landscape Officer offers little comment relating to lack of street trees within the internal roads in this latest iteration of the scheme. The entrance to parking courtyards has been narrowed, and conditions can be placed on the consent to require additional side facing windows to properties adjacent to the courtyards, reducing their impact in the street scene and providing a more ‘private’ but surveyed feel. The latest layout does also show parking sited closer to the building line, though not always.

14.17.38. While it is considered that further improvements could be made to parking, and it is acknowledged that subtle amendments can make noteworthy differences in terms of placemaking, it is not considered that the impacts relating to parking would be significant in the planning balance. The resulting harm is given limited weight in the planning balance, but weighs against the proposal.

14.17.39. Design Quality – House types and character

14.17.40. Having regard to the design quality of house types, amendments (June 2026) to material treatment (removing non-traditional materials), the rationalising of house types (removing 2 ½ and 3 storey units) and their position in the street, these go some considerable way to improve the built environment. Buildings would more cohesively respond to the street, providing a more continuous building line and with less ad hoc variation in height would establish a stronger rhythm of development within streets. There continues to be concerns regarding detailed elements such as placement of chimneys, lack of detailing and use of split level materials that weaken the schemes response to local context and character, as required to by para 135 of the NPPF. Further, owing to loose application of the parameters defining different character areas, there would be little distinct differentiation in character between areas within phase A. Matters of material treatment can be further explored at condition stage, and there is opportunity at the reserved matters stage to refine and distinguish different character areas between the three phases, but within phase A, there lacks a clear identity between different areas within the development, to the detriment of character, legibility and distinctiveness, challenging the schemes

compliance with the National Design Guide. These matters weigh against the proposal. Given the increased cohesivity resulting from the above amendments, and opportunities to further refine material at condition stage, the impact is considered to be moderate, weighing against the proposal.

14.17.41. Ecology

14.17.42. Significant concern is raised regarding the impact of the development on ecology, in particular, due to the proposed central avenue bisecting the existing east-west 'wildlife corridors', including the designated wildlife corridor to the south. The provision of the central avenue nonetheless forms a critical component of the development, required by policy in the interests of ensuring effective movement without harm to traffic movement within the existing settlement. The provision of the central avenue through the wildlife corridor thus has the potential to result in unavoidable harm.

14.17.43. To ensure the best possible outcome in terms of mitigating impacts upon protected species, the application includes the provision of east-west wildlife corridors, as well as maintaining north-south green links, and proposes the use of tunnels and a dormice bridge to mitigate the impacts of the development and maintain connectivity. It is regrettable that details of lighting have not been provided up front to be able to assess its impact on the ecological corridors in more detail at this stage. It would be necessary to condition final details of landscaping and a lighting strategy to ensure that these components all work successfully together and minimise as far as practicable light spill within the wildlife corridors. In doing so, it is considered that in line with the mitigation hierarchy as set out in para 193(a) of the NPPF, appropriate mitigation measures are proposed to avoid impacts where possible and mitigate the impacts where impacts are unavoidable.

14.17.44. The proposal would provide suitable ecological enhancements such that there would be a biodiversity net gain on site in line with the provisions of policy ENV2, and the proposal would provide appropriate mitigation to avoid significant impacts on the Chesil and the Fleet European protected site.

It is considered that the proposed scheme would, as far as practicable, provide coherent ecological networks and connectivity across the site in line with LP policy CHIC2, and the function of the wildlife corridor would be maintained in line with NP policy CNP4. It is nonetheless considered that some harm to protected species is likely to occur. This harm weighs against the proposal, but acknowledging the mitigation proposed, and the policy requirement for the central avenue, the impact on ecology is given limited weight in the planning balance.

14.17.45. **Planning Balance**

14.17.46. It is noteworthy the various submissions that have been submitted to the Council since the application was made, none of which have presented acceptable treatment of streets and spaces, particularly owing to topographical issues amongst others. Impacts associated with the steep sloping nature of the site are significant, but to some extent unavoidable if development is to be brought forward on this allocated land, and therefore these impacts need to be weighed against the substantial benefits of delivering much needed housing, including affordable housing, at a time when the Council is unable to demonstrate a 5 year housing land supply. The latest submission, while not without its impacts, presents significant improvements to a number of matters compared to previous iterations having regard to providing a successful development that best meets the objectives of planning policy.

14.17.47. The assessment above sets out the benefits and the impacts of the proposed development and throughout this report consideration has been given to the policies of the development plan, the NPPF and other relevant material considerations. The presumption in favour of sustainable development as set out at Paragraph 11d of

the NPPF is engaged due to the Council's lack of 5 year housing land supply. Having regard to 11d(i) it is considered that the application of the policies in the Framework that protect areas or assets of particular importance do not provide a strong reason for refusing the development and regard must therefore be had to 11d(ii).

14.17.48. Para 11d(ii) of the NPPF says that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. The assessment of the benefits and impacts, as above, sets out the weight attributed to them.

14.17.49. It is considered that as a result of the latest iteration of plans (June 2026) and the ability to further refine details at condition stage that the planning balance is such that the benefits of the scheme, namely the housing delivery, provision of affordable housing, provision of land for a school and the provision of high quality amenity space are not significantly and demonstrably outweighed by the adverse impacts of granting planning permission and therefore in accordance with the presumption in favour of sustainable development in the NPPF planning permission should be granted.

15. Recommendation

Recommendation A:

To delegate authority to the Service Manager for Development Management and Enforcement or the Development Management Area Manager Southern and Western Team, in consultation with the Chair of the committee, and subject to no new material planning objections being received to the amended plans the current subject of consultation to grant planning permission subject to conditions as set out at the end of this report and the completion of a Section 106 Planning Obligation under Section106 of the Town and Country Planning Act 1990 (S106 agreement) to secure the following:

- No more than 100 dwellings to be occupied prior to the completion of the central avenue;
- Provision of 35% affordable housing;
- Financial contribution of £722 per dwelling towards NHS;
- Financial contribution of £524.72 per dwelling and £357.77 per flat towards Chesil and the Fleet mitigation;
- Financial contribution of £1,736.06 per qualifying dwelling (house or flat with 2 or more bedrooms), less land value discount of £482,000, towards primary education; plus a contribution towards SEND provision of £1,487.62 per qualifying dwelling, together with the transfer of land for the school;
- Financial contribution of £22,524 towards sports pitches and training facilities;
- Financial contribution of £106,413 towards Weymouth swimming pool;
- The provision of 0.28ha of play space, which shall include two LAP's, a LEAP, and informal play, together with the transfer of the land to Chickerell Town Council and a financial contribution of £411.84 per 2 bed unit; £587.34 per 3 bed unit; and £669.24 per 4+ bed unit; less land value discount of £98,800 towards play provision; a financial contribution of £420,000 towards maintenance, and to address the shortfall in play provision, a financial

contribution of £50,000 towards enhancing the play facilities at Willowbed Hall and/or towards a skate park within the town;

- Financial contribution of £348,532.80 towards open space maintenance, together with transfer of the land to Chickerell Town Council;
- Financial contribution of £50,000 towards improvements to Willowbed Hall;
- Financial contribution of £81,675.76 towards bus infrastructure; sustainable travel cards to be exchanged for 30 day bus ticket or cycle equipment; updating the walking and cycling maps;
- Financial contribution of £20,000 towards the upgrading of footpath S16/23;

16. Financial contribution of £12,000 towards the upgrading of footpath S16/21.

Conditions:

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

Received 28th Oct 2024:

LOC-00 Rev C Location Plan

Received 31st March 2026:

2602-02-FMOB Full Matters & Outline Boundary Plan

P932/01 G Southern Access

P932-02 G Northern Access

Received 1st April 2026:

P18_2525_EN_52 Rev A Site Location Plan

P932-84 E Phase A General Arrangement Plan 4 of 4

P932-88 E Phase A Proposed Levels and Contours Plan 4 of 4

P932-92 C Phase A Main Drainage Plan 4 of 4

P932-96 C Phase A Swept Path Analysis 4 of 4

P932-97 C Phase A Longitudinal Sections 1 of 4

P932-98 D Phase A Longitudinal Sections 2 of 4

P932-99 D Phase A Longitudinal Sections 3 of 4

P932-100 D Phase A Longitudinal Sections 4 o f4

P932-101 B Phase A Adoptable Construction Details

P932-103 A Phase A Adoptable Drainage Details

P932-104 B Phase A Fire Tender Plan Sheet 1 of 2

P932-105 B Phase A Fire Tender Plan Sheet 2 of 2

Received 22 April 2026:

2602-02-HT-So(mid)-2Br a Solway (mid) Plans & elevations

2602-02-HT-So(mid)-1Br a Solway (mid) Plans & elevations

2602-02-HT-So(end)-3Br a Solway (end) Plans & elevations

2602-02-HT-So(end)-2Br a Solway (end) Plans & elevations

2602-02-HT-So(end)-1Br a Solway (end) Plans & elevations

2602-02-HT-Sh-2St+C a Sherwood Plans & elevations

2602-02-HT-Re(mid)-3Br a Rendlesham (mid) Plans & elevations

2602-02-HT-Re(end)-3Br a Rendlesham (end) Plans & elevations

2602-02-HT-Lb-3Br a Lambridge Plans & elevations

2602-02-HT-Kn-3Br a Knebworth Plans & elevations

2602-02-HT-Kn-1Wb a Knebworth Plans & elevations

2602-02-HT-Hd(mid)-2Br a Haldon (mid) Plans & elevations

2602-02-HT-Hd(end)-3Br a Haldon (end) Plans & elevations

2602-02-HT-Hd(end)-2Br a Haldon (end) Plans & elevations)

2602-02-HT-Hd(end)-1Wb a Haldon (end) Plans & elevations

2602-02-HT-Hd(end)-1Br a Haldon (end) Plans & elevations

2602-02-HT-Gd(end)-3Br a Grizedale (end) Plans & elevations

2602-02-HT-Ga(mid)-3Br a Galloway (mid) Plans & elevations

2602-02-HT-Ga(end)-3Br a Galloway (end) Plans & elevations

2602-02-HT-Ga(end)-2St+C a Galloway (end) Plans & elevations

2602-02-HT-Da(end)-3Br a Danbury (end) Plans & elevations

2602-02-HT-Da(end)-2Br a Danbury (end) Plans & elevations

2602-02-HT-Da(end)-1Br a Danbury (end) Plans & elevations

2602-02-HT-Ct-3Br a Chiltern Plans & elevations

2602-02-HT-Cd-3Br a Charndale Plans & elevations

2602-02-HT-Cd-1R a Charndale Plans & elevations

ARo_2602-02-HT-Br-3Br a Brampton Plans & elevations

2602-02-HT-Br-2St+C a Brampton Plans & elevations

2602-02-HT-Br-2Br a Brampton Plans & elevations

2602-02-HT-Bi-1Wb a Birkdale Plans & elevations

2602-02-HT-Be-3Br a Barndale Plans & elevations

2602-02-HT-Be-2St+C a Barndale Plans & elevations

2602-02-HT-Be-1Wb a Barndale Plans & elevations

2602-02-HT-Be-1R a Barndale Plans & elevations

2602-02-HT-Al(mid)-3Br a Alnmouth (mid) Plans & elevations

2602-02-HT-Al(mid)-1Br a Alnmouth (mid) Plans & elevations

2602-02-HT-Al(end)-3Br a Alnmouth (end) Plans & elevations

Received 9th June 2026:

P932-83 H Phase A General Arrangement Plan 3of4

P932-85 G Phase A Proposed Levels and Contours Plan 1of4

P932-86 G Phase A Proposed Levels and Contours Plan 2of4

P932-87 G Phase A Proposed Levels and Contours Plan 3of4

P932-89 E Phase A Main Drainage Plan 1of4

P932-90 E Phase A Main Drainage Plan 2of4

P932-91 E Phase A Main Drainage Plan 3of4

P932-93 E Phase A Swept Path Analysis 1of4

P932-94 E Phase A Swept Path Analysis 2of4

P932-95 E Phase A Swept Path Analysis 3of4

P932-04 O Proposed Surface Water Drainage Strategy

P932-20 K Proposed Foul Water Drainage Strategy

P932-32 A Detention Basin Cross Sections

P932-37 Non-Motorised Access Arrangements

P932-81 H Phase A General Arrangement Plan 1of4

P932-82 H Phase A General Arrangement Plan 2of4

Received 11 June 2026:

2602-02-HT-Al(end)-1Wb Alnmouth (end) plans & elevations

2602-02-HT-Al(end)-2R Alnmouth (end) plans & elevations

2602-02-HT-Al(end)-2S Alnmouth (end) plans & elevations

2602-02-HT-Al(end)-3S Alnmouth (end) plans & elevations

2602-02-HT-Al(mid)-2R Alnmouth (mid) plans & elevations

2602-02-HT-Al(mid)-2S Alnmouth (mid) plans & elevations

2602-02-HT-Be-2R+C Barndale plans & elevations

2602-02-HT-Be-2Wb+C Barndale plans & elevations

2602-02-HT-Bi-2R Birkdale plans & elevations

2602-02-HT-Bi-2Wb Birkdale plans & elevations

2602-02-HT-Br-2R Brampton plans & elevations

2602-02-HT-Br-2Wb+C Brampton plans & elevations

2602-02-HT-Ct-1Wb b Chiltern plans & elevations

2602-02-HT-Ct-2Wb Chiltern plans & elevations

2602-02-HT-Da(end)-2R Danbury (end) plans & elevations

2602-02-HT-Da(end)-2Wb Danbury (end) plans & elevations

2602-02-HT-Da(mid)-2R Danbury (mid) plans & elevations

2602-02-HT-Gar(d+t) b Garage (double/twin) plans & elevations

2602-02-HT-Gar(single) b Garage (single) plans & elevations

2602-02-HT-Ha(mid)-1Wb Haldon (mid) plans & elevations

2602-02-HT-Kn-2R Knebworth plans & elevations

2602-02-HT-Lb-2Wb Lambridge plans & elevations

2602-02-HT-Re(mid)-2Wb Rendlesham (mid) plans & elevations

2602-02-HT-Rk-2Wb Rockcliffe plans & elevations

2602-02-HT-Sh-3Br b Sherwood plans & elevations

2602-02-HT-Al(end)-1Br Alnmouth (end) plans & elevations

2602-02-HT-Al(end)-1S Alnmouth (end) plans & elevations

2602-02-DD(A1) b Dwelling Distribution Plan_Phase A1

2602-02-DD(A2) b Dwelling Distribution Plan_Phase A2

2602-02-FG b Figure-Ground Diagram

2602-02-MAT(A1) b Character Areas & Materials Plan_Phase A1

2602-02-MAT(A2) b Character Areas & Materials Plan_Phase A2

2602-02-PH b Phasing Plan

2602-02-PRoW b Public Rights of Way Diversion Plan_Phase A

2602-02-RSBS(A1) b Refuse Strategy + Bicycle Storage Plan_Phase A1

2602-02-RSBS(A2) b Refuse Strategy + Bicycle Storage Plan_Phase A2

2602-02-SH(A1) b Storey Heights Plan_Phase A1

2602-02-SH(A2) b Storey Heights Plan_Phase A2

2602-02-SP(A1) b Sustainability Plan_Phase A1

2602-02-SP(A2) b Sustainability Plan_Phase A2

2602-02-SS b Proposed Street Scenes_Phase A

2602-02-SS_2 b Proposed Street Scenes_2_Phase A

2602-02-SS_3 a Proposed Street Scenes_3_Phase A

2602-02-SSec_2 Proposed Site Sections_2

2602-02-TP(A1) b Tenure Plan_Phase A1

2602-02-TP(A2) b Tenure Plan_Phase A2

2602-02-BT(A1) c Boundary Treatment Plan_Phase A1

2602-02-BT(A2) c Boundary Treatment Plan_Phase A2

Received 17 June 2026:

2602-02-HT-FB(37-42)-2R a Flat block 37-42 - plans & elevations

2602-02-HT-FB(63-66)-1Wb b Flat block 63-66 - Plans & elevations

2602-02-HT-FB(96-99)-2Wb a Flat block 96-99 - Plans & elevations

2602-02-HT-FB(106-114)-1Wb b Flat block 106-114 - Plans & elevations

P18-2525_42 C Dark Zone, Ecological Buffer - Interconnectivity

2602-02-HP(A1) a Hybrid Plan_Phase A1

2602-02-HP(A2) a Hybrid Plan_Phase A2

2602-02-MP(+B+C) b Masterplan -Whole site inc Phases B+C

2602-02-SSec c Proposed Site Sections

2602-02-SSec_3 Proposed Site Sections_3

P18-2525_29 P Strategic Landscape Masterplan

P18-2525_37_1 M Detailed Public Open Space Landscape Proposals 1 of 4

P18-2525_37_2 M Detailed Public Open Space Landscape Proposals 2 of 4

P18-2525_37_3 M Detailed Public Open Space Landscape Proposals 3 of 4

P18-2525_37_4 N Detailed Public Open Space Landscape Proposals 4 of 4

P18-2525_57 B Concept On Plot

Received 26 June 2026:

2602-02-HT-Sh-2Wb Sherwood Plans & Elevations

Received 29 June 2026

P932/116 Pond Sections

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

Commencement – Detailed element

2. The detailed element of this development to which this hybrid permission relates, as identified on drawing 2602-02-FMOB and referred to as phase A and D on drawing 2602-02-PH, 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).

Commencement – Outline element

3. Approval of the details of the access, layout, scale, appearance and landscaping (hereinafter called the Reserved Matters) of the relevant phase of the development outside of the full permission (granted for Phase A and D of this hybrid permission and as identified on drawing 2602-02-FMOB) shall be obtained from the Local Planning Authority in writing before any development of the relevant phase is commenced other than on Phase A and D of the development.

   Reason: To ensure the satisfactory development of the site.

4. An application for approval of any 'reserved matter' must be made not later than the expiration of five years beginning with the date of this permission.

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

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

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

6. Not more than 185 dwellings in total shall be constructed under the outline element of the permission.

   Reason: The assessment of the impacts of the scheme are based on a maximum of 328 dwellings across the whole site and additional dwellings would require further assessments of impacts.

Phasing Plan

7. No application for Reserved Matters shall be approved until a Phasing Plan for the development has been submitted to, and approved in writing by, the Local Planning Authority. The Phasing Plan shall generally accord with drawing 2602-02-PH b Phasing Plan but shall include anticipated delivery timescales, including timescales for the delivery of the school. Thereafter, development shall be brought forward in accordance with the Phasing Plan.

REASON: To allow the development to proceed on a phased basis.

Design Code – phases B and C

8. No application for reserved matters shall be approved until a Design Code has been submitted to and approved in writing by the Local Planning Authority for phase B and C. Each subsequent reserved matters application for development within phase B and C should be accompanied by a written statement which sets out how proposed development in that phase has complied with the principles set out in the approved Design Code. The Design Code shall include details of the following in respect of each Character Area:

   - Minimum and maximum residential densities;
   - a palette of materials to be used in the construction of external surfaces;
   - a palette of architectural features to be incorporated into the design of buildings;
   - a palette of means of enclosure;
   - how affordable housing will be dispersed throughout each character area;
   - typical street scenes;
   - information of how level changes will be addressed;
   - parking design;
   - the location of and minimum amounts of landscaped areas within and between development parcels;

   All subsequent applications for the approval of reserved matters shall be in conformity with the approved Design Code unless justification is provided and an alternative is agreed in writing by the Local Planning Authority.

   REASON: To ensure the provision of a high quality development in accordance with the provisions of Policies ENV1, ENV10, ENV11, ENV12 and ENV15 of the West Dorset Weymouth and Portland Local Plan.

Design Code – School phase

9. No application for reserved matters for the school shall be approved until a Design Code has been submitted to and approved in writing by the Local Planning Authority for the 'school phase', as identified on drawing 2602-02-PH b 'Phasing Plan'. The subsequent reserved matters application for development within the 'school phase' should be accompanied by a written statement which sets out how proposed development in that phase has complied with the principles set out in the approved Design Code. The Design Code shall include details of the following:

   - proposed massing and height, with consideration given to the massing of the school from the valley (from the north)
   - a palette of materials to be used in the construction of external surfaces;
   - a palette of architectural features to be incorporated into the design;
   - a palette of means of enclosure;
   - information of how level changes will be addressed;
   - the design of parking and access, which focusses on prioritising pedestrians and cyclists, and which seeks to avoid the dominance of parking from the street scene. Details shall include entrances for children/visitors (accessible from the public street/public area), and shall take account of school drop off/collection and the transition from the street into the managed space of the school;
   - the location of and minimum amounts of landscaped areas;
   - information on how the school will respond to public spaces and contribute to wider placemaking having regard to building lines and frontages;
   - how the design responds to Secure By Design Guide for Schools (2014)

All subsequent applications for the approval of reserved matters shall be in conformity with the approved Design Code unless justification is provided and an alternative is agreed in writing by the Local Planning Authority.

REASON: To ensure the provision of a high quality development in accordance with the provisions of Policies ENV1, ENV10, ENV11, ENV12 and ENV15 of the West Dorset Weymouth and Portland Local Plan.

Materials

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

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

Strategic Landscape Phasing Plan

11. Notwithstanding the submitted Landscape Plans (drawing numbers P18-2525_29 P Strategic Landscape Masterplan; P18-2525_37_1 M Detailed Public Open Space Landscape Proposals 1 of 4; P18-2525_37_2 M Detailed Public Open Space Landscape Proposals 2 of 4, P18-2525_37_3 M Detailed Public Open Space Landscape Proposals 3 of 4, P18-2525_37_4 N Detailed Public Open Space Landscape Proposals 4 of 4' received 17 June 2026), prior to commencement of development hereby approved, a Strategic Landscape Phasing Plan shall first be submitted to, and agreed in writing by, the Local Planning Authority. The Strategic Landscape Phasing Plan shall identify strategic planting in and around the site, including along the northern and eastern boundaries, and shall include an implementation timetable making provision for strategic planting to be carried out in advance of the development. Thereafter after all strategic planting shall be carried out in accordance with the phasing and timetables agreed within the Strategic Landscape Phasing Plan.

    Reason: To ensure the provision and establishment of strategic planting to a reasonable standard of landscape to reduce the impact of the development on longer views, in accordance with Local Plan policy CHIC2.

Strategic Soft Landscaping and Planting Scheme

12. Notwithstanding the submitted Landscape Plans (drawing numbers P18-2525_29 P Strategic Landscape Masterplan; P18-2525_37_1 M Detailed Public Open Space Landscape Proposals 1 of 4; P18-2525_37_2 M Detailed Public Open Space Landscape Proposals 2 of 4, P18-2525_37_3 M Detailed Public Open Space Landscape Proposals 3 of 4, P18-2525_37_4 N Detailed Public Open Space Landscape Proposals 4 of 4' received 17 June 2026), prior to the commencement of development, a Strategic Soft Landscaping and Planting Scheme for that phase shall be submitted to, and agreed in writing, by the Local Planning Authority. The Strategic Soft Landscaping and Planting Scheme shall include:

    - identification of all strategic planting in and around the site, including along the northern and eastern boundaries;
    - planting plans, written specifications and schedules of all strategic planting (including hedge, shrubs and trees), noting species, planting sizes, position and proposed numbers/densities where appropriate together with implementation timetables (which shall accord with the Strategic Landscape Phasing Plan agreed under condition 11).

- no fewer trees, shrubs and hedges than those shown on the submitted Landscape Plans (drawing numbers P18-2525_29 P Strategic Landscape Masterplan; P18-2525_37_1 M Detailed Public Open Space Landscape Proposals 1 of 4; P18-2525_37_2 M Detailed Public Open Space Landscape Proposals 2 of 4, P18-2525_37_3 M Detailed Public Open Space Landscape Proposals 3 of 4, P18-2525_37_4 N Detailed Public Open Space Landscape Proposals 4 of 4' received 17 June 2026);
- the retention of all trees/hedges proposed to be retained as identified on the Tree Retention and Removal Plan, drawing no. BHA_506_01 and BHA_506_02, submitted within the Arboricultural Method Statement, and as shown on the Strategic Landscape Masterplan, drawing no. P18-2525_29 P.
- tree pit designs where applicable;
- stock proof fence protection installed to woodland buffer and native shrub planting within open space areas until established
- underground modular support systems where applicable;
- earthworks showing existing and proposed finished levels or contours;
- means of enclosure and retaining structures;
- proposed and existing functional services above and below ground infrastructure and services;
- the location of streetlighting;
- precise tree locations and indication of mature canopy spread;
- visibility splays.
- provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 10 years.
- implementation timetable

The Strategic Soft Landscaping and Planting Scheme, as has been agreed, shall be implemented in full in accordance with the agreed implementation timetable within the Strategic Landscape Phasing Plan (agreed under condition 11).

Reason: To ensure the provision and establishment of strategic planting to a reasonable standard of landscape in the interest of visual amenity.

Internal Soft Landscaping and Planting Scheme

13. Notwithstanding the submitted Landscape Plans (P18-2525_29 P Strategic Landscape Masterplan; P18-2525_57 B Concept On Plot), prior to the commencement of development within each phase hereby approved, a Soft Landscaping and Planting Scheme for that phase shall be submitted to, and agreed in writing, by the Local Planning Authority. The Internal Soft Landscaping and Planting Scheme shall include:
    - planting plans, written specifications and schedules of all planting within that phase (including hedge, shrubs, trees, ornamental on plot planting and planting for the crib walls), noting species, planting sizes, position and proposed numbers/densities where appropriate together with implementation timetables (which, in relation to any strategic planting, shall accord with the Strategic Landscape Phasing Plan agreed under condition 11).
    - no fewer street trees than those shown on the submitted landscape drawings: P18-2525_29 P Strategic Landscape Masterplan; P18-2525_57 B Concept On Plot;
    - tree pit designs where applicable;

- underground modular support systems where applicable;
- earthworks showing existing and proposed finished levels or contours;
- means of enclosure and retaining structures;
- proposed and existing functional services above and below ground infrastructure and services;
- the location of streetlighting;
- precise tree locations and indication of mature canopy spread;
- visibility splays
- provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 10 years.
- implementation table

The Internal Soft Landscaping and Planting Scheme for each phase, as has been agreed, shall be implemented in full in accordance with the agreed implementation timetable.

Reason: To ensure the provision and establishment of planting to a reasonable standard of landscape in the interest of visual amenity.

Landscapes Management and Replacement

14. The planting and landscaping shown within the Strategic Soft Landscaping and Planting Scheme and Internal Soft Landscaping and Planting Scheme for each phase (agreed under condition 12 and 13) shall be carried out in full in accordance with the implementation timescales agreed; and in any case not later than the termination of the first planting season following the commencement of that particular phase of the development. In the ten year period following the completion of the strategic soft landscaping and planting scheme of that particular phase of the development any trees or plants that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority.

    Reason: To ensure the provision and establishment of strategic planting to a reasonable standard of landscape in the interests of visual amenity.

Rights of Way Management Plan

15. No development within any phase of development shall commence until a Rights of Way Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Rights of Way Management Plan should be prepared in conjunction with the Public Open Space Management Plan required under condition 16 and shall include:
    - detailed design of the access and public rights of way routes, including details of their surfacing, widths, gradients, landscaping, and structures;
    - any proposals for diversion and closures of public rights of way and alternative route provision; and
    - provisions taking on board advice contained within the Rights of Way informatives listed on the decision notice.

    Thereafter the development shall proceed in strict accordance with the Rights of Way Management Plan as has been agreed. Any subsequent changes to the Rights of Way

Management Plan, owing to the outcome of the Footpath Diversion Order(s), must be agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring public rights of way are retained at an appropriate standard.

Public Open Space Management Plan

16. Prior to commencement of development of each phase a Public Open Space Management Plan for that phase shall be submitted to and agreed in writing by the Local Planning Authority. The Public Open Space Management Plan shall cover details of hard landscaping and should be prepared in conjunction with the Rights of Way Management Plan required under condition 15. It shall have regard to the 'Advice Note for Practical Design and Management of Greenspace' and recommendations set out in 'Secure by Design', and it shall include:
    - detailed design of all other footways/cycleways not considered under the Rights of Way Management Plan, including details of their surfacing, widths, gradients, landscaping, and structures. The footway proposed along the western corridor of the site shall be surfaced using bound material;
    - details of access and crossing points (in accordance with the Active Travel Movement Plan required under condition 27 and details of crossing points required under condition 32);
    - minor artefacts and structures (e.g. furniture, bollards, cycle facilities, refuse, signage/wayfinding);
    - details of a viewing area to be provided within the northern public open space;
    - proposed and existing functional services above and below ground and location of inspection areas (e.g. drainage, power, communications cables, pipelines, etc indicating lines, manholes, supports, etc);
    - details of how surveillance of public areas shall be maximised having regard to the siting of landscaping;
    - details of lighting of public areas;
    - access and management arrangements;

    Thereafter the development of each phase shall proceed in strict accordance with the Public Open Space Management Plan as has been agreed. Any subsequent changes to the Public Open Space Management Plan, must be agreed in writing by the local planning authority.

    Reason: In the interests of ensuring public open space is provided to an appropriate standard.

Play spaces

17. Prior to the development of areas of play, a comprehensive Play Strategy shall be submitted to and agreed in writing by the Local Planning Authority. The Play Strategy shall have been prepared having regard to 'Secure by Design' principles and 'Design for Play' Guidance and shall have had regard to recommendations by Fields in Trust and the Green Infrastructure Planning and Design Guide. The Play Strategy shall include:

    details, including to scale plans and elevations, of proposed play experiences/equipment at each area of play;
    a detailed specification and plans for each area of play, including details of surfacing, impact absorbing surfaces beneath and around play equipment, boundary treatment, location of entry/exit points;
    minor artefacts and structures (e.g. furniture, refuse, signage/wayfinding);

    The Local Area for Play shall include a minimum of 12 play experiences/equipment, including a minimum of 2 inclusive play experiences/equipment and features that

support contact with nature and natural play. Signage shall be incorporated at each formal play space indicating that the area is for children's play and dogs are not welcome.

Thereafter, development shall proceed in strict accordance with such details as have been agreed within the Play Strategy.

Reason: In the interests of safety by design and in the interests of ensuring meaningful play spaces are created to serve the proposed development.

A Landscape and Ecological Management Plan

18. Notwithstanding the submitted Landscape and Ecological Management Plan (LEMP), prior to commencement of development of each phase, a revised/updated LEMP for that phase shall be submitted to and approved in writing by the Local Planning Authority, and shall include:
    - long term design objectives, management responsibilities, and maintenance schedules;
    - for all landscaped areas (other than small, privately owned domestic gardens), a Strategic Soft Landscape Scheme (as per condition 12) and an Internal Soft Landscape Scheme (as required by condition 13) for each phase, to include where practicable planting of large canopy trees at E-W ecological corridors;
    - the mitigation, compensation and enhancement measures detailed in the Ecology and Nature Conservation Chapter (chapter 7) of the Environmental Statement, together with a timetable for their implementation and/or phasing (implementation of landscaping to align with the details submitted in relation to condition 11 and 13);
    - identification of east-west 'wildlife corridors' to support ecological connectivity;
    - evidence of compliance for each phase of development including photographic evidence, to be supplied to the Local Planning Authority prior to the substantial completion of each phase of development;
    - a timetable for implementation and/or phasing (implementation of landscaping to align with the details submitted in relation to condition 11 and 13).

    Each phase of development shall subsequently be implemented entirely in accordance with the approved LEMP and agreed implementation timetables, unless any modifications to the approved LEMP as a result of the requirements of a European Protected Species Licence has first been submitted to and agreed in writing by 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 ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation significance and to mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

Protection of trees

19. The development hereby permitted shall be undertaken in accordance with the approved Arboricultural Method Statement (AMS) by Barton Hyett Associates, dated Mar 2026 and Tree Protection Plan (TPP) drawing no. BHA_506_03 Rev A sheet 1 and 2, which also shows protected hedgerows to be retained. The tree and hedgerow protection measures for each phase shall be installed prior to commencement of development of that phase, and shall be retained until the development of that phase is complete. Dated photographic evidence of the erected tree/hedge protective measures fencing must be supplied to the Local Planning Authority at least 5 days prior to the commencement of works and nothing shall be placed within the fencing, nor shall any

ground levels be altered or excavations made without the written consent of the Local Planning Authority.

Reason: In the interests of safeguarding and enhancing the character and amenity of the site and locality and to avoid any irreversible damage to retained trees and hedgerows.

Services near trees and hedges

20. Prior to commencement of works (including site clearance and any other preparatory works) a plan showing final service routes, including the position of soakaways and a method for installation near trees and hedges shall be submitted to and agreed in writing with the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

    Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

Construction Environmental Management Plan

21. Prior to the commencement of development on each phase, a Construction Environmental Management Plan (CEMP) for that phase must be submitted to and approved in writing by the local Planning Authority. The CEMP must include the following:
    Risk assessment of potentially damaging construction activities. This should relate to impacts on ecology as well as impacts upon amenity through matters relating to noise, air quality and other construction related activities;
    detail construction hours in respect of various activities;
    the public display of site contacts;
    details of waste management plans;

    - Identification of “biodiversity protection zones”;
    - 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 location and timing of sensitive works to avoid harm to biodiversity features and the amenity of the area;
    - 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;
    - Use of protective fences, exclusion barriers and warning signs to safeguard both biodiversity and amenity; and
    - protocols in the event unexpected land contamination is found on site.

    Thereafter, the development of each phase shall take place strictly in accordance with the approved CEMP.

    Reason: To protect biodiversity and amenity during the construction phase.

Dormouse Mitigation Strategy

22. Prior to commencement of development or any clearance of habitat capable of supporting dormice on the site, as identified on p14 of The Hazel Dormouse Mitigation Handbook (Wells, D., Chanin, P. & Gubert, L., The Mammal Society, 2025) a dormouse mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, the Strategy shall include:
    - the provision of a dormouse bridge to be positioned within the wildlife corridor to the south of the site;
    - stock fencing of dormouse habitat, in accordance with details to be submitted;
    - a methodology statement for the dormouse bridge; and
    - implementation timetables, a management plan and monitoring schedule.

    The development shall thereafter take place fully in accordance with the approved details and the mitigation shall be maintained in accordance with the approved details for the lifetime of the development.

    Reason: In the interests of securing appropriate biodiversity mitigation.

Dormouse Bridge

23. Prior to commencement of development or any clearance of habitat capable of supporting dormice on the site, as identified on p14 of The Hazel Dormouse Mitigation Handbook (Wells, D., Chanin, P. & Gubert, L., The Mammal Society, 2025), details of the dormouse bridge (as required as part of the Dormouse Mitigation Strategy (condition 22)) including to scale plans, and details of its positioning (which shall take into account the position of street lighting) shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the dormouse bridge shall be installed and maintained in line with the details within the Dormouse Mitigation Strategy agreed under condition 22.

    Reason: In the interests of securing appropriate biodiversity mitigation and in the interests of highway safety.

Small Mammal/amphibian Mitigation Strategy

24. Prior to commencement of development or any clearance of habitat capable of supporting small mammals or amphibians on the site, a Small Mammal and Amphibian Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall include provision for a minimum of 7 tunnels running under the north-south central avenue, and shall provide details of their siting and design together with a methodology statement, implementation timetable, management plan and monitoring schedule. It shall also make provision for hedgehog holes within boundary fences. The development shall thereafter take place fully in accordance with the approved details and the mitigation shall be maintained in accordance with the approved details for the lifetime of the development.

    Reason: In the interests of securing appropriate biodiversity mitigation and in the interests of highway safety.

Lighting Strategy

25. Prior to the commencement of development on each phase, a Lighting Strategy for that phase shall first be submitted to and agreed in writing by the Local Planning Authority. The Lighting Strategy will seek to, wherever practicable:
    - keep lighting to less than 0.5 lux within the Wildlife Corridors (as identified within the submitted Landscape and Ecological Management Plan (condition 18)):
    - avoid all-night lighting;
    - have regard to siting street lighting columns at the greatest distance possible from the dormouse bridge (as required by condition 23) and wildlife corridors; and

- include details of any lighting within areas of public open space.

The Strategy shall include:

- details of the design of the columns and their height, position, direction of lighting, use of accessories such as cowls or hoods and details of the lights;
- the proposed locations of all street trees and their mature canopy spread;
- the hours the lights will be turned off

Thereafter, each phase shall proceed in strict accordance with such details as have been agreed.

Reason: In the interests of securing appropriate biodiversity mitigation and in the interests of highway safety.

Badgers

26. Prior to the commencement of development on each phase a badger sett survey of the development site for that phase and immediately adjacent areas shall be undertaken. A report detailing the results of the survey shall be submitted to the Local Planning Authority. If surveys show that specific relevant works require a licence to disturb a badger sett, a copy of a valid licence is to be submitted to the Local Planning Authority prior to the commencement of the relevant works within that phase.

Reason: In the interests of securing appropriate biodiversity mitigation.

Active Travel Movement Plan

27. Notwithstanding the submitted plans (drawing numbers P932-81 H Phase A General Arrangement Plan 1 of 4, P932-82 H Phase A General Arrangement Plan 2 of 4, P932-83 H Phase A General Arrangement Plan 3 of 4, received 9th June 2026; and P932-84 E Phase A General Arrangement Plan 4 of 4, received 1st April 2026), prior to commencement of development of each phase, an Active Travel Movement Plan for that phase shall be submitted to and agreed in writing by the Local Planning Authority. The Active Travel Movement Plan shall include:
    - a plan indicating desire lines throughout the site;
    - details of the position of footway and cycle links within that phase having regard to desire lines;
    - details of crossing points (including type and colour of hard surfacing proposed) within the phase, which shall, as far as practicable, avoid the use of raised tables or other highway features that require all-night lighting;
    - details of the position of crossing points, having regard to desire lines/footway/cycle links. This shall include appropriately located crossing points connecting any public open space (i.e.. either side of the central avenue); and
    - provision of an east-west cycle route linking the central avenue with Lower Putton lane.

    Thereafter, the development of each phase shall take place strictly in accordance with the details as have been agreed.

    Reason: In the interests of highway safety

Access Arrangements

28. No part of the development shall be occupied until the access onto School Hill, including a 6.5m wide vehicle carriageway access with shared use paths on either side, as indicated on Phase A General Arrangement Plan sheet 1 of 4 (Drawing P932/81 Rev H) has been provided in accordance with details to be first agreed in writing by the Local Planning Authority.

REASON: To ensure that sustainable modes are prioritised and safe and suitable access to the site is provided for all users, in accordance with Paragraph 115 of the National Planning Policy Framework.

29. No more than 50 dwellings shall be occupied until the connection for pedestrians and cycles to the western boundary of the site in vicinity of School Close and Mariners Way has been provided and open for use to a specification which shall have first been agreed in writing by the Local Planning Authority.

    REASON: To prioritise sustainable transport modes and ensure that safe and suitable access to the site is provided for all users, in accordance with Paragraph 115 and 117 of the National Planning Policy Framework.

30. No more than 100 dwellings shall be occupied until the upper connection to Lower Putton Lane, as indicated in the Non-motorised Users Access arrangements (Drawing P932/37 Rev #) and Phase A general Arrangement sheet 2 (Drawing P932/82 Rev H) has been provided and open for use in accordance with a specification to be first agreed in writing by the Local Planning Authority.

    REASON: To prioritise sustainable transport modes and ensure that safe and suitable access to the site is provided for all users, in accordance with Paragraph 115 and 117 of the National Planning Policy Framework.

31. No more than 300 dwellings shall be occupied until the lower connection to Lower Putton Lane, as indicated in the Non-motorised Users Access arrangements (Drawing P932/37 Rev #) and Phase A general Arrangement sheet 2 (Drawing P932/82 Rev H), has been provided and open for use in accordance with a specification to be first agreed in writing by the Local Planning Authority.

    REASON: To prioritise sustainable transport modes in accordance with Paragraph 115 and 117 of the National Planning Policy Framework.

Crossing points

32. Notwithstanding the submitted plans (drawing numbers P932-81 H Phase A General Arrangement Plan 1 of 4, P932-82 H Phase A General Arrangement Plan 2 of 4, P932-83 H Phase A General Arrangement Plan 3 of 4, received 9th June 2026; and P932-84 E Phase A General Arrangement Plan 4 of 4, received 1st April 2026), prior to commencement of development of each phase, details of crossing points (including type and colour of hard surfacing proposed) within that phase shall have been submitted to and agreed in writing by the Local Planning Authority. These shall, as far as practicable, avoid the use of raised tables or other highway features that require all-night lighting, respond positively to placemaking, and ensure pedestrian and cycle priority at junctions. Thereafter, the development of each phase shall proceed in strict accordance with such details as have been agreed.

    Reason: In the interests of highway safety, placemaking and biodiversity.

Phase A

33. Notwithstanding the submitted plans (drawing numbers P932-81 H Phase A General Arrangement Plan 1 of 4, P932-82 H Phase A General Arrangement Plan 2 of 4, P932-83 H Phase A General Arrangement Plan 3 of 4, received 9th June 2026; and P932-84 E Phase A General Arrangement Plan 4 of 4, received 1st April 2026), prior to

commencement of development for phase A, plans showing the proposed estate roads, footways, footpaths, tactile paving, cycleways, verges, junctions, including revised layout of junction of Central Avenue with road 5), street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, and street furniture shall be submitted to and approved by the Local Planning Authority. Thereafter, the estate roads and parking areas in Phase A shall be laid out in accordance with the details as have been agreed.

Reason: In the interests of highway safety, residential amenity and to provide safe and suitable access.

Bus stops

34. Prior to commencement of development, details of bus stop location and layout shall have been submitted to and agreed in writing by the Local Planning Authority. This shall include details of the siting of the stops, appropriate passenger waiting facilities, hard surfacing and proposed infrastructure (including to scale plans of the bus shelters and poles, lighting and display information), and a timetable for implementation. Thereafter, the development shall proceed in strict accordance with such details as have been agreed.

    Reason: In the interest of highway safety and ensuring appropriate provision is made to support the use of the route as a bus route.

Visitor Parking

35. Notwithstanding the submitted plans (drawing numbers P932-81 H Phase A General Arrangement Plan 1 of 4, P932-82 H Phase A General Arrangement Plan 2 of 4, P932-83 H Phase A General Arrangement Plan 3 of 4, received 9th June 2026; and P932-84 E Phase A General Arrangement Plan 4 of 4, received 1st April 2026), prior to commencement of development for phase A, amended plans showing enhancement of the visitor parking layout shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

    Reason: To ensure provision of adequate visitor parking

Cycle Parking

36. Prior to first use or occupation of each phase of development hereby approved, a scheme showing details of the proposed cycle parking facilities for that phase shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details, including to scale plans, of on-plot bike storage facilities and cycle facilities to be provided within public areas of open space. Thereafter the development shall proceed in strict accordance with such details as have been agreed and cycle facilities serving public spaces shall be maintained and kept free 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.

Turning and Parking

37. Before development within each phase is first occupied or utilised the estate road details, including geometric requirements, turning and vehicular parking areas shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, these

areas must be provided on site, permanently maintained, kept free from obstruction and available for the purposes specified.

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

Construction Traffic Management Plan

38. Prior to commencement of each phase of development hereby approved a Construction Traffic Management Plan and programme of works relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include
    - construction vehicle details (number, size, type and frequency of movement)
    - a programme of construction works and anticipated deliveries
    - timings of deliveries so as to avoid, where possible, peak traffic periods
    - a framework for managing abnormal loads
    - location of construction site access
    - contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
    - wheel cleaning facilities
    - vehicle cleaning facilities
    - inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
    - a scheme of appropriate signing of vehicle route to the site
    - a route plan for all contractors and suppliers to be advised on
    - temporary traffic management measures where necessary

    The development of each phase shall thereafter be carried out strictly in accordance with the approved Construction Traffic Management Plan for that phase.

    Reason: In the interests of road safety.

Travel Plan

39. Notwithstanding the submitted Residential Travel Plan, no part of the development shall be occupied until an updated Travel Plan, details of travel plan co-ordinator and timetable of implementing measures, broadly reflecting the details in the March 2026 Residential Travel Plan prepared by PFA Consulting dated Mar 2026, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the Travel Plan shall be implemented in accordance with the agreed details.

    REASON: To ensure that opportunities to promote walking, cycling and public transport in accordance with paragraph 109 of the National Planning Policy Framework.

Surface water scheme prior to commencement

40. 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, shall be submitted to and approved in writing by the Local Planning Authority. The Surface Water Scheme shall provide clarification of how drainage is to be managed during construction, shall include a timetable for implementation of the scheme, and a methodology for pond reconfiguration of the Highway Authority drainage features at the south of the site. The design should generally be in accordance with the recommendations and designs within the report 'Flood Risk Assessment and Drainage Strategy, by PFA Consulting, Ref P932 Issue 14 and dated June 2026' and the design

shown on drawing 'Proposed Surface Water Drainage Strategy, by PFA Consulting, ref P932/04, rev O and dated 5 June 2026'. The scheme should have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS). 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 and to take into account current national standards for SuDS.

Maintenance and management of the surface water scheme

41. Prior to the occupation of the development, details of maintenance and management of the surface water sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS). The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

    Reason: To ensure the future maintenance of the surface water drainage system, and to prevent the increased risk of flooding and to take into account current national standards for SuDS.

Amenity

42. Prior to first occupation of each phase of development hereby approved, details of retaining structures, including to scale plans of the crib walls and details of how they abut the street scene, shall have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development of each phase shall procced in accordance with such details as have been agreed.

    Reason: In the interests of the amenity of occupiers and visual amenity of the area.

43. No dwelling shall be occupied until the boundary treatment for that plot, as shown on the approved drawings shall have been erected. Thereafter, the boundary treatment, where shown to be at a height of 1.8m on the approved plans shall be retained at that height and no lower.

    Reason: In the interests of safeguarding the amenity of neighbouring occupiers, particularly given the difference in levels between plots.

44. Notwithstanding the submitted plans 2602-02-HT-SH-2Wb and 2602-02-HT-Ga(end)-3Br a, no development above damp proof course shall commence until revised plans and elevations showing a side facing window within the dwellinghouses at plots 46 and 115 shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with the details as have been agreed.

    Reason: In the interests of safety by design and to ensure improved surveillance of car parking court yards.

Garden Gate Design

45. Garden gates providing side or rear access to property gardens shall be a minimum height of 1.8m and capable of being securely locked with key operated access from both sides.

    Reason: In the interests of safety by design.

Earthworks

46. Prior to the commencement of each phase of development, full details of earthworks for that phase shall be submitted to and approved in writing by the Local Planning Authority. These details shall be based on a site survey showing the existing ground levels including at the boundaries at the adjoining properties and shall include proposed grading and mounding of land including the levels and contours to be formed (in both private and public spaces, including property gardens, roads, footpaths and open space) and showing the relationship of the proposed mounding to the existing vegetation, surrounding landforms and built development. In addition, the heights of all retaining structures will be confirmed. No part of each phase of development shall be occupied until the works are completed in accordance with the approved details.

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

Finished floor levels

47. Prior to commencement of each phase of development, full details of the finished floor level(s) of all the building(s) within that phase shall have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be relative to an ordnance datum or such other fixed feature as may be agreed in writing by the Local Planning Authority. Thereafter, the development of each phase shall be carried out in accordance with the approved details for that phase.

    Reason: In the interests of visual amenity.

Air Source Heat Pumps

48. Prior to occupation of each phase, details (including design, scale, positioning, noise output and mitigation measures where necessary, and an assessment against the Microgeneration Installations Standards: MCS-20) of any air source heat pumps shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the air source heat pumps shall be installed in accordance with the details as have been agreed and any mitigation measures permanently retained.

    Reason: In the interests of the residential amenity.

Land Contamination

49. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority:
    1) a 'desk study' report documenting the site history.

    2) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment.

    3) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when this developed.

    4) a detailed phasing scheme for the development and remedial works (including a time scale).

5) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time.

The Remediation Scheme as agreed in writing by the Local Planning Authority, shall be fully implemented in accordance with the approved detailed phasing scheme for the development and remedial works and before the development within any phase first comes in to use or is occupied. A written confirmation that all works were completed in accordance with the agreed details and phasing scheme shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

Verification

50. If contamination remediation is required, prior to the first occupation or use of each phase of development hereby permitted as set out in the detailed phasing scheme approved under condition 49 a verification certificate to confirm that the land subject to that phase is fit for purpose following remediation shall be submitted to the Local Planning Authority.

    Reason: To ensure potential land contamination is addressed.

Unexpected Land contamination

51. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

    Reason: To ensure risks from contamination are minimised.

Archaeology

52. No works shall take place within each phase until the implementation of a programme of archaeological work for that phase has first been secured, in accordance with a written scheme of investigation which has been submitted to, and approved in writing by, the Local Planning Authority. This scheme shall cover additional archaeological fieldwork to the trial trench evaluation reported within the Archaeological Evaluation Report dated 2016 together with post-excavation work and publication of the results and shall include a timetable for implementation. Thereafter, works for that phase shall proceed in accordance with the programme of archaeological work and agreed implementation timetable.

    Reason: In the interests of securing and recording archaeological evidence.

Golf strike zone

53. Prior to occupation of any dwelling, a Strategy for addressing risk from golf strike shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a plan clearly identifying the golf course to the east of the site and the golf strike risk zones within the development site. Within the golf strike risk zones, there shall be no residential development, and the Strategy shall set out the detailed design and landscaping proposed for this area aimed to deter public access, and including the

provision of fencing and the provision for signage to be installed indicating risk from ball strike. The details as have been agreed shall be implemented prior to occupation of any dwelling. Thereafter, the mitigation measures set out in the Strategy shall be retained.

Reason: To ensure risks from ball strike are minimised.

Informatives

1. S106
   This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to [Insert key matters covered in the agreement].

2. National Planning Policy Framework Statement
   In accordance with paragraph 39 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, a Planning Performance Agreement was made which facilitated design workshops and regular reviews. The applicant/agent was consequently updated of any issues and provided with the opportunity to address issues identified by the case officer.

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

4. Street Naming and Numbering
   The Council is responsible for street naming and numbering within our area. This helps to effectively locate property to deliver post and for access by emergency services. New or changed addresses must be registered with the Council. This link has more information. https://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering/street-naming-and-numbering.

5. Water Supplies for Fire Fighting
   The proposed development should be served by the necessary water supply and fire hydrants for use in the event of a fire. It is recommended that these requirements are established prior to commencement of development. This ensures a firefighting water supply is in place during the construction phase, hydrants are connected at the right locations, and at the right time.

6. Sprinkler systems
   The Dorset and Wiltshire Fire and Rescue Service would recommend that the developer looks to provide at least a 32mm minimum diameter water main which would enable the installation of sprinkler systems within the approved dwelling(s). Further, Dorset and Wiltshire Fire and Rescue Service would recommend that the proposed school is also fitted with a sprinkler system. The Council considers this to be a key element in reducing the impact of fires. The Council believes there is compelling evidence that sprinklers systems are a cost effective way of not only reducing the number of fire deaths and injuries, but also reducing the economic, social and environmental impact of fires.

7. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.
The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in full in a subsequent informative below.
Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.

- The application for planning permission was made before 12 February 2024.

Read more about Biodiversity Net Gain at
https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain

8. Biodiversity Net Gain exemptions
Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan
1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
(i)the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
(ii)the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
i) the application for planning permission was made before 2 April 2024;
ii) planning permission is granted which has effect before 2 April 2024; or
iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
4.2 Development below the de minimis threshold, meaning development which:
i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).
4.5 Self and Custom Build Development, meaning development which:
i) consists of no more than 9 dwellings;
ii) is carried out on a site which has an area no larger than 0.5 hectares; and
iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).
4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.
* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

9. Hazel dormice
The applicant is advised that Hazel dormice are protected in the UK by Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Part 3 of the Conservation of Natural Habitats and Species Regulations 2017 (2019 EU exit) and they are a European Protected Species. Work should proceed with caution and if any Hazel dormice are found, all work should cease, the area in which the Hazel dormouse/dormice have been found should be made secure and advice sought from Natural England (tel: 0300 060 3900), website www.naturalengland.org.uk before proceeding. More information on development planning and Hazel dormice is available here https://www.gov.uk/guidance/hazel-or-common-dormice-surveys-and-mitigation-for-development-projects

10. Nesting Birds
The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

The Natural Environment Team, Dorset Council recommends that vegetation, hedge, shrubs and tree removal; translocation or cutting back avoids the bird nesting season which runs from mid-February to 31st August. This is in order to avoid impacts to nesting birds and infringement of the legislation.

Vegetation or site clearance as a result of this development should be undertaken outside of the nesting season specified above. In some seasons the nesting period may start before or extend beyond these dates, so the applicant should be aware that the dates are a guide only.

If clearance work has to be undertaken during the nesting season, a breeding bird survey needs to be carried out by a suitably qualified person no more than 48 hours before clearance /cutting works commence. Any active nests identified should be protected by a 5m exclusion zone until the young have left the nest.

As a general rule, it should be assumed that birds will be nesting in trees, scrub, reeds or substantial ditch side vegetation during the core breeding period, unless a survey had shown this not to be the case. In addition, some species are ground nesting, such as the

skylark and lapwing, both of which can occur on grassland areas and cleared sites where there is a time lapse between demolition and development.

11. Badgers
Badgers are protected under the Badger Act 1992. Section 3 of the Act states:
“A person is guilty of an offence… by doing any of the following things… -
a) damaging a badger sett or any part of it;
b) destroying a badger sett;
c) obstructing access to, or any entrance of, a badger sett;
d) causing a dog to enter a badger sett; or
e) disturbing a badger when it is occupying a badger sett,
intending to do any of these things or being reckless as to whether his actions would have any of those consequences” If a badger(s) or badger sett is discovered during works; all work should stop and advice sought from Natural England by calling 0300 060 3900 or Dorset Council Natural Environment Team by calling 01305 221697 / net@dorsetcouncil.gov.uk, before proceeding.

12. Rights of Way (PRoW)
The footpaths running across the site (footpaths S16/21, S16/22 and s1623) must be diverted by legal order and that order must be confirmed before any works obstructing the path are commenced. Obstruction of the PROW by the developer before the confirmation and certification of an Order for the diversion or extinguishment of the PROW, or in the absence of such an order will in normal circumstances result in the Council using the powers available to it under the Highways Act 1980 to act to remove the obstruction and return the PRoW to a satisfactory condition.

13. Rights of Way (PRoW)
Prior to the occupation of those units to be constructed on the original line of the PRoW, the new route of the PRoW will have to be provided to a certifiable standard, certified by the appropriate officer and the Definitive Map and Statement amended to reflect the new alignment.

14. Rights of Way (PRoW)
The site access and any public rights of way crossed by vehicles shall be maintained in a good state of repair and kept clean and free of mud and debris and all times.

15. Rights of Way (PRoW)
Provision shall be made for the installation and maintenance of a drainage system to ensure that no slurry or water from the development area flows onto the PRoW.

16. Rights of Way (PRoW)
Prior to the commencement of the development, the developer is advised that the definitive line of the RoW should be marked out on site, along with proposed new alignments and temporary alternative routes constructed with appropriate safety fencing at an appropriate unobstructed width.

17. Rights of Way (PRoW)
No excavating or tipping of or storage of material shall occur within 2m of the RoW or temporary routes.

18. Rights of Way (PRoW)
Landscaping and or planting schemes will consider the proximity of the PRoW, including the required width when mature so as not to obstruct free passage and prevent light and air reaching the PRoW surface.

19. Rights of Way (PRoW)

Investigations such as for utilities, archaeological, ecological, geological, etc should be conducted away from the line of the PRoW or temporary route, follow safe working practices, and include appropriate safety fencing. A temporary closure of the PRoW or temporary route may be needed.

20. Rights of Way (PRoW)
Tree works or vegetation removal close to or within falling distance of a PRoW may require a temporary closure whilst the works takes place.

21. Rights of Way (PRoW)
Site occupation by construction staff, i.e. site compounds, should be segregated from the PRoW or temporary route.

22. Rights of Way (PRoW)
'Construction nuisances' should be avoided or mitigated prior to commencement.

23. Rights of Way (PRoW)
As the development will result in the irreversible obstruction of the PRoW and therefore requires the PRoW to be diverted before development may lawfully proceed, we will not make an order to temporarily close the PRoW until an order to divert or extinguish has been confirmed. The application for a temporary closure should be made at least 13 weeks prior to when the closure is required via this link Temporary traffic restrictions for works and activities - Dorset Council. The initial closure period can be 6 months and extension can be applied for via the Secretary of State. A fee is applicable to this application.

24. Rights of Way (PRoW)
Any new infrastructure will adhere to the British Standard BS5709:2018, minimum widths and surfacing specifications as given by Dorset Council.

25. Rights of Way (PRoW)
Structures known as 'limitations' cannot be certified within the development area on a Public Right of Way.

26. Rights of Way (PRoW)
A specification may be provided for simple structures by the PRoW Officer. The structure required will be subject to the County Council's technical approval process the cost of which is to be met by the developer.

27. Rights of Way (PRoW)
For any new structure, it is expected that the responsibility for the maintenance of the structure will rest with the management company who will put in place appropriate measures for its inspection and maintenance. The Council will not contribute to the costs of maintaining or inspecting the structure but requires that records of inspection and maintenance are made available on request.

Recommendation B:

Refuse planning permission for the reasons set out below if the S106 agreement is not completed within 6 months from the committee resolution or such extended time as agreed by the Corporate Director for Planning, the Service Manager for Development Management and Enforcement or the Development Management Area Manage within 6 months from the committee resolution. The reasons for refusal for failure to secure the necessary obligations are set out below:

1. In the absence of a mechanism to secure 35% affordable housing provision on site, the proposed development would fail to provide an appropriate level of affordable housing contrary to policy HOUS1 of the West Dorset, Weymouth and Portland Local Plan (2015).

2. In the absence of a mechanism to secure financial contributions towards mitigating the likely significant impacts of development on the European Protected Habitat: Chesil and the Fleet, designated as a Special Area of Conservation (SAC), Special Protection Area (SPA) and a Ramsar site in recognition of its exceptional ecological importance, the proposed development would result in unacceptable harm arising from recreational pressures, contrary to the provisions of policy ENV2 and COM1 of the West Dorset, Weymouth and Portland Local Plan (2015) and paragraph 193 of the NPPF .

3. In the absence of a mechanism to secure and facilitate the provision of on-site infrastructure (including land for a school; public open space and play facilities; and a connecting central avenue); and in the absence of a mechanism to secure off-site infrastructure contributions (including contributions towards NHS; education; sports provision; play provision and maintenance; open space maintenance; improvements to Willowbed Hall, bus infrastructure and the upgrading of footpaths), the proposed development would result in unacceptable harm to existing and future residents, and place unacceptable pressure on local infrastructure, contrary to the provisions of policy COM1 and COM7 of the West Dorset, Weymouth and Portland Local Plan (2015) and paragraphs 96, 100, 105, 115 and 135.

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Application Number:	P/FUL/2026/03357
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Kika Beach Club 52-53 The Esplanade Weymouth DT4 8DG
Proposal:	Proposed canopies, planters and associated signage to frontage of Kika Beach Club for use within the business premises
Applicant name:	Mr & Mrs Record
Case Officer:	Robert Parr
Ward Member(s):	Cllr Orrell

1. Reason application is going to committee:

In accordance with the Council's scheme of delegation this application is brought to committee for determination as the application site includes adopted highway which is vested in Dorset Council.

2. Summary of recommendation:

2.1 Refuse permission for the following reasons:

1. 1. The proposed development would result in harm to the heritage significance of the Listed Buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent Listed Buildings. The level of harm to these designated heritage assets is not outweighed by public benefits. As such it is considered that the benefits of approving the development would be substantially outweighed by the adverse effects identified. Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV4, Weymouth Neighbourhood Plan Policy W45 (2026) and Policies S4 and HE6 of the National Planning Policy Framework (2026) and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

2. The design of the proposed development is out of keeping with the heritage character of the site and the wider area and Esplanade, fails to positively preserve or enhance the unique Georgian architectural characteristics of the area and as such fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV12, Weymouth Neighbourhood Plan Policies W15, W44 and W55 and Policies S4 and DP3 of the National Planning Policy Framework (2026).

3. Key planning issues

Issue	**Conclusion**
Principle of development	Acceptable
Scale, design, impact on character and appearance	Unacceptable
Impact on the living conditions of the occupants and neighbouring properties	Acceptable
Heritage impact	Unacceptable

Issue	Conclusion
Flood risk	Acceptable
Economic benefits	Acceptable
Highway impacts	Acceptable
Environmental Implications	Acceptable

4. Description of site

4.1 The application site is located fronting onto The Esplanade in Weymouth Town Centre and is approximately 30m southeast of the highway junction with New Street. This is a secondary shopping frontage area of Weymouth's Esplanade which is predominantly characterised by the historic Georgian period seafront. The application site comprises of the two existing mid terrace Grade II listed buildings 'York Buildings (Terrace) no.52 and 53 The Esplanade and a section of the highway pavement. The section of highway pavement within the application site spans the entire front of the existing buildings and extends out to encompass approximately 4.7m of the pavement to the northeast, leaving a strip of pavement approximately 2.3m in width.

4.2 The existing buildings are in use as the Kika Beach Club drinking establishment/restaurant, and this use extends outside of the building with an existing outdoor seating area that covers the section of highway pavement within the application site. The existing outdoor seating area covers an area of approximately 59m^2, is enclosed by timber clad and metal framed wall that ranges in height from approximately 2m to 1m, with a circular shaped opening frame for pedestrian access to the premises located towards the front of no.53 The Esplanade. The outdoor seating area has a fixed polycarbonate canopy in the centre of the two buildings and flanking this are two fixed canopy structures with retractable canopies. The canopy frames are painted white in colour and fixed to the listed buildings. Within the enclosed seating area are arranged various timber seats, tables and planters.

4.3 The application site is located within the Weymouth defined development boundary (DDB) and the Weymouth Town centre Conservation Area. Some of the adjacent drinking establishments have similar external seating areas featuring a variety of enclosure designs and canopies.

5. Description of development

5.1 The proposed development is to replace the existing outdoor seating area with new canopies, planters and associated signage to the frontage of Kika Beach Club for use within the business premises. There would be two shallow pitched retractable canopies with fixed metal support frames, and these would extend across most of the frontage of the site and be separated in the centre of the site by a gap of approximately 1.3m. On the northeast of the site the boundary treatment of the sitting out area would consist of seven, evenly spaced freestanding timber boundary planters, which would be linked by removable canvas or vinyl infill. The planters would range in height between approximately 0.9m and 1.3m in height and each planter would have a square plan form. The planters would be placed onto the existing pavement with no intrusive groundworks. An access gap would be provided at the northern end of the site frontage. At the southern of the site boundary there would be a timber clad wall approximately 1.4m in height.

6. Relevant planning history

6.1 Members attention is drawn to the live applications no. P/LBC/2026/03671 & P/FUL/2026/03672 in relation to the adjoining 54-55 The Esplanade (known as The Nook Cocktail Club) premises which propose similar canopies and associated works to the frontage of The Nook Cocktail Club for use within the business premises.

6.2 The relevant planning history for the application site is set out below.

Application no.	Proposal	Decision	Decision Date
P/LBC/2026/03356	Proposed canopies, planters and associated signage to frontage of Kika Beach Club for use within the business premises	Under consideration	n/a
P/FUL/2025/02894	Retain canopies and associated works to frontage of Kika Beach Club for use within the business premises	Refused	29/01/2026
P/LBC/2025/02899	Retain canopies and associated works to frontage of Kika Beach Club for use within the business premises	Refused	29/01/2026

7. List of constraints

Weymouth Defined Development Boundary

York Buildings (Terrace) Grade II Listed Building List Entry: 1145950 (Application site)

York Buildings (Terrace) Grade II Listed Building List Entry: 1145951 (Application site)

York Buildings (Terrace) Grade II Listed Building, List Entry: 1145952 Distance: 0m

York Buildings (Terrace) Grade II Listed Building, List Entry: 1145953, Distance 10m

York Buildings (Terrace) With Area Railings Grade II Listed Building, List Entry: 1145954, Distance: 18m

Charlotte Row (Terrace) Grade II Listed Building, List Entry: 1145949, Distance: 0m

Weymouth Town Centre Conservation Area

Area of Archaeological Potential; Town Centre North of Harbour

Weymouth Level 2 Strategic Flood Risk Assessment

Weymouth Town Centre Strategy

Wessex Water Treatment Works Catchment

Dorset Council Land Freehold: 54-55A The Esplanade

Natural England RAMSAR: Chesil Beach & the Fleet - Distance: 3km

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet - Distance: 3km

Portland heliport consultation zone (within 13km) - Distance: 4.6km

Radon: Class 1: Less than 1%

Office for Nuclear Regulation Portland 12km zone

8. Consultations

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

Consultees

1. Dorset Council Conservation Officer

Objection. Due to the bulk, scale, design, visual clutter, permanent nature and concealment of the views of the Listed buildings, the proposal would have a detrimental impact on the significance of the host Grade II Listed buildings, the setting of the neighbouring Listed

buildings and the special character and local distinctiveness of the Weymouth Town Centre Conservation Area. Less than substantial harm (no public benefit and not acceptable)

2. Dorset Council - Environmental Services - Food, Safety & Port Health

No comment.

3. Dorset Council - Asset & Property

No response received

4. Dorset Council - Highways

The proposed canopies and balustrade have been positioned at an appropriate distance from the road edge along The Esplanade, ensuring that pedestrian and vehicular movement is not impeded, and there are no changes to existing access and parking arrangements. The Highway Authority therefore has no objection to this proposal.

5. Melcombe Regis Ward Member

No response received

6. Weymouth Town Council

The Council supports this application and raises no objection.

Representations received

None

9. 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.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

In this case the development plan comprises:

Local 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 & sites of other geological interest
- ENV2: Wildlife and habitats
- ENV4: Heritage assets
- ENV5: Flood risk
- ENV10: The landscape and townscape setting
- ENV12: The design and positioning of buildings

- ENV14: Shopfronts & advertisements
- ENV15: Efficient and appropriate use of land
- ENV16: Amenity
- SUS2: Distribution of development
- COM7: Creating a safe & efficient transport network
- ECON4: Retail and town centre development
- WEY1: Weymouth town centre strategy
- WEY5: The Esplanade

Weymouth Neighbourhood Plan 2021 to 2039 (made 29/01/2026)

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

- Policy W02: Conservation of the Natural Environment
- Policy W03: Wildlife Habitats and Areas
- Policy W05: Ecological Impact of Development
- Policy W07: Rights of Way and Access to the Countryside
- Policy W12: Riversides
- Policy W13: Panoramas, Vistas and Views
- Policy W14: Development Boundaries
- Policy W15: Extensions and Alterations
- Policy W34: Sustainable Development
- Policy W39: Weymouth Town Centre
- Policy W41: Sustainable Tourism Development
- Policy W44: Design
- Policy W45: Heritage Assets - It is considered that Policy W45 criterion 1 should be given very limited weight as it is materially inconsistent with national decision-making policies in the NPPF (2026) in respect of designated heritage assets. This is because Policy W45 states that “Development proposals must demonstrate, where relevant, that they respect, and will cause **no harm** to heritage assets and their setting” (underlining is officer emphasis for clarity) whereas Policy HE6 of the NPPF states that “Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal”. Whilst the intent of both the WNP policy and the NPPF policy is to limit harm to heritage assets the national decision-making policy does not require “no harm” to heritage assets in order for a proposal to be considered acceptable, rather it’s a case of weighing any identified harm against any public benefits resulting from the proposal.
- Policy W46: Transport and Travel
- Policy W53: Public Houses
- Policy W55: Public Spaces

<u>Material considerations</u>

Emerging Draft Dorset Council Local Plan:

Policy DM4: Emerging development plan proposals 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 compliance of the relevant policies in the emerging plan with the policies for plan-making in the NPPF (the closer the policies in the emerging plan to the policies of the NPPF, the greater the weight that may be given to them).

The emerging Dorset Local Plan is being prepared in accordance with plan-making processes set out in the Levelling Up and Regenerating Act 2023 and Local Planning Regulations (2026). As the plan is still at an early stage of the plan making process, limited weight can be attached to it when taking decisions on planning applications. Decisions on planning applications should continue to be assessed against the policies in adopted development plans, national planning policy and any other relevant material considerations.

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Local Nature Recovery Strategy

The Dorset Local Nature Recovery Strategy identifies local priorities for nature recovery and maps areas where action would be most beneficial. In planning decisions it is a material consideration, helping to ensure that development supports biodiversity enhancement and aligns with Dorset's agreed priorities for nature recovery.

National Planning Policy Framework (17 August 2026)

The National Planning Policy Framework (NPPF), published on 17 August 2026, sets out the Government's national planning policies for both plan-making and decision-making in England.

When determining development proposals decision-makers are required to take a positive and proactive approach and to seek to approve sustainable development where possible.

The NPPF introduces a permanent presumption in favour of sustainable development, through Policies S3 to S5 (which replaces the former "tilted balance" contained in paragraph 11 of the previous NPPF) and sets out the principles for development within and outside settlements. The Framework also confirms that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant NPPF chapters and policies include:

- Chapter 3: Decision making policies. DM3: Determining development proposals Local planning authorities should approach decision making positively, proactively and proportionately. They should work with applicants through pre-application engagement and consultations and aim to resolve concerns through planning conditions or obligations where possible to avoid delay and to enable an approval rather than a refusal. Applications that accord with the development plan, the NPPF and other material considerations should not be refused where they can clearly be approved.
    - DM3 Determining development proposals
    - DM7 Relationship with other regulatory regimes
- Chapter 4: Achieving Sustainable Development. The objective of the policies in this chapter is to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements, enabling development which will support the rural economy, rural communities and the provision of infrastructure, and limiting development away from settlements to help safeguard the intrinsic character and beauty of the countryside.
    - S3 Presumption in favour of sustainable development
    - S4 Principle of development within settlements
- Chapter 5: Meeting the challenges of climate change. Planning decisions should support climate change mitigation and adaptation, including reducing greenhouse gas emissions, increasing resilience to climate impacts and directing development away from areas at unacceptable risk from flooding.

    - CC2 Mitigation of climate change
    - CC3 Adaptation to climate change
- Chapter 7: Building a strong, effective economy. Planning decisions should enable businesses to invest, expand and adapt in a way that reflects the opportunities, challenges and characteristics of different areas, and supports long-term economic growth both locally and nationally.
    - E2 Meeting the need for business land and premises
- Chapter 8: Ensuring the vitality of town centres. The objective of the policies in this chapter is to promote the long-term vitality and viability of town centres by prioritising them as locations for main town centre uses and allowing them to adapt to changing community and business needs, in a way which reflects their locally distinctive roles and opportunities. For the purpose of this chapter ‘town centres’ includes city, town, district and local centres as defined in the glossary at Annex B.
    - TC2 Development in town centres
- Chapter 14: Achieving well-designed places. Development should be high quality, respect and enhance local character, deliver sustainable and attractive places, and accord with relevant design policies. Proposals that demonstrate good design and place-making should be supported, while those that fail to meet established design standards should be refused unless clearly justified.
    - DP3 Key principles for well-designed places
    - DP4 The design process
- Chapter 15: Promoting sustainable transport. The objective of the policies in this chapter is to ensure that transport considerations are taken fully into account in the preparation of development plans and the evolution and assessment of development proposals; using a vision-led approach to embed the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places.
    - TR3 Locating development in sustainable locations
    - TR4 Street design, access and parking
- Chapter 17: Pollution, public protection and security. The objective of the policies in this chapter is to ensure that new development is appropriate for its location, taking into account risks posed by pollution and other hazards; that any impacts which development might have are taken into account; and that sufficient provision is made for development required for public safety and security.
    - P3 Living conditions and pollution
    - P4 Impact of development on existing activities
    - P5 Maintaining public safety and security
- Chapter 18: Managing flood risk and coastal change. Development proposals should minimise risks to development arising from all sources of flooding and coastal change, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development will be safe for its lifetime without increasing flood risk elsewhere, and incorporating sustainable drainage systems where appropriate.
    - F4 Assessing flood risk for decision-making
    - F5 The sequential test
    - F6 Development in areas at risk of flooding from rivers or the sea
    - F7 Ensuring development is safe from flooding
- Chapter 20: Conserving and enhancing the historic environment – Great weight should be given to the conservation of heritage assets. Development that preserves or enhances designated or non-designated heritage assets should be approved. While any

harm must be clearly justified and weighed against the public benefits of the proposal. Proposals causing substantial harm to, or loss of, heritage assets should only be permitted in exceptional circumstances where overriding public benefits outweigh the harm.

- HE4 Securing the conservation of heritage assets
- HE5 Assessing effects on heritage assets
- HE6 Proposals affecting designated heritage assets
- HE9 Conservation areas

Other material considerations

National Planning Practice Guidance

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.

Weymouth & Portland Listed Buildings and Conservation Areas (2002)

Weymouth & Portland Urban Design (2002)

Landscape Character Assessment (Weymouth & Portland)

Conservation Area Appraisals:

Weymouth – Town Centre Conservation Area Appraisal adopted December 2012 – details of which are set out in section 14 below.

11. Human rights

Article 6 - right to a fair trial.

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

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. 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. Sufficient pavement width remains to comply with inclusive mobility guidance.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

Material considerations

- Tourism/community benefits through the retention of sitting out area in Weymouth Town Centre.

Non material considerations

- License fee (paid to Dorset Council that manage the public highway on which the development is located).

14. Planning Assessment

Background

14.1 The submission of this application and the accompanying application for Listed Building Consent follows the refusal by planning committee of applications no. P/FUL/2025/02894 and P/LBC/2025/02899 on 29 January 2026 for the retention of existing canopies and associated works to the frontage of Kika Beach Club. The applications were refused as they were considered to harm designated heritage assets and the harm was not outweighed by public benefits and was without clear and convincing justification. The proposals were also considered to be out of keeping with the heritage character of the site and the area and failed to positively preserve or enhance the unique Georgian architectural characteristics of the area. The application now under consideration proposes canopies of similar shape and form to those previously refused, but the boundary treatments are significantly different in design, the central polycarbonate covered walkway is omitted as are the fixed wooden benches of the previous scheme.

Principle of development

14.2 Local Plan Policy SUS2 sets out that within defined development boundaries, employment and other development to meet the needs of the local area will normally be permitted. Given the application site is located within the settlement of Weymouth and proposes to retain development for the use of an existing business premises, the principle of development is accepted under Local Plan Policy SUS2.

14.3 Policy S3 of the NPPF sets out that decisions on development proposals should apply a presumption in favour of sustainable development and given the proposed development is within the settlement of Weymouth, NPPF Policy S4 is applicable and sets out that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the NPPF.

14.4 Furthermore, given the proposal would serve an existing business premises, the mix of retail and other town centre uses in Weymouth Town Centre would be retained, it is considered the proposal would add to the vitality and vibrancy of the town centre. As such the proposal is considered to be in accordance with Local Plan Policy ECON4. Moreover, Paragraph 1 a) of NPPF Policy TC2 sets out that in considering proposals for development in town centres, substantial weight should be given to the benefits of supporting the overall vitality and viability of the centre and Paragraph 1 a) of NPPF Policy E2 sets out that to support business growth, substantial weight should be given to the economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt.

Scale, design, impact on character and appearance

14.5 The supporting Heritage and D&A Statement submitted with the application sets out that the proposals have been developed in response to this coastal, high-footfall environment, seeking to balance commercial needs with the conservation of the established seafront character and the restaurant/bar/club identity of the premises. The following points provide a summary of the justification for the design as set out in the Heritage and D&A Statement:

- Small-scale and fully reversible.
- Interventions designed to avoid harm to historic fabric.

- Planters are non-invasive and will not obscure architectural detailing or key sightlines along the Esplanade.
- Material compatibility with the historic seafront context. Proposed materials include: natural-stained timber planters, muted marine-grade canopy fabric.
- The public benefits, improved accessibility, enhanced activation of the public realm, and sustained commercial viability outweigh any very minor and localised changes to the building's setting.
- The scale of development is modest and a light-touch intervention that does not materially alter the existing building.
- The proposals do not increase the building's height, footprint, or massing, nor do they introduce any elements that would compete visually with the established built form.
- The use of retractable canopies reduces the visual presence during periods of non-use and ensures the structure remains unobtrusive within the streetscape.

14.6 However, the following highlighted extracts from the supporting Heritage and D&A Statement are at odds with the proposed development, which presents white/cream coloured supports, planters and canvas or vinyl infill on Dwg No.02.

*"Both canopy structures utilise **black metal supports**, chosen for their simplicity, durability, and ability to integrate seamlessly with the existing building. The **surrounding metal balustrade and posts feature a rusted-effect finish**".*

The description above appears to relate to the existing development in front of the adjacent drinking establishment which occupies no. 54-55 The Esplanade. Given that the justification for the proposed development appears to be at least partly based on a different proposal, it is not considered the conclusions of the Heritage and D&A Statement can be fully relied upon.

14.7 The proposed development is not considered to overpower the original building, however, given the development spans almost the entire ground floor frontage of the building the scheme is not considered to be small scale and the canopies, and their support frame would be permanent additions that could be retained in perpetuity. As such the scheme is considered to significantly detract from and obscure the original building to the detriment of the existing building's appearance.

14.8 The proposal canopies and support frame are not considered to relate to the historic Georgian character of the host listed building and The Esplanade setting.

14.9 Notwithstanding the classical square panelled column design of the proposed planters, the overall design outcome is a development that obscures, detracts, erodes and fails to compliment or respect the Georgian architectural character of the site and heritage character of the surrounding area.

14.10 Given the above, the proposed canopies and support frame are not considered to respond to the context of the site or its setting, as the quality of the design and appearance is not appropriate to the historic Georgian architecture of the original listed buildings. As such the proposed alterations and extensions are not considered to integrate with or enhance the site or their surroundings, indeed it is considered the scheme would be a detrimental addition to the site and its setting for the reasons set out above.

14.11 Local Plan Policy ENV12 sets out that the general design should be in harmony with the adjoining buildings and the area as a whole, should relate well to the original building and the quality of the architecture is appropriate to the type of building with particular regard to its architectural elegance, symmetry and rhythm, and richness of detail. As set out above, given the proposal is considered to detract from and obscure the original building and would not be in keeping with the Georgian architecture of the site the scheme fails to accord with Policy ENV12.

14.12 Neighbourhood Plan Policy W15 sets out that proposals should reflect the character of nearby buildings and their setting. Neighbourhood Plan Policy W44 sets out that proposals should demonstrate high-quality design and within conservation areas and in proximity to

heritage assets, development proposals are expected to demonstrate how they will positively preserve or enhance the unique characteristics of the area. Neighbourhood Plan Policy W55 sets out that development proposals will be supported provided it is demonstrated that the proposals will enhance the character, appearance, and sense of place in their immediate locality. As set out above the proposal is not considered to be in keeping with the Georgian architecture of the site or its setting and would detract from the unique characteristics of the area. As such the scheme is not considered to accord with Neighbourhood Plan Policies W15, W44 and W55.

14.13 Paragraph 1 of NPPF Policy DP3 sets out that development proposals should respond to their context, so that they integrate with and enhance their surroundings. Furthermore, Paragraph 2 g. sets out that development proposals should create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place. For the reasons given above the proposal is not considered to respond, integrate or enhance its surroundings and would diminish the attractive and characterful Georgian architectural character of the site and setting. As such the proposal is not considered to accord with NPPF Policy DP3.

14.14 Therefore, in summary, the proposal is considered to be unacceptable in design terms, is out of keeping with the character of the site and the area, fails to positively preserve or enhance the unique characteristics of the area and as such fails to accord with Local Plan Policy ENV12, Neighbourhood Plan Policies W15, W44 and W55 and policy DP3 of the NPPF (2026).

Impact on the living conditions of the occupants and neighbouring properties

14.15 The proposed development would allow for sitting out use associated with the host drinking establishment/restaurant and as such there is potential for the noise from patrons of the premises to impact on the amenity of occupiers of nearby dwellings.

14.16 However, there are no residential dwellings to the east of the site, which looks out over The Esplanade and Weymouth beach. The buildings to the north and south of the site are also drinking establishments. The application site is located in the town centre and in an area characterised by the associated nighttime economy. As such a degree of noise from premises is to be expected by residents of the adjacent holiday accommodation to the north of the site.

14.17 No other amenity impact issues have been identified and therefore, subject to a condition controlling the hours of use of the area, the proposal is considered acceptable in terms of amenity impact and to accord with NPPF Policy P3 and Policy W34 of the Weymouth Neighbourhood Plan.

Heritage impact

Heritage assets

York Buildings (Terrace) Grade II Listed Building List Entry: 1145950 (Application site no.52)

York Buildings (Terrace) Grade II Listed Building List Entry: 1145951 (Application site no.53)

York Buildings (Terrace) Grade II Listed Building, List Entry: 1145952 Distance: 0m

York Buildings (Terrace) Grade II Listed Building, List Entry: 1145953, Distance 10m

York Buildings (Terrace) With Area Railings Grade II Listed Building, List Entry: 1145954, Distance: 18m

Charlotte Row (Terrace) Grade II Listed Building, List Entry: 1145949, Distance: 0m

Weymouth Town Centre Conservation Area

Area of Archaeological Potential; Town Centre North of Harbour

Significance of heritage assets

Weymouth Town Centre Conservation Area (The Esplanade sub area) (CA)

14.18 The significance of this part of the CA can be summarised as The Esplanade providing an important example of late Georgian town planning, related firmly to the sea and the historic uses of the late 18th and early 19th century that has defined the character of The Esplanade, which has been, and continues to be, associated with visitors, entertainment, leisure and fun. As such the CA is considered to have historic, architectural and communal/social heritage significance. Furthermore, the quality of The Esplanade and its bay have been recognised and appreciated since the start of noble and royal patronage of the Georgian resort and as such is considered to have aesthetic heritage significance. The CA appraisal sets out that *"The Esplanade is of national significance in the history of the seaside resort and in terms of social history".*

York Buildings (Terrace) no.52 and 53 (application site)

14.19 In summary the significance of no. 52 and 53 is considered to be in their architectural and historic value as examples of Georgian seaside architecture and elegant proportion and details to the frontage. Indeed, the list description of no.52 sets out that the building is a *"very handsome property, little altered externally on this principal front".*

14.20 The buildings present a refined classical arrangement with sash windows, window surrounds, cornices and elevational details. The buildings are considered to be a key part of The Esplanade and contribute to the long stretch of seafront terraces with a mix of Georgian styles. The list description sets out that no. 52 features Flemish bond brickwork and classical quasi-Palladian window at first floor, with a central blind arch painted in, a frieze and flush head and sill bands. To the righthand side of no.52 are stone steps with nosing's, an early panelled door with 12-pane glazing, in a moulded architrave and with a frieze plus dentil cornice. The list description sets out no.53 had rendered walls and that on the ground floor is a symmetrical shop front with deep set-back central glazed door under a plastic blind and deep C20 fascia. There is an eaves cornice, and the right-hand party wall rises above the roof slope to a coping. The original frontage has been much modified and would have matched No.52 to the left.

York Buildings & Charlotte Row (within setting of application site)

14.21 The application site forms part of the group of listed buildings known as 'York Buildings' which the Conservation Area Appraisal describes as *"originally seven units, greatly altered, but with the central house displaying a wide bow window on columns and remnants of decorated three light windows on the first floor of several others"*.

14.22 As a group the buildings are considered to have significance in their contribution towards townscape which is characterised by the long vistas along the length of The Esplanade, with building blocks in sharp perspective and rounded termination points to several terrace rows, including York Terrance, creating focal points and key elements of townscape edge and enclosure. The inclusion of the railings outside no.56/57 York Terrace has particular importance regarding the setting of numbers 54, 55 and 56/57.

Area of Archaeological Potential

14.23 The Conservation Area Appraisal sets out that there may be archaeological evidence of earlier shorelines between the Georgian Esplanade edge and the East St/New St line.

Impact on heritage assets

Weymouth Town Centre Conservation Area (The Esplanade sub area)(CA)

14.24 The character and appearance of the CA is defined by its historic buildings, traditional materials, and cohesive historic townscape. The introduction of non-traditional designed canopies and support structure is incongruous with these defining characteristics of the CA. The CA Character Appraisal highlights the need to preserve the area's unique character and avoid alterations that could undermine its historic significance. Given the above it is considered that the proposed development would not be in keeping with the character of the

CA and as such would negatively impact the conservation area's overall appearance, resulting in harm to the significance of the CA.

York Buildings (Terrace) no.52 and 53 (application site)

14.25 The proposed canopies, and support structures are considered to be of a modern, non-traditional design and appearance and their scale and proportions span and obscure almost the entire ground floor frontage of the designated heritage assets.

14.26 It is considered the development appears as visual clutter that is discordant in design to the heritage setting and adversely alters, disrupts and erodes the setting of the designated heritage assets. Moreover, the canopies and structures located to the front of the site, would significantly obscure and disrupt views of the ground floor of the buildings. Even when retracted, the canopy support frames would present permanent visual clutter that would diminish the appearance of the Listed Buildings. The front elevations of these buildings are considered to present historic architecture of notable merit, in particular no.52 and the canopies and structures would disrupt and obscure views of the architecture diminishing the visual integrity of the Listed buildings, thereby significantly diminishing its heritage significance.

14.27 It is considered that the canopies and structures that make up the development would be visual clutter, that would be discordant in design and harm the wider contribution made to the street scene and character and appearance of the conservation area.

14.28 The CA appraisal sets out in its conclusion that less clutter would be an enhancement of the CA and as such given the cluttered appearance of the proposed development, the scheme is not considered to conserve or enhance the significance of the heritage assets.

14.29 Given the proposed development would significantly and uncharacteristically alter the setting of the Grade II Listed Buildings the proposal is considered to harm the heritage significance of both the site and its setting.

14.30 It is observed that some neighbouring buildings have similar external areas. However, each application is determined on its own merits and for the reasons set out above, this scheme is not considered to conserve or enhance the heritage assets.

14.31 Given the above, the proposed development is considered to result in harm to the Listed Buildings.

York Buildings & Charlotte Row (within setting of application site)

14.32 The canopies and structures proposed are positioned such that they directly and harmfully interrupt and obscure views of the adjacent Listed Buildings frontages. As such the proposal is considered to result in harm to the setting of the adjacent Listed Buildings.

Area of Archaeological Potential

14.33 Given the site is on previously developed land and the structures are shown as surface mounted it is considered the proposal would not harm any potential below ground archaeology.

Public benefits

14.34 The application site operates as a drinking establishment and restaurant which is considered to have public benefits in the form of providing jobs, contributing to the economy through purchasing goods and services, paying business rates and taxes. The site also provides a venue that contributes to Weymouth Town Centres varied entertainment offering. However, any public benefits arising from the outdoor seating could be achieved through fully removable and temporary measures under the pavement licensing regime and which could be considered to be less harmful.

Heritage impacts summary

14.35 For the reasons set out above the proposed development is considered to result in harm to the significance of the listed buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent listed buildings.

14.36 Paragraph 1 of Policy HE6 of the NPPF (2026) sets out the following:

"When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation".

14.37 Paragraph 4 of Policy HE6 of the NPPF (2026) sets out the following:

"Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal".

14.38 The application site is considered to provide public benefits, however, it is considered that these can only be partially attributed to the proposed development, which does not form part of the original premises and given the use of the outdoor seating, would be mostly limited to seasonal use. The public benefits arising from the outdoor seating could also be achieved in a less harmful way through removable and temporary measures under the pavement licensing regime. As such it is considered the public benefits of the proposed development would be slight and no convincing evidence has been submitted to suggest the scheme would secure the optimum viable use of the listed building.

14.39 It is considered the proposal would result in harm to the significance of the relevant designated heritage assets set out above and the harm would not be outweighed against the public benefits. Therefore, the heritage impact of the proposed development is not considered to be acceptable.

14.40 Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with Local Plan Policy ENV4, Neighbourhood Plan Policy W45 (albeit only limited weight can be attached to this policy due to material inconsistency of criterion 1 of Policy W45 with Policy HE6 of the NPPF) and Policy HE6 of the NPPF (2026).

Flood risk

NPPF Sequential and Exception Test

14.41 NPPF (2026) policies F5 and F6 sets out that applications for small non-residential extensions (with a footprint of less than 250m2) and changes of use should not be subject to the sequential test or the exception test.

14.42 Given the proposed development is considered to be a minor development with a footprint of less than 250m2 and includes a change of use of public highway for a sitting out area, the scheme is not considered to be subject to the sequential or exception tests.

National Flood Risk Assessment (NaFRA) & Site-Specific Flood Risk Assessment (FRA)

14.43 The NaFRA published on 25 March 2025 shows the application site in Flood zone 1, where there is a low probability of flooding from rivers and the sea. However, the NaFRA shows the Flood zone risk would increase once allowance is made for climate change and Environment Agency (EA) standing advice is that in this instance the site should be treated as being within Flood zone 2. The application is supported by an FRA dated June 2026 and this sets out the site is within Flood zone 1 and at a low risk of flooding. The FRA also sets out mitigation measures to surface water run off that could be incorporated into the proposals. However, the FRA does not identify any surface water flood risk that would require mitigation measures.

Weymouth Level 2 Strategic Flood Risk Assessment (SFRA)

14.44 The SFRA shows that with an allowance for climate change the site would be at 1 in 200-year Tidal flood risk to a depth of 0.1 to 0.3m, with a <0.75 hazard rating and <0.1 metres per second velocity.

14.45 The SFRA shows that if beach promenade defences fail with an allowance for climate change, then the site would be at 1 in 200-year and 1 in 30-year flood risk to a depth of 0.1 to 0.3m, with a <0.75 hazard rating and <0.1 metres per second velocity.

14.46 The EA endorsed ADEPT guidance sets out that a flood hazard rating of 0.75 is considered 'danger for some' or greater. Given the SFRA hazard ratings for the application site are less than 0.75 and the potential limited depth of flood waters the pedestrian access and escape routes to and from the site appear acceptable.

Summary of flood risk

14.47 The existing building is considered to be a drinking establishment which would fall within the 'More Vulnerable' flood risk vulnerability classification as set out in Annex 3 of the NPPF (2026). However, the proposal is located outside of the building, considered to be at a low flood risk in terms of depth of flood waters and flood hazard rating and as such the scheme is considered to be acceptable in terms of flood risk and in accordance with Local Plan Policy ENV5 and NPPF Policy F7.

Economic benefits

14.48 It is considered that the proposal would make a small contribution to the local economy through the continued employment of staff and the continued spending of the patrons of the Public House.

Highways impacts

14.49 The Highway Authority has raised no objection to the proposal.

14.50 It is considered that the development would have an acceptable impact on highway safety, not impeding pedestrian movements, with sufficient 2m width pavement space available, which complies with Manual for Streets minimum guidance. Hence the development is considered to accord with Local Plan Policy COM7.

Environmental implications

14.51 The application site is entirely hardstanding and as such the development is below the de minimis threshold and exempt from Biodiversity Net Gain.

14.52 Natural England have advised that development which results in an increase in population within 5km of the Chesil Beach and the Fleet European site may contribute to an unacceptable increase in recreational pressures on the features of the designated area. Therefore, in accordance with habitat regulations the proposal has been screened to consider the potential impact of the development on the protected sites. The application does not propose new residential accommodation and would therefore not create an additional residential unit that would increase recreational pressure. As such, it is considered there are no likely significant effects associated with this proposal on the European protected sites. As the screening process concluded that the application would have no likely significant effect on the European protected sites, the requirement for an appropriate assessment has not been triggered as set out in the Habitat Regulations.

14.53 No other potential wildlife or habitat impacts were identified with the proposal.

15. Conclusion

15.1 The development would be acceptable in principle and in terms of amenity impact, flood risk, economic benefits, highway safety and environmental impacts. Whilst Policies E2 and TC2 state that substantial weight should be given to the economic benefit of proposals for commercial development and supporting the overall vitality and viability of a town centre, the design of the proposed development is not in keeping with the site or the area and as such fails to positively preserve or enhance the unique characteristics of the area and indeed is considered to have a detrimental visual impact on the site and The Esplanade area.

15.2 Furthermore, the application is considered to be unacceptable in heritage impact terms, given the uncharacteristic design to the site and the area, which is considered to result in harm to the significance of the designated heritage assets, and the level of harm is not outweighed by public benefits. Furthermore, it is considered that the substantial weight to be attached to the economic benefits of the proposal and its contribution to the vitality and viability of the town centre is outweighed by the harm to the character of the area and the harm to the significance of the designed heritage assets (listed buildings and Conservation Area). In reaching this conclusion regard has been had to the duties of The Planning (Listed Buildings and Conservation Areas) Act 1990.

15.3 Given the above the proposed development would fail to accord with the relevant policies set out in this report of the West Dorset, Weymouth & Portland Local Plan 2015, the Weymouth Neighbourhood Plan 2021 – 2038 and the National Planning Policy Framework (2026) and as such is recommended for refusal.

16. Recommendation

Refuse planning permission for the reasons set out below:

3. The proposed development would result in harm to the heritage significance of the Listed Buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent Listed Buildings. The level of harm to these designated heritage assets is not outweighed by public benefits. As such it is considered that the benefits of approving the development would be substantially outweighed by the adverse effects identified. Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV4, Weymouth Neighbourhood Plan Policy W45 (2026) and Policies S4 and HE6 of the National Planning Policy Framework (2026) and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

4. The design of the proposed development is out of keeping with the heritage character of the site and the wider area and Esplanade, fails to positively preserve or enhance the unique Georgian architectural characteristics of the area and as such fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV12, Weymouth Neighbourhood Plan Policies W15, W44 and W55 (2026) and Policies S4 and DP3 of the National Planning Policy Framework (2026).

Application Number:	P/LBC/2026/03356
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Kika Beach Club, 52-53 The Esplanade, Weymouth, DT4 8DG.
Proposal:	Proposed canopies, planters and associated signage to frontage of Kika Beach Club for use within the business premises.
Applicant name:	Mr & Mrs Record
Case Officer:	Robert Parr
Ward Member(s):	Cllr Orrell

1. Reason application is going to committee:

In accordance with the Council's scheme of delegation this application is brought to committee for determination as the application site includes adopted highway which is vested in Dorset Council.

2. Summary of recommendation:

2.1 Refuse Listed Building consent for the following reason:

The proposed development would result in harm to the heritage significance of the Listed Buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent Listed Buildings. The level of harm to these designated heritage assets is not outweighed by public benefits. Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV4, Weymouth Neighbourhood Plan Policy W45, Policy HE6 of the National Planning Policy Framework (2026) and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended

3. Key planning issues

Issue	**Conclusion**
Impact on Heritage Asset, Setting and Conservation Area	Unacceptable

4. Description of site

4.1 The application site is located fronting onto The Esplanade in Weymouth Town Centre and is approximately 30m southeast of the highway junction with New Street. This is a secondary shopping frontage area of Weymouth's Esplanade which is predominantly characterised by the historic Georgian period seafront. The application site comprises of the two existing mid terrace Grade II listed buildings 'York Buildings (Terrace) no.52 and 53 The Esplanade and a section of the highway pavement. The section of highway pavement within the application site spans the entire front of the existing buildings and extends out to encompass approximately 4.7m of the pavement to the northeast, leaving a strip of pavement approximately 2.3m in width.

4.2 The existing buildings are in use as the Kika Beach Club drinking establishment/restaurant, and this use extends outside of the building with an existing outdoor seating area that covers the section of highway pavement within the application site. The existing outdoor seating area covers an area of approximately 59m2, is enclosed by timber clad and metal framed wall that ranges in height from approximately 2m to 1m, with a circular shaped opening frame for pedestrian access to the premises located towards the front of no.53 The Esplanade. The

outdoor seating area has a fixed polycarbonate canopy in the centre of the two buildings and flanking this are two fixed canopy structures with retractable canopies. The canopy frames are painted white in colour and fixed to the listed buildings. Within the enclosed seating area are arranged various timber seats, tables and planters.

4.3 The application site is located within the Weymouth defined development boundary (DDB) and the Weymouth Town centre Conservation Area. Some of the adjacent drinking establishments have similar external seating areas featuring a variety of enclosure designs and canopies.

5. Description of development

5.1 The proposed development is to replace the existing outdoor seating area with new canopies, planters and associated signage to the frontage of Kika Beach Club for use within the business premises. There would be two shallow pitched retractable canopies with fixed metal support frames, and these would extend across most of the frontage of the site and be separated in the centre of the site by a gap of approximately 1.3m. On the northeast of the site the boundary treatment of the sitting out area would consist of seven, evenly spaced freestanding timber boundary planters, which would be linked by removable canvas or vinyl infill. The planters would range in height between approximately 0.9m and 1.3m in height and each planter would have a square plan form. The planters would be placed onto the existing pavement with no intrusive groundworks. An access gap would be provided at the northern end of the site frontage. At the southern of the site boundary there would be a timber clad wall approximately 1.4m in height.

6. Background and relevant planning history

6.1 Members attention is drawn to the live applications no. P/LBC/2026/03671 & P/FUL/2026/03672 in relation to the adjoining 54-55 The Esplanade (known as The Nook Cocktail Club) premises which propose similar canopies and associated works to the frontage of The Nook Cocktail Club for use within the business premises.

6.2 The relevant planning history for the application site is set out below.

Application no.	Proposal	Decision	Decision Date
P/FUL/2026/03357	Proposed canopies, planters and associated signage to frontage of Kika Beach Club for use within the business premises	Under consideration	n/a
P/FUL/2025/02894	Retain canopies and associated works to frontage of Kika Beach Club for use within the business premises	Refused	29/01/2026
P/LBC/2025/02899	Retain canopies and associated works to frontage of Kika Beach Club for use within the business premises	Refused	29/01/2026

7. List of constraints

Within the Weymouth Town Centre Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990).

York Buildings (Terrace) Grade II Listed Building List Entry: 1145950 (Application site)

York Buildings (Terrace) Grade II Listed Building List Entry: 1145951 (Application site)

York Buildings (Terrace) Grade II Listed Building, List Entry: 1145952 Distance: 0m

York Buildings (Terrace) Grade II Listed Building, List Entry: 1145953, Distance 10m

York Buildings (Terrace) With Area Railings Grade II Listed Building, List Entry: 1145954, Distance: 18m

Charlotte Row (Terrace) Grade II Listed Building, List Entry: 1145949, Distance: 0m

Weymouth Town Centre Conservation Area

Area of Archaeological Potential; Town Centre North of Harbour

8. Consultations

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

Consultees

1. Dorset Council Conservation Officer

It is Objection. Due to the bulk, scale, design, visual clutter, permanent nature and concealment of the views of the Listed buildings, the proposal would have a detrimental impact on the significance of the host Grade II Listed buildings, the setting of the neighbouring Listed buildings and the special character and local distinctiveness of the Weymouth Town Centre Conservation Area. Less than substantial harm (no public benefit and not acceptable)

2. Melcombe Regis Ward Member

No response received

3. Weymouth Town Council

The Council supports this application and raises no objection.

Representations received

Weymouth Civic Society

We are pleased to support this application. The proposed canopies and planters represent a significant visual improvement, detracting far less from the character of these historic Georgian buildings than both the existing structures and previous proposals.

Furthermore, we welcome the alignment between these plans and the approved proposals for 54-55 The Esplanade. We strongly encourage the Council to promote a similar architectural style among neighbouring businesses along this section of the Esplanade to ensure visual consistency.

Total - objections	Total - No objections	Total - comments
0	1	0

9. Duties

The Planning (Listed Buildings and Conservation Areas) Act 1990 - 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 when considering whether to grant listed building consent.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

In this case the development plan comprises:

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

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

- ENV4: Heritage assets

Weymouth Neighbourhood Plan 2021 to 2038 (made 29/01/2026)

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

- Policy W45: Heritage Assets - It is considered that Policy W45 criterion 1 should be given very limited weight as it is materially inconsistent with national decision-making policies in the NPPF (2026) in respect of designated heritage assets. This is because Policy W45 states that "Development proposals must demonstrate, where relevant, that they respect, and will cause **no harm** to heritage assets and their setting" (underlining is officer emphasis for clarity) whereas Policy HE6 of the NPPF states that "Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal". Whilst the intent of both the WNP policy and the NPPF policy is to limit harm to heritage assets the national decision-making policy does not require "no harm" to heritage assets in order for a proposal to be considered acceptable, rather it's a case of weighing any identified harm against any public benefits resulting from the proposal.

Material considerations

National Planning Policy Framework (17 August 2026)

Chapter 20: Conserving and enhancing the historic environment – Great weight should be given to the conservation of heritage assets. Development that preserves or enhances designated or non-designated heritage assets should be approved. While any harm must be clearly justified and weighed against the public benefits of the proposal. Proposals causing substantial harm to, or loss of, heritage assets should only be permitted in exceptional circumstances where overriding public benefits outweigh the harm.

- HE4 Securing the conservation of heritage assets
- HE5 Assessing effects on heritage assets
- HE6 Proposals affecting designated heritage assets
- HE9 Conservation areas

Emerging Draft Dorset Council Local Plan:

Policy DM4: Emerging development plan proposals 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 compliance of the relevant policies in the emerging plan with the policies for plan-making in the NPPF (the closer the policies in the emerging plan to the policies of the NPPF, the greater the weight that may be given to them).

The emerging Dorset Local Plan is being prepared in accordance with plan-making processes set out in the Levelling Up and Regenerating Act 2023 and Local Planning Regulations (2026). As the plan is still at an early stage of the plan making process, limited weight can be attached to it when taking decisions on planning applications. Decisions on planning applications should continue to be assessed against the policies in adopted development plans, national planning policy and any other relevant material considerations.

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of

preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Other material considerations

National Planning Practice Guidance

Supplementary Planning Documents/Guidance For West Dorset rea:

Weymouth & Portland Listed Buildings and Conservation Areas (2002)

Weymouth & Portland Urban Design (2002)

Landscape Character Assessment (Weymouth & Portland)

Conservation Area Appraisals:

Weymouth – Town Centre Conservation Area Appraisal adopted December 2012

11. Human rights

Article 6 - right to a fair trial.

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

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. 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.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

Material considerations

- Tourism/community benefits through the retention of sitting out area in Weymouth Town Centre

Non material considerations

- License fee (paid to Dorset Council that manage the public highway on which the development is located on).

14. Heritage Assessment

Heritage impact

Heritage assets

York Buildings (Terrace) Grade II Listed Building List Entry: 1145950 (Application site no.52)

York Buildings (Terrace) Grade II Listed Building List Entry: 1145951 (Application site no.53)

York Buildings (Terrace) Grade II Listed Building, List Entry: 1145952 Distance: 0m

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Charlotte Row (Terrace) Grade II Listed Building, List Entry: 1145949, Distance: 0m

Weymouth Town Centre Conservation Area

Area of Archaeological Potential; Town Centre North of Harbour

Significance of heritage assets

Weymouth Town Centre Conservation Area (The Esplanade sub area) (CA)

14.1 The significance of this part of the CA can be summarised as The Esplanade providing an important example of late Georgian town planning, related firmly to the sea and the historic uses of the late 18th and early 19th century have defined the character of The Esplanade, which has been, and continues to be, associated with visitors, entertainment, leisure and fun. As such the CA is considered to have historic, architectural and communal/social heritage significance. Furthermore, the quality of The Esplanade and its bay have been recognised and appreciated since the start of noble and royal patronage of the Georgian resort and as such is considered to have aesthetic heritage significance. The CA appraisal sets out that *"The Esplanade is of national significance in the history of the seaside resort and in terms of social history".*

York Buildings (Terrace) no.52 and 53 (application site)

14.2 In summary the significance of no. 52 and 53 is considered to be in their architectural and historic value as examples of Georgian seaside architecture and elegant proportion and details to the frontage. Indeed, the list description of no.52 sets out that the building is a *"very handsome property, little altered externally on this principal front".*

14.3 The buildings present a refined classical arrangement with sash windows, window surrounds, cornices and elevational details. The buildings are considered to be a key part of The Esplanade and contribute to the long stretch of seafront terraces with a mix of Georgian styles. The list description sets out that no. 52 features Flemish bond brickwork and classical quasi-Palladian window at first floor, with a central blind arch painted in, a frieze and flush head and sill bands. To the righthand side of no.52 are stone steps with nosing's, an early panelled door with 12-pane glazing, in a moulded architrave and with a frieze plus dentil cornice. The list description sets out no.53 had rendered walls and that on the ground floor is a symmetrical shop front with deep set-back central glazed door under a plastic blind and deep C20 fascia. There is an eaves cornice, and the right-hand party wall rises above the roof slope to a coping. The original frontage has been much modified and would have matched No.52 to the left.

York Buildings & Charlotte Row (within setting of application site)

14.4 The application site forms part of the group of listed buildings known as 'York Buildings' which the Conservation Area Appraisal describes as *"originally seven units, greatly altered, but with the central house displaying a wide bow window on columns and remnants of decorated three light windows on the first floor of several others"*.

14.5 As a group the buildings are considered to have significance in their contribution towards townscape here which is characterised by the long vistas along the length of The Esplanade, with building blocks in sharp perspective and rounded termination points to several terrace rows, including York Terrance, creating focal points and key elements of townscape edge and enclosure. The inclusion of the railings outside no.56/57 York Terrace has particular importance regarding the setting of numbers 54, 55 and 56/57.

Area of Archaeological Potential

14.6 The Conservation Area Appraisal sets out that there may be archaeological evidence of earlier shorelines between the Georgian Esplanade edge and the East St/New St line.

Impact on heritage assets

Weymouth Town Centre Conservation Area (The Esplanade sub area)(CA)

14.7 The character and appearance of the CA is defined by its historic buildings, traditional materials, and cohesive historic townscape. The introduction of non-traditional designed canopies and support structure is incongruous with these defining characteristics of the CA. The CA Character Appraisal highlights the need to preserve the area's unique character and avoid alterations that could undermine its historic significance. Given the above it is considered that the proposed development would not be in keeping with the character of the CA and as such would negatively impact the conservation area's overall appearance, resulting in harm to the significance of the CA.

York Buildings (Terrace) no.52 and 53 (application site)

14.8 The proposed canopies, and support structures are considered to be of a modern, non-traditional design and appearance and their scale and proportions span and obscure almost the entire ground floor frontage of the designated heritage assets.

14.9 It is considered the development appears as visual clutter that is discordant in design to the heritage setting and adversely alters, disrupts and erodes the setting of the designated heritage assets. Moreover, the canopies and structures located to the front of the site, would significantly obscure and disrupt views of the ground floor of the buildings. Even when retracted, the canopy support frames would present permanent visual clutter that would diminish the appearance of the Listed Buildings. The front elevations of these buildings are considered to present historic architecture of notable merit, in particular no.52 and the canopies and structures would disrupt and obscure views of the architecture diminishing the visual integrity of the Listed buildings, thereby significantly diminishing its heritage significance.

14.10 It is considered that the canopies and structures that make up the development would be visual clutter, that would be discordant in design and harm the wider contribution made to the street scene and character and appearance of the conservation area.

14.11 The CA appraisal sets out in its conclusion that less clutter would be an enhancement of the CA and as such given the cluttered appearance of the proposed development, the scheme is not considered to conserve or enhance the significance of the heritage assets.

14.12 Given the proposed development would significantly and uncharacteristically alter the setting of the Grade II Listed Buildings the proposal is considered to harm the heritage significance of both the site and its setting.

14.13 It is observed that some neighbouring buildings have similar external areas. However, each application is determined on its own merits and for the reasons set out above, this scheme is not considered to conserve or enhance the heritage assets.

14.14 Given the above, the proposed development is considered to result in harm to the Listed Buildings.

York Buildings & Charlotte Row (within setting of application site)

14.15 The canopies and structures proposed are positioned such that they directly and harmfully interrupt and obscure views of the adjacent Listed Buildings frontages. As such the proposal is considered to result in harm to the setting of the adjacent Listed Buildings.

Area of Archaeological Potential

14.16 Given the site is on previously developed land and the structures are shown as surface mounted it is considered the proposal would not harm any potential below ground archaeology.

Public benefits

14.17 The application site operates as a drinking establishment and restaurant which is considered to have public benefits in the form of providing jobs, contributing to the economy through purchasing goods and services, paying business rates and taxes. The site also provides a venue that contributes to Weymouth Town Centres varied entertainment offering. However, any public benefits arising from the outdoor seating could be achieved through fully removable and temporary measures under the pavement licensing regime and which could be considered to be less harmful.

Heritage impacts summary

14.18 For the reasons set out above the proposed development is considered to result in harm to the significance of the Listed Buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent Listed Buildings.

14.19 Paragraph 1 of Policy HE6 of the NPPF (2026) sets out the following:

"When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation".

14.20 Paragraph 4 of Policy HE6 of the NPPF (2026) sets out the following:

"Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal".

14.21 The application site is considered to provide public benefits, however, it is considered that these can only be partially attributed to the proposed development, which does not form part of the original premises and given the use of the outdoor seating, would be mostly limited to seasonal use. The public benefits arising from the outdoor seating could also be achieved in a less harmful way through removable and temporary measures under the pavement licensing regime. As such it is considered the public benefits of the proposed development would be slight and no convincing evidence has been submitted to suggest the scheme would secure the optimum viable use of the listed building.

14.22 It is considered the proposal would result in harm to the significance of the relevant designated heritage assets set out above and the substantial harm would not be outweighed against the public benefits. Therefore, the heritage impact of the proposed development is not considered to be acceptable.

14.23 Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with Local Plan Policy ENV4, Neighbourhood Plan Policy W45 (albeit only limited weight can be attached to this policy due to material inconsistency of criterion 1 of Policy W45 with Policy HE6 of the NPPF) and Policy HE6 of the NPPF (2026) and the Local Planning Authority duty under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

15. Conclusion

15.1 The application is considered to be unacceptable in heritage impact terms, given the uncharacteristic design to the site and the area, which is considered to result in harm to the significance of designated heritage assets, and the level of harm is not outweighed by public benefits. In reaching this conclusion regard has been had to the duties of The Planning (Listed Buildings and Conservation Areas) Act 1990.

15.2 Given the above the proposed development would fail to accord the relevant policies set out in this report of the West Dorset, Weymouth & Portland Local Plan 2015, the Weymouth

Neighbourhood Plan 2021 – 2038 (2026) and the National Planning Policy Framework (2026) and as such is recommended for refusal.

15.3 Given the above, the application is recommended for refusal.

16. Recommendation

Refuse listed building consent for the reasons set out below:

1. The proposed development would result in harm to the heritage significance of the Listed Buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent Listed Buildings. The level of harm to these designated heritage assets is not outweighed by public benefits. Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV4, Weymouth Neighbourhood Plan Policy W45, Policy HE6 of the National Planning Policy Framework (2026) and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

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Application Number:	P/FUL/2026/03672
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	54-55 The Esplanade Weymouth DT4 8DG
Proposal:	Proposed canopies, planters and associated works to signage/frontage
Applicant name:	Mr & Mrs Burton
Case Officer:	Robert Parr
Ward Member(s):	Cllr Orrell

1. Reason application is going to committee:

In accordance with the Council's scheme of delegation this application is brought to committee for determination as the application site includes Dorset Council owned land and adopted highway which is vested in Dorset Council.

2. Summary of recommendation:

2.1 Refuse permission for the reasons set out below:

1. The proposed development would result in harm to the heritage significance of the Listed Buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent Listed Buildings. The level of harm to these designated heritage assets is not outweighed by public benefits. As such it is considered that the benefits of approving the development would be substantially outweighed by the adverse effects identified. Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV4, Weymouth Neighbourhood Plan Policy W45 (2026) and Policies S4 and HE6 of the National Planning Policy Framework (2026) and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

2. The design of the proposed development is out of keeping with the heritage character of the site and the wider area and Esplanade, fails to positively preserve or enhance the unique Georgian architectural characteristics of the area and as such fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV12, Weymouth Neighbourhood Plan Policies W15, W44 and W55 and Policy DP3 of the National Planning Policy Framework (2026).

3. Key planning issues

Issue	Conclusion
Principle of development	Acceptable
Scale, design, impact on character and appearance	Unacceptable
Impact on the living conditions of the occupants and neighbouring properties	Acceptable
Heritage impact	Unacceptable
Flood risk	Acceptable
Economic benefits	Acceptable
Highway impacts	Acceptable
Environmental Implications	Acceptable

4. Description of site

4.1 The application site is located fronting onto The Esplanade in Weymouth Town Centre and is approximately 20m southeast of the highway junction with New Street. This is a secondary shopping frontage area of Weymouth's Esplanade which is predominantly characterised by the historic Georgian period seafront. The application site comprises of the two existing mid terrace Grade II listed buildings 'York Buildings (Terrace) no.54 and 55 The Esplanade and a section of the highway pavement. The section of highway pavement within the application site spans the entire front of the existing buildings and extends out to encompass approximately 3m of the pavement to the northeast, leaving a strip of pavement approximately 2.3m in width.

4.2 The existing buildings are in use as The Nook Cocktail Club drinking establishment, and this use extends outside of the building with an existing outdoor seating area that covers the section of highway pavement within the application site. The existing outdoor seating area covers an area of approximately 40m^2, is enclosed by waist high metal barrier/fence finished in a rusted effect, with a central opening for pedestrian access to the premises. A doorway on the north side of the building is described in the design and access statement as being used as a fire escape only. The outdoor seating area has two canopy structures, painted dark grey/black colour, with the larger canopy on the south side having a mono pitched retractable textile cover and a fixed slim metal frame. The canopy on the north side of the site has a smaller footprint, and a substantial box section metal frame and a flat roof. The existing barriers and canopies are all fixed to the ground and the listed buildings. Within the fenced seating area are arranged various timber and metal seating and tables.

4.3 The application site is located within the Weymouth defined development boundary (DDB) and the Weymouth Town centre Conservation Area. Some of the adjacent drinking establishments have similar external seating areas featuring a variety of enclosure designs and canopies.

5. Description of development

5.1 The proposed development is to replace the existing outdoor seating area with two new canopies, planters and associated signage to the frontage of 54-55 The Esplanade (The Nook Cocktail Bar) for use within the business premises. There would be two shallow pitched

retractable canopies at differing roof angles, with fixed metal support frames, and these would extend across most of the frontage of the site and be separated in the centre of the site by a slight gap. On the northeast of the site the boundary treatment of the sitting out area would consist of six, evenly spaced freestanding timber boundary planters, which would be linked by removable canvas or vinyl infill. The planters would be approximately 0.9m high, and each planter would have a square plan form. The planters would be placed onto the existing pavement with no intrusive groundworks. An access gap would be provided towards the centre of the site frontage. At the southern end of the site boundary there would be a timber clad wall approximately 1.4m in height. The proposed canopy and boundary treatments would not extend to the far north of the site to allow access to the existing door, which is intended to be retained as a fire escape. Two wall heaters are proposed that would be located on the walls in between the existing sash windows of no. 54 The Esplanade. The plans and description include signage details, however, these require a separate application for Consent to Display an Advertisement under the Town and Country Planning (Control of Advertisement) Regulations 2007 and as such have not been assessed under this application.

6. Relevant planning history

6.1 Members attention is drawn to the live applications P/FUL/2026/03357 & P/LBC/2026/03356 in relation to the adjoining Kika Beach Club premises at no.52-53 The Esplanade which propose similar canopies and associated works to the frontage, for use within the business premises.

6.2 The relevant planning history for the application site is set out below.

Application no.	Proposal	Decision	Decision Date
P/LBC/2026/03671	Proposed canopies and associated works to signage/frontage	Under consideration	n/a
P/FUL/2025/01316	Retain canopies and associated works to frontage of The Nook Cocktail Club for use within the business premises	Withdrawn	28/01/2026
P/LBC/2025/01317	Retain canopies and associated works to frontage of The Nook Cocktail Club	Withdrawn	28/01/2026
P/CONS/2022/00251	Consultation for sitting out licence	No Objection	31/10/2022
08/00759/FUL	Alterations to include replacement of door with window, replacement windows and door, awning, balustrade and handrails	Granted	06/02/2009
08/00760/LBC	Internal and external alterations to include replacement of door with window, replacement windows and door, awning, balustrade, handrails and externally illuminated fascia sign	Granted	06/02/2009

7. List of constraints

Weymouth Defined Development Boundary

York Buildings (Terrace) Grade II Listed Building, List Entry: 1145952

York Buildings (Terrace) Grade II Listed Building, List Entry: 1145953

Charlotte Row (Terrace) Grade II Listed Building, List Entry: 1145949, Distance: 19m

York Buildings (Terrace) Grade II Listed Building List Entry: 1145950, - Distance: 9m

York Buildings (Terrace) Grade II Listed Building List Entry: 1145951, - Distance: 3m

York Buildings (Terrace) With Area Railings Grade II Listed Building, List Entry: 1145954, Distance: 5m

Weymouth Town Centre Conservation Area

Area of Archaeological Potential; Town Centre North of Harbour

Weymouth Level 2 Strategic Flood Risk Assessment

Weymouth Town Centre Strategy

Wessex Water Treatment Works Catchment

Dorset Council Land Freehold: 54-55A The Esplanade

Natural England RAMSAR: Chesil Beach & the Fleet - Distance: 3km

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet - Distance: 3km

Portland heliport consultation zone (within 13km) - Distance: 4.6km

Radon: Class 1: Less than 1%

Office for Nuclear Regulation Portland 12km zone

8. Consultations

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

Consultees

1. **Dorset Council Conservation Officer**

   Due to the bulk, scale, design, visual clutter, permanent nature and concealment of the views of the Listed buildings, the proposal would have a detrimental impact on the significance of the host Grade II Listed buildings, the setting of the neighbouring Listed buildings and the special character and local distinctiveness of the Weymouth Town Centre Conservation Area.

2. **Dorset Council - Environmental Services - Food, Safety & Port Health**

   No response received.

3. **Dorset Council - Environmental Services - Protection**

   No comment.

4. **Dorset Council - Asset & Property**

   No response received.

5. **Dorset Council - Highways**

   The proposed canopies and balustrade have been positioned at an appropriate distance from the road edge along The Esplanade, ensuring that pedestrian and vehicular movement is not impeded. There are no other changes to access arrangements or parking provision. The Highway Authority therefore has no objection to this proposal.

6. **Building Control**

   The proposals should ensure compliance in respects of Part B (Fire Safety) of the Building Regulations

7. **Dorset Police Architectural Liaison Officer**

   No response received.

8. Melcombe Regis Ward Member

No response received

9. Weymouth Town Council

The Council supports this application and raises no objection

Representations received

None

9. 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.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

In this case the development plan comprises:

Local 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 & sites of other geological interest
- ENV2: Wildlife and habitats
- ENV4: Heritage assets
- ENV5: Flood risk
- ENV10: The landscape and townscape setting
- ENV12: The design and positioning of buildings
- ENV14: Shopfronts & advertisements
- ENV15: Efficient and appropriate use of land
- ENV16: Amenity
- SUS2: Distribution of development
- COM7: Creating a safe & efficient transport network
- ECON4: Retail and town centre development
- WEY1: Weymouth town centre strategy
- WEY5: The Esplanade

Weymouth Neighbourhood Plan 2021 to 2038 (made 29/01/2026)

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

- Policy W02: Conservation of the Natural Environment

- Policy W03: Wildlife Habitats and Areas
- Policy W05: Ecological Impact of Development
- Policy W07: Rights of Way and Access to the Countryside
- Policy W12: Riversides
- Policy W13: Panoramas, Vistas and Views
- Policy W14: Development Boundaries
- Policy W15: Extensions and Alterations
- Policy W34: Sustainable Development
- Policy W39: Weymouth Town Centre
- Policy W41: Sustainable Tourism Development
- Policy W44: Design
- Policy W45: Heritage Assets- It is considered that Policy W45 criterion 1 should be given very limited weight as it is materially inconsistent with national decision-making policies in the NPPF (2026) in respect of designated heritage assets. This is because Policy W45 states that "Development proposals must demonstrate, where relevant, that they respect, and will cause **no harm** to heritage assets and their setting" (underlining is officer emphasis for clarity) whereas Policy HE6 of the NPPF states that "Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal". Whilst the intent of both the WNP policy and the NPPF policy is to limit harm to heritage assets the national decision-making policy does not require "no harm" to heritage assets in order for a proposal to be considered acceptable, rather it's a case of weighing any identified harm against any public benefits resulting from the proposal.
- Policy W46: Transport and Travel
- Policy W53: Public Houses
- Policy W55: Public Spaces

Material considerations

Emerging Draft Dorset Council Local Plan:

Policy DM4: Emerging development plan proposals 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 compliance of the relevant policies in the emerging plan with the policies for plan-making in the NPPF (the closer the policies in the emerging plan to the policies of the NPPF, the greater the weight that may be given to them).

The emerging Dorset Local Plan is being prepared in accordance with plan-making processes set out in the Levelling Up and Regenerating Act 2023 and Local Planning Regulations (2026). As the plan is still at an early stage of the plan making process, limited weight can be attached to it when taking decisions on planning applications. Decisions on planning applications should continue to be assessed against the policies in adopted development plans, national planning policy and any other relevant material considerations.

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Local Nature Recovery Strategy

The Dorset Local Nature Recovery Strategy identifies local priorities for nature recovery and maps areas where action would be most beneficial. In planning decisions it is a material consideration, helping to ensure that development supports biodiversity enhancement and aligns with Dorset's agreed priorities for nature recovery.

National Planning Policy Framework (17 August 2026)

The National Planning Policy Framework (NPPF), published on 17 August 2026, sets out the Government's national planning policies for both plan-making and decision-making in England.

When determining development proposals decision-makers are required to take a positive and proactive approach and to seek to approve sustainable development where possible.

The NPPF introduces a permanent presumption in favour of sustainable development, through Policies S3 to S5 (which replaces the former "tilted balance" contained in paragraph 11 of the previous NPPF) and sets out the principles for development within and outside settlements. The Framework also confirms that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant NPPF chapters and policies include:

- Chapter 3: Decision making policies. DM3: Determining development proposals Local planning authorities should approach decision making positively, proactively and proportionately. They should work with applicants through pre-application engagement and consultations and aim to resolve concerns through planning conditions or obligations where possible to avoid delay and to enable an approval rather than a refusal. Applications that accord with the development plan, the NPPF and other material considerations should not be refused where they can clearly be approved.
    - DM3 Determining development proposals
    - DM7 Relationship with other regulatory regimes
- Chapter 4: Achieving Sustainable Development. The objective of the policies in this chapter is to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements, enabling development which will support the rural economy, rural communities and the provision of infrastructure, and limiting development away from settlements to help safeguard the intrinsic character and beauty of the countryside.
    - S3 Presumption in favour of sustainable development
    - S4 Principle of development within settlements
- Chapter 5: Meeting the challenges of climate change. Planning decisions should support climate change mitigation and adaptation, including reducing greenhouse gas emissions, increasing resilience to climate impacts and directing development away from areas at unacceptable risk from flooding.
    - CC2 Mitigation of climate change
    - CC3 Adaptation to climate change
- Chapter 7: Building a strong, effective economy. Planning decisions should enable businesses to invest, expand and adapt in a way that reflects the opportunities, challenges and characteristics of different areas, and supports long-term economic growth both locally and nationally.
    - E2 Meeting the need for business land and premises
- Chapter 8: Ensuring the vitality of town centres. The objective of the policies in this chapter is to promote the long-term vitality and viability of town centres by prioritising them as locations for main town centre uses and allowing them to adapt to changing community and business needs, in a way which reflects their locally distinctive roles and opportunities. For the purpose of this chapter 'town centres' includes city, town, district and local centres as defined in the glossary at Annex B.

- TC2 Development in town centres

- Chapter 14: Achieving well-designed places. Development should be high quality, respect and enhance local character, deliver sustainable and attractive places, and accord with relevant design policies. Proposals that demonstrate good design and place-making should be supported, while those that fail to meet established design standards should be refused unless clearly justified.
  - DP3 Key principles for well-designed places
  - DP4 The design process
- Chapter 15.Promoting sustainable transport. The objective of the policies in this chapter is to ensure that transport considerations are taken fully into account in the preparation of development plans and the evolution and assessment of development proposals; using a vision-led approach to embed the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places.
  - TR3 Locating development in sustainable locations
  - TR4 Street design, access and parking
- Chapter 17.Pollution, public protection and security. The objective of the policies in this chapter is to ensure that new development is appropriate for its location, taking into account risks posed by pollution and other hazards; that any impacts which development might have are taken into account; and that sufficient provision is made for development required for public safety and security.
  - P3 Living conditions and pollution
  - P4 Impact of development on existing activities
  - P5 Maintaining public safety and security
- Chapter 18: Managing flood risk and coastal change. Development proposals should minimise risks to development arising from all sources of flooding and coastal change, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development will be safe for its lifetime without increasing flood risk elsewhere, and incorporating sustainable drainage systems where appropriate.
  - F4 Assessing flood risk for decision-making
  - F5 The sequential test
  - F6 Development in areas at risk of flooding from rivers or the sea
  - F7 Ensuring development is safe from flooding
- Chapter 20: Conserving and enhancing the historic environment – Great weight should be given to the conservation of heritage assets. Development that preserves or enhances designated or non-designated heritage assets should be approved. While any harm must be clearly justified and weighed against the public benefits of the proposal. Proposals causing substantial harm to, or loss of, heritage assets should only be permitted in exceptional circumstances where overriding public benefits outweigh the harm.
  - HE4 Securing the conservation of heritage assets
  - HE5 Assessing effects on heritage assets
  - HE6 Proposals affecting designated heritage assets
  - HE9 Conservation areas

Other material considerations

National Planning Practice Guidance

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.

Weymouth & Portland Listed Buildings and Conservation Areas (2002)

Weymouth & Portland Urban Design (2002)

Landscape Character Assessment (Weymouth & Portland)

Conservation Area Appraisals:

Weymouth – Town Centre Conservation Area Appraisal adopted December 2012– details of which are set out in section 14 below.

11. Human rights

Article 6 - right to a fair trial.

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

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. 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. Sufficient pavement width remains to comply with inclusive mobility.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

Material considerations

- Tourism/community benefits through the retention of sitting out area in Weymouth Town Centre

Non material considerations

- Premises lease.
- License fee (paid to Dorset Council that manage the public highway on which the development is located on).

14. Planning Assessment

Background

14.1 The submission of this application and the accompanying application for Listed Building Consent follows the withdrawal of applications no. P/FUL/2025/01316 and P/LBC/2025/01317 on 28 January 2026 for the retention of existing canopies and associated works to frontage of The Nook Cocktail Club. Prior to being withdrawn the applications had been recommended for refusal by the case officer as they were considered to harm designated heritage assets and the harm was not outweighed by public benefits and was without clear and convincing justification. The proposals were also

considered to be out of keeping with the heritage character of the site and the area and failed to positively preserve or enhance the unique Georgian architectural characteristics of the area. The application now under consideration proposes a revised scheme.

Principle of development

14.2 Local Plan Policy SUS2 sets out that within defined development boundaries, employment and other development to meet the needs of the local area will normally be permitted. Given the application site is located within the Weymouth defined development boundary and proposes to retain development for the use of an existing business premises, the principle of development is accepted under Local Plan Policy SUS2.

14.3 Policy S3 of the NPPF sets out that decisions on development proposals should apply a presumption in favour of sustainable development and given the proposed development is within the settlement of Weymouth, NPPF Policy S4 is applicable and sets out that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the NPPF.

14.4 Furthermore, given the proposal would serve an existing business premises, the mix of retail and other town centre uses in Weymouth Town Centre would be retained, it is considered the proposal would add to the vitality and vibrancy of the town centre. As such the proposal is considered to be in accordance with Local Plan Policy ECON4. Moreover, Paragraph 1 a) of NPPF Policy TC2 sets out that in considering proposals for development in town centres, substantial weight should be given to the benefits of supporting the overall vitality and viability of the centre and Paragraph 1 a) of NPPF Policy E2 sets out that to support business growth, substantial weight should be given to the economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt.

Scale, design, impact on character and appearance

14.5 Given the differing roof pitch of the proposed canopies the two structures are not considered to relate well to each other, and the design appears awkward and unresolved. This lack of coherence in design is not considered to relate to the historic Georgian character, classical influences and symmetry of the host listed buildings and The Esplanade setting.

14.6 The supporting Heritage and D&A Statement submitted with the application sets out that the proposals have been developed in response to this coastal, high-footfall environment, seeking to balance commercial needs with the conservation of the established seafront character and the cocktail club identity of the premises. The following points provide a summary of the justification for the design as set out in the Heritage and D&A Statement:

- Small-scale and fully reversible.
- Interventions designed to avoid harm to historic fabric.
- Planters are non-invasive and will not obscure architectural detailing or key sightlines along the Esplanade.
- Material compatibility with the historic seafront context. Proposed materials include: natural-stained timber planters, muted marine-grade canopy fabric.
- The public benefits, improved accessibility, enhanced activation of the public realm, and sustained commercial viability outweigh any very minor and localised changes to the building's setting.
- The scale of development is modest and does not materially alter the existing building.
- The proposals do not alter the existing scale or massing of the existing building.
- The use of retractable canopies reduces the visual presence during periods of non-use and ensures the structure remains unobtrusive within the streetscape.

14.7 However, the following highlighted extract from the supporting Heritage and D&A Statement is at odds with the proposed development, which presents white/cream coloured, planters and canvas or vinyl infill on Dwg No.02.

*"Both canopy structures feature **black metal supports** to ensure visual cohesion. The surrounding metal balustrade and posts are finished in a **rusted-effect metal**, complementing the character of the building and the aesthetic of the business".*

The description above appears to relate to the existing development in front of the no. 54-55 The Esplanade. Given that the justification for the proposed development appears to be at least partly based on a different proposal, it is not considered the conclusions of the Heritage and D&A Statement can be fully relied upon.

14.8 The proposed development is not considered to overpower the original building, however, given the development spans almost the entire ground floor frontage of the building the scheme is not considered to be small scale and the canopies, and their support frame would be permanent additions that could be retained in perpetuity. As such the scheme is considered to significantly detract from and obscure the original building to the detriment of the existing building's appearance.

14.9 The proposed canopies and support frame are not considered to relate to the historic Georgian character of the host listed buildings and The Esplanade setting. Indeed, the canopy at the north of the site would directly obscure the bay window to the ground floor creating and awkward and incongruous addition.

14.10 Notwithstanding the classical square panelled column design of the proposed planters, the overall design outcome is a development that obscures, detracts, erodes and fails to compliment or respect the Georgian architectural character of the site and heritage character of the surrounding area.

14.11 Given the above, the proposed canopies and support frame are not considered respond to the context of the site or its setting, as the quality of the architecture, which is of a design appearance is not appropriate to the historic Georgian architecture of the original Listed Buildings. As such the proposed alterations and extensions are not considered to integrate with or enhance the site or their surroundings, indeed it is considered the scheme would be a detrimental addition to the site and its setting for the reasons set out above.

14.11 Local Plan Policy ENV12 sets out that the general design should be in harmony with the adjoining buildings and the area as a whole, should relate well to the original building and the quality of the architecture is appropriate to the type of building with particular regard to its architectural elegance, symmetry and rhythm, and richness of detail. As set out above, given the proposal is considered to detract from and obscure the original building and would not be in keeping with the Georgian architecture of the site the scheme fails to accord with Policy ENV12.

14.12 Neighbourhood Plan Policy W15 sets out that proposals should reflect the character of nearby buildings and their setting. Neighbourhood Plan Policy W44 sets out that proposals should demonstrate high-quality design and within conservation areas and in proximity to heritage assets, development proposals are expected to demonstrate how they will positively preserve or enhance the unique characteristics of the area. Neighbourhood Plan Policy W55 sets out that development proposals will be supported provided it is demonstrated that the proposals will enhance the character, appearance, and sense of place in their immediate locality. As set out above the proposal is not considered to be in keeping with the Georgian architecture of the site or its setting and would detract from the unique characteristics of the area. As such the scheme is not considered to accord with Neighbourhood Plan Policies W15, W44 and W55.

14.13 Paragraph 1 of NPPF Policy DP3 sets out that development proposals should respond to their context, so that they integrate with and enhance their surroundings. Furthermore, Paragraph 2 g. sets out that development proposals should create visually attractive,

distinctive and characterful development to establish or maintain a strong sense of place. For the reasons given above the proposal is not considered to respond, integrate or enhance its surroundings and would diminish the attractive and characterful Georgian architectural character of the site and setting. As such the proposal is not considered to accord with NPPF Policy DP3.

14.14 Therefore, in summary, the proposal is considered to be unacceptable in design terms, is out of keeping with the character of the site and the area, fails to positively preserve or enhance the unique characteristics of the area and as such fails to accord with Local Plan Policy ENV12, Neighbourhood Plan Policies W15, W44 and W55 and policy DP3 of the NPPF (2026).

Impact on the living conditions of the occupants and neighbouring properties

14.15 The proposed development would allow for sitting out use associated with the host drinking establishment and as such there is potential for the noise from patrons of the premises to impact on the amenity of occupiers of nearby dwellings.

14.16 However, there are no residential dwellings to the east of the site, which looks out over The Esplanade and Weymouth beach. The building to the north of the site and the accommodation above the premises are used as holiday accommodation and the building to the south is another drinking establishment. The application site is located in the town centre and in an area characterised by the associated nighttime economy. As such a degree of noise from premises is to be expected by residents of the adjacent holiday accommodation.

14.17 No other amenity impact issues have been identified and therefore, subject to a condition controlling the hours of use of the area, the proposal is considered acceptable in terms of amenity impact and to accord with NPPF Policy P3 and Policy W34 of the Weymouth Neighbourhood Plan.

Heritage impact

Heritage assets

- Weymouth Town Centre Conservation Area (The Esplanade sub area) (CA)
- York Buildings (Terrace) no.54, Grade II Listed Building, List Entry: 1145952 (application site)
- York Buildings (Terrace) no.55, Grade II Listed Building, List Entry: 1145953 (application site)
- York Buildings (Terrace) no.52, Grade II Listed Building, List Entry: 1145950, Distance: 9m
- York Buildings (Terrace) no.53, Grade II Listed Building, List Entry: 1145951, Distance: 3m
- York Buildings (Terrace) no.56 & 57 With Area Railings, Grade II Listed Building, List Entry: 1145954, Distance: 5m
- Area of Archaeological Potential; Town Centre North of Harbour, Weymouth

Significance of heritage assets

Weymouth Town Centre Conservation Area (The Esplanade sub area) (CA)

14.18 The significance of this part of the CA can be summarised as The Esplanade providing an important example of late Georgian town planning, related firmly to the sea and the historic uses of the late 18th and early 19th century have defined the character of The Esplanade, which has been, and continues to be, associated with visitors, entertainment, leisure and fun. As such the CA is considered to have historic, architectural and communal/social heritage significance. Furthermore, the quality of The Esplanade and its bay have been recognised and appreciated since the start of noble and royal patronage of the Georgian resort and as such is considered to have aesthetic heritage significance. The CA appraisal sets out that *"The Esplanade is of national significance in the history of the seaside resort and in terms of social history".*

York Buildings (Terrace) no.54 and 55 (application site)

14.19 In summary the significance of no. 54 and 55 is considered to be in their architectural and historic value as examples of Georgian seaside architecture and elegant proportion and details to the frontage. The buildings present a refined classical arrangement with sash windows, window surrounds, cornices and elevational details. The buildings are considered to be a key part of The Esplanade and contribute to the long stretch of seafront terraces with a mix of Georgian styles. No. 55 features bow-fronted bay windows, pillared porticos, and neoclassical details. The wide bay to the central part of the Terrace (number 55) and decorated 3-light window (number 54) provide a key focal point for these buildings and is noted within the Conservation Area Appraisal for townscape, architectural and heritage value.

York Buildings & Charlotte Row (within setting of application site)

14.20 The application site forms part of the group of Listed Buildings known as 'York Buildings' which the Conservation Area Appraisal describes as *"originally seven units, greatly altered, but with the central house displaying a wide bow window on columns and remnants of decorated three light windows on the first floor of several others"*.

14.21 As a group the buildings are considered to have significance in their contribution towards townscape here which is characterised by the long vistas along the length of The Esplanade, with building blocks in sharp perspective and rounded termination points to several terrace rows, including York Terrance, creating focal points and key elements of townscape edge and enclosure. The inclusion of the railings outside no.56/57 York Terrace has particular importance regarding the setting of numbers 54, 55 and 56/57.

Area of Archaeological Potential

14.22 The Conservation Area Appraisal sets out that there may be archaeological evidence of earlier shorelines between the Georgian Esplanade edge and the East St/New St line.

Impact on heritage assets

Weymouth Town Centre Conservation Area (The Esplanade sub area)(CA)

14.23 The character and appearance of the CA is defined by its historic buildings, traditional materials, and cohesive historic townscape. The introduction of non-traditional designed canopies and support structure is incongruous with these defining characteristics of the CA. The CA Character Appraisal highlights the need to preserve the area's unique character and avoid alterations that could undermine its historic significance. Given the above it is considered that the proposed development would not be in keeping with the character of the CA and as such would negatively impact the conservation area's overall appearance, resulting in harm to the significance of the CA.

York Buildings (Terrace) no.54 and 55 (application site)

14.24 The proposed canopies and support structures are considered to be of a modern, non-traditional design and appearance and their scale and proportions span and obscure almost the entire ground floor frontage of the designated heritage assets.

14.25 It is considered the development appears as visual clutter that is discordant in design to the heritage setting and adversely alters, disrupts and erodes the setting of the designated heritage assets. Moreover, the canopies and structures located to the front of the site, would significantly obscure and disrupt views of the ground floor of the buildings. Even when retracted, the canopy support frames would present permanent visual clutter that would diminish the appearance of the Listed Buildings. The front elevations of these buildings are considered to present historic architecture of notable merit, in particular the bow-fronted bay windows, pillared porticos, and neoclassical details of no.55 and the canopies and structures would disrupt and obscure views of the architecture diminishing the visual integrity of the Listed Buildings, thereby significantly diminishing its heritage significance.

14.26 The proposed development would span across almost the entire front of the Listed Buildings and the canopies permanent metal frames would extend a generous distance beyond the

building so that when the canopies are deployed the structure would interrupt views of the lower section of the Listed Building.

14.27 It is considered that the canopies and structures that make up the development would be visual clutter, that would be discordant in design and harm the wider contribution made to the street scene and character and appearance of the conservation area.

14.28 The CA appraisal sets out in its conclusion that less clutter would be an enhancement of the CA and as such given the cluttered appearance of the proposed development, the scheme is not considered to conserve or enhance the significance of the heritage assets.

14.29 Given the proposed development would significantly and uncharacteristically alter the setting of the Grade II Listed Buildings the proposal is considered to harm the heritage significance of both the site and its setting.

14.30 It is observed that some neighbouring buildings have similar external areas. However, each application is determined on its own merits and for the reasons set out above, this scheme is not considered to conserve or enhance the heritage assets.

14.31 Given the above, the proposed development is considered to result in harm to the Listed Buildings.

York Buildings & Charlotte Row (within setting of application site)

14.32 The proposed development is located adjacent to the historic 'spearhead railings' area to no. 56 which is specifically noted in the list description and enclose the basement area of the listed building. The proposed development would be positioned such that it would directly and harmfully interrupt and obscure views of the adjacent Listed Buildings frontages and the historic spearhead railings. As such the proposal is considered to result in harm to the setting of the adjacent Listed Buildings.

Area of Archaeological Potential

14.33 Given the site is on previously developed land and the structures are shown as surface mounted it is considered the proposal would not harm any potential below ground archaeology.

Public benefits

14.34 The application site operates as a drinking establishment and restaurant which is considered to have public benefits in the form of providing jobs, contributing to the economy through purchasing goods and services, paying business rates and taxes. The site also provides a venue that contributes to Weymouth Town Centres varied entertainment offering. However, any public benefits arising from the outdoor seating could be achieved through fully removable and temporary measures under the pavement licensing regime and which could be considered to be less harmful.

Heritage impacts summary

14.35 For the reasons set out above the proposed development is considered to result in harm to the Listed Buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent Listed Buildings set out in this report.

14.36 Paragraph 1 of Policy HE6 of the NPPF (2026) sets out the following:

"When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation".

14.37 Paragraph 4 of Policy HE6 of the NPPF (2026) sets out the following:

"Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal".

14.38 The application site is considered to provide important public benefits, however, it is considered that these can only be partially attributed to the proposed development, which does not form part of the original premises and given the use of the outdoor seating, would be mostly limited to seasonal use. The public benefits arising from the outdoor seating could also be achieved in a less harmful way through removable and temporary measures under the pavement licensing regime. As such it is considered the public benefits of the proposed development would be slight and no convincing evidence has been submitted to suggest the scheme would secure the optimum viable use of the Listed Building.

14.39 It is considered the proposal would result in harm to the significance of the relevant designated heritage assets set out above and the substantial harm would not be outweighed against the public benefits. Furthermore, the proposal is not considered to accord with any of the exceptions (listed from a - d) set out in Paragraph 5 of Policy HE6. Therefore, the heritage impact of the proposed development is not considered to be acceptable.

14.40 Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with Local Plan Policy ENV4, Neighbourhood Plan Policy W45 , Neighbourhood Plan Policy W45 (albeit only limited weight can be attached to this policy due to material inconsistency of criterion 1 of Policy W45 with Policy HE6 of the NPPF) and Policy HE6 of the NPPF (2026).

Flood risk

NPPF Sequential and Exception Test

14.41 NPPF (2026) policies F5 and F6 sets out that applications for small non-residential extensions (with a footprint of less than 250m2) and changes of use should also not be subject to the sequential test or the exception test.

14.42 Given the proposed development is considered to be a minor development with a footprint of less than 250m2 and includes a change of use of public highway for a sitting out area, the scheme is not considered to be subject to the sequential or exception tests.

National Flood Risk Assessment (NaFRA) & Site-Specific Flood Risk Assessment (FRA)

14.43 The NaFRA published on 25 March 2025 shows the application site in Flood zone 1, where there is a low probability of flooding from rivers and the sea. However, the NaFRA shows the Flood zone risk would increase once allowance is made for climate change and Environment Agency (EA) standing advice is that in this instance the site should be treated as being within Flood zone 2. The application is supported by an FRA dated June 2026 and this sets out the site is within Flood zone 1 and at a low risk of flooding. The FRA also sets out mitigation measures to surface water run off that could be incorporated into the proposals. However, the FRA does not identify any surface water flood risk that would require mitigation measures.

Weymouth Level 2 Strategic Flood Risk Assessment (SFRA)

14.44 The SFRA shows that with an allowance for climate change the site would be at 1 in 200-year Tidal flood risk to a depth of 0.1 to 0.3m, with a <0.75 hazard rating and <0.1 metres per second velocity.

14.45 The SFRA shows that if beach promenade defences fail with an allowance for climate change, then the site would be at 1 in 200-year and 1 in 30-year flood risk to a depth of 0.1 to 0.3m, with a <0.75 hazard rating and <0.1 metres per second velocity.

14.46 The EA endorsed ADEPT guidance sets out that a flood hazard rating of 0.75 is considered ‘danger for some’ or greater. Given the SFRA hazard ratings for the application site are less than 0.75 and the potential limited depth of flood waters the pedestrian access and escape routes to and from the site appear acceptable.

Summary of flood risk

14.47 The existing building is considered to be a drinking establishment which would fall within the ‘More Vulnerable’ flood risk vulnerability classification as set out in Annex 3 of the NPPF

(2026). However, the proposal is located outside of the building, considered to be at a low flood risk in terms of depth of flood waters and flood hazard rating and as such the scheme is considered to be acceptable in terms of flood risk and in accordance with Local Plan Policy ENV5 and NPPF Policy F7.

Economic benefits

14.48 It is considered that the proposal would make a small contribution to the local economy through the continued employment of staff and the continued spending of the patrons of the Public House.

Highways impacts

14.49 The Highway Authority has raised no objection to the proposal.

14.50 It is considered that the development would have an acceptable impact on highway safety, not impeding pedestrian movements, with sufficient 2m width pavement space available, which complies with Manual for Streets minimum guidance. Hence the development is considered to accord with Local Plan Policy COM7.

Environmental implications

14.51 The application site is entirely hardstanding and as such the development is below the de minimis threshold and exempt from Biodiversity Net Gain.

14.52 Natural England have advised that development which results in an increase in population within 5km of the Chesil Beach and the Fleet European site may contribute to an unacceptable increase in recreational pressures on the features of the designated area. Therefore, in accordance with habitat regulations the proposal has been screened to consider the potential impact of the development on the protected sites. The application does not propose new residential accommodation and would therefore not create an additional residential unit that would increase recreational pressure. As such, it is considered there are no likely significant effects associated with this proposal on the European protected sites. As the screening process concluded that the application would have no likely significant effect on the European protected sites, the requirement for an appropriate assessment has not been triggered as set out in the Habitat Regulation.

14.53 No other potential wildlife or habitat impacts were identified with the proposal.

15. Conclusion

15.1 The development would be acceptable in principle and in terms of amenity impact, flood risk, economic benefits, highway safety and environmental impacts. Whilst Policies E2 and TC2 state that substantial weight should be given to the economic benefit of proposals for commercial development and supporting the overall vitality and viability of a town centre, the design of the proposed development is not in keeping with the site or the area and as such fails to positively preserve or enhance the unique characteristics of the area and indeed is considered to have a detrimental visual impact on the site and The Esplanade area.

15.2 Furthermore, the application is considered to be unacceptable in heritage impact terms, given the uncharacteristic design to the site and the area, which is considered to result in harm to the significance of the designated heritage assets, and the level of harm is not outweighed by public benefits. Furthermore, it is considered that the substantial weight to be attached to the economic benefits of the proposal and its contribution to the vitality and viability of the town centre is outweighed by the harm to the character of the area and the harm to the significance of the designed heritage assets (listed buildings and Conservation Area). In reaching this conclusion regard has been had to the duties of The Planning (Listed Buildings and Conservation Areas) Act 1990.

15.3 Given the above the proposed development would fail to accord the relevant policies set out in this report of the West Dorset, Weymouth & Portland Local Plan 2015, the Weymouth

Neighbourhood Plan 2021 – 2038 and the National Planning Policy Framework (2026) and as such is recommended for refusal.

16. Recommendation

16.1 Refuse planning permission for the reasons set out below:

1. The proposed development would result in harm to the heritage significance of the Listed Buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent Listed Buildings. The level of harm to these designated heritage assets is not outweighed by public benefits. As such it is considered that the benefits of approving the development would be substantially outweighed by the adverse effects identified. Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV4, Weymouth Neighbourhood Plan Policy W45 (2026) and Policies S4 and HE6 of the National Planning Policy Framework (2026) and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

1. The design of the proposed development is out of keeping with the heritage character of the site and the wider area and Esplanade, fails to positively preserve or enhance the unique Georgian architectural characteristics of the area and as such fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV12, Weymouth Neighbourhood Plan Policies W15, W44 and W55 and Policies S4 and DP3 of the National Planning Policy Framework (2026).

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Application Number:	P/LBC/2026/03671
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	54-55 The Esplanade Weymouth DT4 8DG
Proposal:	Proposed canopies and associated works to signage/frontage
Applicant name:	Mr & Mrs Burton
Case Officer:	Robert Parr
Ward Member(s):	Cllr Orrell

1. Reason application is going to committee:

In accordance with the Council's scheme of delegation this application is brought to committee for determination as the application site includes Dorset Council owned land and adopted highway which is vested in Dorset Council.

2. Summary of recommendation:

2.1 Refuse listed building consent for the following reason:

The proposed development would result in harm to the heritage significance of the Listed Buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent Listed Buildings. The level of harm to these designated heritage assets is not outweighed by public benefits. Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV4, Weymouth Neighbourhood Plan Policy W45, Policy HE6 of the National Planning Policy Framework (2026) and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

3. Key heritage issues

Issue	**Conclusion**
Impact on Heritage Asset, Setting and Conservation Area	Unacceptable

4. Description of site

4.1 The application site is located fronting onto The Esplanade in Weymouth Town Centre and is approximately 20m southeast of the highway junction with New Street. This is a secondary shopping frontage area of Weymouth's Esplanade which is predominantly characterised by the historic Georgian period seafront. The application site comprises of the two existing mid terrace Grade II listed buildings 'York Buildings (Terrace) no.54 and 55 The Esplanade and a section of the highway pavement. The section of highway pavement within the application site spans the entire front of the existing buildings and extends out to encompass approximately 3m of the pavement to the northeast, leaving a strip of pavement approximately 2.3m in width.

4.2 The existing buildings are in use as The Nook Cocktail Club drinking establishment, and this use extends outside of the building with an existing outdoor seating area that covers the section of highway pavement within the application site. The existing outdoor seating area covers an area of approximately 40m2, is enclosed by waist high metal barrier/fence finished in a rusted effect, with a central opening for pedestrian access to the premises. A doorway

on the north side of building is described in the design and access statement as being used as a fire escape only. The outdoor seating area has two canopy structures, painted dark grey/black colour, with the larger canopy on the south side having a mono pitched retractable textile cover and a fixed slim metal frame. The canopy on the north side of the site has a smaller footprint, and a substantial box section metal frame and a flat roof. The existing barriers and canopies are all fixed to the ground and the listed buildings. Within the fenced seating area are arranged various timber and metal seating and tables.

4.3 The application site is located within the Weymouth defined development boundary (DDB) and the Weymouth Town centre Conservation Area. Some of the adjacent drinking establishments have similar external seating areas featuring a variety of enclosure designs and canopies.

5. Description of development

5.1 The proposed development is to replace the existing outdoor seating area with two new canopies, planters and associated signage to the frontage of 54-55 The Esplanade (The Nook Cocktail Bar) for use within the business premises. There would be two shallow pitched retractable canopies at differing roof angles, with fixed metal support frames, and these would extend across most of the frontage of the site and be separated in the centre of the site by a slight gap. On the northeast of the site the boundary treatment of the sitting out area would consist of six, evenly spaced freestanding timber boundary planters, which would be linked by removable canvas or vinyl infill. The planters would be approximately 0.9m height, and each planter would have a square plan form. The planters would be placed onto the existing pavement with no intrusive groundworks. An access gap would be provided towards the centre of the site frontage. At the southern end of the site boundary there would be a timber clad wall approximately 1.4m in height. The proposed canopy and boundary treatments would not extend to the far north of the site to allow access to the existing door, which is intended to be retained as a fire escape. Two wall heaters are proposed that would be located on the walls in between the existing sash windows of no. 54 The Esplanade. The plans and description include signage details, however, these require a separate application for Consent to Display an Advertisement under the Town and Country Planning (Control of Advertisement) Regulations 2007 and as such have not been assessed under this application.

6. Background and relevant planning history

6.1 Members attention is drawn to the live applications P/FUL/2026/03357 & P/LBC/2026/03356 in relation to the adjoining Kika Beach Club premises at no.52-53 The Esplanade which propose similar canopies and associated works to the frontage, for use within the business premises.

6.2 The relevant planning history for the application site is set out below.

Application no.	Proposal	Decision	Decision Date
P/FUL/2026/03672	Proposed canopies, planters and associated works to signage/frontage	Under consideration	n/a
P/FUL/2025/01316	Retain canopies and associated works to frontage of The Nook Cocktail Club for use within the business premises	Withdrawn	28/01/2026
P/LBC/2025/01317	Retain canopies and associated works to frontage of The Nook Cocktail Club	Withdrawn	28/01/2026
P/CONS/2022/00251	Consultation for sitting out licence	No Objection	31/10/2022
08/00759/FUL	Alterations to include replacement of door with window, replacement windows and door, awning, balustrade and handrails	Granted	06/02/2009

08/00760/LBC	Internal and external alterations to include replacement of door with window, replacement windows and door, awning, balustrade, handrails and externally illuminated fascia sign	Granted	06/02/2009

7. List of constraints

Within the Weymouth Town Centre Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990).

- Weymouth Town Centre Conservation Area (The Esplanade sub area) (CA)
- York Buildings (Terrace) no.54, Grade II Listed Building, List Entry: 1145952 (application site)
- York Buildings (Terrace) no.55, Grade II Listed Building, List Entry: 1145953 (application site)
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- York Buildings (Terrace) no.56 & 57 With Area Railings, Grade II Listed Building, List Entry: 1145954, Distance: 5m
- Area of Archaeological Potential; Town Centre North of Harbour, Weymouth

8. Consultations

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

Consultees

1. Dorset Council Conservation Officer

Due to the bulk, scale, design, visual clutter, permanent nature and concealment of the views of the Listed buildings, the proposal would have a detrimental impact on the significance of the host Grade II Listed buildings, the setting of the neighbouring Listed buildings and the special character and local distinctiveness of the Weymouth Town Centre Conservation Area. effect on the character and appearance of the Weymouth Conservation Area outweigh any potential benefits.

2. Melcombe Regis Ward Member

No response received.

3. Weymouth Town Council

The Council supports this application and raises no objection.

Representations received

Weymouth Civic Society

We are pleased to support this application. The proposed canopies and planters represent a significant visual improvement, detracting far less from the character of these historic Georgian buildings than both the existing structures and previous proposals.

Furthermore, we welcome the alignment between these plans and the approved proposals for 52-53 The Esplanade. We strongly encourage the Council to promote a similar architectural style among neighbouring businesses along this section of the Esplanade to ensure visual consistency.

9. Duties

The Planning (Listed Buildings and Conservation Areas) Act 1990 - 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 when considering whether to grant listed building consent.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

In this case the development plan comprises:

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

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

- ENV4: Heritage assets

Weymouth Neighbourhood Plan 2021 to 2038 (made 29/01/2026)

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

- Policy W45: Heritage Assets- It is considered that Policy W45 criterion 1 should be given very limited weight as it is materially inconsistent with national decision-making policies in the NPPF (2026) in respect of designated heritage assets. This is because Policy W45 states that "Development proposals must demonstrate, where relevant, that they respect, and will cause **no harm** to heritage assets and their setting" (underlining is officer emphasis for clarity) whereas Policy HE6 of the NPPF states that "Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal". Whilst the intent of both the WNP policy and the NPPF policy is to limit harm to heritage assets the national decision-making policy does not require "no harm" to heritage assets in order for a proposal to be considered acceptable, rather it's a case of weighing any identified harm against any public benefits resulting from the proposal.

Material considerations

National Planning Policy Framework (17 August 2026)

Chapter 20: Conserving and enhancing the historic environment – Great weight should be given to the conservation of heritage assets. Development that preserves or enhances designated or non-designated heritage assets should be approved. While any harm must be clearly justified and weighed against the public benefits of the proposal. Proposals causing substantial harm to, or loss of, heritage assets should only be permitted in exceptional circumstances where overriding public benefits outweigh the harm.

- HE4 Securing the conservation of heritage assets
- HE5 Assessing effects on heritage assets
- HE6 Proposals affecting designated heritage assets
- HE9 Conservation areas

Emerging Draft Dorset Council Local Plan:

Policy DM4: Emerging development plan proposals 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 compliance of the relevant policies in the emerging plan with the policies for plan-making in the NPPF (the closer the policies in the emerging plan to the policies of the NPPF, the greater the weight that may be given to them).

The emerging Dorset Local Plan is being prepared in accordance with plan-making processes set out in the Levelling Up and Regenerating Act 2023 and Local Planning Regulations (2026). As the plan is still at an early stage of the plan making process, limited weight can be attached to it when taking decisions on planning applications. Decisions on planning applications should continue to be assessed against the policies in adopted development plans, national planning policy and any other relevant material considerations.

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Other material considerations

National Planning Practice Guidance

Supplementary Planning Documents/Guidance For West Dorset rea:

Weymouth & Portland Listed Buildings and Conservation Areas (2002)

Weymouth & Portland Urban Design (2002)

Landscape Character Assessment (Weymouth & Portland)

Conservation Area Appraisals:

Weymouth – Town Centre Conservation Area Appraisal adopted December 2012

11. Human rights

Article 6 - right to a fair trial.

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

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. 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.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

Material considerations

- Tourism/community benefits through the retention of sitting out area in Weymouth Town Centre

Non material considerations

- Premises lease.
- License fee (paid to Dorset Council that manage the public highway on which the development is located on).

14. Heritage Assessment

Heritage impact

Heritage assets

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Significance of heritage assets

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14.1 The significance of this part of the CA can be summarised as The Esplanade providing an important example of late Georgian town planning, related firmly to the sea and the historic uses of the late 18th and early 19th century have defined the character of The Esplanade, which has been, and continues to be, associated with visitors, entertainment, leisure and fun. As such the CA is considered to have historic, architectural and communal/social heritage significance. Furthermore, the quality of The Esplanade and its bay have been recognised and appreciated since the start of noble and royal patronage of the Georgian resort and as such is considered to have aesthetic heritage significance. The CA appraisal sets out that *"The Esplanade is of national significance in the history of the seaside resort and in terms of social history".*

York Buildings (Terrace) no.54 and 55 (application site)

14.2 In summary the significance of no. 54 and 55 is considered to be in their architectural and historic value as examples of Georgian seaside architecture and elegant proportion and details to the frontage. The buildings present a refined classical arrangement with sash windows, window surrounds, cornices and elevational details. The buildings are considered to be a key part of The Esplanade and contribute to the long stretch of seafront terraces with a mix of Georgian styles. No. 55 features bow-fronted bay windows, pillared porticos, and neoclassical details. The wide bay to the central part of the Terrace (number 55) and decorated 3-light window (number 54) provide a key focal point for these buildings and is noted within the Conservation Area Appraisal for townscape, architectural and heritage value.

York Buildings & Charlotte Row (within setting of application site)

14.3 The application site forms part of the group of listed buildings known as 'York Buildings' which the Conservation Area Appraisal describes as *"originally seven units, greatly altered, but with the central house displaying a wide bow window on columns and remnants of decorated three light windows on the first floor of several others"*.

14.4 As a group the buildings are considered to have significance in their contribution towards townscape here which is characterised by the long vistas along the length of The Esplanade, with building blocks in sharp perspective and rounded termination points to several terrace rows, including York Terrance, creating focal points and key elements of townscape edge

and enclosure. The inclusion of the railings outside no.56/57 York Terrace has particular importance regarding the setting of numbers 54, 55 and 56/57.

Area of Archaeological Potential

14.5 The Conservation Area Appraisal sets out that there may be archaeological evidence of earlier shorelines between the Georgian Esplanade edge and the East St/New St line.

Impact on heritage assets

Weymouth Town Centre Conservation Area (The Esplanade sub area)(CA)

14.6 The character and appearance of the CA is defined by its historic buildings, traditional materials, and cohesive historic townscape. The introduction of non-traditional designed canopies and support structure is incongruous with these defining characteristics of the CA. The CA Character Appraisal highlights the need to preserve the area's unique character and avoid alterations that could undermine its historic significance. Given the above it is considered that the proposed development would not be in keeping with the character of the CA and as such would negatively impact the conservation area's overall appearance, resulting in harm to the significance of the CA.

York Buildings (Terrace) no.54 and 55 (application site)

14.7 The proposed canopies and support structures are considered to be of a modern, non-traditional design and appearance and their scale and proportions span and obscure almost the entire ground floor frontage of the designated heritage assets.

14.8 It is considered the development appears as visual clutter that is discordant in design to the heritage setting and adversely alters, disrupts and erodes the setting of the designated heritage assets. Moreover, the canopies and structures located to the front of the site, would significantly obscure and disrupt views of the ground floor of the buildings. Even when retracted, the canopy support frames would present permanent visual clutter that would diminish the appearance of the Listed Buildings. The front elevations of these buildings are considered to present historic architecture of notable merit, in particular the bow-fronted bay windows, pillared porticos, and neoclassical details of no.55 and the canopies and structures would disrupt and obscure views of the architecture diminishing the visual integrity of the Listed Buildings, thereby significantly diminishing its heritage significance.

14.9 The proposed development would span across almost the entire front of the Listed Buildings and the canopies permanent metal frames would extend a generous distance beyond the building so that when the canopies are deployed the structure would interrupt views of the lower section of the Listed Building.

14.10 It is considered that the canopies and structures that make up the development would be visual clutter, that would be discordant in design and harm the wider contribution made to the street scene and character and appearance of the conservation area.

14.11 The CA appraisal sets out in its conclusion that less clutter would be an enhancement of the CA and as such given the cluttered appearance of the proposed development, the scheme is not considered to conserve or enhance the significance of the heritage assets.

14.12 Given the proposed development would significantly and uncharacteristically alter the setting of the Grade II Listed Buildings the proposal is considered to harm the heritage significance of both the site and its setting.

14.13 It is observed that some neighbouring buildings have similar external areas. However, each application is determined on its own merits and for the reasons set out above, this scheme is not considered to conserve or enhance the heritage assets.

14.14 Given the above, the proposed development is considered to result in harm to the Listed Buildings.

York Buildings & Charlotte Row (within setting of application site)

14.15 The proposed development is located adjacent to the historic 'spearhead railings' area to no. 56 which is specifically noted in the list description and enclose the basement area of the listed building. The proposed development would be positioned such that it would directly and harmfully interrupt and obscure views of the adjacent Listed Buildings frontages and the historic spearhead railings. As such the proposal is considered to result in harm to the setting of the adjacent Listed Buildings.

Area of Archaeological Potential

14.16 Given the site is on previously developed land and the structures are shown as surface mounted it is considered the proposal would not harm any potential below ground archaeology.

Public benefits

14.17 The application site operates as a drinking establishment and restaurant which is considered to have public benefits in the form of providing jobs, contributing to the economy through purchasing goods and services, paying business rates and taxes. The site also provides a venue that contributes to Weymouth Town Centres varied entertainment offering. However, any public benefits arising from the outdoor seating could be achieved through fully removable and temporary measures under the pavement licensing regime and which could be considered to be less harmful.

Heritage impacts summary

14.18 For the reasons set out above the proposed development is considered to result in harm to the Listed Buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent Listed Buildings set out in this report.

Paragraph 1 of Policy HE6 of the NPPF (2026) sets out the following:

"When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation".

14.19 Paragraph 4 of Policy HE6 of the NPPF (2026) sets out the following:

"Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal".

14.20 The application site is considered to provide important public benefits, however, it is considered that these can only be partially attributed to the proposed development, which does not form part of the original premises and given the use of the outdoor seating, would be mostly limited to seasonal use. The public benefits arising from the outdoor seating could also be achieved in a less harmful way through removable and temporary measures under the pavement licensing regime. As such it is considered the public benefits of the proposed development would be slight and no convincing evidence has been submitted to suggest the scheme would secure the optimum viable use of the Listed Building.

14.21 It is considered the proposal would result in harm to the significance of the relevant designated heritage assets set out above and the substantial harm would not be outweighed against the public benefits. Furthermore, the proposal is not considered to accord with any of the exceptions (listed from a - d) set out in Paragraph 5 of Policy HE6. Therefore, the heritage impact of the proposed development is not considered to be

14.22 Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with Local Plan Policy ENV4, Neighbourhood Plan Policy W45 (albeit only limited weight can be attached to this policy due to material inconsistency of criterion 1 of Policy W45 with Policy HE6 of the NPPF), Policy HE6 of the NPPF (2026) and the Local Planning Authority duty under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

15. Conclusion

15.1 The application is considered to be unacceptable in heritage impact terms, given the uncharacteristic design to the site and the area, which is considered to result in harm to the designated heritage assets, and the level of harm is not outweighed by public benefits.

15.2 Given the above the proposed development would fail to accord the relevant policies set out in this report of the West Dorset, Weymouth & Portland Local Plan 2015, the Weymouth Neighbourhood Plan 2021 – 2038 and the National Planning Policy Framework (2026) and as such is recommended for refusal.

15.3 Furthermore, the proposal fails to preserve the special architectural and historic interest of the listed buildings and their setting and as such does not accord with the requirements of The Planning (Listed Buildings and Conservation Areas) Act 1990.

15.4 Given the above, the application is recommended for refusal.

16. Recommendation

Refuse listed building consent for the reasons set out below:

1. The proposed development would result in harm to the heritage significance of the Listed Buildings within the application site, the Weymouth Town Centre Conservation Area and harm to the setting of the adjacent Listed Buildings. The level of harm to these designated heritage assets is not outweighed by public benefits. Therefore, the proposed development is unacceptable in terms of heritage impact and fails to accord with West Dorset, Weymouth & Portland Local Plan 2015 Policy ENV4, Weymouth Neighbourhood Plan Policy W45, Policy HE6 of the National Planning Policy Framework (2026) and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

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