

Planning Committee Report

1.0 Application Number – [2/2018/0077/OUT](#)

Site address - Land at Park Farm Kingsmead Business Park, Gillingham, Dorset

Proposal - Develop land by the erection of up to 634 dwellings (use class C3), a primary school (use class D1), sports pitches with floodlighting, public open space, play facilities, access and internal estate roads, internal footpaths and cycleways, sustainable drainage system with ponds, landscaping, utility connections and associated/infrastructure. (Outline application to determine access only).

Applicant name - C G Fry & Son Ltd

Case Officer - Simon McFarlane

Ward Members – Val Pothecary, Belinda Rideout, David Walsh

2.0 Summary of Recommendation:

Recommendation A: Delegate authority to the Head of Planning to grant conditional planning permission subject to the completion of a Section 106 legal agreement, as specified in The Town and Country Planning Act 1990 (as amended), in a form to be agreed by the legal services manager to secure the following

- 50/50% tenure split for all affordable housing
- Minimum of 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

And the conditions (and their reasons) listed at the end of the report.

Recommendation B; If the S106 legal agreement is not completed by 14 November 2020, refuse permission for failing to secure the planning obligations (as set out

above) which are considered to be necessary to mitigate the adverse impacts, and secure an adequate provision of affordable housing, of the proposed development.

3.0 Reason for the recommendation:

At the February 2019 North Dorset Planning Committee this application was recommended for approval by officers and was subsequently delegated by members for approval to the Head of Planning subject to pre-conditions and completion of a Section 106 agreement. This application is now back before the Committee as concerns had been raised by the applicant about the wording of some of the proposed planning conditions. The set of conditions below have been amended to ensure they meet the relevant tests set out in the National Planning Policy Framework.

The following reasons were set out previously in the Officer’s Report and are still relevant:

- The site is allocated for a mixed use development as set out in Policy 21 ‘Gillingham Strategic Site Allocation’ of the North Dorset Local Plan Part 1 (January 2016);
- The Council cannot at present demonstrate a five year housing land supply;
- The proposal would contribute towards the Council’s 5 year housing land supply;
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise. None have been identified
- The proposed development site is considered to be in a sustainable location;
- The development would secure significant economic and social benefits;
- There are no material considerations which would warrant refusal of this application.

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	The principle of development was agreed through the strategic Local Plan allocation and supported by the Gillingham Neighbourhood Plan.
Scale, design, impact on character and appearance	The application is Outline for access consideration only. However detailed parameter plans on density, building heights, landscaping, access & movement have been provided which would guide the future reserved matters applications.

Access	The existing and proposed vehicular access into the site is considered by DC Transport Development Management to be acceptable; this would be from the eastern arm of the Park Farm roundabout, through the Kingsmead Business Park, via adopted highway.
Transport	The Principal Street and offsite transport improvements proposed would have a beneficial effect on the local highway system.
Flooding/Drainage	The site is wholly within Flood Zone 1 (low risk). Surface water drainage details would be adequately secured by condition.
Impact on Heritage	The proposed development is considered to result in 'less than substantial harm' to the significance of both King's Court Palace Moated Site Scheduled Monument and Park Farmhouse Grade II Listed Building. This harm would be outweighed by the public benefits of the proposal. Historic England raise no objections.
Impact on landscape	Primary and secondary mitigation measures would reduce the potential landscape impacts. After 15 years the visual effects would be reduced to slight/not significant.
Ecology	Full surveys have been undertaken and impact upon protected species can be mitigated to avoid significant effects.
S106 – Planning Obligations	Contributions would be secured towards affordable housing, transport infrastructure, green infrastructure, and social infrastructure.
Economic benefits	Significant benefits would come from the provision of jobs during construction, jobs in the proposed local centre, and future residential expenditure.
EIA	An assessment has been undertaken in respect to the scoped areas of potential environmental concern. This

	<p>has shown that if the identified additional mitigation is implemented during the design, construction and operational stages of the development, the majority of operational and construction stage effects identified can be appropriately mitigated or compensated and reduced to a level which is not considered to be significant.</p>
--	---

5.0 Description of Site

The application site comprises land at Park Farm, Gillingham. The site is located approximately 1 mile to the south east of Gillingham town centre and east of Road. The application site extends to some 35.03 ha (86.56 acres) and is bordered by the Fern Brook in the north and east and Park Farm in the south. Orchard Garden Centre, Kingsmead Business Park and existing residential development border the site in the south west and west respectively. Kings Court Scheduled Ancient Monument is situated to the north of the site. Park Farm comprises a farmhouse and associated agricultural buildings.

The site is currently in agricultural use and comprises four paddocks which slope from around 84m AOD to 72m in a north-easterly direction. These paddocks are defined by mature, well-managed hedgerows. Along the northern boundary, there is a belt of young broadleaved trees and a series of ponds. The Ham estate, which forms part of the existing eastern edge of the built-up area of Gillingham, adjoins the application site to the west and includes recently built residential by Persimmon Homes. The application site is separated from the existing properties by tall, dense hedgerow.

The existing and proposed vehicular access into the site is from the eastern arm of the Park Farm roundabout, through the Kingsmead Business Park, via adopted highway. Further west, on the other side of Shaftesbury Road is land comprising the wider SSA which has yet to be developed.

6.0 Description of Development

This application seeks outline planning permission with all matters reserved except for access, for the following comprehensive mixed-use development:

- Up to 634 dwellings (Use Class C3)
- A two-form entry primary school (Use Class D1)
- Sports pitches with floodlighting
- Informal public open space

- Play facilities
- Access
- Internal estate roads
- Internal footpaths and cycleways
- SuDs with ponds
- Landscaping
- Utility connections
- Pipe and cable laying and associated ground works
- Infrastructure works.

The residential element would deliver a mix of 1, 2, 3 and 4 bed properties between two and two and a half storeys in height, with heights potentially exceeding this at key focal locations. Densities would vary from 25 dwellings per hectare (dph) at the rural edges of the site adjacent to the Fern Brook, up to 45 dph in the more central areas.

In accordance with the requirements of Policy 21, the application site would deliver a proportion of affordable housing, with the precise level, bedroom numbers and tenure to be established through a site wide viability appraisal process.

The design strategy is explained in the submitted Design & Access Statement. Land at Park Farm, Gillingham: Planning Statement Page 11. As described above, the existing vehicular site access is via Kingsmead Business Park from the west. This estate road would form a single vehicular access into the proposed development. Internal road junctions would be provided within the development with sufficient space for parking and turning of vehicles.

The aim is to create a new, legible, walking and cycling neighbourhood. Two pedestrian and cycle linkages would also be provided along the western boundary, connecting the proposed development to the adjacent Ham estate. These routes are not proposed to be used by vehicles, although they could be made available for emergency vehicle access only.

The existing hedgerow on the western boundary is proposed to be retained to maintain the residential amenity of existing occupants west of the site. This feature would also form part of a green walk way connecting the existing play facility south of Cale Way to the proposed development, and providing a coherent walking and cycling network throughout the site, as well as connections with the town centre and railway station.

The development would provide both formal and informal public open space in accordance with the requirements of NDLP Policy 21 and the Master Plan Framework (MPF), including the/enhancement of the existing play area south of Cale Way along with new site equipped areas, allotments and informal green space alongside the River Fern. These facilities would be connected by pedestrian and cycle links throughout the site.

The application proposal makes land available for a new two-form entry primary school, which is proposed to be located within the southern portion of the application site alongside the sports pitches to encourage flexibility and sharing of facilities where appropriate.

As part of the site-specific design strategy process and consultation, particular aspects of the proposals have been evolved such as the relationship between existing properties on the Ham estate and the proposed development, and the location of the school.

Nonetheless, the proposed development, as shown on the submitted illustrative masterplan and parameter plans, is considered to accord with the provisions of Policy 21, the associated Concept Plan and the MPF.

It is envisaged that the Park Farm site would take some 14 years to build out; assuming a completion rate of 45 dwellings per annum.

This proposal has been planned comprehensively having regard to the planning application (ref 2/2018/0036/OUT) for 'land to the west of Shaftesbury Road at Ham and Newhouse Farms' to accord with the aims of Policy 21.

7.0 Relevant Planning History

2/2018/0077/OUT - This application was recommended for approval by officers and was subsequently delegated by members at the February 2019 North Dorset Planning Committee to the Head of Planning, subject to the completion of a Section 106 agreement to secure:

- 50/50% tenure split for all affordable housing;
- TBC % affordable housing in the first phase of development;
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole;
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements;
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements;
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements;

and then approve subject to the conditions and informatives.

The primary reason that this application is back before the Committee is that the proposed planning conditions have been thoroughly reviewed and amended to ensure they meet the relevant tests.

8.0 List of Constraints

Agricultural Land Grade: 4
Agricultural Land Grade: 3

Flood zone Type: Flood Zone 1, 2, and 3

Parish Name: Gillingham CP
Parish Name: Motcombe CP

Settlement Boundary - Name: Gillingham

9.0 Consultations

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

Gillingham Town Council

- No objection.

Highways England - Network Strategy Division

- No objection.

Transport Development Management - Dorset Council

- No objection, subject to S106 and conditions.

Planning Policy

- No objection.

Historic England

- No objection.

County archaeological Office

- No objection.

Sport England

- No objection and request to be involved in the configuration of new playing fields and ancillary facilities.

Drainage (Flood Risk Management) – Dorset Council

- No objection, subject to conditions and informatives

Wessex Water

- No objection.

Natural England

- No objection, subject to conditions.

Natural Environment Team

- No objection, subject to conditions.

Environmental Health

- There was no response from this consultee at the time of report preparation.

Dorset Police - Architectural Liaison Officer

- There was no response from this consultee at the time of report preparation.

Health & Safety Executive

- There was no response from this consultee at the time of report preparation.

NHS Property Services Limited

- No objection, subject to financial contributions to fund additional NHS infrastructure.

NHS Property Services Limited

- The request for financial contributions to fund additional NHS infrastructure was withdrawn on the 03 June 2019 in order to build a more robust strategy and working relationship with Dorset Council and developers going forward.

10.0 Representations

Three letters of representation were received prior to the February 2019 Committee, of which 1 offered comments which neither supported nor objected to the proposal, and 2 objected to the proposal. Concerns raised relate to:

- Access (point of)
- Road safety
- Traffic or highway
- Flooding
- Landscape
- Appearance of the area

11.0 Relevant Policies

Local Plan -

The North Dorset Local Plan Part 1 (LPP1) was adopted by North Dorset District Council (NDDC) on 15 January 2016. It, along with policies retained from the 2003

North Dorset District-Wide Local Plan, 1 and the 'made' Gillingham Neighbourhood Plan, form the development plan for North Dorset. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant applicable policies from LPP1 are as follows:

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 2: Core Spatial Strategy
- Policy 3: Climate Change
- Policy 4: The Natural Environment
- Policy 5: The Historic Environment
- Policy 6: Housing Distribution
- Policy 7: Delivering Homes
- Policy 8: Affordable Housing
- Policy 11: The Economy
- Policy 12: Retail, Leisure and Other Commercial Developments
- Policy 13: Grey Infrastructure
- Policy 14: Social Infrastructure
- Policy 15: Green Infrastructure
- Policy 17: Gillingham
- Policy 21: Gillingham Strategic Site Allocation
- Policy 23: Parking
- Policy 24: Design
- Policy 25: Amenity

The relevant saved policies from the North Dorset District Wide Local Plan (1st Revision) Adopted 2002, are as follows:

- Policy 1.20 - Contaminated Land
- Policy 4.3 - New Community Buildings, Village Halls and Libraries
- Policy 4.5 - Provision of Outdoor Sports Pitches and other Recreational Open Space
- Policy GH8 - Gillingham (allocation of employment land)
- Policy GH15 - Gillingham (retain, enhance and extend sports pitches at a and around the secondary school)
- Policy GH16-20 - Gillingham (policies for recreation, sport and cycling schemes)
- Policy GH23 – Gillingham (land safeguarded for extension of existing sewage treatment works)
- Policy GH 25-28 - Gillingham (minor highway improvements and cycling schemes)

Gillingham Neighbourhood Plan -

The Gillingham Neighbourhood Plan was 'made' on 27 July, 2018 and forms part of the Development Plan for North Dorset. Relevant policies applicable to these outline applications are:

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

National Planning Policy Framework (NPPF):

The NPPF has been updated with a revised version published February 2019. The following sections and paragraphs are relevant to this outline application:

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

Note: NPPF paragraph 11 sets out the presumption in favour of sustainable development. This states, in part, that 'Plans and decisions should apply a presumption in favour of sustainable development. ... For decision-taking this means:

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

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

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

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

Current housing land supply

The Council at present can only demonstrate 4.0 years of housing land supply of the requisite 5.0 years of housing land supply as set out in the NPPF. North Dorset District Council published its latest Annual Monitoring Report (AMR) last year:

<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/additional-planning-policy-documents/annual-monitoring-report-development-stats/pdfs/annual-monitoring-report-2019-final.pdf>

It confirms that there is still a lack of an identifiable 5 year housing land supply. One reason that the 5 year supply has fallen (despite an increase in approvals) is that there is an amended definition of 'deliverable' in the latest NPPF, which means that the Council can no longer automatically include major development with outline permission in its 5 year supply. The definition states that Councils can only include such sites "where there is clear evidence that housing completions will begin on site within five years."

This means that the approval of outline applications such as the ones for the Gillingham SSA would not immediately improve the Council's 5 year supply.

12.0 Human rights (standard text)

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

13.0 Public Sector Equalities Duty (standard text)

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 PSED.

14.0 Financial benefits

Benefit	Quantum
Affordable Housing	Minimum of 10 % in Phase 1 and up to 25% depending upon development viability over the lifetime of the project.
Principal Street contributions	£2,335,789.47
Bus Service contributions	£434.04 per dwelling
Bus stop contributions	£52.63 per dwelling
Community Transport contributions	£29.23 per dwelling
Enmore Green Link Road/contributions	£329.47 per dwelling
Gillingham Rail Station Improvements Contribution	£94.15 per dwelling
Off-site Pedestrian and Cycle Improvements	Secured by s.106
Rail Station Cycle Parking Contributions	£1,186
Sustainable Transport Improvements Contributions	£137.43 per dwelling
Sustainable Travel Voucher	£100 provided to the first occupant of each dwelling
Town-wide Personalised Travel Planning Contributions	£99.85 per dwelling

Community Hall contributions	£936.32 per dwelling
Library contributions	£252.00 per dwelling
Heath facilities contributions	£112.28 per dwelling
Household recycling contributions	£271.94 per dwelling
Green Infrastructure	Public Open Space Play facilities Sports pitches with floodlighting
2 Form entry Primary School land	To be transferred to Dorset Council and secured by s.106 legal agreement.
Primary Education Contribution	£2017 per qualifying dwelling
Secondary Education Contribution	£4077 per qualifying dwelling
Construction Jobs	Provided for approximately 14 years.
Council Tax Revenue	Generated by up to 634 dwellings
New Homes Bonus	Approximately £2.4 million

15.0 Planning Assessment

Given that the substantive issues remain the same and planning policy has not changed to any extent that would warrant a different recommendation, this report seeks only to clarify matters which have occurred since February 2019. Please refer to the February 2019 Committee Report for the full details of the analysis of the planning issues (appended).

In summary Officers remain of the view that the application accords with the adopted Development Plan and the National Planning Policy Framework and should therefore be approved without any further delay.

Planning update since February 2019 Committee

Section 106 legal agreement:

The S106 has now been agreed between all parties and would secure the items previously requested, namely;

- 50/50% tenure split for all affordable housing
- 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

Planning Balance

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

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

This Council's Policies in the adopted Local Plan follow the approach of the presumption in favour of sustainable development. It has been noted above that this Council can only demonstrate 4.0 years of housing land supply as such the relevant policies for the supply of housing should not be considered up-to-date.

This invokes NPPF paragraph 11 which states, in part, that when policies most important for determining the application are out-of-date, the Council should granting permission unless:

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

The development broadly follows the agreed principles of the Policy 21 strategic site allocation, related draft Master Plan Framework and accords with relevant planning considerations, including the National Planning Policy Framework, with the exception of being policy compliant for the level of affordable housing proposed.

That said the application needs to be considered 'in the round' weighing all material issues in the planning balance, including:

- Local support for the development
- Lack of an identifiable 5 year housing land supply and the presumption in favour of sustainable development
- Prospect of delivery of up to a combined total of upto 634 homes
- Financial benefits through construction and the creation of local jobs
- Increased spending in the Town centre and other local businesses from future residents
- New Home Bonus payments and increased Council Tax revenue
- Section 106 agreement which supports overall objectives to secure enhanced community infrastructure within Gillingham and which also underpin the Strategic Site Allocation Policy requirements with the following;
 - Community Hall contributions
 - Library contributions
 - Heath facilities contributions
 - Public Open Space
 - Play facilities
 - Sports pitches with floodlighting
 - Household recycling contributions
 - Principal Street contributions
 - Bus Service contributions
 - Bus stop contributions
 - Community Transport contributions
 - Enmore Green Link Road/contributions
 - Gillingham Rail Station Improvements Contribution
 - Master Plan and Residential Travel Plans
 - Off-site Pedestrian and Cycle Improvements
 - Rail Station Cycle Parking Contributions
 - Sustainable Transport Improvements Contributions
 - Town-wide Personalised Travel Planning Contributions
 - 2 Form entry Primary School land
- A minimum of 10% affordable housing would be provided in the initial stages
- A 'Viability Review Mechanism' has been agreed with the applicants and Council's legal advisor drafting the Section 106 agreement that would allow the Council potential to recover a policy compliant level of affordable housing over the lifetime of this large scale phased development

When all the material planning issues are considered in the planning balance, your Officer's conclusion is that the benefits of the development warrant approval of the outline application. This is despite the 15% shortfall in the initial development phases being policy compliant in delivering affordable housing coupled with agreeing to a S106 agreement to deliver 10% affordable housing with a 50/50% tenure mix.

16.0 Conclusion

The development broadly follows the agreed principles of the Policy 21 strategic site allocation, related draft Master Plan Framework and accords with relevant planning considerations, including the Government's National Planning Policy Framework, with the exception of being policy compliant for the level of affordable housing proposed.

It remains the view of Officer's that benefits of the development warrant approval of the outline application.

17.0 RECOMMENDATION

Recommendation A

Delegate authority to the Head of Planning to grant conditional planning permission subject to the completion of a Section 106 legal agreement, as specified in The Town and Country Planning Act 1990 (as amended), in a form to be agreed by the legal services manager to secure the following:

- 50/50% tenure split for all affordable housing
- Minimum of 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

And the conditions (and their reasons) listed at the end of the report.

Recommendation B

If the Section 106 legal agreement is not completed by 14 November 2020, refuse permission for failing to secure the planning obligations (as set out above) which

are considered to be necessary to mitigate the adverse impacts, and secure an adequate provision of affordable housing, of the proposed development.

CONDITIONS

Time limits

1. Approval of details of the layout, scale, appearance and landscaping (“the reserved matters”) for each phase (or parcels therein) shall be submitted to and approved in writing by the Local Planning Authority before development on that phase or parcel begins.

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

2. An application for approval of reserved matters for the first phase of development (or parcels therein) shall be made to the Local Planning Authority within two years of the date of this permission. All applications for approval of reserved matters for each subsequent phase shall be submitted to the Local Planning Authority within 12 years of the date of this permission.

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

3. The first phase of development hereby permitted shall be begun before the expiration of four years from the date of the approval of the last reserved matter relating thereto. Thereafter, all subsequent phases shall be begun within two years of the Local Planning Authority’s approval of the last reserved matter for that phase.

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

Approved Plans

4. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Access Arrangements ITB13355-GA-001 Rev A
 - Access Arrangements ITB13355-GA-002
 - Site Access ITB13355-GA-003
 - Revised Illustrative Masterplan Framework (Design & Access Statement addendum November 2018) 125_DI_13.2
 - Land Use Parameter Plan, Ref - 125_DI_06.9
 - Access & Movement Parameter Plan, Ref - 125_DI_07.5
 - Building Heights Parameter Plan, Ref –. 125_DI_10.5
 - Density Parameter Plan, Ref -125_DI_09.8

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

Quantum of Development

5. The development hereby approved shall be limited to a maximum of 634 dwellings.

Reason: To define the extent of the permission and to recognise the calculations to define infrastructure contributions have been calculated on the basis of a minimum of 634 dwellings.

Phasing

6. Prior to the commencement of any works on site, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan unless otherwise agreed in writing by the Local Planning Authority.

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

Trees/Landscaping

7. In relation to those trees and/or hedgerows identified to be retained in the Arboricultural Impact Assessment undertaken by Aspect Tree Consultancy and dated December 2017, no development shall take place within an approved phase of the development hereby permitted until details of tree and hedgerow protection measures for that phase during construction have been submitted to, and approved in writing by, the local planning authority. The measures shall accord with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations and shall indicate exactly how and when the trees will be protected throughout the construction period. The development shall be carried out in accordance with the approved details and protection measures.

Reason: To ensure retention and appropriate protection of trees and other vegetation that are important to the character of the proposed development.

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

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

9. The reserved matters for each phase of the development (or parcels therein) shall include a landscape management plan. This shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than land within domestic curtilages and the school land.

The scheme shall include the following elements:

- details of extent and type of new planting of native species
- details of maintenance regimes
- details of any new habitat created on site
- details of treatment of site boundaries and/or buffers around water bodies
- details of management responsibilities

The subsequent management of the development's landscaping shall accord with the approved plan.

Reason: To ensure the landscape scheme secured by reserved matters is implemented and satisfactorily maintained in the interests of the character and amenity of the completed development.

Flooding/Drainage

10. No buildings or roads shall be constructed until a detailed surface water management scheme for the site, based upon the drainage principles set out in the AWP Flood Risk Assessment dated December 2018 and 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 include:

- (a) clarification of how surface water is to be managed during construction phases
- (b) details of maintenance & management of both the surface water sustainable drainage scheme and adjacent receiving system; and
- (c) 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

The surface water 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.

Reason: To minimise the risk of flooding and/or pollution.

11. The construction of the foundations of any building comprised in any phase shall not commence until plans of a scale not less than 1:200 and other particulars showing the finished floor levels of the dwelling(s) in relation to Ordnance Datum in relation to the relevant phase have been submitted to and agreed in writing by the Local Planning Authority, and the development shall be carried out in accordance with those plans.

Reason: To minimise the risk of flooding

12. No development comprised in a phase shall be commenced until a scheme for the disposal of foul drainage for the relevant phase, based on sustainable drainage principles in accordance with the AWP Flood Risk Assessment and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. Amongst other relevant details the foul drainage scheme shall include appropriate arrangements for the agreed points of connection required to serve the proposed development, phasing, ownership of the scheme and how it will be maintained and managed after completion. The development shall be completed in accordance with the approved details.

Reason: To minimise the risk of flooding and/or pollution and to protect the environment

Ecology

13. Prior to the commencement of any development comprised in a phase a landscape and ecological management plan (LEMP) relating to the relevant phase shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following;
 - a) Strategic landscaping proposals to deliver the mitigation identified in Chapter 6 (Landscape and Visual) of the WYG Environmental Statement submitted in support of this application, and specifically;
 - Clarifying the length and quality of hedgerow to be removed and the amount and location of onsite replanting to be undertaken.
 - b) Proposals to deliver the biodiversity mitigation identified in Chapter 7 (Ecology) of the WYG Environmental Statement submitted in support of this application, and specifically;
 - A method statement for the maintenance and enhancement of the Great Crested Newt population.

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

Reason: To ensure that the development conserves and enhance the landscape and biodiversity

14. Prior to the commencement of any phase of the development, or part thereof, a Lighting Strategy to mitigate impacts on bats must be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure that the development mitigates negative impacts upon protected species.

Highways/Transport/Construction

15. Prior to the occupation of any dwelling in any phase 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.

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

16. Grampian condition – off-site highway works
No more than 167 of the dwellings permitted hereby may be occupied unless and until the following works have been constructed:

- The B3081 Shaftesbury Road/B3092 New Road junction improvement scheme, as shown on Dwg No ITB4057-GA-027 Rev G (scheme to be agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- A scheme to convert the existing mini-roundabout at the B3081 Le Neubourg Way/Newbury (High Street) to a signalised junction, as shown on Dwg No ITB4057-GA- 066 Rev E (scheme to be agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- The implementation of a SCOOT (Split Cycle Offset Optimisation Technique) urban traffic control (UTC) system on the central section of the B3081/B3092 corridor (scheme to be agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).

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.

17. Grampian condition – Principal Street

No more than 408 of the dwellings hereby permitted may be occupied unless and until the principal street, linking the B3081 Shaftesbury Road to the B3092 New Road, has been constructed.

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.

18. No dwelling hereby permitted shall be occupied until the following works have been constructed:

- Extension of The Eastern Arm of The Existing Park Farm Roundabout as shown on Drawing no. ITB13355-GA-001 Rev A (scheme to be submitted and agreed in writing with the Local Planning Authority).
- Pedestrian/Cycling/Emergency Access Link Via Eastern End of Cerne Avenue / Cale Way Junction as shown on Drawing no. ITB13355-GA-002 (scheme to be submitted and agreed in writing with the Local Planning Authority).
- Pedestrian/Cycling/Emergency Access Link Via Eastern End of Trent Square / Fern Brook Lane Junction as shown on Drawing no. ITB13355-GA-003 (scheme to be submitted and agreed in writing with the Local Planning Authority).

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

19. Prior to the commencement of any phase of the development, or part thereof, details of a scheme to install infrastructure to facilitate charging for plug-in and other ultra-low emission vehicles within that phase of the development shall be submitted to and agreed in writing by the local planning authority. The scheme shall include a timetable for implementation. Thereafter the development shall be carried out in accordance with the agreed details as have been approved by the Local Planning Authority including the timetable for implementation.

Reason: To ensure that adequate provision is made to enable charging of plug-in and ultra-low emission vehicles.

Construction

20. Prior to the commencement of each phase of the development, a Construction Environmental Management Plan (CEMP) for that phase (that is in accordance with the approach outlined in the Planning/Environmental Statement), shall be submitted to and approved in writing by the local planning authority. The CEMP shall detail the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as

a plan detailing the works to be carried out showing how the environment will be protected during the works. The CEMP shall include details of the following:

- details of the layout of the site including generators, pumps, silos, site office, staff car parks and storage;
- storage of plant, materials and waste;
- the erection and maintenance of security hoardings;
- details of a scheme for the prevention of disturbance/nuisance caused by noise, vibration, dust and dirt to sensitive properties during construction;
- a scheme for recycling/disposing of waste resulting from construction works;
- the operation of plant and machinery associated with engineering operations;
- site security;
- fuel, oil and chemicals storage, bunding, delivery and use;
- how both minor and major spillage will be dealt with; containment of silt/soil contaminated run-off;
- disposal of contaminated drainage, including water pumped from excavations;
- site induction for workforce highlighting pollution prevention and awareness;
- a scheme to dispose of surface water run-off during the construction phase;
- construction operating hours;
- details of intrusive construction practices and methods such as piling and the subsequent control measures that will be implemented;
- the type of plant to be used;
- details of construction methods
- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- contractors' arrangement plan showing; 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 works shall be carried out in accordance with the approved CEMP.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site

Broadband

21. Prior to the commencement of any phase of the development, a scheme for facilitating infrastructure to support superfast broadband technology to serve the development shall be 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.

Informatives

TBC