

Application Number –WD/D/19/003097

Site address: Land West of Charminster Farm, Between Wanchard Lane and A37, Charminster

Proposal: Erection of 82 dwellings, access, landscaping, allotments, public open space and associated works.

Applicant name: Lewis Wyatt (Construction) Ltd

Case Officer: Bob Burden

Ward Member(s) Cllr David Taylor

## 2.0 **Summary of Recommendation:**

Delegate approval to Head of Planning subject to:

- entry into a s106 agreement to address affordable housing (35%), provision of public open space with management/maintenance details,
- Re-location of allotments (with specification details);
- Establishment of vehicular and pedestrian links with Phase 2/land to east;
- Financial contributions towards the implementation of Traffic Regulation Orders for :
  - extension of 30mph speed limit on Wanchard Lane,
  - restriction of motor vehicle access along Wanchard Lane,
  - weight restriction along Weir View.

And conditions.

## 3.0 **Reason for the recommendation:**

- Absence of 5 year land supply
- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

## 4.0 **Table of key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	Whilst the site lies outside the defined development boundary the council does not currently have a 5 year housing land supply; this strengthens

	the case for accepting this development. Furthermore, it is a site which was identified as a Preferred Option for development in 2018- and that is likely to be carried forward in the emerging new Local Plan.
Affordable housing	The scheme includes 35% affordable housing which meets policy requirements for open market developments. The Housing Enabling team support the application.
Effect on visual amenity and setting of Area of Outstanding Natural Beauty.	The siting, design and materials are considered acceptable; the scheme is considered to have an acceptable effect on the setting of the AONB.
Effect on residential amenity	The relationship with adjacent uses and sites is considered acceptable, and relevant sound attenuation is included.
Heritage Assets	The site is located at a remove from the conservation area and listed buildings; the effect on these assets is considered acceptable as benefits outweigh any harm.
Archaeology	An archaeological evaluation has been carried out with no finds requiring further site analysis.
Public open space (POS)/allotments	Appropriate areas and types of POS are provided. The scheme includes the re-location of the allotments
Drainage	Surface water drainage will be dealt with by attenuation basins, and foul sewage via a pumping station.
Ecology	An approved biodiversity plan has been submitted. An Appropriate Assessment has been carried out and Natural England have no objection.
Highways	Required provisions include the new vehicular access to the site from the A37 together with the extension of the 30 mph speed limit on Wanchard Lane. Additional highways measures sought by the Parish Council are also being proposed by the applicant.
Environmental Impact Assessment	A formal EIA is not required in this case.

## 5.0 Description of Site

- The 7.3 ha site lies on the west side of Charminster village, on the west side of the existing Phase 2 residential development (under construction). A cemetery lies adjacent to the south-east edge. The site is currently in agricultural use, with a part to the south-east used as allotments. It is an undulating area of land with higher land to the west with a partial slope to the south. There are trees/hedgerows along the southern boundary including an agricultural vehicular access to the A37.
- A cyclepath/footway (National Cycle Network 26) runs along the A37 road side with open agricultural land to the south beyond the road. A dwelling lies to the south-east on the opposite side of the road- Linch Close- to the east of the site is the land containing the approved Phase 2 of Charminster Farm (currently under construction).
- The north boundary to Wanchard Lane is defined by another native species hedgerow including another agricultural vehicular access. Beyond to the north of Wanchard Lane is agricultural land, and the edge of the Council Depot to the east. The western boundary is currently open (new boundary planting would be provided here) , with open agricultural land beyond, and the land associated with the Scottish, Southern and Electric sub-station to the north-west.

## 6.0 Description of Development

6.1 The scheme seeks to erect 82 dwellings on a 7.3ha site located adjacent to the existing approved Phase 2 site. A new vehicular access to the A37 principal road would be formed towards the south-west corner, allowing a spine road to be provided which would link with Wanchard lane to the north. The new A37 vehicular access would include a right turn lane on the A37.

6.2 A lower hierarchy residential road would feed off the spine road to the east giving access to other estate roads, with two storey housing fronting these. At the north of the site a second access road would link with the Phase 2 development.

6.3 West of the spine road there would be a small number of houses before a large area which would include allotments, a water detention area, a locally equipped play area (LEAP) and a public open space area.

6.4 Regarding surface water drainage, two areas either side of the new access with the A37 are proposed to provide surface water attenuation ponds.

6.5 Structural landscape planting is proposed, particularly on or near the site boundaries and enhancement of existing boundary planting. A new tree avenue is indicated running along the link road, together with additional tree planting in private gardens and on frontages.

6.6 Development takes the general form of most houses facing the road. Parking is largely on plot, mainly with garaging. There are two areas of communal car parking. The houses would be of two storey construction and of several different types. The external materials included brick, render, flint and some reconstituted stonework. Roofs would be of plain tile or slate. The windows would be white finished uPVC and the doors stained or painted timber, or GRP. The houses are terraced, semi-detached or detached, with a block of 6 (affordable housing ) flats. Additionally 29 of the houses are also for affordable housing purposes.

The scheme includes pedestrian links into Phase 2 and a further link to Weir View.

## **7.0 Relevant Planning History**

Phase 1:

WD/D/14/002784 Outline application for residential development up to 70 dwellings and a multi-purpose community building. Approved 21/8/15.

WD/D/15/002639 Reserved matters for appearance, landscaping, layout and scale. Approved 20/9/16.

Phase 2;

WD/D/18/000296 Erection of 52 dwellings, access, landscaping, public open space and associated works. Approved 21/1/19.

## **8.0 List of Constraints**

Outside defined development boundary in adopted Local Plan, but included in the Preferred Options Document consultation 2018 as an area for potential housing.

Effect on setting of Area of Outstanding Natural Beauty : *(statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)*

Heathland Consultation Area

## **9.0 Consultations**

### **8.1 Natural England-**

Support element of scheme for biodiversity mitigation plan, subject to being approved by the Natural Environment Team. Affects Poole Harbour SSSI catchment –Appropriate Assessment required.

### **8.2 Natural Environment Team-**

Biodiversity mitigation plan been reviewed -approval certificate issued.

### **8.3 Environment Agency-**

No comments to make (for Flood Risk Management Team to comment)

### **8.4 Wessex Water-**

Separate foul and surface water systems required.

Surface water -will discharge via infiltration features. High ground water risk; performance of soakaways and infiltration ponds must be demonstrated.

Foul drainage- pumped north-east to Phase 2 network acceptable in principle. Layout has provision for an adoptable pumping station to be a minimum of 15m from habitable buildings. High foul sewer inundation risk therefore high level of design needed.

### **8.5 Flood Risk Management Team-**

Submitted documents substantiate the proposed surface water strategy including above ground surface water attenuation; recommend conditions and informatives. Ground water monitoring to be carried out.

### **8.6 Land Contamination Consultant-**

Site is agricultural land historically. Advise planning condition to address potential contamination "discovery".

### **8.7 Minerals and Waste Officer-**

Site in a Minerals Safeguarding Area (MSA). Sand and gravel present but poor quality and only part of site in MSA. Mineral Planning Authority takes view that not necessary to remove minerals for use/sale elsewhere. However it is possible that the aggregate is suitable for re-use on the site- condition recommended.

### **8.8 Technical Services-**

Site in flood zone 1. Low probability of fluvial flooding. Refer to Flood Risk Management Team for comment.

### **8.9 Dorset Waste Partnership-**

No issues.

### **8.10 Planning Obligations Manager-**

Application will be Community Infrastructure Levy liable.

### **8.11 Environmental Health Officer-**

Noise mitigation measures as shown in submitted Noise Impact Assessment Reference AC108294-1R1 dated 5/12/19 should be fully implemented and the developer should provide documentation to show requirements have been met.

### **8.13 Conservation Officer-**

No comment required.

### **8.14 Housing Enabling Team Leader-**

Currently nearly 1900 households on Housing Register requiring accommodation in the West Dorset area. The register demonstrates that there is a high level of recorded housing need across the area and that a variety of dwelling sizes is required across the range.

Policy requires 35% affordable housing on site with the inclusion of 70% social/affordable rent and 30% intermediate affordable housing on open market housing sites and financial contribution towards the provision of affordable housing when there is a shortfall on site.

It is desirable that affordable housing should be proportionate to the scale and mix of market housing and are well integrated and designed to the same high quality resulting in a balanced community of housing that is "tenure neutral" where no tenure is disadvantaged.

This is an application for a residential development and forms Phase 3 of the wider Charminster Farm development. 29 affordable units are proposed on site which equates to 35% of the total. (53 market homes are also proposed).

It is confirmed that the affordable housing provision will be secured through a Section 106 agreement.

Summary- There is a high level of housing need in the West Dorset area for quality accommodation. Dorset Home choice figures indicate a great demand is for family accommodation. This application complies with the requirement of 35% of the dwellings to be available as affordable homes. It is preferable for affordable homes to be tenure neutral and of the same high quality as market housing to ensure a balanced community.

### **8.15 Landscape Officer -**

An LVIA was submitted with the application. The West boundary is a key edge relative to the AONB to SW; inadequate tree belt width on West boundary- this should increase to 15m width. Desirable to ensure dwellings positioned to overlook Phase 2- for surveillance.

Attenuation basins squeezed in. Concern over gradient (1 in 3 is max permitted). The SuDs feature on east side of the A37 access looks cramped and erodes the scope for appropriate landscaping to the A37 frontage. Suggest this is moved to the west and *combined* with the other SuDs feature. Is the MUGA needed?

The tree-lined avenue as a major street-scene feature is undermined by it halting on the western side for part of length; it should be continued right through.

Allotments- concern over rising prominence means they will be visible from the AONB.

Allotment impact can be mitigated by bringing them down the hill and removing the 5 houses.

Community Orchard- this is referenced in the policy- however the objective is not achieved by using orchard trees as a linear line peripheral to the allotments. Bringing the allotment down south-westwards would allow a community orchard to be properly created on this higher land.

Pedestrian path at rear of allotments considered a weak design feature.

Should extend/enhance woodland edge in south-west corner, and at top near sub-station.

Insufficient pedestrian crossings of "the avenue" road –to reach Locally Equipped Play area, etc. Scheme does not demonstrate "gateway" buildings.

### **8.16 Urban Design Officer-(summary comments)**

The application forms the western edge of the larger Charminster Farm housing development. The earlier phases on the scheme that have been built out are of a high quality and while it is considered that the quality of this phase will be of a similar

standard, some amendments are recommended to the design and layout to ensure that the scheme accords with the provisions of the submitted Design and Access Statement and as a result reflects more of the character and context of Charminster.

A detailed Design and Access Statement has been submitted as part of the application which gives detail on the layout and overall character of the proposed scheme.

The Design and Access Statement clearly establishes 3 defined character areas that reflect the more historic parts of Charminster and will help give the scheme a definite sense of place (village entrance/avenue; village centre, and village lanes)

However, these defined character areas have not sufficiently been translated into the layout and detailed design of the scheme; more can be done here to more strongly establish the 3 character areas identified. The avenue route could be given a less formal treatment with a looser feel to the density.

The use of flint on buildings is welcomed and stone is encouraged but if brick is to be used it should be mellow in its colouring reflecting the odd occasion that it has been used within the historic houses in the village and reflecting the more rural character of this part of the scheme.

Within the Village Centre character area, the Design and Access Statement makes reference to the houses that enclose and define the spaces and routes on North Street, West and East Hill. These houses tend to sit uniformly on the back edge of the pavement and common materials include render and matching painted cills and window surrounds which the Design and Access Statement makes reference to.

However, within the proposals it is only the use of render that pays reference to houses on North Street and creates an element of character that is different from the rest of the proposal. To define this area, a more formal layout could be created, with detached houses reflecting the uniformity of the layout of houses that sit on North Street

The Design and Access Statement references narrower lanes such as Church Lane and Mill Lane in determining the character of the 'Village Lanes.' These lanes are characterised by small scale terraced housing sitting tight on the pavement or with a small set back. The layout of the scheme does not sufficiently replicate this for example there are no terraces. This part of the site could be the most intimate with houses here being the smallest within the scheme, running in short terraces that sit close to the street. Close boarded fencing should not be visible to the public realm, current plans show this as a boundary treatment on plots 17 and 67 which should be amended to brick.

**Sustainable Urban Drainage Systems (SuDs):**

The design of SuDs should be picked up on in landscape comments. However, it is worth noting my concerns over the relationship between the Locally Equipped Area for Play (LEAP) and the SuDs pond. This will have to be dealt with extremely carefully to ensure that any required safety features are not visually intrusive, detracting from the appearance of the open space. The design of the SuDs here will also have to have a wider benefit with planting that will attract wildlife. Details of the LEAP will also need to be approved as a condition of the application.

**Sustainability:**

The importance of energy conservation including the use of renewables and appropriate provision of electric car charging points has increased considerably since the previous reserved matters applications were approved at Charminster Farm. The National

Design Guide identifies that well designed places will follow the energy hierarchy and maximise the contributions of natural resources, include passive measures for light, temperature, ventilation and heat and make use of renewable energy infrastructures. In May 2019 Dorset Council declared a Climate Emergency which means that there is a heightened expectation that the planning department will secure reductions in the carbon footprint of development. Currently the planning application makes little reference to how the scheme will adequately address this issue, features such as electric charging points, solar pv, air source heat pumps etc. should be fully considered and incorporated where possible.

### **8.17 Planning Policy Officer -**

The site is outside of the Charminster DDB and therefore contrary to policy SUS2. However we are unable to demonstrate a five-year supply of deliverable sites and therefore para 11 of the NPPF (2018) applies.

The site has (previously) been proposed as part of a larger preferred option in the local plan review as policy DOR16. Land to the West of Charminster. The draft policy text within the preferred options consultation document read as follows:

#### **DOR16. LAND TO THE WEST OF CHARMINSTER (PREFERRED OPTION)**

- i) Land to the west of Charminster is allocated for residential development to complement the growth at North Dorchester.
- ii) The development will deliver in the region of 320 new homes offering a mix of tenures including affordable homes. The priority should be to meet the needs of families and the working age population.
- iii) Development to the west of Charminster should be served via improved access off the A37. Appropriate highway linkages should be developed which prevent increased use of East Hill and West Hill in Charminster minimising impact on the Conservation Area.
- iv) Links between the developments and nearby cycle routes must be established to facilitate ease of travel to Dorchester by alternative to the car. Enhancements to the Frome Valley Trail will be required including removing the route from the highway where possible.
- v) The development will contain measures to soften the western edge of Charminster in views from the AONB.
- vi) Impacts on nearby heritage assets will need to be minimised including any impact on Charminster Conservation Area and the setting of Poundbury Camp. Any residual impact would need to be clearly justified.

The preferred options consultation document was approved for the purpose of public consultation by the then West Dorset District Council. (Consultation commenced on Monday 13th August 2018 will last for 8 weeks).

(The site, having been included in the West Dorset, Weymouth Local Plan Review, is therefore likely to be taken forward into the emerging Dorset Council Local Plan).

### **8.18 Highways Officer-**

(See comments on the amended scheme further below)

### **8.19 Charminster Parish Council-**

The Parish Council discussed this application at length on Tuesday 4<sup>th</sup> February in a public meeting held at Charminster Community Hall. The main issues raised by residents and Parish Councillors were relating to Highways, in particular the effect of the proposed road closures on the rest of the Village including Weir View. We had invited a member of Highways to attend the meeting so that answers to some of the questions raised could be given. I had received confirmation that an engineer from Infrastructure Service would be attending but it was apparently agreed at management level that they couldn't as they are a statutory consultee in the process.

So the Parish Council made the decision to object to the Planning Application on the grounds that the highways issues have not been resolved to the satisfaction of the Parish Council.

We would welcome the opportunity to attend a meeting with yourself and a representative from Highways to discuss our concerns and ensure that the best outcome is reached before a decision is made on this planning application.

### **8.20 Stratton Parish Council (adjacent parish)-**

No comment to make regarding the actual buildings in this application. It does however wish to raise concerns over the number of houses in this Phase 3, and the shortly to follow Phase 4. A total of 136 (82 and 54) houses and the effect those houses will have on the traffic movements onto and off the A37. It is noted that a new T junction is to be constructed from the development onto the A37. It is not fully clear however what type of junction is to be created. Stratton Parish Council has already been made aware of difficulties of traffic trying to enter or exit the A37 through Lower Wrackleford, Wrackleford, Higher Wrackleford and Ash Hill. The effect of these 136 houses (plus no doubt households in the older Phase 2) on using this new junction point is likely to cause at least 250/350 additional traffic movements per day. The majority of them at peak periods in the morning or early evening. The A37 is already an extremely fast road with traffic volumes at peak times. If a simple T junction is to be built then this will greatly increase the likelihood of traffic accidents along this fast stretch of road, especially when traffic has to halt and await a gap in oncoming traffic before turning from the A37 into the development. Equally traffic exiting from the development will be in danger from traffic speeding along at 50mph, until they get up to speed.

In view of the potential for increased accidents it is questionable as to whether the new junction should be permitted. If it is permitted then there is obviously a strong need for a dedicated third lane to be added to the A37 to allow traffic to exit the A37 without

causing traffic behind to have to brake heavily while traffic in front waits to turn off the road.

### **Amended Plans- Additional Consultee Comments-**

#### **8.21 Urban Design Officer (summary of comments)-**

Scheme lacks defined character areas – the density, layout, design of the roads, parking and house types are all still relatively uniform across the site whereas they should differ to help create distinct character areas.

The avenue is considered too formal for a rural edge – a lower density layout with detached houses, larger front gardens and variety in parking solutions. Wish to see less use of brick; materials should be local stone, render with some flint to reflect the more historic parts of Charminster.

Within the village lanes area would like to see more terraces to give this area a distinct character. Shared surface parking could be used. Front gardens could be just a small green privacy strip with no boundary to emphasise more of a small scale, informal character.

The village core could take its reference from the houses on North Street between West Hill and Church Lane. They are formal looking houses made of stone or rendered with railings as front boundaries. The road could be more of a traditional layout with a highway and pavement.

Desirable to see less brick in the scheme. It may have been used as the predominant material in earlier phases but it is not a commonly used material within Charminster and other materials should be used to ensure this phase is distinct from the rest of Charminster Farm and is also more appropriate in the immediate context of its more rural setting. Parking can occur on pavements in existing Phase; consider there should be more scope for car parking in the highway design .

Consider amendments that have been made could do more to reflect the context and character of its surroundings.

#### **8.22 Landscape Officer-**

##### **SUDS Design**

- The additional information for the SUDS basin is useful in explaining the design. I am satisfied the locations of these features, including the infiltration basin adjacent to the LEAP, are acceptable.
- However, the shape of the basin to the east of the access road on the A37 appears overly engineered in form. In general the SUDS landscape design has not been sufficiently considered being detached from the housing rather than integrating these features within the development. These features should be an attractive, accessible and multi-functional providing a variety of habitats for wildlife. Views into the SUDS areas should be created to allow for surveillance rather than heavily screening them by tree/shrub planting which appears the case in the illustrative landscape strategy. Carefully considered, varied planting, including trees should be incorporated within these features to create a more naturalistic appearance and richer habitat.

## Landscape design

- A detailed landscape masterplan including hardworks and soft works drawing, plant specification, maintenance and management details must be submitted for approval. The success of the strategic planting for this site is essential in mitigating the impact of the scheme from the AONB.
- Existing hedgerow along Wanchard lane should be enhanced with hedgerow species as necessary. In addition specimen hedgerow native trees should be planted to replace the loss of proposed trees to be felled and to maintain the local character of the lane adjacent to the orchard.
- I am satisfied with the position of the orchard and the allotments within the layout. However as the allotments are on this elevated position and are likely to have some associated visual impact and it would be appropriate to provide some strategic planting within the allotments through careful design and enhance planting to the south to mitigate views.
- Proposed avenue planting in front of plots 1-5 on the west boundary would be restricted to smaller tree species due to the space allocated. This in turn would impact on the design of the rest of the avenue along this primary route. However, these trees should be at least large extra heavy standards to quickly establish and reduce visual impact of the development. Tree selection should be a large naturalistic, though not strictly native and a mix of more than one species to be more in keeping with the local character to the area.
- The arrangement of parking for the allotments creates an unattractive layout adjacent to plot 5 and 6 and should be reconsidered.
- I note that my concerns regarding the depth of woodland buffer to the western boundary have not been addressed therefore my objection remains. This buffer should be 15m minimum and include a substantial proportion of extra heavy standard native trees within the planting mix. It is not adequate to wait for 15 years for mitigation planting to be effective.
- Strong planting at the A37 western access road into site is required on both sides of the road.

As outlined above there remain a number of significant outstanding landscape matters including the submission of a detailed landscape strategy that must be submitted for approval.

### **8.23 Natural England-**

Further information required to determine impacts on designated sites (Poole Harbour). Details of how this development will meet nutrient neutrality for nitrates reaching Poole Harbour SSSI/SPA and RAMSAR site.

An approved biodiversity mitigation plan will also be required.

### **8.24 Highways Officer-**

A Transport Assessment (TA), prepared by the applicant's highways consultants, has been submitted that considers the impact that the proposed development of 82 dwellings will have on the highway network in the vicinity of the site. It also considers the sustainability of the development in terms of accessibility to and from the site.

It is proposed that the vehicular access to the site will be provided from several points, the main (southern) access is onto the A37 (Blandford Hill), taking the form of a priority T-Junction (with right turn lane), the second (northern) access is onto Wanchard Lane with a third access connecting the site to the approved development to the east. The southern access will have visibility splays of 160m taken from a 2.4m driver position, this provision exceeds the requirements of Manual for Streets 2 for 50mph roads. The northern access will have visibility splays of 43m taken from a 2.4m driver position. An Automatic Traffic Count has been undertaken on Wanchard Lane which recorded 36mph wet weather vehicle speeds. Due to position of the access (outside of a bend) the arrangement will permit substantially greatest visibility distances.

The main spine road through the site will measure 6.5m in width and the residential roads 5.0m wide. The main access onto the A37 will have a central pedestrian/cycle refuge. Vehicle tracking has been submitted that confirms that this access is suitable for use by large service vehicles. 2.0m wide footways will be provided either side of all roads throughout the site, linking the proposed development with the existing footway network in the area. It is considered that the internal estate road layout will be constructed to fully embrace the principles suggested by Manual for Streets, providing a safe, low speed and attractive place for all highway users.

The Highway Authority is satisfied with the proposed car parking arrangements. The submitted documentation indicates a total of 174 allocated parking spaces. All garages are a minimum of 3.0 x 6.0m and as such are considered as car parking spaces in addition to this 53 units have a driveway/external parking area in front of the garages of 10.0m or over which allows for 2 cars to be parked. As such 53 units have 3 spaces (garage included), the remaining units (2 bed and larger) have 2 spaces (garage included) and the 1 bed flats have 1 space each. This brings the actual total of usable allocated car parking spaces to 215, with 21 unallocated, 10 for the use of the allotments and there are also informal opportunities for on-street parking. Cycle parking will be provided within the curtilage of each residential unit and a communal provision will be provided for the flats.

TRICS (Trip Rate Information Computer System) is the national standard for trip generation analysis and employs a system of site selection filtering that enables users to simulate site scenarios through a number of progressive stages and to calculate vehicular and multi-modal trip rates based on these selections. The submitted TA has, in the opinion of the County Highway Authority, complied with the recommendations of

the TRICS Good Practice Guide 2013 and produced a robust daily trip generation for the proposed development.

The applicant has considered phase 3 (the proposed residential development the subject of this application) and phase 4 (potential future residential development) within their trip predictions to provide a more complete and robust study. They suggest that these combined proposals will be likely to generate up to 67 two-way vehicular trips in the AM peak period (08:00 to 09:00) and up to 74 two-way vehicular trips in the PM peak period (17:00 to 18:00). This equates to on average around 1 additional trip every minute in both peaks onto the local road network. The predicted total daily two-way movements (over a 12-hour period) is 394. The TRICS data outputs are attached to the TA within Appendix G and provide the empirical evidence to substantiate the trip rates used.

A review of personal injury collision data has not identified any critical locations on the local highway network in proximity to the proposed accesses. The 2 accidents closest to the proposed vehicular access onto the A37 were recorded in 2016 and 2020 and occurred in the vicinity of the Weir View junction, both appear to have been the result of driver error/lack of awareness.

The submitted Transport Assessment includes a number of suggested highway alterations (Wanchard Lane and North Lane Junction works and the HGV restrictions on Weir View) however only the changes to the speed limit on Wanchard Lane (reduction to 30mph) is considered necessary for the development to go ahead.

In conclusion, the Highway Authority considers that the submitted Transport Assessment is satisfactory and robust. Given the proposed access arrangements and layout it is considered the development is acceptable in both traffic generation and safety terms. Whilst it is accepted that the proposal will obviously increase traffic flows on the local highway network the residual cumulative impact of the development cannot be thought to be "severe", when consideration is given to paragraphs 108 and 109 of the National Planning Policy Framework (NPPF) - February 2019

Should planning permission be granted, the County Highway Authority recommends that the following conditions be imposed:

**Visibility splays as submitted**

Before the development hereby approved is occupied or utilised the visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

**Estate Road Construction (adopted or private)**

Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on the submitted plans must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

### **Cycle parking scheme to be submitted**

The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to the Planning Authority. Any such scheme requires approval to be obtained in writing from the Planning Authority. The approved scheme must be constructed before the development is commenced and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

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

### **Construction traffic management plan to be submitted**

Before the development hereby approved commences a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Planning Authority. The CTMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- Inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: to minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

[Note to the Planning Case Officer: The planning case officer is advised that the applicant should be required to enter into a section 106 to cover the Councils costs for

securing the TRO for the extension of the 30mph speed limit along Wanchard Lane (up towards the junction with Drakes Lane, the exact position to be agreed).] (Informatives also recommended).

#### **8.25 Land Contamination Officer-**

Previous comments valid.

#### **8.26 Charminster Parish Council-**

- The Parish Council supports the application to close the junction with Wanchard Lane and North Street.
- The Parish Council supports the application for a weight restriction on Weir View.
- The Parish Council believe all the residential roads in the development should have a speed limit of 20mph so that they are in line with the new speed limit through much of the existing village. This should be paid for by Wyatt Homes.
- The Parish Council still has concerns over the proposed new junction with the A37, particularly the difficulty of turning right towards Yeovil during peak times without a central refuge to enable drivers to cross half-way. We are also concerned about cars queuing to get out of the junction causing traffic to back up along the link road and preventing residents reaching their homes.
- The design and specification of the allotments needs to be agreed with the Parish Council before starting on site. Wyatt Homes should provide the play equipment/MUGA after consultation with the Parish Council and this should be included in the S106 agreement.
- The Parish Council would also like to see the allotments and play areas and other new facilities managed by the Parish Council rather than a residents owned management group as these facilities would be for the benefit of the whole village.
- The Parish Council has concerns about the parking standards used as Phase 1 has insufficient parking and is already experiencing problems with parking especially trade vehicles that are in addition to residents' own vehicles.

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

### **10.0**

#### **Representations**

14 letters of objection or comment. The main planning-related points include:

-bus route to serve this site should be provided; suggest an hourly new service serving this and Stratton/Charlton Down; cover initial cost by financial contribution on s106, subsequently should run on a commercial basis.

-Allotments-object to loss from current location; poor quality of soils on the new site. Existing site should be a site of community value. Disruptive and expensive to re-locate, including sheds, etc.

-lack of infrastructure for new development

-housing should be accessed from existing roads-no need for new A37 access.

-new access from A37 could mean further development beyond this site.

-moving allotments prevents possible expansion of cemetery in future.

- incompatibility of planting community orchard in allotments (general public access/effect of tress on plot fertility).
- If allotments are moved need to address timing to allow long-term planting to be transferred to correct time; access to both areas during construction; shed to be offered for uniform appearance and compensation to existing tenants ; adequate water supply provided; area mechanically sieved prior to enclosure to remove large stones and good quality top soil imported; deer-proof fencing and gates; plot sizes to be similar to existing; transfer of tenants equipment between plots to be offered.
- Unacceptable traffic impact on Weir View and surrounding roads; detrimental impact on Weir View due to closure of Sodern and Wanchard Lanes-more traffic would use Weir View.

#### Public comments on Amended Plans-

5 further letters of objection/comment received. The main planning-related points include-

- successive development phases will result in too much development and traffic
- If approved, dangerous Sodern Lane junction should be closed to traffic
- premature before new Local Plan
- existing development phases have led to increased use of Gascoyne Lane- resulting in more danger from cyclists, traffic, walkers and disturbance.
- will increase flood-risk
- inadequate infrastructure to serve further development
- increased noise pollution
- noise from A37 traffic
- loss of open countryside
- loss of wildlife habitat
- will harm character of village
- lack of evidence of how support first time buyers
- lack of ecological mitigation for lost countryside
- will increase heavy vehicle traffic on Drakes Lane-highway dangers
- consider re-design of Weir View/A37 junction essential
- Lane closure will encourage traffic to use Weir View
- object to plans for Wanchard Lane
- Support HGV ban on Weir View and retaining Sodern Lane being open
- insufficient provision for cyclists at main junction and on the layout
- development may increase dangers for vehicles using lanes, wishing to turn right onto A352
- new A37 junction should have separate right turn lane for vehicles accessing the A37
- inadequate car parking provided.
- concern of rat-run traffic on minor roads destined for Yeovil; better to not close Wanchard Lane but improve junction.

Full copies of letters are available on the Dorset Council website.

## **11.0**

### **Relevant Policies**

**West Dorset, Weymouth and Portland Local Plan 2015-**

- 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
- 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
- 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 (NPPF) 2019-**

The following sections are relevant;

2 achieving sustainable development

5 delivering a sufficient supply of houses

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.

### **Other material considerations**

Design and Sustainable Development Guidelines 2009

WDDC Landscape Character Assessment 2009

Area of Outstanding Natural Beauty Management Plan 2019-2024

Dorset Heathlands SPD

Bournemouth, Dorset and Poole Parking Standards

Bournemouth, Dorset and Poole Minerals Strategy 2014

Preferred Options Consultation Document 2018

## **12.0 Human rights**

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

## **13.0 Public Sector Equalities Duty**

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

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

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

The scheme includes the provision of car spaces close to flats to facilitate access to mobility for elderly or less able persons.

#### **14.0 Financial benefits**

##### Material considerations

Affordable housing -29 units

Green infrastructure-3.51ha-of which:

1.74ha open space; 0.77ha allotments/orchard; 1ha natural/semi-natural hedgerows.

Employment created during construction phase.

##### Non material considerations

CIL contributions

#### **15.0 Climate Implications**

Measures proposed in the scheme include low flush wc's, energy efficient construction, locally sourced materials if possible, site waste management to minimise construction waste.

The construction phase of this development would involve vehicles and plant/machinery producing emissions. Following occupation the development would produce emissions from sources such as vehicle exhausts. However, it is considered that the opportunity to provide 82 dwellings in a sustainable location including 35% affordable housing outweighs the foregoing issue.

**Note: Amended Plans-** Amended plans were submitted, advertised and consulted upon in July 2020. In summary these sought to respond to officer comments to improve the character and variety in the layout. Changes include a stronger “gateway” into the site, a more continuous tree lined avenue from the A37 to Wanchard lane, and the introduction of two blocks of terraced dwellings central to the site. Additionally, the highway strategy has also been revised following discussions with Dorset Council and the applicant- and with input from the Parish Council. It is now proposed that Soder Lane remains open to through traffic, and that a weight restriction is introduced along Weir View. Changes have been made to the landscape strategy with

alterations to the avenue planting, boundary landscaping, allotments/allotment parking and community orchard.

## 16.0

### Planning Assessment

#### 16.1 Principle of development -

The site is outside of the Charminster defined development boundary and therefore contrary to policy SUS2. However, the council is unable to demonstrate a five-year supply of deliverable sites and therefore para 11 of the NPPF (2018) applies. (The current housing land supply figure is 4.83 years).

This site was proposed as part of a larger preferred option in the West Dorset, Weymouth Local Plan Review as policy DOR16 Land to the West of Charminster. The policy text within the preferred options consultation document was as follows:

#### DOR16. LAND TO THE WEST OF CHARMINSTER (PREFERRED OPTION)

- i) Land to the west of Charminster is allocated for residential development to complement the growth at North Dorchester.
- ii) The development will deliver in the region of 320 new homes offering a mix of tenures including affordable homes. The priority should be to meet the needs of families and the working age population.
- iii) Development to the west of Charminster should be served via improved access off the A37. Appropriate highway linkages should be developed which prevent increased use of East Hill and West Hill in Charminster minimising impact on the Conservation Area.
- iv) Links between the developments and nearby cycle routes must be established to facilitate ease of travel to Dorchester by alternatives to the car. Enhancements to the Frome Valley Trail will be required including removing the route from the highway where possible.
- v) The development will contain measures to soften the western edge of Charminster in views from the AONB.
- vi) Impacts on nearby heritage assets will need to be minimised including any impact on Charminster Conservation Area and the setting of Poundbury Camp. Any residual impact would need to be clearly justified.

16.2 The Preferred Options Consultation document was approved for the purpose of public consultation by the then West Dorset District Council and consultation was carried out in August 2018 lasting for 8 weeks. As the site was included in the West Dorset and Weymouth Local Plan Review it is therefore likely to be taken forward again as part of the emerging new Dorset Council Local Plan.

16.3 As the Council cannot currently demonstrate a five-year supply of deliverable housing sites this means that para 11, footnote 7 of the NPPF is 'engaged' and relevant policies for the supply of housing, including Policy SUS 2, may no longer be considered

to be up-to-date. Where a 'relevant policy' such as SUS 2 is considered to be 'out-of-date', Para 11 of the NPPF is also engaged, indicating that in such cases planning permission should be granted unless:

- i) the application of policies in the 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 the framework taken as a whole

16.4 The lack of a 5 year supply, even if the supply is only marginally below 5 years, means that less weight has to be given to policies such as Policy SUS 2 in decision-making. The local plan inspector's comments, which raised concerns about the marginal nature of the council's housing land supply, remain just as relevant to decision-making, now the supply has slipped below 5 years.

Whilst this application site is outside the defined development boundary it sits close to the recently built Phase 1 (70 dwellings) and the immediately adjacent Phase 2 (52 dwellings) now nearing completion. Both these earlier sites lie outside the DDB in the adopted Local Plan but were included in the Preferred Options Consultation document (2018).

16.5 Charminster has a bus service and good cycle/pedestrian links to Dorchester. It has various community facilities and services including 2 village halls, a first school, 2 public houses, a church and employment facilities. As such, it is considered a sustainable location for this development and sits within the "third tier" of the spatial strategy. The previous Issues and Options document advised that the current population of the village was around 1500 with a further 1500 in Charlton Down. The two settlements lie within Charminster Parish. This makes Charminster already the largest village in the third tier on its own of the settlement strategy and when taken as a population for the parish as whole, this is around the size of some of the settlements in the *second* tier such as Crossways and Beaminster. Part of the criteria in Policy SUS2 is that where development takes place in the settlements in the rural third tier of the spatial strategy, this will "*take place at an appropriate scale to the size of the settlement.*" In assessing whether the current proposal is at an appropriate scale, regard is had to the cumulative position; Phase 1 (completed) and Phase 2 (near completion) have 70 and 52 dwellings respectively. This Phase proposes a further 82. The Local Plan does not set any figure for the level of growth at the third tier of the spatial strategy, hence there is a need to make this assessment on a case-by-case basis bearing in mind the settlement concerned. As set out above the village has various services and facilities and as such is a sustainable location. Whilst this scheme adds significantly to the housing stock it is considered to be reasonably proportionate to the settlement size and facilities.

Whilst the site has some variation in height, the general landscape context and the logical relationship with existing adjacent development lends itself to a potential extension westwards.

16.6 In the light of the foregoing points, and subject to compliance with other policies in the local plan, the proposal is considered acceptable in principle.

### **Affordable Housing-**

16.7 In accordance with policy HOUS 1, the scheme proposes 35% of the dwellings as affordable housing. This equates to 29 Units. These comprise 2x1 bed, 8x2 bed, 9 x3 bed (all likely to be affordable rented) and 8x 2 bed,2x3 bed-(shared ownership) The affordable units are dispersed through the scheme and are “tenure blind” such that they would be similar in appearance to the market dwellings. The Housing Enabling Team Leader has been consulted and is supportive of this scheme. The units would be secured using a section 106 agreement.

### **Effect on visual amenity/effect on setting of Area of Outstanding Natural Beauty (AONB)-**

16.8 The site lies on the west side of Charminster within the Dorchester Downs Landscape Character Area. No public rights of way cross the site although it is visible in parts from the A37 road to the south, the existing allotments site and Wanchard Lane to the north in terms of close viewpoints, for example. Whilst it is not within the AONB it is not far away from its boundary to the south-west –about 0.5km from the site. The boundary extends west to Stratton before running north-east towards Charlton Down. The site is visible in particular from public viewpoints to the south on higher land. As such the site needs to be considered carefully in terms of its visual impact.

16.9 A principle which has been generally followed is to site the buildings on the lower parts of the site and placing the public open space/allotments on the higher, more prominent parts of the site. The landscape officer has assessed the scheme including the amended plans. A new proposed belt of native woodland with understorey planting along the western edge of the site would provide a new landscaped edge to the site/village. The landscape officer wishes to see this planting belt further increased from 10 to 15m width. The applicant has now responded by increasing this to 12m width by extending the planting belt a further 2m westwards. The applicant has also commented that they regard the belt as sufficient :

*in terms of the appearance of the development when seen from the viewpoints that have been assessed in the LVIA and in particular from viewpoints in the AONB.*

16.10 The applicants landscape officer advises that this 12 wide belt would include select standard trees (3.5-4.5m) which in 10 years would normally reach 6.5-7.5m height. (A two storey dwelling is about 8m high). There would be similar woodland planting to the north-west corner of the site. The belt would also be planted with a shrub understorey. Clearly it would take some years for this to mature. It is also worth noting that there will be further significant planting of trees both around the allotment edges, and the avenue tree planting on this side of the site. The general development strategy of locating the majority of development on the lower land helps to reduce the visual

impact. On balance, I consider the 12m wide belt is acceptable providing the detailed planting of this ensures robust and effective planting.

16.11 Additional tree planting in the allotment area is suggested by the councils landscape officer; however the scope for this maybe limited due to the potentially disruptive effects of (larger) tree roots, but some more modest planting can be done. The tree planting to “the avenue” has been extended to link with the A37 junction. More detail on the trees comprising the avenue is sought together with clarification in relation to the positions relative to the 5 houses at the south-west of the site. The councils landscape officer has requested a detailed planting plan for the whole site. At this stage the applicant will provide a more detailed landscape strategy (a full detailed planting plan would be required by planning condition if approved). To help mitigate views of the site from the AONB to the south-west, additional planting has also been proposed to the open space to the south-west of the access road and within the development. The landscape officer wishes to see more reinforcement/tree planting on the Wanchard Lane hedgerow frontage. The possibility of additional planting in the allotments to help further mitigate the effect on the AONB setting can also be explored. The landscape officer has indicated the revision to the allotment parking area could be further improved with additional planting. However the applicant considers the planting of trees and hedging to the car park area would be sufficient. I consider this area is acceptable.

16.12 Turning to the site layout this is based on the perimeter block principle and generally follows the main design principles of the earlier adjacent phases. The development is wholly two-storey apart from 4 bungalows near Wanchard Lane. The scheme has a mix of housing including terraced, semi-detached and detached. The open market element includes: 6x2 bed, 18x3 bed, 27x 4 bed, 2x5 bed. The average density at 24 units per hectare is broadly similar to Phase 2.

16.13 The scheme seeks to create 3 distinct character areas; one is the “Village Entrance and Avenue” -some houses have an architectural uplift to give key focal buildings. Walls are especially of flint and red brick with a brick course detail. Render, plain tile and slate are also used. The “Village Centre” character area contains houses with high architectural character. The majority would have white render, black bargeboards and some red brick. There would be some with flint and brick detailing, and slate roofs. The “Village Lanes “ area has development at a higher density. These would be predominantly red brick with intricate porch designs/detailed brick courses. Some would have flint and render elements. The urban design officer considers these character areas are not very distinct and could be more clearly differentiated. Whilst it is fair to say this could have been more extensively explored, it is considered the quality of the designs generally is acceptable due to detailing and proportions.

16.14 The amended plans included changes to the “gateway” into the site from the A37; Plots 1 and 7 have been revised to give a stronger architectural presence; Plot 1 features a curved elevation in brick and flint with brick porch. Plot 7 is a square plan building with a pyramidal roof. The detailing includes a wrought iron porch on the front with a bay window to the side.

16.15 An area of detached housing at the junction of the avenue road with the road to Phase 2 has been re-designed as two pairs of semi-detached houses to increase street-scene interest. Plots 52-57 are reconfigured from detached to 2 terraces- of six in total. The urban design officer would like to see further adjustments to the scheme; this request has resulted in a greater use of similar materials to reinforce the character of “the avenue”-particularly brick and flint. A visitor parking area on the avenue near the south end of the site has been relocated around the corner into the side road to help maintain the unified character. The applicant now feels this is the scheme they wish to be considered and they comment as follows:

*The density, design, and choice of materials along the avenue is considered appropriate to the location. Parking has been located predominantly behind the building line to ensure that it is not intrusive in the street scene. The site is not within the conservation area, is outside the AONB, and does not affect the setting of any listed buildings. A mix of materials has been proposed appropriate to the location and setting of the site - the design does not seek to re-create the older parts of Charminster but does provide a suitable edge to the village with a high quality of design that carries forward the character of the earlier phases.*

16.16 Regarding the means of enclosure details these vary with context; the formal key buildings/areas would have plinth walls with metal vertical railings; public open spaces likely to have post and rail or timber bollards, garden boundaries 1.8m high walls an garden divisions timber fencing. Post and rail or timber bollards to public open space edges.

16.17 It is considered that the layout, design and general materials proposed are visually acceptable. It is also considered that the scheme would not harm the setting of the AONB as a result of the landscaping proposed, subject to final planting details.

#### **Effect on Residential amenity-**

16.18 Regarding the relationship with adjoining housing, this is mainly the housing to the east in Phase 2 (nearing completion). There is also a house on the south side of the A37. The proposed housing would not result in unacceptable overlooking of these properties. Regarding the proposed dwellings, some will be relatively close to the A37 and some fronting the link road. Both these roads will generate significant noise due to traffic volume and movements (the link road will particularly carry traffic from the council depot and Charminster Farm Industrial Estate). The applicant has carried out a noise impact assessment which has led to some mitigation measures being recommended such as use of a higher specification glazing on certain properties and certain means of enclosure close to these roads being raised to help reduce noise. The Environmental Health Officer has reviewed the report and has advised that :

*Noise mitigation measures as shown in submitted Noise Impact Assessment Reference AC108294-1R1 dated 5/12/19 should be fully implemented and the developer should provide documentation to show requirements have been met.*

Accordingly, this would be addressed by a planning condition.

16.19 There is an SSE sub station adjacent to the north-west corner of the site. The report also assessed this but concluded no additional measures were needed to address any noise emanating from this. It is considered that the scheme would be acceptable in residential amenity terms.

### **Heritage Assets-**

16.20 The site is at some distance from the location of the conservation area (about 350m) and any listed buildings- the majority of which are located some distance to the east associated with the historic core of the village. Given this distance the conservation officer has no comments to make.

The proposal is considered to preserve the character or appearance of the conservation area setting. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area; and (2) Local Plan policy.

Due to the distance from the listed buildings in the locality it is considered that the proposal would cause less than substantial harm to their setting. This harm must be given significant weight in the planning balance and weighed against the public benefits of the scheme. I consider that the public benefits including providing 82 dwellings (including 29 affordable units), improved allotment facilities and the range of public open space provisions are substantial and outweigh the harm to the setting of the listed buildings. This conclusion has been reached having regard to: (1) section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the setting of Listed Buildings; and (2) Local Plan policy

### **Archaeology -**

16.21 The Senior Archaeologist has advised that an archaeological evaluation is required. This has now been carried out. No significant archaeological material has been identified and consequently the Senior Archaeologist does not require any planning conditions.

### **Public Open Space -**

16.22 The scheme includes appropriate provision of public open space (POS) (3.51ha) comprising 1.74ha open space; 0.77ha allotments/orchard and 1ha natural/semi-natural hedgerows.

16.23 The main area of public open space is to the north; an area of informal public open space is set out as species-rich lawn or meadow grassland – This “park” provides more open space than is required to meet the public open space standards- *if* any additional development phases are added occupiers would be able to use this. Another area of similar wildflower lawn planting lies to the south-west near a SuDS basin.

16.24 A locally equipped area for play (LEAP) a “natural play area” is also proposed on the south side of the northern “park” area. The open spaces would be bordered by native woodland and avenues of native trees. The orchard tree planting has been

removed from the boundaries within the allotments and is now proposed as a distinct orchard area in its own right at the north of the site. (Some fruit trees would also be provided in the allotment area for fruit production/wildlife food resource).

16.24 The plans also show a “*potential* location of a multi-use games area” (MUGA) However, the level of public open space provision already provided and the size of development does not justify provision of a MUGA.

### **Allotments-**

16.25 The existing allotments located at the south-east part of the site are privately owned. The existing allotments site has a poor access along an unsurfaced track from Weir View, it does not have any dedicated parking provision and has no water supply. In re-locating (and enlarging) the allotment area this scheme provides an opportunity to improve the community facility with improved access, parking and facilities. The allotments would be re-located on the western side of the site and would be contained within a hedgerow framework with hedgerow trees. There is the option to potentially transfer these to the Parish Council or other suitable organisation. Details of the new allotments including the re-location, timing, details of soil preparation, etc would be addressed in a section 106 agreement.

### **Drainage Issues-**

16.26 Regarding surface water considerations the site lies in the low risk flood zone 1. The scheme includes 2 main attenuation ponds located either side of the access from the A37. Communal and individual soakaways are proposed-same principles as earlier Phases 1 and 2. The attenuation basins would have a maximum gradient of 1 in 3. The basins would have a maximum water depth of about 0.7m (west) and 1.3m (east).

16.27 An additional technical note has been supplied that explains that the infiltration basins will not be permanently wet; they will only hold water during periods of heavy rainfall and will drain rapidly. The location of the infiltration basins is determined by the topography of the site. A small infiltration (detention) basin is also proposed adjacent to the LEAP, designed with a maximum water level of 700mm. However, the applicant indicates an annual storm would result in a 50 mm fill but with rapid drainage after that. This would serve the northern highway catchment only. The council’s drainage engineer does not raise any objection to this. Infiltration basin 1 would also have a cellular soakaway at depth to avoid potential water re-emergence. In summary, The flood-risk officer considers the submitted documents substantiate the proposed surface water strategy including above ground surface water attenuation; he recommends conditions and informatives to address this.

16.28 Turning to foul drainage, this will be conveyed to a new pumping station near the south boundary. It is intended that this will be an adoptable facility for Wessex Water. This would in turn pump flows to the Phase 2 foul system with links to the Wessex Water network.

### **Ecology-**

16.29 A bio-diversity plan has been submitted. This includes the planting of a tree belt on the west site boundary (a measure also required under the landscape officer comments). This would include tree species such as small-leaved lime, English Oak, field maple, yew and fruit trees. There would also be an understorey. A small woodland would be planted at the north of the site including species such as English Oak, field maple, hazel, holly, crab apple and small-leaved lime. East of this would be a new community orchard including traditional apple varieties. The central area of the north part of the site would become public open space featuring wildflower meadow planting. The allotments area would be enclosed by native species hedgerows with occasional fruit trees within the layout. A new section (at least 10m) of hedgerow would be added to the east of the new A37 junction. Log piles would be established on the site for habitat. Fifty per cent of dwellings would have bat tubes/boxes, and 50% would have bird boxes including some sparrow terraces. Swift nest boxes are also included. Lighting would also be controlled to avoid inappropriate types and luminosity. The biodiversity plan has been checked and approved by the Natural Environment Team. It is considered that the provisions included are acceptable in nature conservation terms.

16.30 The site falls within the scope of the Heathlands Protection Area. The scheme could contribute to nitrate increases into Poole Harbour. Consequently an Appropriate Assessment has been carried out and Natural England have now confirmed they have no objection to the scheme.

### **Highway Issues-**

16.31 A Transport Assessment (TA), prepared by the applicant's highways consultants, has been submitted that considers the impact that the proposed development of 82 dwellings will have on the highway network in the vicinity of the site. It also considers the sustainability of the development in terms of accessibility to and from the site.

16.32 The new vehicular access from the A37 would have a road width of 6.5m and 2m footways. The residential roads would be 5m wide. The junction with the A37 would take the form of a priority T-junction (with right turn lane). The right turn lane from the A37 into the site to provide improved safety and convenience for highway users. This main access would have a central pedestrian/cycle refuge. The network within this Phase comprises a primary route, with secondary routes and private drives. The link road from the A37 to Wanchard Lane would alleviate pressure on other junctions off Wanchard Lane/Sodern Lane. There would also be an interconnection with a road in Phase 2- thereby allowing the opportunity for Phase 1 and 2 traffic to use this route so avoiding increased traffic on Weir View. (A footpath link is also included to the Phase 2 SuDS area).

The highways officer points out that it is considered that the internal road layout will be constructed to fully embrace the principles suggested by Manual for Streets, providing a safe, low speed environment for all highway users.

The Highways Officer has considered the submitted Traffic Assessment and is satisfied that the trip generation analysis information gives an acceptable robust trip generation for the proposed development.

16.33 Regarding car parking provision the highways officer comments as follows:

*The Highway Authority is satisfied with the proposed car parking arrangements. The submitted documentation indicates a total of 172 allocated parking spaces. All garages are a minimum of 3.0 x 6.0m and as such are considered as car parking spaces. In addition to this 53 units have a driveway/external parking area in front of the garages of 10.0m or over which allows for 2 cars to be parked. As such 53 units have 3 spaces (garage included), the remaining units (2 bed and larger) have 2 spaces (garage included) and the 1 bed flats have 1 space each. This brings the actual total of usable allocated car parking spaces to 215, with 21 unallocated, 10 for the use of the allotments and there are also informal opportunities for on-street parking. Cycle parking will be provided within the curtilage of each residential unit and a communal provision will be provided for the flats.*

16.34 Minor changes would also be made to the Weir View/A37 junction under a s278 agreement under the Highways Act 1980. The site sits within a highways context where discussions have taken place between the Dorset Council (including having regard to the concerns of the Parish Council) and the applicant regarding the wider implications of the potential development of this site. It is now proposed that Soder Lane remains open to through traffic. The Highways Officer also comments:

*The submitted Transport Assessment includes a number of suggested highway alterations (Wanchard Lane and North Lane Junction works and the HGV restrictions on Weir View) however **only** the changes to the speed limit on Wanchard Lane (reduction to 30mph) is considered necessary for the development to go ahead.*

16.35 The further measures offered by the applicant (and sought by the Parish Council) are also included as set out below:

The Parish Council has indicated that it would wish to see measures implemented to restrict Weir View to a through route for cars and light vehicles only, and prevent large HGV's from passing along the street. Consultation with the Highway Authority has established that it would have no objection to such an approach, and the applicant has agreed to provide funding to enable the Highway Authority to procure the TRO. Accordingly, this can be addressed by an obligation in the s106 agreement to secure a financial contribution from the applicant to cover the Highway Authority's costs associated with the procurement of a TRO for a weight restriction along Weir View. (However, implementation of the development would not be conditional upon successful completion of this particular TRO).

16.36 The applicant is also proposing to make funds available (within a s106 agreement) towards the implementation of TRO's to restrict motor vehicle access along Wanchard Lane. Hence a proposed Traffic Regulation Order (TRO) prohibiting through traffic along Wanchard Lane between the A352 and Charminster Industrial Estate remains in the proposed access strategy. Traffic associated with Charminster Farm Industrial Estate and the Dorset Highways Depot would use the new link road through the Phase 3 development to access the A37. The highways officer concludes by advising:

*The Highway Authority considers that the submitted Transport Assessment is satisfactory and robust. Given the proposed access arrangements and layout it is considered the development is*

*acceptable in both traffic generation and safety terms. Whilst it is accepted that the proposal will obviously increase traffic flows on the local highway network the residual cumulative impact of the development cannot be thought to be "severe", when consideration is given to paragraphs 108 and 109 of the National Planning Policy Framework (NPPF) - February 2019*

16.37 Based on the above information the case officer considers that the relevant highway issues have been satisfactorily addressed. Several highways-related conditions are recommended, together with inclusions in the s106, and these are included in the recommendation section.

### **Comments on Parish Council responses to Amended Plans-**

16.38 Stratton Parish Council (adjacent Parish) expressed concern over the number of additional houses over and above those already permitted. However, the density is similar to the existing 2 phases. They express concern over the adequacy of the new A37 junction, but do not appear to have realised that the new A37 junction includes a right turn lane. The Highway Authority do however support the scheme.

16.39 Charminster Parish Council (PC) (commenting on the amended plans) indicate they support the closing of the junction with Wanchard Lane and North Street (*Case officer note: ie to vehicular traffic beyond Charminster Farm Industrial estate*), and they support the weight restriction on Weir View. The case officer advises that the necessary financial provisions would need to be enshrined in the s106 to facilitate this objective.

16.40 They wish to see a 20 mph speed limit (this would be a matter for the highway authority to consider). They have concerns over the safety and capacity of the new A37 junction. However, as mentioned earlier, the Highway Authority are satisfied that the junction is appropriate for the nature and volume of traffic. The PC request the allotments design/specification to be agreed by them. The case officer advises that the allotments would be addressed in the s106 (which could include consultation with the PC in this respect). They indicate the applicant should provide the play equipment and the multi-use games area (MUGA) after consultation with the Parish Council. Details of the play equipment can be addressed in the s106-including reference to the Parish Council. However- as mentioned earlier in the report we cannot reasonably require the MUGA as the nature and scale of this application does not require it. Furthermore, the applicant is not offering it.

## **17.0**

### **Conclusion**

17.1 The application represents an opportunity to provide 82 dwellings in a sustainable location on a site which would relate well to the existing Charminster Farm development. It would provide a new junction onto the A37 which would not only serve the new housing but provide alternative routes from Phase 2 and a safer route for the Council Depot and Industrial Estate traffic (rather than particularly using the North Street junction). It is considered that the siting, design and materials are acceptable in this location.

17.2 In terms of the three threads of sustainable development the economic objective would be supported by the employment created during construction, and by the spending in local facilities by subsequent occupiers. The social objective would be supported by the provision of 29 affordable dwellings, by use of the public open spaces/allotments, and by the likely use made of the local community facilities by residents. In environmental terms the scheme includes extensive planting of trees, hedges, wildlife meadow areas and an orchard. A bio-diversity mitigation plan would also bring ecological benefits.

The scheme would also make a useful contribution towards the councils 5 year housing land supply.

## 18.0

### **RECOMMENDATION**

Recommendation A: Delegate approval to Head of Planning subject to:

- entry into a s106 agreement to address affordable housing (35%), provision of public open space with management/maintenance details;
- Re-location of allotments (with specification details);
- establishment of vehicular and pedestrian links with Phase 2/land to east;
- Financial contributions towards the implementation of Traffic Regulation Orders for :
  - extension of 30mph speed limit on Wanchard Lane,
  - restriction of motor vehicle access along Wanchard lane,
  - weight restriction along Weir View.

And conditions.

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

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

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

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

3. No development above damp proof course level shall be commenced until details and samples of all external facing materials for the wall(s) and roof(s) shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

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

4. No development above damp proof course level shall be commenced until details and samples of all external facing materials for the means of enclosure shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

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

5. No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The scheme shall include details of the land re-modelling involved including cross-sections of the infiltration and detention basins, with details of the planting of these areas and any associated means of enclosure. The surface water scheme shall be fully implemented in accordance with the submitted details before the development is completed.

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

6. No development shall take place until details of maintenance and management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

7. No development shall take place until all existing trees, shrubs and other natural features not scheduled for removal have been fully safeguarded and fenced in accordance with a scheme to be first approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels and chemicals, soil or other materials shall take place inside this fenced area. The soil levels within the fenced area shall not be raised or lowered and no trenching or excavation shall take place. The development hereby permitted shall be carried out in accordance with the Arboricultural Assessment and Method Statement dated 4th December (ref: 17222-AA4-Phase3-CA), Tree Protection Plan (Barrell Tree Consultancy ref: 17222-BT5) and Manual for Managing Trees on Development Sites. In the event that protected trees (or their roots) become damaged, are lost or become otherwise defective in any way during such period, the

Local Planning Authority shall be notified immediately and a programme of remedial action as directed by the Local Planning Authority shall be carried out within a timescale to be specified by the Local Planning Authority.

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity.

8. Notwithstanding the submitted landscape details, no development above damp proof course level shall be commenced until details of soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority (L.P.A). These details shall include planting plans, written specifications and schedules of plants, noting species, planting sizes, proposed numbers/densities where appropriate and implementation timetables. A schedule of landscape maintenance proposals shall also be submitted to and approved in writing by the L.P.A prior to commencement of the development. The development shall be carried out in accordance with the approved details and maintenance shall be carried out in accordance with the approved schedule for a minimum period of 5 years following completion of the development hereby approved.

REASON: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.

9. No development shall take place above damp proof course level until full details of hard landscape proposals have been submitted to and approved in writing by the Local Planning Authority. These details shall include: proposed finished levels or contours, means of enclosure, car parking layout, other vehicular and pedestrian access and circulation areas and hard surfacing materials. The development shall be carried out in accordance with the approved details.

REASON: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.

10. 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. If any contamination is found requiring remediation, a remediation scheme shall be submitted to and approved by the Local Planning Authority. The approved remediation scheme shall be carried out to a timescale to be first agreed with the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure risks from contamination are minimised.

11. No dwelling hereby approved shall be first occupied until any relevant noise mitigation measures as shown in the submitted Noise Impact Assessment (reference

AC108294-1R1 dated 5/12/19) shall have been fully implemented. The installed measures shall be permanently retained thereafter. The developer should provide documentation to show the requirements have been met within 1 month of completion of all the relevant measures.

REASON: In the interests of protecting residential amenity.

12. The development shall be carried out in accordance with the approved bio-diversity mitigation plan dated 7<sup>th</sup> September 2020, unless otherwise agreed in writing by the local planning authority. Measures carried out shall be permanently retained thereafter.

REASON: In the interests of nature conservation.

13. No development above damp proof course shall be carried out until a landscape and ecological management plan shall first have been submitted to and approved in writing by the local planning authority. The approved measures shall be carried out on a timescale which shall first have been agreed in writing by the local planning authority. The approved measures shall be permanently retained thereafter.

REASON: In the interests of nature conservation.

14. No development shall be commenced until details of the re-siting of the historic milestone structure fronting the A37 shall first have been submitted to and agreed in writing. The details shall include provision for its safe temporary storage as required. It shall be re-instated in the new agreed position in accordance with a timescale that shall first have been agreed in writing by the local planning authority.

REASON: To ensure the retention of this non-designated heritage asset.

15. The sewage pumping station shall not be commenced until details of the external appearance and materials shall first have been submitted to and approved by the local planning authority. The pumping station shall be carried out in accordance with such details as have been agreed.

REASON: In the interests of visual amenity.

16. Measures shall be taken to ensure the re-use on-site of all suitable sands or gravels raised during construction wherever viable, environmentally feasible and practicable to re-use them. Within 3 months of the substantial completion of groundworks a report setting out the quantum (or evidenced estimate) of material re-used on site shall be submitted to the local planning authority.

REASON: To comply with national and local policy on mineral safeguarding and to ensure that any suitable materials raised during construction are put to their highest and best use, while minimising the need to import aggregate materials from beyond the site ,in the interests of sustainability.

17. No development above damp proof course level shall be carried out until a detailed scheme to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development has been submitted to and approved in writing by the local planning authority. The submitted details shall include a timetable for the implementation of the scheme. Thereafter the development shall be carried out in accordance with such details and timetable 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.

18. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on the submitted plans must be constructed, unless otherwise agreed in writing by the Local 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.

19. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

20. No development above damp proof course level shall be carried out until a detailed scheme for the proposed cycle facilities shall have been submitted to and approved by the local planning authority. The approved scheme shall be constructed on a timescale to be first agreed in writing by the local planning authority. The agreed scheme shall be kept free of obstruction and permanently retained thereafter for the purpose specified.

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

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

21. No development shall be commenced until a Construction Traffic Management Plan (CTMP) shall first have been submitted to and approved in writing by the local planning authority. The CTMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads

- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- Inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: to minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

22. Any excess spoil arising from the development shall be removed from the site before completion of the development.

REASON: In the interests of visual amenity.

23. No development shall be commenced until a Construction Environment Management Plan (CEMP) shall first have been submitted to and approved in writing by the local planning authority. The development must be carried out strictly in accordance with the approved Construction Environment Management Plan and shall not be altered without the prior written approval of the Local Planning Authority.

REASON: In the interests of minimising the effect on residential amenity.

Informatives-  
 NPPF approval reference  
 CIL reference  
 Section 106 reference  
 Highways informatives  
 Flood-risk informatives

**Recommendation B:**

Refuse permission for the reasons set out below if the legal agreement under section 106 of the Town and Country Planning act 1990 (as amended) is not completed within 6 months of the date of the committee resolution or such extended time as may be agreed by the Head of Planning:

1. Policy HOUS 1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 requires a minimum on-site provision of units as affordable housing and 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 West Dorset Weymouth and Portland Local Plan. Furthermore the community-related benefits inherent in the scheme would not be achieved. Hence the scheme would be contrary to the objectives of paragraph 92 of the National Planning Policy Framework (2019).

2. The scheme requires provision of community infrastructure on-site in accordance with Policy COM1 of the adopted Local Plan. This includes open grassland areas, a locally equipped play area, a community orchard, allotments and other planting. In the absence of a completed Section 106 agreement the scheme would not secure the provision, maintenance and management of these areas. Hence the scheme would be contrary to Policy COM1 of the Local Plan.

3. The scheme includes providing financial contributions towards Traffic Regulation Orders relating to an extended 30mph speed limit and the restriction of motor vehicle access along Wanchard Lane, and a weight restriction on Weir View. In the absence of a Section 106 agreement these measures would not be completed which would be contrary to Policy COM7 of the Local Plan.