

<b>Application Number:</b>	<a href="#">P/FUL/2021/01429</a>
<b>Proposal:</b>	Erect 162 No. dwellings, form vehicular access, parking, landscaping, open space and carry out ancillary works.
<b>Location:</b>	Land At E 387256 N 123908 Wincombe Lane Shaftesbury Dorset
<b>Recommendation:</b>	Grant permission subject to conditions
<b>Case Officer:</b>	Ross Cahalane
<b>Ward Member(s):</b>	Cllr Derek Beer and Cllr Tim Cook

### 1.0 Summary of recommendation:

GRANT subject to conditions and the completion of a S.106 agreement.

Reason for committee referral; Objection from Shaftesbury Town Council is at odds with the recommendation to grant.

### 2.0 Reason for the recommendation: as set out in Section 16 at end

- Absence of 5 year land supply
- The site is identified for housing growth in the adopted local plan
- 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 visual impact, including the setting of the AONB
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no other material considerations which would warrant refusal of this application

### 3.0 Key planning issues

Issue	Conclusion
Principle of development	Site is greenfield, but within an area identified for housing growth under Local Plan Policy 18. Additionally, the site benefits from extant permission for 174 dwellings within the same area. The current proposal would contribute 162 dwellings to the Council's housing supply.
Affordable Housing	A policy-compliant 30% provision is proposed – 24 units for Affordable Rent, 17 for Discount Market Sale and 7 for Shared Ownership, in accordance with a legal agreement.

Scale, design, impact on character and appearance	Acceptable in terms of design, scale, appearance and density, and would have a looser and informal layout from the extant 2016 approved scheme.
Impact on amenity	Not considered that proposal would lead to adverse impact on residential amenity of surrounding neighbours, or future occupiers.
Impact on landscape	Proposed development, including open space provision and links to public footpath network, would provide an appropriate town edge setting that relates positively with the countryside beyond. Proposed landscape mitigation considered sufficient to avoid harm to setting of nearby AONB.
Highway safety, access and parking	The County Highway Authority has raised no objections on highway safety, policy or capacity grounds, subject to conditions.
Impact on flood risk	No material increase in flood risk within or around the site, subject to conditions. Sustainable drainage scheme would be accommodated on-site.
Impact on ecology	Will deliver biodiversity mitigation and enhancements in accordance with the Biodiversity Mitigation and Enhancement Plan - has been certified by the Natural Environment Team.
Impact on infrastructure	Would provide two equipped play areas within the open space provision and highways improvements along Wincombe Lane. Contributions towards local green, grey and social infrastructure are to be secured by Section 106 legal agreement.
Economic benefits	Benefits would come from the provision of jobs during construction and future residential expenditure in the local area.
EIA	Not required

#### 4.0 Description of Site

The 5.94ha application site comprises the major part of a pastoral field on the northern edge of the settlement of Shaftesbury, to the south east of Wincombe Business Park. The site is bounded by existing modern detached dwellings along Tolgate Park and Cranborne Drive to its west, and by Blackmore Road to its south which contains higher density housing. Immediately to its north and east, the site is bounded by pastoral farmland, although the Blackmore Vale dairy lies to its east and the Wincombe Business Park and a large solar farm lie to its north. The northern boundary of the site is part of the county boundary between Dorset and Wiltshire.

Ground levels rise across the site from approximately 220m AOD on its eastern boundary to approximately 230m AOD on its western boundary. However, the site is relatively flat overall, as are its immediate surroundings. The proposed development in a wider context occupies an area of higher ground between two watersheds, and ground levels immediately to its north east fall sharply to the River Nadder Valley. Land to the west, north and east of the site falls within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB), with the closest proximity being approx. 175m.

## **5.0 Description of Development**

Full planning permission is sought for the erection of 162 dwellings including vehicular access, parking landscaping, open space and ancillary works. The development provides 6x 1-Bed units (all affordable), 46x 2-beds (24 affordable), 80x 3-beds (16 affordable) and 30x 4-beds (2 affordable).

The proposed 48 affordable homes would deliver a policy compliant 30% provision, as the site is located adjacent the Shaftesbury settlement boundary. Their status, as affordable homes for local needs, will be secured in planning obligations as part of a S106 legal agreement.

The proposed development also includes approx. 0.84ha of greenspace, including areas of informal open space. In addition to the central green space, containing a Local Area of Play (LAP), there would be a larger public open space containing a Local Equipped Area of Play (LEAP) along the site's northern boundary. There would be further public open space in the site's southern corner, along with an additional 0.58ha area of soft landscape along the site's eastern boundary - containing a belt of tree and hedge planting and sustainable drainage features. There would also be a narrow undeveloped strip of land along the site's southern boundary to allow access to the route of a private rising main.

Amended plans and supporting documents were received and sent for re-consultation on 29<sup>th</sup> October 2021, following concerns raised by the Council's Landscape Architect, Urban Design Officer, Highway Authority and Flood Risk Management Team.

The original application plans and supporting documents (received 28<sup>th</sup> April 2021), which remain for consideration, are as follows:

- Site Layout Bypass Overlay Plan
- Design & Access Statement
- Ecological Summary Letter Report
- Extended Phase 1 Habitat Survey
- Biodiversity Mitigation and Enhancement Plan
- Biodiversity Net Gain Assessment
- Bat Activity Survey
- Breeding Bird Report
- Dormouse Presence / Likely Absence Survey Report
- Great Crested Newt Presence / Likely Absence Survey Report

- Reptile Presence / Likely Absence Survey Report
- Flood Risk Assessment / Drainage Strategy
- Odour Survey and Assessment, and
- Utilities Assessment.

The following list contains the amended/additional plans and supporting information.

*Amended plans:*

- Amended Location Plan
- Amended Site Layouts: Boundary Treatment; Dwelling Types; Fire Strategy; Materials; Parking; Refuse; Storey Heights, and; Tenure
- Amended Swept Path Analysis Plans: Fire, and; Refuse Vehicle
- Amended House Types and Garages - Plans and Elevations
- Amended Streetscenes
- Amended Road Levels, Finished Floor Levels & Retaining Walls
- Substation Elevations and Plans
- Amended Landscape Strategy
- Amended Proposed Drainage Layout Plans
- Amended Proposed Services Layout Plans
- Amended Proposed Surface Finishes
- Amended Manhole Schedules
- Soakaway Extents Offset Plan
- Drainage Construction Details
- Isopachyte Cut and Fill Site Plans, and
- Amended Tree Protection Plan.

*Additional plans*

- Proposed Site Layout – Open Space, and
- Proposed Site Layout – Character Areas

*Amended supporting information:*

- Design and Access Statement (DAS) Addendum
- DAS Amended Section 3.4 (Character Areas)
- Amended Planning Statement
- Amended Arboricultural Assessment & Method Statement
- Amended Flood Risk Assessment
- Amended Landscaping Strategy
- Updated Noise Assessment,
- Amended Transport Assessment, and
- Amended Travel Plan

*Additional supporting information*

- Four Arm Roundabout Technical Note
- Local Area of Play (LAP) details, and

- Construction Method Statement – including Construction Traffic Management Plan.

Neighbours (including all who had previously commented) and relevant consultees were reconsulted on the above amendments on 29<sup>th</sup> October 2021, with the responses summarised below in Section 9.

## **6.0 Relevant Planning History**

2/2014/1350/FUL

Erect 191 No. dwellings with garages and parking, form vehicular access, landscaping, open space and associated works.

Decision: Granted (08/06/2016)

2/2016/1257/DOC

Discharge of Condition Nos. 3 - Material Samples, 4 - Enclosure, and Boundary Walls and Fences, 5 - External Lighting, 8 - Large-scale Details, 11 - Street Furniture, 12 - SUDs Scheme, 13 - Estate Road Construction, 15 - Construction Traffic Management Plan, 18 - Landscape Design Proposals, 19 - New Planting, 20 - Landscape Management Plan, 21 - Landscape maintenance, 22 - Foul & Surface Water Drainage - Scheme, 23 - Surface Materials, 24 - Odour Measures and 25 - Foul Drainage from Planning Permission 2/2014/1350/FUL.

Decision: Determined (29/06/2017)

P/FUL/2020/00332

Amendments to width and alignment of Wincombe Lane, (minor adjustments further to application 2/2014/1350/FUL for residential development and 2/2015/0427 relating to the dairy access).

Decision: Granted (03/03/2021)

P/FUL/2021/03688

Amendments to the improvement scheme for Wincombe Lane to comprise an additional (fourth) arm to the approved roundabout in order to enable direct continuation north eastwards along Wincombe Lane.

Decision: Pending

## **7.0 List of Constraints**

Outside settlement boundary

Tree Preservation Order (TPO-547-2015)

Site is near to the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB)

Rights of Way: Bridleway N1/38; Footpaths N1/3; N1/5, and; N1/6

Agricultural grade: Grade 2

SSSI impact risk zones: Breach Fields; Fontmell and Melbury Downs; Gutch Common; Lower Coombe and Ferne Brook Meadows

Minerals and Waste Safeguarding Area

## 8.0 Consultations

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

### Consultees

#### **Cranborne Chase AONB Team – comments**

- In 2019 this AONB was designated the 14<sup>th</sup> International Dark Sky Reserve
- Concerned about light pollution. Should be a lighting strategy, prior to a decision, that complies with International Dark Sky Reserve criteria - achieving Institution of Lighting Professionals Environmental zone one criteria
- Site slopes eastwards towards the AONB and therefore exposed to it. Views to and from it are important considerations and this site is within its setting
- Owing to topography, eastern boundary planting will be at lower level than proposed buildings and will therefore have limited screening capacity. Seems likely that most of development will be obvious from AONB and public rights of way
- Gardens proposed are quite small. Many appear to have a footprint no bigger than the dwellings. Given experience during COVID-19, larger gardens should be provided
- Proposed landscape plans need clarification - leaves too much scope for confusion and misinterpretation. Should identify directly what is proposed, and where, on the plans. Whilst the species mix relates to biodiversity benefits, the specification should set out exactly what numbers of which sizes are to be provided at which location. Mitigation could be achieved by additional north/south ribbons of planting, echoing the eastern boundary planting, progressing up the slope
- Provision of tree planting and external highways lighting columns need to be coordinated so that appropriate lighting does not conflict with landscape planting
- Biodiversity gains seem to be rather vague. A landscape establishment and management plan should cover at least 15 years to ensure the designed landscape and biodiversity benefits are achieved.

#### *Re-consultation comments:*

- Extension of built development of Shaftesbury in long views from AONB seem to be brushed aside. Nevertheless note Council Landscape Architect has numerous detailed comments relating to proposed landscape treatment - should be acted upon
- Strongly advises that in this edge of AONB situation, the landscape proposal should be more than 'illustrative'. Would not be appropriate to condition such matters, as indicative and illustrative scenes often fail to materialise

- Disappointing that proposal still does not include a lighting strategy. Also advises inclusion of external domestic lighting in such a strategy. Any external lighting should be approved by the LPA in compliance with this AONB's Position Statement on Light Pollution, Good Practice Notes on Good External Lighting, and international dark sky criteria. Effectively that means Permitted Development Rights should be removed
- Three storey buildings have been removed from the amended scheme, but some buildings still contain roof lights within the design. If these are absolutely essential, should be fitted with integral blinds/louvres that can be closed at night. Those roof lights not in readily accessible positions should be fitted with light sensor operated automatic systems so that they close at dusk and open at dawn
- AONB will be reasonably accessible to a significant number of additional people as a direct result of the development, which will add to the physical and recreational pressures on this designated area. Also likely to impact adversely on the key tranquillity characteristic of this AONB. It also seems likely that it will be difficult to quantify and mitigate those effects. Therefore proposed that compensation be paid to AONB Partnership based on a one-off payment per unit of accommodation.

### **Dorset and Wiltshire Fire and Rescue**

- Would need to be built to meet current Building Regulations requirements. Assessment in respect of Building Control matters will be made during formal consultation, however early recommendations relate to the following areas:
  - Recommendations identified in B5 of Building Regulations Approved Document B
  - Recommendations to improve safety and reduce property loss in the event of fire

### **Dorset Wildlife Trust**

- Insufficient ecological information currently provided to assess impacts upon biodiversity. Ecological Impact Assessment report and a Landscape and Ecological Management Plan (LEMP) are required to specify details of the landscaping plan and post-development ongoing management
- Proposed usage and management of all habitats within site should be detailed within the LEMP and the proposed habitat and condition specified in the Net Gain Report justified and supported by this
- Information provided in Net Gain Report not supported by the proposed seed mix for open spaces provided in Landscape Strategy - which describes a very limited grass only mix. An appropriate seed mix must be specified for the habitat creation proposed
- Desirable to see the current ecological information supplemented by a more recent data search. In particular, it is known that since the dormouse surveys, dormouse presence has been confirmed in relation to a nearby solar farm development, and within hedgerows with direct connectivity to the application site. Unclear from information within submitted reports what the extent of impacts to existing hedgerows is and previously submitted Preliminary Ecological Appraisal does not seem to have been included within the supporting documents provided
- Update surveys therefore needed, or appropriate justification for not undertaking

### **Natural England – comments**

- Site is close to nationally designated landscape (Cranborne Chase AONB). Advises that LPA uses national and local policies, together with local landscape expertise and information to determine the proposal
- Statutory purpose of the AONB is to conserve and enhance the area's natural beauty. Should assess the application carefully as to whether proposed development would have a significant impact on or harm that statutory purpose
- Welcome the submission of a Biodiversity Mitigation and Enhancement Plan (BMEP)
- Provided the implementation in full of a DC NET approved BMEP is secured through a condition, Natural England agree with the opinion of the Natural Environment Team of Dorset Council that the planning authority will have met their duties under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and Regulation 9(3) of The Conservation of Habitats & Species Regulations 2017.

#### **Open Spaces Society - no objection**

- Provided the footpaths and bridleways are protected as set out in the Dorset Senior Ranger's letter and any stipulations by the Wiltshire RoW Officers fulfilled. Appears to be an issue with Footpath 3 raised by a local resident which must be resolved.

#### **Wiltshire Council – comments**

- Areas of the County near border with Dorset do not fall within catchment area of a Wiltshire secondary school. Pupils living in Tisbury area are within catchment area of Shaftesbury School. Concerned that new housing in Shaftesbury could impact on Wiltshire residents' ability to obtain places at Shaftesbury School. Would therefore like reassurance that there are sufficient places available for them at Shaftesbury School (Although we note that there does appear to be spare capacity available at Shaftesbury School)
- Lesser Horseshoe (LHS) bats recorded at Wincombe Park less than 1km to the north east and LHS recorded at Belmont house in Donhead St Mary. Barbastelle records are widespread in this area, so this site is undoubtedly used by them. Dormice are present in the wider landscape. Risks from development include loss of feeding sites/pastures/dung beetles etc within 4km of a summer roost for Greater Horseshow (GHS) bats. Potential impacts to commuting routes from lighting etc. Would be beneficial to plant wildflower mixes to attract pollinators, specifically moths, to provide foraging resource for Barbastelles and GHS.

#### **Dorset Council (DC) – CIL/Planning Agreements Officer – comments**

- Previous consent includes a s106 agreement dated 01 June 2016. As indicated a material start has been made on site – the s106 therefore also comes into effect
- Extant s106 and the obligations therein are derived from the previous development of 191 units. This application being 162 units require either a new s106 or a variation of the 2016 s106 to reflect the reduced numbers and alternative Affordable Housing



- Expected that the obligations will be ostensibly consistent with the 2016 s106, in accordance with current policy, but adjusted to allow for the reduced numbers / AH mix. Decision should be deferred pending submission of Heads of Terms

### **DC – Countryside and Greenspace - comments**

- Proposed works are in vicinity of public rights of way, as recorded on the County Definitive Map and Statement of rights of way
- No objection. Strongly advise that the below is included in any planning approval:
  - Bridleway N1/38 follows line of current road and construction of the roundabout and subsequent landscaping will alter the line available for use. Should be diverted under the Town and Country Planning Act to reflect this change. Will also require Temporary Closure order during the build. Proposed new bridleway should be to Dorset Council's current standards: 4m in width and with gates to the current British Standard (BS5709:2018) where necessary. Must be diverted by legal order and confirmed before any works obstructing the path are commenced. 5mph speed limit should be imposed upon construction traffic along entire length of Wincombe Lane
  - Footpaths N1/5 & 6 also lead off proposed roundabout and adequate provision should be made to ensure continual access for users. If this is not achievable a Temporary Closure with have to be in place during the works
  - Footpath N1/3 has two linking paths from open space at north western boundary of site. Should be either gated or a gap to the relevant British Standard BS5709-2018. No temporary Closure should be required here, but fully accessible at all times
  - Consideration to be given to creating a linking path to the Wilts footpath DSTM6 so that informal unauthorised access points are not made
  - S106 contributions should be made at the current accepted rate and 1mile radius both on Dorset and Wiltshire rights of way for the following:
    - Changing Stiles to Gates to improve access
    - Surfacing of rights of way to reflect the increased use
    - Signage improved to ensure the correct following of the RoW network.

### **DC – Dorset Waste Partnership**

- Collection points at hammer heads not acceptable - too much reversing - looks like the case for most cul-de-sacs. A better flowing network is safer and more acceptable.

### **DC - Environmental Health**

- Noise report should be submitted and where appropriate, provide recommendations for mitigation to prevent loss of amenity
- Report provided regarding odour from Wincombe Business Park is acceptable. The recommendations made for design of buildings should be conditioned.

#### *Re-consultation comments*

- Construction works should be limited to 07:00–1900hrs Mondays-Fridays, 08:00–13:00hrs Saturdays, with no noisy activity on Sundays or Bank Holidays

- Assuming noise mitigating measure are taken to reduce the risk of noise nuisance to residents as stated in the updated noise report, Environmental Health have no further comment
- Recommended planning condition so that if contamination is found not as previously identified, it is reported in writing immediately to the LPA, and followed by an investigation and risk assessment. Following completion of measures identified in an approved remediation scheme, a verification report shall be submitted to and approved in writing by the LPA.

#### **DC – Flood Risk Management Team – (holding) objection**

- Can acknowledge the following:
  - SuDS hierarchy has been followed, prioritising use of infiltration methods within their proposals for management of surface water generated by the development. Detention and infiltration basins are proposed with a series of infiltration trenches providing attenuation and treatment of surface water
  - Soakaway test results show that infiltration rates on site are good
- However, the following concerns need to be addressed / clarified further
- Applicant's Geotechnical consultants have identified risk of potential 'ground sensitivity to water flow' which could result in settlement or localised sinkhole collapse. Wessex Water has also confirmed that two sink holes have occurred near to the site
- Therefore, due to the identified settlement risk the applicant has been advised by Geotechnical consultants to surround any soakaways with suitable material to slow down infiltration rates and to ensure that the offset from any soakaway to structure should be 20m where possible (down to an absolute minimum of 10m)
- Following concerns in relation to the identified ground stability risk:
  - Some buildings, driveways and roads are shown on the proposed drainage layout plan to be located at less than the advised 20m offset from the proposed gravel filled trench and/or infiltration basin. And in some parts, the road and some properties appear to be positioned less than the advised absolute minimum 10m offset. No justification has been provided to back up this departure from advised offset
  - Further explanation required as to how proposed SuDS system will slow down infiltration rates as described within the Geotechnical consultant's recommendations
  - Proposed gravel filled trench soakaways illustrated with significant tree planting above or close to SuDS assets - could make it impossible to maintain SuDS
- Insufficient information has been provided regarding Surface Water management

#### *Re-consultation comments*

- No objection now raised, subject to conditions

#### **DC – Highway Authority**

- Proposal meets the Council's 'Adopted Highways' Policy and therefore, would be considered for adoption subject to the comments made below:
  - All courtyards to remain private
  - One turning head is too short
  - Insufficient pedestrian continuity
  - One shared space access road not suitable for adoption
  - Section of footway below 2m in width

#### *Re-consultation comments*

- With planning permission granted in 2016 for the development of this site for 191 units, it is noted that the current proposal is for 162 dwellings
- Wincombe Lane to west of this junction will be widened to 5.50m for two-way vehicular movements under works approved under P/FUL/2020/00332, along with a new 2m wide footway installed along the northern carriageway edge
- Due to the reduced size of the proposed development, fewer trips will be generated onto the local highway network when compared with 2016 approved development
- Proposed estate road layout is suitable for adoption and complies with guidance provided by Manual for Streets. On-site car parking complies with Council's guidance for both cars and cycles
- Residual cumulative impact of the development cannot be thought to be "severe", having regard to paras 110 and 111 of the NPPF. Hence, the Highway Authority has no objection, subject to conditions
- No objection raised to current proposed four arm roundabout linking to the residential site, subject to some minor amendments that can be made at the s278 stage.

#### **DC – Housing Enabling Team**

- Currently over 1200 households on Housing Register requiring accommodation in North Dorset. Demonstrates there is high level of housing need across the area, with great need for family accommodation, however a range of dwelling sizes is required
- Desirable that affordable housing should be proportionate to scale and mix of market housing and are well integrated and designed to same high quality, resulting in a balanced community that is 'tenure neutral' where no tenure is disadvantaged
- Scheme should ensure that at least 10% of the units should be accessible and adaptable built to Building Regulation accessibility standard M4(2)
- Offering 30% affordable homes, 48 affordable proposed units with a mix of rented, shared ownership and homes for discounted market sale
- Would however like the affordable contribution to consist of a 70/30 split between rented and shared ownership properties, with no discount market homes

- High level of two bedroom rented apartments which is not ideal family accommodation. Not a comparative share across the rest of the site
- Applicants on housing register require larger accommodation. Would be desirable to provide at least one 4-bed dwelling for affordable provision
- Affordable element should be secured in perpetuity with a S106 agreement
- High level of housing need in the North of Dorset for quality family accommodation which, after adjustments, this site would assist in meeting.

#### *Re-consultation comments*

- Revised housing mix provides a better mix of houses, including two 4 bedroom homes, which will be more suitable accommodation for families
- The preference of the Housing Enabling Team remains that the affordable contribution consist of a 70/30 split between rented and shared ownership properties, with no discount market homes.

### **DC - Minerals and Waste Planning**

#### *Minerals*

- Very small part of site lies within land safeguarded for minerals development under the Minerals Strategy 2014 - expected to be Upper Greensand stone. Although mineral is safeguarded, it comprises only a small part of the site and does not consider that it justifies further mineral assessment
- In this case, the mineral safeguarding requirement is waived and no objection raised

#### *Waste*

- Two safeguarded waste management sites within Wincombe Business Park, to the north of the proposed development site. Safeguarded under Policy 24 of the Waste Plan 2019. The 250m safeguarding buffers established around these sites extend into proposed development site
- In addition, there is an existing permitted waste site at the Blackmore Vale Farm Cream site, to the south east of the site.
- Must account for existing waste sites in the vicinity and ensure that appropriate safeguards are built into the layout to safeguard the amenity of future residents. Operation of existing waste facilities should equally not be compromised.

### **DC – Natural Environment Team - comments**

- Recommend that an Ecological Impact Assessment report, supporting ecological survey reports and LEMP are submitted to NET together with the appropriate fee and that the application is not determined until NET have issued a Certificate of Approval.

#### *Public Open Space (POS)*

- Size and positioning of the POS somewhat restricts recreational opportunities. For example, people wishing to play informal sports or have a 'kick about'. Any opportunity to enhance the design to accommodate this would be advantageous
- Where shape restricts its recreational role, should exceed its potential as a "green corridor" connecting people and wildlife from within the development out into the wider PRow network and countryside
- Security of POS needs to be considered. E.g. ensuring vehicles are unable to drive off road across open areas of grassland. Any security design features need to be sympathetic to natural environment and surrounding landscape

#### *Surface and pathway*

- Construction detail should be submitted to make sure the routes across any POS are of a suitable width and surface as appropriate
- Paths should provide an attractive and meaningful connection with surrounding settlement and PRowS
- Path surfaces should also be suitable for all members of the community accommodating various needs, ages and abilities
- Signage for routes and waymarking should be carefully considered to ensure that they complement the local character of the overall area
- Pathway surface should be appropriate for its status, robust for the varied "footfall" it will receive and recessive in colour and blend into the landscape character.

#### *Planting*

- Endorse tree, scrub, native hedge planting, and enhanced habitat management to build and join up existing habitat and wildlife corridors providing shelter and feeding stations for migrating birds and habitat for Great Crested Newt populations, and note:
  - Suitable and considered tree planting will help mitigate against the visual impacts of the development and provide roosting/feeding stations for birds
  - Tree planting will also help with the perception of the open space as a natural space without visually intrusive artificial structures
  - Mixed native planting should take priority

#### *Re-consultation comments*

- A Biodiversity Plan has been submitted to address the concerns raised and the NET have accordingly issued a Certificate of Approval.

#### **DC – Senior Landscape Architect - objection**

- Relatively flat topography to west and north of the site causes a layering effect and intervening field boundary vegetation screens and filters views, such that large

features like Wincombe Business Park and the solar farm are not readily apparent. Likely therefore that proposed development would be similarly filtered and screened from all but the closest viewpoints, such as those from the public rights of way on its western, northern and eastern boundaries

- Views from within AONB to the northwest, north and northeast would be largely filtered and screened
- However, distant views to and from the chalk ridge/escarpment within the AONB to the east and south of the site from view points such as Melbury Hill (263m AOD), Breeze Hill (262m AOD) and Win Green (277m AOD) are likely possible
- Previously approved 191 dwellings (2/2014/1350/FUL), which includes land occupied by current proposal and field to south of Wincombe Lane
- A Landscape and Visual Impact Assessment (LVIA) does not appear to have formed part of this prior application. However, given this existing planning approval, the undertaking of such an assessment would unlikely have any significant influence on location and design of current proposed development. Would not therefore recommend that an LVIA be required
- Furthermore, given the site's elevated position and that adjacent areas within AONB are of similar elevation or are significantly lower than the site, middle distant views from the AONB are likely confined to those from the slightly higher ground just to the north of the solar farm. Adjacent existing development likely to be greater visual attractors and detractors. Also note that in distant views from the chalk ridge/escarpment to the east and south of the site, the proposed development is likely to be seen as a minor part of the northern urban edge of Shaftesbury
- Therefore consider there are no grounds for in principle landscape or visual objection
- Proposed layout is more 'organic' and less formal than previously approved scheme - better suited to the location at interface between existing townscape to its west and south and open countryside to its north and east
- Maintaining access to the route of the private rising main results in creation of narrow strip of 'no man's land' between the garden boundary fences of dwellings along proposed developments southern boundary and existing hedge boundary. Also note Neighbourhood Plan aspirations for creation of a bridleway along this boundary (Policy SFCL3). Has potential to become an unmanaged gap which could be avoided if it was instead a verge to an access road/bridleway
- Proposed three storey form of two of the proposed buildings is inappropriate and these buildings should be reduced in height to a maximum of 2.5 storeys
- Needs to be demonstrated that tree locations, service corridors or lighting column locations can be adjusted to resolve such conflicts without reduction in tree planting

- Form of proposed dwellings suggest a generic built form rather than site specific. Also fenestration, roof, dormer and facade detailing. No evidence these are rooted in study of traditional local vernacular

*Re-consultation comments*

- Narrow strip of 'no man's land' remains. Continue to consider that such a change in access and layout should be made
- Three storey block of flats replaced by a three storey house in a different position, and some two storey houses have been replaced by three storey houses. While the final storey is accommodated in the roof space, appear to be equivalent of three storeys in height at gable ends with steeper roof pitches and greater ridge heights
- While proposed planting along the eastern boundary is still welcomed, its rigid, angular and rectilinear east facing edge is still out of keeping with the surrounding more 'organic' sinuous forms
- Indicative locations for proposed tree planting have still not taken the proposed service corridor or lighting column locations into account
- Still needs to be demonstrated that tree locations, service corridors or lighting column locations can be adjusted to resolve such conflicts
- Still not persuaded that materials proposed are appropriate to a site on edge of the countryside and adjacent to AONB
- Continue to consider that proposals are unacceptable in their current form and that issues relating to the layout, form, scale, landscape, materials, details and appearance still need to be resolved prior to the determination of the application
- If however the Case Officer considers that, on balance, approval should be granted prior to the resolution of these issues, would wish to see conditions to secure hard and soft landscaping details prior to commencement, and to secure implementation and management details.

**DC – Street Lighting Team Leader - comments**

- New estate and its roads will link from existing highway which has system of street lighting present. Any new road proposed for adoptable public highway must also be lit
- Use of a roundabout junction will require a higher lighting level than other junction options, also to be illuminated all night rather than switching off at midnight
- Where footpaths are separated from the estate roads then an additional system of lighting will be required, if they are to be adopted
- Roads and footpaths, adoptable as public highway and hence requiring street lighting, should be avoided or minimised on periphery of the estate where possible. Instead adoptable roads and footpaths should be kept to within the built area, using the blocking effect of the houses to reduce outward light pollution

- Use of generic tree symbols on highway layout drawings makes evaluation of their impact on highway lighting difficult. Actual tree canopy size should be shown.

#### **DC – Trees Team Leader**

- No significant reservations in relation to existing trees. Adequate planting in mitigation for trees that are lost
- In terms of tree protection, the arboricultural assessment sets out an acceptable approach to avoiding damage to trees on site, and provides sufficient assurance that retained trees could be successfully integrated into the development
- The one exception to this is the TPO specimen oak (T13 on the Tree Protection Plan). Whilst it is sufficiently distant from construction to avoid direct damage, the edge of the crown is within 5.3m of plot 118
- Agree with report that submission of a construction method statement is a necessary further step should the scheme be approved
- Have some reservations about proposed tree planting, but note the Senior Landscape Architect has dealt with these in some detail - conflict between planting, drainage and lighting.

#### **DC – Urban Design Officer – objection**

##### *Character*

- Commend approach to character areas with a higher density core, filtering out toward Countryside Edge character area, where predominately detached two storey dwellings feature
- While the development would generally function well, several components would not contribute positively to its character - materials, architectural detailing and building height in relation to building placement

##### *Materials*

- Materials palette isn't varied enough for a scheme of this size and a site of this sensitivity. Should be derived from the local vernacular. Recommend that stone is included for landmark plots within the scheme
- Red brick is proposed as the dominant façade material which is consistent with the prevailing material finish within Shaftesbury. Consider presence of buff brick to be appropriate, however the frequency of use should be reduced
- Distribution of materials would not assist in creating clearly defined character areas. Red and buff brick finishes are pepper-potted across the layout, particularly for those units proposed to overlook public open spaces. This approach gives impression of randomised material placement rather than area specific



- Proposed prevalence of clay tiles, particularly adjacent to rural edge, would not assist in assimilating the development to current surroundings. Slate tile is far more recessive roof material - propose be used more extensively for those units within Countryside Edge, with slate tiled units exclusively for those units fronting northwards
- To achieve a visually cohesive scheme, garages materials should match that of the respective dwelling where possible.

#### *Architectural detailing*

- Chimney stacks should be added where appropriate. Quoins should be added to emphasise landmark plots. Different door colours and variation in door canopies would also assist in creating distinction and identity between plots. Preferable to mirror window arrangement so that front elevation fenestration is symmetrical.

#### *Scale and streetscenes*

- Support general approach to building heights. Presence of 2.5 and 3 storey units is established by the neighbouring Great Ground development. However, there are instances where the interplay between the topography of the site and the proposed storey heights conflict. Three-storey apartment building on higher ground extenuates the height disparity between the two storey dwellings on lower ground
- Other streetscenes appear disjointed in terms of rooflines and placement of house types in relation to topography. Vertical emphasis, with large gaps in between exposing close board fencing, would not create a quality streetscene.

#### *Plot boundaries*

- Proposed 'Timber Panel Wall' is undesirable - recommend walled plot boundaries

#### *Open spaces*

- Diminished quantum of public open space (POS) from approved scheme. Options should be explored for increasing the size of central area of POS

#### *Access, circulation and parking*

- While street trees are proposed, they are sparse along the principle routes
- Pyramid garages generally look at odds with their respective dwelling - not considered appropriate for most plots

#### *Affordable housing*

- Located within small clusters throughout the site, but generally distributed well

#### *Housetype analysis*

- Only one housetype for open market 2-bed units, despite 23 of these units proposed. In comparison, four different housetypes for open market 4-bed

units with a total of 28 units proposed. Scheme could benefit from an additional 2-bed housetype to bridge the gap in variation for these smaller units

### *Housing mix*

- Increase in smaller units at expense of larger presents opportunity to accrue more public open space (POS) and design out further issues. Potential to slightly increase number of flats over garages (FoGs) within this scheme (currently just one)
- Acknowledge that adjustment to mix from the previously consented scheme has contributed to a looser layout - but further tweaks could retain this loose grain while facilitating an increase in POS

### **Shaftesbury Town Council – objection**

- Contrary to Shaftesbury Neighbourhood Plan's (SNP) Policy SFHE2 - already shows significant departure from the previous plans
- Wincombe Lane is only access in and out of site. Renders access wholly inadequate
- Development could interfere with protection of the bypass corridor
- Policy SFGI4 serves to protect dark skies, particularly the adjoining AONB and its International Dark Skies Reserve status. This development impacts on Dark Skies. It *"should be designed to conserve and enhance the quality of the dark night skies and prevent glare affecting the Cranborne Chase AONB"* (SNP 2021, p. 50)
- Contrary to the following Dorset Local Plan Policies:
  - Policy 4, not appropriate for an AONB area, although not directly within the AONB, is sufficiently surrounded by the AONB for this policy to apply. Does not protect species such as bats and newts that have been found in that area; and
  - Policy 13, the impact on infrastructure
- Also contrary to para 108b of NPPF: *"to ensure that safe and suitable access to the site can be achieved for all users"*, and 102c: *"opportunities to promote walking, cycling and public transport use are identified and pursued"*
- Site is situated in an Odour Zone
- No one bed flats planned for the site which are needed
- Site is outside of settlement boundary (SNP, p. 12)
- Does not meet the 40% affordable housing target in North Dorset Local Plan
- No environmental strategy to support solar panels and other renewable energy options. NPPF 151 and 153 - *"consider identifying suitable areas for renewable and low carbon energy sources"* and *"take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption"*.

- Too many houses for the site, resulting in a cramped layout. NDLP 5.61 notes *“High-density housing ... in any location could give rise to amenity problems”*
- Removal of previously approved flow of roads, crescents, greenspaces, water feature, parking for the play area and design palette. Decisions should take into account *“the desirability of maintaining and area’s prevailing character and setting (including residential gardens) and the importance of securing well designed, attractive and healthy places”* (NPPF 122)
- Sparsity of trees planned and open spaces - does not meet the ‘6 acre rule’ *“that 6 acres of accessible green space per 1,000 head of population enables residents of all ages to participate in sport and play”* (Fields in Trust, 2021). Recommended benchmark guidelines are not met. (Fields in Trust, 2015, p. 8)
- Loss of amenity to all living on Blackmore Road
- Additional pressure the extra traffic will produce on Wincombe Lane, which is considered unsuitable to manage that quantity of traffic
- Lack of a footpath and access to the east and north of the sites
- Allocation for a space with public art has been reduced by 1/3. NDLP 7.64 states *“Public art is significant in achieving high quality design and encouraging public art enhances the appearance of buildings and public spaces, can provide local landmarks and promotes a strong sense of place”* (North Dorset Local Plan, 2016, p. 161)
- Requests to be engaged on any changes to the plan and design of LEAPs/LAPs, and involved at all stages in the agreements made for s106 funds.

*Re-consultation comments*

- Objection – the comments reiterate the points already made above.

**Donhead St Mary Parish Council**

- Remains concerned about lack of infrastructure to support so many homes in Shaftesbury. Schools & doctors surgery are said to be reaching capacity. Roads are increasingly congested with residential roads being used as rat runs and there is restricted employment with land that was to be employment land not being developed
- Site also at the head of the main tributary of River Nadder and in recent years flooding has accrued around the homes at Wincombe Farm. Drainage is a big issue and water should not be allowed to run off this site.

**9.0 Representations received**

At time of preparation of this report, objections and comments have been received from ten neighbouring properties, along with objection from Campaign to Protect Rural England (CPRE), raising the following concerns:

- Shaftesbury needs to evolve gradually, at its own pace. Already overpopulated and cannot handle another 162 houses
- Health care, education and community services already pushed to limit - will not cope
- Up to 170 dwellings already being built by Redrow at Littledown (A350)
- Proposal of this scale, quite remote from the town, needs a local convenience store
- Dorset Council is supporting policies to deal with a Climate Change emergency, but this application doesn't address considerable opportunities for solar panels
- Design and appearance makes no provision for locally distinct materials – doesn't incorporate any distinctive architectural features to increase quality of design
- Drab, uniform appearance, using developer's catalogue of standard models with only variation being their comparative sizes. Not acceptable for historic market town sited within some of the most beautiful Dorset/Wiltshire countryside
- Density and layout - cramped, over overdeveloped and heights of buildings do not consider the topography and impact on surrounding countryside
- Open spaces have been eliminated despite being designed into the earlier application, and gardens have been reduced to barely adequate
- Covid pandemic - green space and gardens are vital to well-being of our communities
- Fields are used by many for dog walking and exercise
- Impact on Cranborne Chase AONB must be considered with great care. It now has Dark Skies designation and light pollution is a real threat
- Mini roundabout will be lit 24 hours a day which will affect the dark sky area
- Requested that any lighting associated with this development is designed to both minimise light trespass and sky glow encroaching into AONB
- Loss of fields would destroy the wildlife in the area
- Proposed access not sufficient for tractors and long trailers to negotiate bends in the road. Same applies to fire engines and other large vehicles
- Bridleway off Wincombe Lane will to all practical purposes be unusable
- Proposed new road layout will encourage illegal use of bridleway by motorbikes/4X4s
- New footpath leading to WNW corner of site to merge with existing Footpath N1/3 runs over neighbouring land. Not possible to join at proposed location without breaching boundary fence
- Wincombe Lane is very narrow and congested
- Road scheme is inadequate for amount of housing
- Will contribute significantly to delays and extra road safety concerns
- Increase of traffic on Wincombe Lane past school and playground up to crossroads at Sweetmans Road - bad enough with HGV lorries from Blackmore Vale dairy - concerned for safety of children and walkers
- Traffic from Wincombe Lane trying to access the A30 or A350 will have to travel through Longmead Industrial Estate – very busy and congested road with lorries loading/unloading
- Another alternative is down King Alfreds Way into Pound Lane and Christy's Lane roundabout (A350) – very busy and sometimes impossible to get on to roundabout
- More sensible to create another access from proposed estate to A350 at Littledown
- Considerable increase in home deliveries - will continue even as pandemic eases
- No suitable provision for access to public transport - increasingly essential

- When spine road linking Maltings estate with Wincombe Lane is completed, will result in substantial additional traffic in Wincombe Lane
- Residents at end of Wincombe Lane have right of access onto nearest public highway (Wincombe Lane). Application proposes to block right of access by mini roundabout. Do not consent to right of access overridden. Require unrestricted 24 hour access as per restricted byway rights set out in Countryside and Rights of Way Act 2000. Installation of gates is further unacceptable
- Any redirection of the road must have signage to clearly show both the designation of the lane as a restricted byway and also to direct visitors
- Boundary between the development and Blackmore Road and any other residential areas backing onto the development – need assurance it will conserve privacy of residents and provide no thoroughfare opportunities. Also that all residents in affected area will be compensated for inconvenience of dust from the development
- During the course of the previous application (2/2014/1350/FUL), a Noise Assessment was prepared and Condition 6 stated:

*"The development shall accord with the acoustic measures set out in the Noise Assessment dated April 2015 by White Young Green Planning and Environment. All the measure set out in the report, including the window design and the use of mechanical ventilation to properties identified in the report shall be implemented in full prior to first occupation of any dwelling."*

Ensure that a similarly worded condition is included in a new decision notice

- Drainage of the site, which slopes south-eastwards towards the River Nadder catchment area, is a major concern. Already drainage issues which should be given more careful attention
- Soakaways and drainage do not look sufficient to cope with the considerable run off from water falling on hard surfaces in this development. If it fails then the water will undermine neighbouring buildings and supplies
- No robust long-term biodiversity plan - fails to protect bats and newts on site
- Community consultation has not taken place
- Not all neighbours were consulted

Total - Objections	Total - No Objections	Total - Comments
11	0	4

Petitions Objecting	Petitions Supporting
0	0

## 10.0 Relevant Policies

North Dorset Local Plan Part 1 (January 2016)

Policy 1 - Presumption in favour of sustainable development  
Policy 2 - Core Spatial Strategy  
Policy 3 - Climate Change  
Policy 4 - The Natural Environment  
Policy 6 - Housing Distribution  
Policy 7 - Delivering Homes  
Policy 8 - Affordable Housing  
Policy 13 - Grey Infrastructure  
Policy 14 - Social Infrastructure  
Policy 15 - Green Infrastructure  
Policy 18 – Shaftesbury  
Policy 22 - Parking  
Policy 24 - Design  
Policy 25 – Amenity

#### Saved Policies of the North Dorset District Wide Local Plan (2003)

##### 1.7. Settlement Boundaries

1.16. Groundwater Source Protection Area

SB8. Land on eastern side of Shaftesbury

SB9. Access requirements for land on eastern side of Shaftesbury

SB10. Phasing of development, land eastern side of Shaftesbury

SB15. Highway improvements

SB18. A350 outer bypass reservation corridor

#### Shaftesbury Neighbourhood Plan 2021

SFHE1. Housing outside the settlement boundary

SFHE2. Housing sites – key principles

SFHE3. Comprehensive landscape proposals

SFHE4. Protection of bypass land

SFGI2. Topography and positioning in landscape

SFGI3. Landscaping

SFGI4. Conserve and enhance Cranbourne Chase AONB

Character Zone 8: East of Christy's Lane including Grosvenor Road

SFDH1. Character

SFDH2. Sustainable, safe, inclusive and accessible development

SFDH3. Scale, positioning and orientation of buildings

SFDH4. Open areas and enclosed spaces

SFDH5. Adopted parking standards

SFDH6. Architectural quality and detailing

SFDH7. Building materials

SFCL1. Access to outdoor green space for sports, play and recreation

SFCL3. Footpath and cycle path network

#### National Planning Policy Framework

Chapter 2. Achieving sustainable development

Chapter 4. Decision-making

Chapter 5. Delivering a sufficient supply of homes  
Chapter 6. Building a strong, competitive economy  
Chapter 8. Promoting healthy and safe communities  
Chapter 9. Promoting sustainable transport  
Chapter 11. Making effective use of land  
Chapter 12. Achieving well designed places.  
Chapter 14. Meeting the challenge of climate change, flooding and coastal change  
Chapter 15. Conserving and enhancing the natural environment

#### Other material considerations

National Character Area Profile: 133 Blackmore Vale and Vale of Wardour  
Dorset Landscape Character Type: Rolling Vales  
North Dorset Landscape Character Assessment (as amended) (2008)  
North Dorset Strategic Landscape and Heritage Study (October 2019)  
Dorset Council Local Plan Options Consultation document - published on 18 January 2021 (with the public consultation concluding on 15 March 2021)

### **11.0 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.

### **12.0 Public Sector Equalities Duty**

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

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

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

Officers have considered the duty and are not aware of any direct impacts on persons with protected characteristics. 30 of the 48 Affordable units (62.5%) would be accessible and adaptable dwellings to Building Regulation accessibility standard M4(2), and secured under the s106 agreement.

### 13.0 Financial benefits

What	Amount / value
Material Considerations	
Affordable housing	To be provided in line with policy (30% of scheme).
Quantum of greenspace	0.84ha of greenspace, including areas of informal open space, a Local Area for Play (LAP) and a larger Local Equipped Area for Play (LEAP). Also an additional 0.58ha of boundary tree planting
Employment created during construction phase	Will support local jobs in construction sector and will bring about added value in the local area through associated spending and economic activity.
Spending in local economy by residents of proposed dwellings	Will support local economy, providing housing required to support long-term economic growth in the area, with new residents spending on goods and services
Non-Material Considerations	
Contributions to Council Tax Revenue	According to the appropriate charging bands

### 14.0 Climate Implications

The applicant supports the principles of low-carbon design, reducing carbon emissions and ensuring lower energy costs. A ‘fabric first’ approach is followed for building design, maximising the performance of the components and materials of the building itself, before considering the use of mechanical or electrical building services systems. This includes insulation, high-performing windows and doors, increased air tightness and maximising passive solar gains.

The applicant continues to review and apply new technologies that help deliver energy efficiency such as wastewater heat recovery, improved insulation around windows and doors and energy efficient boilers. Such measures enable an EPC rating of ‘B’ or above when homes are constructed and make them eligible for products such as Green Home Mortgages. Occupiers receive a guide to its sustainability features to help safeguard the environment and reduce ongoing energy costs.

The details of the sustainable credentials of the built form are likely to include:

- Use of sustainable resourced materials
- Energy efficient buildings established through the fabric of the building
- Accessible and adaptable homes
- Energy display devices
- AAA rated appliances
- Water efficient homes to manage demand
- Water butts fitted to collect rainwater for re-use

This site will also incorporate requirements from the new Part L Building Regulations which include renewable energy generation.



## 15.0 Planning Assessment

The main issues of this proposal are considered to be:

- Principle of development
- Housing mix and affordable housing
- Impact on character and landscape, including the AONB
- Impact on residential amenity
- Highway safety, access and parking
- Impact on flood risk
- Impact on ecology, and
- Impact on infrastructure.

### Principle of development

The latest Annual Monitoring Report (published February 2021) for North Dorset sets out that the District's deliverable housing land supply is 3.3 years. NPPF paragraph 11 and footnote 8 indicates that due to this lack of a 5-year deliverable housing land supply, local policies relating to housing supply should be considered 'out of date'. However, para 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.

Local Plan policies should therefore not be ignored as they form part of the statutory development plan. Due weight should be given to local plan policies, "*according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*" (NPPF para 219)

### **North Dorset Local Plan Part 1 2016 (LPP1)**

**Policy 1 (Presumption in favour of sustainable development)** largely repeats the provisions of NPPF para 11, stating that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Framework.

**LPP1 Policy 2 (Core Spatial Strategy)** states that Blandford (Forum and St. Mary), Gillingham, Shaftesbury and Sturminster Newton are identified as the main towns in North Dorset. They will function as the main service centres in the District and will be the main focus for growth, both for the vast majority of housing and other development.

**LPP1 Policy 6 (Housing Distribution)** states that at least 5,700 net additional homes will be provided in North Dorset between 2011 and 2031 to deliver an average annual rate of about 285 dwellings per annum. The vast majority of housing growth will be concentrated at the District's four main towns as listed above, with Shaftesbury expected to provide at least 1,140 homes, including about 380 affordable homes.

**LPP1 Policy 18 (Shaftesbury)** states the town will maintain its role to serve the needs of the northern part of the District through development through extensions, primarily of housing, to the east and north. Growth will be taken forward in ways which respect the

town's environmental constraints, support its role, function and identity, and contribute to making it more self-contained.

Although the Shaftesbury Neighbourhood Plan (SNP) does not include any settlement boundary alterations, meaning that the application site remains outside of the adjacent settlement boundary, it is located within an area identified for housing growth under Policy 18 of the Local Plan - and also in the consultation draft of the new Dorset Council Local Plan 2021 (Policy SHAF2). Policy 18 is also reflected in SNP Development Map SFHE1, as this marks the application site as allocated land for housing.

### *Conclusion on the site location and suitability for housing development*

Dorset Council, in the area that was North Dorset DC, has a published 3.3-year housing land supply. As such, a five-year housing land supply cannot be demonstrated. The principle of development is considered acceptable having regard to the presumption in favour of sustainable development set out in the NPPF, but also having regard to the abovementioned Local Planning policies governing housing provision. The site has been identified in the adopted local plan as an area of housing growth. It is important that such sites come forward to ensure that the housing objectives of the plan are met. The other relevant planning considerations are now assessed below.

#### Housing Mix and Affordable housing

**LPP1 Policy 7 (Delivering Homes)** states that all housing should contribute towards the creation of mixed and balanced communities. In the period to 2031, the Council will support the delivery of about 40% of market housing in North Dorset as one- or two-bedroom properties, and about 60% of market housing as three-bed properties or greater. Policy 7 also normally requires delivery of about 60% of affordable housing as one- or two-bedroom properties and about 40% of affordable housing as three-bed properties or greater.

Policy 7 also states that the design and layout of any development with a housing element should seek to achieve a residential density that: makes effective use of the site; respects the character and distinctiveness of the locality; and is acceptable in terms of design and amenity, both for the intended occupants of the new development and the occupants of existing development in the vicinity.

The proposed housing mix is as follows: 6x 1-Bed units (all affordable), 46x 2-beds (24 affordable), 80x 3-beds (16 affordable) and 30x 4-beds (2 affordable). The overall proposed percentage of 1-2 bed units is therefore 32% rather than 40% required by Policy 7. However, the majority of these smaller units would be Affordable Housing – comprising 62.5% of the overall Affordable Housing proposed on site. It is therefore considered that the overall proposed housing mix would meet the aims of Policy 7.

**LPP1 Policy 8 (Affordable Housing)** states that within the settlement boundaries of Shaftesbury and Blandford (Forum and St. Mary) and within any urban extensions to these towns, 30% of new residential developments should be Affordable and designed to be indistinguishable from the other housing proposed. On a larger site, the affordable units should be pepper-potted amongst the market housing.

48 Affordable units are proposed (24 for Affordable Rent, 17 for Discount Market Sale and 7 for Shared Ownership), which comprises 30% of the total scheme. The designs and locations throughout are considered to integrate well with the overall development.

The Council's Housing Enabling Team has stated that their preference remains for a 70/30 split between rented and shared ownership properties, with no discount market homes. However, the current overall provision of 48 Affordable units is greater than the extant 29 units approved in 2016. The 24 Affordable Rent units would also range from 1-bed dwellings to 4-bed dwellings - to cover the spectrum of Housing Register need. All Affordable units would also have private garden spaces and are thus considered suitable for families who would be in close proximity to the primary school. Furthermore, 30 of the 48 Affordable units (62.5%) will be accessible and adaptable dwellings to Building Regulation accessibility standard M4(2), and secured under s106 agreement.

In light of all the above, the overall proposed Affordable Housing provision is considered by officers to be acceptable.

### **Impact on character and landscape, including the AONB**

**LPP1 Policy 4 (The Natural Environment)** states that developments are expected to respect the natural environment including the designated sites, valued landscapes and other features that make it special. Developments should be shaped by the natural environment so that the benefits it provides are enhanced and not degraded. The landscape character of the District will be protected through retention of the features that characterise the area. Where significant impact is likely to arise as a result of a development proposal, developers will be required to clearly demonstrate that the impact on the landscape has been mitigated and that important landscape features have been incorporated into the development scheme.

**LPP1 Policy 24 (Design)** also requires that development should be designed to improve the character and quality of the area within which it is located. Development forms which do not reflect the relevant design principles and standards, or which otherwise conflict with the design principles, will not be permitted. Developments will also be expected to incorporate existing mature trees and hedgerows and other landscape features into the public realm of the layout, and provide sufficient additional landscape planting to integrate the development into its surroundings.

**SNP Policy SFGI3** states that outside of the town centre, comprehensive landscape proposals should provide buildings with an attractive, verdant setting, having regard to the character of the area, views into and out of the area and potential to connect from, and provide new, green spaces and corridors. Existing mature trees, native hedgerows and green corridors should be retained and included within a landscaping scheme for all new developments. The design of green spaces within a development must:

- Contribute to the character of the town
- Mitigate climate change, contribute to the achievement of net-zero carbon emissions, and provide opportunities for sustainable drainage, and

- Enhance biodiversity as required by Dorset Biodiversity Protocol.

Planting schemes should use local species appropriate to the site's size and location. Measures should be taken to ensure future maintenance.

**SNP Policy SFGI4** states that development should be designed to conserve and enhance the quality of the dark night skies and prevent glare affecting the Cranborne Chase AONB.

#### *Landscape designations*

The application site is within the Blackmore Vale and Vale of Wardour National Character Area (NCA). This NCA comprises both the large expanse of lowland clay vale and the Upper Greensand terraces and hills that mark the southern and eastern edges of the NCA, and an area extending northwards around the edge of the Salisbury Plain and West Wiltshire Downs NCA.

At County level, the site sits within the Rolling Vales Dorset Landscape Character Type. This comprises an undulating transitional area between the low-lying Clay Vales to the north and the Chalk Ridge/Escarpment within the AONB. The Rolling Vales typically consists of rolling and undulating farmland with a varied and irregular pattern of predominantly pastoral fields, copses, dense hedges and occasional arable fields with many scattered farmsteads and twisting hedge lined lanes with narrow verges.

At local level, the site sits within the North Blackmore Rolling Vales, as defined in the North Dorset Landscape Character Assessment 2008 (As Amended). Key features comprise undulating, rolling farmland hills forming a transition zone between the Blackmore Vale and the chalk escarpment foothills. The area provides a rural and important setting for Shaftesbury which overlooks the area.

#### *Character designation*

The site lies on the northern edge of Character Zone 8 (East of Christy's Lane including Grosvenor Road) identified in the SNP. This is an area of modern residential estates and its northern and eastern edges are the main focus for new development within the plan. The high density, standard design, and limited reference to local character or vernacular of many of these estates is seen as problematic.

**Policies SFDH1 to SFDH7** within the Neighbourhood Plan seek to encourage high quality design that ensures that new development compliments and contributes positively to Shaftesbury's character and to make sure that the natural environment is properly considered in the design process.

#### *Character assessment*

The dwelling designs for the overall scheme are traditional, containing pitched roofs with low eaves heights and a mixture of side hips and gable ends and some front gable features at landmark locations e.g. at road junctions, along with a mix of clay and slate

tiles. The Design & Access Statement outlines that the scheme is designed to create three differing places of character.

The Countryside Edge character area forms the perimeter of the development along the west, north and east, with predominantly two-storey detached dwellings. One three-storey dwelling is located at the lower ground adjacent the SuDs feature, adjoining a 2.5 storey dwelling and fronting a road junction to create a landmark feature. Occasional use of terracing is used where fronting onto larger spaces. Public realm is formed from 2-4m front gardens and larger open space and landscape features beyond.

The Streets & Mews character area forms the inner parcels of the development. Dwellings vary in form utilising detached, semi-detached and higher-density terraced dwellings, all of which are two-storey. The public realm includes occasional mews-style layouts and dwellings fronting road junctions.

The Central Green character area comprises predominantly semi-detached dwellings surrounding a well-landscaped central green space, most of which are 2.5 to 3-storey - to create a more vertical emphasis and formal relationship with the green area. The buildings are also more regularly spaced and of a similar footprint size, which further delineates the character of this area from the rest of the development.

The overall density of the proposal, when excluding its public open space and eastern boundary planting, is approx. 36 dwellings per hectare. The Countryside Edge character area, forming the site's perimeter, comprises mainly of detached dwellings, with most of the terraced units within the enclosed Streets & Mews character area. Most the 162 dwellings would be two-storey, with all but one of the 12 2.5-storey and five 3-storey dwellings in the Central Green area. Additionally, the current number of proposed dwellings is 12 fewer than the 2016 consented scheme in this parcel, and a significantly lower amount of 2.5-3 storey dwellings are now proposed.

Following concerns raised by the Council's Urban Design Officer, all three storey apartments have been omitted and replaced by two storey terraced dwellings. The amended layout also contains a greater proportion of red brick dwellings at the expense of buff brick, with some dwellings at key landmark locations now containing stone walls and chimney features. The retained buff brick dwellings now include decorative brick quoin features to add interest and better assimilate with the wider scheme.

As also recommended by the Urban Design Officer, slate tile is now also used more extensively in the Countryside Edge character area, and used exclusively for those units fronting northwards. All garage roof materials now also match those of the main dwellings they serve and although the pyramid roofs still remain, the matching materials are considered sufficient to avoid adverse harm. All pier and panel boundaries have also been amended to solid brick wall boundaries, with additional brick walls along the more prominent flanks. It is considered that the amended site plans annotating the materials for the dwellings and boundaries provide an appropriate mix throughout the development and its Character Areas. The precise specifications can be secured by planning condition.

The Central Green public open space has been slightly increased, but also includes clearer spatial delineation with the dwellings facing it, along with a longer and more legible boulevard style walkway to it from the southeast. There also remains a relatively large area of open space to the north of the site (where the LEAP and LAP facilities are proposed), with further open space to the south adjacent the main site – which also includes above-ground sustainable drainage features (infiltration basins) and wildlife corridors.

19 two-bedroom open market units are now proposed, slightly reduced from the 23 initially proposed. Although these would still be of the same house type, it is considered that they are sufficiently dispersed to avoid large clusters of the same house type.

### **Landscape and AONB assessment**

Land to the west, north and east of the site falls within the Cranborne AONB, with land adjacent to Higher Wincombe Farm to the northeast of the site's eastern boundary being of the closest proximity (approx. 170m). The site is separated from the AONB to the west by existing residential development and to the north by Wincombe Business Park and a solar farm. Much of the western and southern AONB boundary is wooded – although Public rights of Way (PRoW) run along the perimeters.

Surrounding PRoWs comprise: Bridleway N1/38 along Wincombe Lane (becomes DSTM3 northwards beyond Wincombe Lane and Wiltshire boundary); Footpath N1/3 which runs along the northwest site boundary; Footpath N1/5 which runs northeast from Wincombe Lane from the proposed vehicular access, and; Footpath N1/6 which runs southeast from this proposed access area. The other nearby public footpaths within Wiltshire are: DSTM6 (footpath – runs along northeast boundary of site), and; DSTM9 (byway - runs eastwards from Wincombe Lane along AONB boundary).

Two of these PRoWs also run along the AONB woodland edge - DSTM3 to the north and DSTM9 to the east. There is intervisibility with the AONB and therefore, the site is also visible from many of the surrounding PRoW routes. However, at 225m AOD from the north on Bridleway DSTM9, the existing residential rear elevations along Blackmore Road (immediately south of the site) are also visible from this point (approx. 630m away from site as the crow flies), along with the Wincombe Business Park to the northwest of the site. From this point southwards, the bridleway ground level undulates such that the site is not visible for much of the walk towards it. The existing field boundary along the north of the site would also screen some views of the proposed development. Additional tree planting and open space is proposed along the other side, as the development is set back from this boundary.

From closer views, including from the east along Byway DSTM9 forming the AONB southern boundary, the proposal would also be viewed as a foreground to existing development. The site rises towards the development along Blackmore Road, and views southwards to the Blackmore Vale dairy and Great Ground modern residential development are also possible. This route also undulates to provide a layering effect to filter views.

The concerns raised by the Council's Senior Landscape Architect are noted. However, although the apartments have been replaced by some 2.5 storey dwellings, they are within the middle of the site surrounding the Central Green, to create a coherent street scene. Although there would still be some views from the AONB and the character of the site would change, the proposed scale and layout mainly consisting of two storey dwellings is considered appropriate for this sensitive setting. The proposed eastern landscape buffer would provide a degree of separation and soften the development edge, with the bypass corridor tapering the site away from the AONB boundary.

The applicant has advised that the landscape strategy is for indicative purposes only, following similar principles to those approved under the original 2/2014/1350/FUL application (191 dwellings) – and therefore requests that the detailed landscaping design will be secured by planning condition. The indicative plans do however illustrate that there would be sufficient room for a planting buffer to soften the edge of the development. However, to address concerns raised regarding positioning of trees in relation to service corridors and street lighting, revisions have been made accordingly.

Additionally, the Biodiversity Plan (BP), agreed upon by the Council's Natural Environment Team, advises that new hedgerow will be planted along the eastern boundary of the site - with the existing hedgerows within the site bolstered with new planting (248m of new planting and 561m of enhancement - comprising exclusively of native species). In addition, tree planting will take place throughout the site, including adjacent to the eastern boundary to create a line of trees (271m). Most of the open space within the site will consist of flower rich meadows grassland (1.31 ha). The BP also includes external lighting controls.

The Council's Tree Officer has raised no objection, commenting that conditions to secure tree protection, landscape details (including management) and a construction method statement can be imposed to ensure that retained trees and hedging will be adequately protected, and that the new planting will adequately offset the tree loss. The Tree Officer raises concern about proximity of Plot 118 to an oak tree on the northern boundary. This dwelling has been moved approx. 2m further away from the oak as part of the overall amendments, with no additional tree impacts arising from what is shown on the Tree Protection Plan. As this oak is to the north of the dwelling, it is not anticipated that future adverse shading or other conflicts would arise. It is noted that existing vegetation adjacent boundaries will continue to be protected, and the proposed eastern landscape buffer would more than offset tree loss at Wincombe Lane to facilitate site access and highway improvements.

#### *Conclusion of impact on character and landscape, including the AONB*

In light of all the above, although the site is located in the countryside edge in close proximity to the AONB, as required by the NPPF the impact of the proposal upon its setting would be minimised to avoid unacceptably adverse impacts. It is considered that the proposal would provide an appropriate scale, height and appearance as a town edge setting facing the countryside and AONB setting beyond.

## **Impact on residential amenity**

**LPP1 Policy 24 (Design)** states that development proposals that are of an overbearing nature or where the enjoyment of the existing properties is significantly diminished will be refused. Where existing local guidelines have been established, these should be reflected in development proposals. Developments will be required to provide adequate space for cycle parking, storage for bins and recyclables and laundry drying.

**LPP1 Policy 25 (Amenity)** states that development will be permitted provided that: it is designed to protect the privacy of its occupants and those of neighbouring properties; any buildings and associated open areas (including gardens) receive adequate levels of daylight and sunlight, and; the levels of daylight and sunlight reaching any neighbouring property and open space are not reduced below acceptable levels.

### *Impact on neighbours*

The proposed detached two storey dwellings would face rearwards along the northwest site boundary towards the existing two storey dwellings of Cranborne Drive. The distances between the proposed rear elevations and the rear garden boundaries of Nos. 20 and 25 Cranborne Drive would be approx. 27m, with a public footpath sited in between. The separation distance would reduce to the southwest to approx. 23m towards No. 18 Cranborne Chase. However, this neighbour sits on a corner plot benefiting from a private rear and side garden, with the dwelling itself tilted away from the proposal site. Separation distances between rear elevations would be in excess of 38m, which is considered sufficient to avoid adverse harm in terms of loss of privacy. Similarly, it is considered that the separation distances would be sufficient to avoid loss of light or overbearing effects.

The longest site boundary is to the southwest, with the residential roads of Blackmore Road and Hawthorn Close beyond. A couple of parking courtyards adjoin the site boundary, which would help to mitigate the impact of the proposed development. The site orientation would also avoid loss of light.

A proposed two storey hipped gable end would be approx. 21m from the two-storey rear elevation of the existing end-terrace dwelling of No. 5 Hawthorn Close. It would angle away from this neighbour, with the separation distance to the other end-terraced dwelling (No. 10) increasing to approx. 27m. Further southeast, a number of proposed dwellings face rearwards towards rear elevations and gardens of Nos 9-47 (odds) Blackmore Road. The nearest proximity at two storey level would be approx. 26m, with many in excess of 30m. Although some of the abovementioned neighbours have single storey rear extensions, the site orientation, separation distances and juxtaposition between buildings are considered sufficient to avoid adverse harm to amenity.

Several two storey terraced gable ends are proposed alongside the two storey flatted buildings containing Nos 49-95 (odds) Blackmore Road. The elevations of these neighbouring buildings, being tilted away from the highway, would not directly face the proposed gable ends - which would be roughly parallel with the site boundary. The closest proximity would be approx. 13m – but this would be between the corner points



of the buildings. The oblique angles between elevations would assist in mitigating overbearing impacts from neighbouring windows and communal garden areas - also avoid adverse direct overlooking towards primary windows and amenity spaces.

The proposed two storey gable end at the most southwestern point would be approx. 8m from the side elevation of the end-terrace dwelling of No. 111 Blackmore Road. No primary windows appear to be on its side elevation, and there would be no significant projection beyond the respective front and rear elevations. As such, no adverse impact to residential amenity would arise.

### *Impacts on future occupiers*

**LPP1 Policy 25 (Amenity)** states that in the case of residential development resulting in regular human occupation close to sources of unpleasant emissions, the impact of the emissions on the intended users of the development should be reduced to an acceptable degree through appropriate mitigation and control measures.

An updated Odour Survey and Assessment Report has been provided, which has guided the locations of the proposed residential parcel away from the Wincombe Business Park to the west, which contains two safeguarded waste management sites. The Council's EHO has commented that this report is acceptable and that the recommendations made for the design of buildings within the development should be conditioned. It is therefore considered that the current proposed residential development would avoid adverse harm arising from existing and future anticipated odours.

An updated noise survey has also been provided and the Council's EHO has raised no objection, subject to the proposed mitigating measure to reduce the risk of noise nuisance to residents, which can also be secured by planning condition.

### **Highway safety, access and parking**

**LPP1 Policy 13 (Grey Infrastructure)** states that by working alongside developers, the Council will ensure that the necessary grey infrastructure is put in place to support growth, development and North Dorset's economy. The adequacy, availability and provision of grey infrastructure will be key considerations when planning applications are considered. Development will be expected to maintain, enhance and provide grey infrastructure, as appropriate to the particular development. Grey infrastructure includes transportation and LPP1 states that a more sustainable approach to transport in North Dorset will be developed, to include: supporting measures to make more efficient use of the existing route network, and; providing and enhancing walking and cycling facilities.

**LPP1 Policy 23 (Parking)** advises that parking should be provided in line with the standards set out in the Dorset, Poole and Bournemouth Parking Study.

A Transport Assessment (TA) has been undertaken, including internal visibility splays, parking suitability, refuse/emergency vehicle tracking and accessibility. A Travel Plan

has also been provided, which will promote car sharing and surrounding public transport, cycling and walking routes. The proposed development will produce fewer trips than the extant 191 dwelling permission - 17 fewer trips in the AM peak, 18 fewer in the PM peak and 152 fewer vehicular trips over a 12-hour period. 341 residential parking spaces are provided, including 40 garages/car ports. 31 of these spaces are unallocated, and a further 24 visitor parking spaces will be provided across the site.

The extant 191 dwelling permission (2/2014/1350/FUL – granted June 2016) secured various highway improvements along Wincombe Lane, including additional footpaths and crossing points at junctions with: Longmead; Sweetman's Way/King Alfred's Way; Lindlar Close; Ten Acres, and; adjacent Shaftesbury CoE primary school. Raised table junctions to slow traffic were also agreed at Sweetman's Way/King Alfred's Way junction, and adjacent the primary school. These improvement works will be secured again by means of pre-occupation planning condition, to mitigate the additional highway movements and to improve pedestrian connectivity.

Additional planning permission (P/FUL/2020/00332 - granted February 2021) consented access arrangements and improvements along Wincombe Lane. This includes provision of a new 2m footway installed along the northern carriageway edge, and a traffic calming measure comprising a reduced-width carriageway section with one-way priority. The footway will continue into the proposed residential development and to the network of internal footways. Further pedestrian connection will be made between the site and the existing PRoW adjacent to the western boundary of the site (Footpath N1/3).

The Council Highway Authority has raised no objection on highway safety, policy or capacity grounds, commenting that there are no highway safety issues presented by the proposal, or any residual cumulative impacts on the road network, that can be recognised to be "severe" having regard to paragraph 111 of the NPPF.

As part of the current scheme amendments, the proposed Wincombe Lane access to the development site now provides a four-arm roundabout - instead of the 2016 consented 3-arm roundabout (Wincombe Lane to the south-west, the dairy to the east and the proposed development to the north west). The Technical Note advises that the additional roundabout arm is to improve farm vehicle access north of the previously approved roundabout, to avoid the difficult manoeuvre of turning left onto the proposed development access road and then immediately right turn onto the realigned Wincombe Lane. A separate planning application (P/FUL/2021/03688) has been submitted for this, which the Council Highway Authority has now formally assessed and raises no objection, commenting that the proposed four-arm roundabout is acceptable subject to some minor amendments that can be made at the s278 stage.

**Policy SFHE4 of the Shaftesbury Neighbourhood Plan** states that the bypass corridor to the eastern side of the town will be protected and its provision supported. The Council Highway Authority has raised no objections in respect of any conflicts with this designation.

Conditions can be imposed to include traffic management measures to reduce vehicle speeds and facilitate safe pedestrian movement along Wincombe Lane, along with

securing the measures outlined in the submitted Construction Traffic Management Plan and the Travel Plan.

### **Impact on flood risk**

The site is entirely within Flood Zone 1 (low risk of fluvial flooding), as indicated by the Environment Agency's (EA) flood maps. Mapping based on the modelled 1-in-100-year rainfall event reveals some risk of surface water flooding to small parts of the north west and north east of the site. These areas are the start of a flow path which goes offsite.

#### *Sequential Test*

The Planning Practice Guidance (PPG) advises that the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed. As the site falls within the Shaftesbury Neighbourhood Plan (SNP), this is considered a reasonable catchment area to apply. As illustrated in SNP Development Map SFHE1, future outward growth of Shaftesbury is restricted to the north, west and south by the steep slopes and very sensitive plateau edges surrounding the town.

An additional and more immediate constraint along the east of the site is the land safeguarded for a potential bypass under Saved Policy SB18 and SNP Policy SFHE4. This safeguarded bypass route runs along the eastern boundary of the application site, with the land beyond not allocated for development and therefore subject to restrictive countryside policies (NDLP Policy 20).

A further immediate constraint is the County boundary with Wiltshire, which forms the northern boundary of the application site. This County boundary then loops around the Blackmore Vale Dairy site and then runs southwards - detached and beyond the safeguarded bypass land, along a roughly parallel line. The land northwest of the dairy site, up to the Wincombe Lane boundary and partially adjoining the application site, is proposed to be allocated for its expansion under Draft Local Plan Policy SHAF5.

The open countryside further beyond all abovementioned constraints (for housing) would in many cases raise sustainability concerns, and would inevitably be subject to other planning constraints such as heritage, landscape and biodiversity.

In terms of alternative development sites, there is a nearby site west of the A350 (Land at Littledown) benefiting from planning permission for 170 dwellings. However, construction has commenced and at least 47 dwellings have now been completed. Further away to the southwest, a recent appeal was allowed (2/2020/0667/OUT), but only for 23 dwellings as Affordable Housing. At the south-eastern end of the town, a Reserved Matters application (P/RES/2021/01690) is being determined – but only for 55 dwellings, with the open land immediately to its east (adjoining the A30) supported as an employment site under Policy 18 of the NDLP.

Policy 18 also lends support to major residential development east of Shaftesbury up to the safeguarded bypass land. Phased planning permissions have been developed northwards from the A30, originating from two 2007 Outline approvals for up to 530

dwellings (2/2002/0415) and 140 dwellings (2/2002/0880). The northernmost parcel was completed within the last four years.

Some undeveloped land remains northwards to Wincombe Lane, comprising the field south of the current proposal site which was consented for 17 dwellings as part of the 2/2014/1350/FUL 191 dwelling scheme. A larger field lies between this and the developed land, known as "Hopkins Land". However, this field is bisected by the safeguarded bypass route. This renders the overall developable area of both abovementioned fields as smaller in size than the current application site. Additionally, the "Hopkins Land" is proposed to be allocated for community infrastructure provision under Draft Local Plan Policy SHAF3.

In light of all the above, it is considered that the sequential test is passed, as it is not likely that 162 dwellings could be delivered elsewhere in this identified catchment area.

### *Flood risk and drainage assessment*

A site-specific Flood Risk Assessment has been provided and concludes that the proposed development is safe, will not increase flood risk elsewhere and will provide improvement to immediately adjacent sites by managing surface water from all rainfall events up to the 1:100 year rainfall event with an allowance for climate change – through a sustainable drainage system which will discharge surface water by infiltration to ground - and will provide storage.

The revised layout now ensures that all of the proposed dwellings will be set away from any of the soakaway features by at least 10m, as recommended by the applicant's geotechnical consultant - who is satisfied that the risk has been mitigated through soakaway design. Through use of high-level percolation into a lined and gravel filled soakaway, the potential for focused discharges has been mitigated. Trees will be planted with root protection to ensure the integrity of the soakaway and that manholes are located along the length of the soakaway to ensure access for SuDS maintenance.

The Council's Flood Risk Management Team has now raised no objection, commenting that there is now necessary detail to substantiate the proposed Surface Water strategy and that the scheme is both viable and deliverable. Pre-commencement conditions are recommended to secure: 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, and; details of maintenance and management of both the surface water sustainable drainage scheme and any receiving system.

### **Impact on ecology**

The proposal is supported by a number of targeted species reports and a completed Biodiversity Plan (BP) following the Dorset Biodiversity Appraisal Protocol. The NET consider that the BP addresses their concerns initially raised and has accordingly issued a Certificate of Approval. The BP can be secured by planning condition and also requires a sensitive lighting scheme, to avoid any columns adjacent to boundary

features and light spill above 1 lux on these habitats – in compliance with Institute for Lighting Professionals and Bat Conservation Trust guidance and to be submitted to the LPA for approval prior to commencement. A further condition to be imposed to require a revised Landscaping Strategy, to include amended grassland habitats and any other measures to ensure compliance with the approved BP.

The BP also requires a Construction Environmental Management Plan to be submitted to the LPA prior to commencement, and a Landscape and Ecology Management Plan prior to first occupation. The BP advises that subject to its compliance, the proposed development is projected to result in a gain of biodiversity for habitat units (7.82 %) and for hedgerow units (167.1 %).

### **Impact on infrastructure**

The aims and requirements of **LPP1 Policy 13 (Grey Infrastructure)** have already been set out above, and the supporting text to this policy advises that grey infrastructure also includes Sustainable Drainage Systems (SuDS) and flood prevention measures.

**LPP1 Policy 14 (Social Infrastructure)** requires development to support the maintenance and enhancement of existing social infrastructure (SI) and the provision of new SI, through provision on site and/or contributions to provision off site. SI includes educational facilities (pre-school, primary and secondary), along with health facilities to ensure that community hospitals are retained and enhanced and that sufficient general surgeries and health centres are in place.

**LPP1 Policy 15 (Green Infrastructure)** requires development to enhance existing and provide new Green Infrastructure (GI) to improve the quality of life of residents and deliver environmental benefits; and to deliver, or contribute towards the delivery of, a range of measures including open space, enhancement to the functionality, quality and connectivity of GI and area specific packages that achieve multiple benefits.

Of more specific relevance to the application site, **LPP1 Policy 18 (Shaftesbury)** states that in the period up to 2031, grey infrastructure to support growth will include improved walking and cycling links between the town centre and residential development to the east of the town. Social infrastructure to support growth will include: the provision of a new community hall for the town; a new 2 forms of entry primary school, an extension to the secondary school and expanded further and adult education provision in the town, and; a new doctors' surgery, or the expansion or relocation of the existing doctors' surgery.

Policy 18 also states that a network of green infrastructure will be developed in and around Shaftesbury, focusing on linking existing sites and providing new sites and links to serve the residents of the new and existing development. This will include informal recreation space associated with the development of sites to the east of the town.

In terms of grey infrastructure, the proposed development would include highways improvements works along Wincombe Lane, along with links from the site to the

surrounding public footpath network. Section 106 Heads of Terms (HoTs) includes a £31,662.00 contribution towards public footpath works around the site.

Regarding Social Infrastructure, the HoTs includes a £200,000 contribution towards community leisure/indoor sport, including a new central community hall and improvements to existing venues to cater for the expansion of Shaftesbury. To further mitigate infrastructure impacts, £633,810.32 has been agreed as a secondary education contribution, with £316,905.16 towards primary education. £54,594.00 can be secured for primary healthcare, along with £11,700 towards the local library service.

For Green Infrastructure, the HoTs includes a £156,000 contribution towards sports facilities maintenance. A further £156,000 contribution is towards improving existing outdoor spaces (including improvements to Wincombe Lane Recreation Ground and for older children, Barton Hill skatepark also nearby - as identified by the Town Council). £78,000 is agreed towards informal outdoor space maintenance, with £56,060.16 towards play facilities maintenance and another £48,072.96 towards allotments as identified by the Neighbourhood Plan.

## **16.0 Conclusion**

The proposal would contribute to the 5-year housing land supply and there is an identified lack of supply. The tilted balance is therefore engaged, meaning that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The principle of development is accepted as set out in the Local Plan and Neighbourhood Plan, as the site is an identified preferred location for residential development to meet the housing needs of Shaftesbury. The proposed design, scale and layout is acceptable, providing an appropriate setting with the sensitive countryside edge, including landscape mitigation and green space. This is considered sufficient to minimise impacts on the AONB setting, as required by the NPPF.

There would be no significant harm to neighbouring residential amenity, and no objections are raised on highway safety or capacity grounds.

All material considerations indicate that planning permission should be granted, subject to conditions and a legal agreement.

## **17.0 Recommendation**

A) Grant, subject to the conditions listed below, and the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) in a form to be agreed by the Head of Legal Services to secure the following:

1. On-site Affordable Housing provision of 48 Affordable units
2. Securement of off-site highway works (if not covered by section 278), and
3. Developer financial contributions towards:

- Allotments
- Community hall and leisure/indoor sport
- Education
- Health
- Informal outdoor space and maintenance
- Libraries
- Play facilities maintenance
- Rights of Way, and
- Sports (including maintenance)

Or,

B) Refuse permission if the agreement is not completed within 6 months of the date of decision or such extended time as agreed by the Head of Planning.

**Conditions:**

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

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

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

- Amended Site Layout (PLN-1-1101 Rev R)
- Amended Colour Site Layout (PLN-1-1102 Rev A)
- Amended Storey Heights Plan (PLN-1-1103 Rev D)
- Amended Dwelling Types Plan (PLN-1-1104 Rev D)
- Amended Tenure Plan (PLN-1-1105 Rev E)
- Amended Parking Plan (PLN-1-1106 Rev D)
- Amended Refuse Plan (PLN-1-1107 Rev D)
- Amended Materials Plan (PLN-1-1108 Rev G)
- Amended Boundary Treatment Plan (PLN-1-1109 Rev G)
- Amended Fire Strategy Plan (PLN-1-1110 Rev D)
- Site Layout Character Areas (PLN-1-1117)

- Site Layout Open Space (PLN-1-1118)
- Amended Ashdown Elevations and Plans (PLN-1-2104 Rev D)
- Amended Archford Elevations and Plans (PLN-1-2105 Rev D)
- Amended Hadley Elevations and Plans (PLN-1-2106 Rev F)
- Amended Greenwood Elevations and Plans (PLN-1-2107 Rev D)
- Amended Parkin Elevations and Plans (PLN-1-2108 Rev E)
- Amended Abbeydale Elevations and Plans (PLN-1-2109 Rev D)
- Amended Ingleby Elevations and Plans (PLN-1-2110 Rev D)
- Amended Kirkdale Elevations and Plans (PLN-1-2111 Rev D)
- Amended Avondale Elevations and Plans PLN-1-2112 Rev C PLN-1-2112 Rev D
- Amended SH72 Elevations and Plans (PLN-1-2113 Rev C)
- Amended SH51 Elevations and Plans (PLN-1-2114 Rev D)
- Amended SH52 Elevations and Plans (PLN-1-2115 Rev C)
- Amended SH55 Elevations and Plans (PLN-1-2116 Rev C)
- Amended SH54 Elevations and Plans (PLN-1-2117 Rev C)
- Amended Street Scene AA-EE (PLN-1-1150 AA-EE Rev G)
- Amended Street Scene FF-MM (PLN-1-1151 FF-MM Rev G)
- Amended Single Garage Elevations and Plans (PLN-1-3700 Rev C)
- Amended Double Garage Elevations and Plans (PLN-1-3701 Rev C)
- Substation Elevations and Plans (PLN-1-3901)
- Amended Isopachyte Cut and Fill Site Plans (4006\_E; 4007\_E)
- Soakaway Extents Offset Plan (4023\_B)
- Amended Proposed Drainage Layout Plans (4201\_G; 4202\_G; 4203\_G; 4204\_G; 4205\_G; 4206\_A; 4207\_A)
- Amended Manhole Schedules (4210\_F)
- Amended Proposed Surface Finishes (4301\_E; 4302\_E; 4303\_E; 4304\_E; 4305\_E; 4306\_A; 4307\_A)
- Amended Road Levels, Finished Floor Levels & Retaining Walls (4401\_I; 4402\_H; 4403\_H; 4404\_H; 4405\_H; 4406\_A; 4407\_A)
- Drainage Construction Details (4501; 4502; 4503; 4504; 4405)
- Amended Proposed Services Layout Plans (4601\_D; 4602\_D; 4603\_D; 4604\_D; 4605\_D; 4606\_A; 4607\_A)
- Amended Swept Path Analysis Plans – Fire (4701\_A; 4702\_A; 4703\_A; 4704\_A 4705\_B)



- Amended Swept Path Analysis Plans – Refuse Vehicle (4711\_A; 4712\_A; 4713\_A; 4714\_A; 4715\_B)

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

3. Prior to commencement of the development hereby approved above damp-proof course level, details and samples of all external facing materials (including, walls, roofs, fenestration detail and man-made boundary features) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed and shall also comply with the approved Materials Plan (PLN-1-1108 Rev G) and Boundary Treatment Plan (PLN-1-1109 Rev G).

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

4. Prior to commencement of the development hereby approved above damp-proof course level, a scheme showing precise details of all external lighting (including appearance, supporting columns, siting, technical details, power, intensity, orientation and screening of the lamps) shall be submitted to and approved in writing by the Local Planning Authority. Any such scheme shall also comply with the lighting requirements as set out in the approved Biodiversity Plan dated 20th April 2021. The approved scheme shall be implemented before the development is occupied and shall be permanently maintained thereafter. No further external lighting shall be installed on site without the prior approval, in writing, of the Local Planning Authority.

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

5. The development hereby approved shall accord with the acoustic measures set out in the Updated Noise Assessment (784-B030059 – June 2021). All the measures set out in the report, including the window design and the use of mechanical ventilation to properties identified in the report, shall be implemented in full prior to first occupation of any dwelling, and thereafter, the measures shall be retained.

Reason: To protect the amenity and living conditions of occupiers of the residential properties.

6. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number PLN-1-1101 Rev R 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.

7. Notwithstanding the information shown on the plans approved by this application, no development shall commence until precise details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Planning Authority. The development shall be carried out in accordance with the approved details.

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

8. Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Planning Authority:

The proposed traffic management measures to reduce vehicle speeds and facilitate safe pedestrian movement as shown on Dwg No 041.0007.111 Rev P6 (or similar scheme to be agreed in writing with the Planning Authority).

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

9. Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Planning Authority:

The construction of a four-arm roundabout as shown on Dwg No 041.5007.111 Rev C (or similar scheme to be agreed in writing with the Planning Authority).

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

10. Before the development hereby approved commences, the submitted Construction Method Statement (Including Construction Traffic Management Plan – Rev B – dated 04th October 2021) must be implemented and adhered to fully for the full length of the construction period.

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.

11. The development hereby approved shall be carried out in full accordance with the Amended Travel Plan (041.0007/RATP/3 dated 14th December 2021) and the following measures shall be implemented in full:

- Targets for sustainable travel arrangements.
- Effective measures for the on-going monitoring of the Travel Plan.-
- A commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development.

- Effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development.

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

12. The development hereby approved shall be carried out in accordance with the Biodiversity Plan dated 20th April 2021, as approved by the Council's Certificate of Approval dated 14th December 2021, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protected species and biodiversity.

13. No development shall commence until a further revised Landscape Strategy, to include amended grassland habitats and any other measures to ensure compliance with the approved Biodiversity Plan dated 20th April 2021, has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be fully implemented in accordance with the approved details before the development is completed.

Reason: In the interests of protected species and biodiversity, and to accord with the approved Biodiversity Plan.

14. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented in accordance with the approved details throughout the duration of the construction works.

Reason: In the interests of protected species and biodiversity, and to accord with the approved Biodiversity Plan.

15. Prior to first occupation of the development hereby approved, a Landscape and Ecology Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented in accordance with the approved details before the development is completed.

Reason: In the interests of protected species and biodiversity, and to accord with the approved Biodiversity Plan.

16. No development shall commence 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 be fully implemented in accordance with the approved 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.

17. No development shall commence 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. The scheme 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. The development shall be carried out in accordance with the approved details.

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

18. The development hereby approved shall be undertaken in accordance with the Amended Arboricultural Assessment and Method Statement (14255-AA4-CA dated 24th May 2021). All trees and hedges shown to be retained in the Amended Tree Protection Plan (14255-5) shall be fully safeguarded during the course of site works and building operations. No works shall commence on site until all trees to be protected on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction (to be confirmed in writing) of the Local Planning Authority in accordance with BS 5837:2012 (Trees in relation to construction - recommendations) or any new Standard that may be in force at the time that development commences. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s).

Any trees or hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last dwelling shall be replaced with trees or hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority.

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

19. No development shall commence on site until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- details of all trees and other planting to be retained
- a planting specification to include numbers, size, species and positions of all new trees and shrubs
- details of existing and proposed levels, walls, fences and other boundary treatment and surface treatment of the open parts of the site together with any lighting

- street furniture and underground services, and
- a programme of implementation.

Reason: To ensure that adequate mitigation for the landscape and visual impact of the proposals, the provision of an appropriate hard and soft landscape scheme, and the coordination of that scheme with lighting and service provision has been agreed prior to the commencement of the development.

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

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

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

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

22. No development shall commence on site until a landscape management plan shall, by reference to site layout drawings of an appropriate scale, be submitted to and approved in writing by the Local Planning Authority and shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The subsequent management of the development's landscaping shall accord with the approved plan.

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

23. No development shall commence on site until a schedule of landscape maintenance covering a minimum period of five years following substantial completion of the development (including details of the arrangements for its implementation) shall be submitted to and approved in writing by the Local Planning Authority. The subsequent maintenance of the development's landscaping shall accord with the approved schedule.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features.

24. No development shall commence on site until details of the surfacing materials to be used on the highway and footways to include the private parking courts shall be submitted

to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenity of the area.

25. No development shall commence on site until a scheme to identify:

(i) the relevant affected properties, and

(ii) the necessary works for the provision of mechanical ventilation to the properties contained within the yellow area as identified in Figures 4 and 5 of the Odour Report (B027127 – April 2021),

is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure adequate standards of amenity for the future occupiers of the dwellings.

26. Notwithstanding the details submitted in respect of the Local Equipped Area of Play (LEAP) and Local Area for Play (LAP) areas, the development hereby approved shall not be occupied until full scaled plan and supporting specification details for both LEAP and LAP areas are submitted to and approved in writing by the Local Planning Authority. The LEAP and LAP shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure adequate usable public open space for all future occupiers of the dwellings.