

Application Number:	P/VOC/2022/03461		
Webpage:	The application and other information about the application may be inspected online through the application webpages accessible via https://planning.dorsetcouncil.gov.uk/ .		
Site Address:	Force Headquarters, Dorset Innovation Park Access Road, Winfrith Newburgh, Dorset, DT2 8DZ		
Proposal:	Demolition of existing three storey plus plant room building and erection of new three storey plus plant room building for Dorset Police Force Headquarters with associated parking without compliance with/variation of condition 10 of planning permission P/FUL/2021/04422 - The development shall be constructed to a minimum BREEAM standard rating of 'Very Good' instead of 'Excellent'.		
Applicant Name:	OPCC Dorset Police		
Case Officer:	Huw Williams		
Ward Member(s):	Councillor Laura Beddow, West Purbeck Ward Councillor Peter Wharf, West Purbeck Ward		
Publicity expiry:	16/07/2022	Officer site visit:	14/06/2022
Decision due:	07/09/2022	Ext(s) of time:	N/A

1.0 Reason Application Reported to Committee

1.1 The application relates to land that is owned by Dorset Council and is reported to Committee for consideration in accordance with Dorset Council's Constitution.

2.0 Summary of Recommendation

2.1 Resolve that following the satisfactory conclusion of a habitats regulations assessment undertaken in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and the execution of a planning obligation securing payment of financial compensation in accordance with the certified Biodiversity Plan submitted in support of planning application P/FUL/2021/04422, the Head of Planning be given delegated authority to grant planning permission subject to the conditions set out in paragraph 16.1 below or conditions to similar effect.

3.0 Reason for the Recommendation

3.1 The recommendation is made following consideration of:

- (i) the application;
- (ii) the development plan;
- (iii) national planning policy and guidance;
- (iv) adopted supplementary planning documents and guidance;
- (v) consultation responses; and
- (vi) other material planning considerations set out in this report.

3.2 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

3.3 The purpose of the planning system is to contribute to the achievement of sustainable development. Local planning authorities should approach decisions on proposed development in a positive and creative way and seek to approve applications for sustainable development where possible.

3.4 Planning permission has previously been granted for the proposed replacement police force headquarters building but that permission is subject to a requirement that the replacement building shall be constructed to a minimum BREEAM standard rating of 'Excellent'. The replacement headquarters building is expected to achieve a BREEAM rating of 'Very Good' rather than a rating of 'Excellent' as favoured in Policy D of the Adopted Purbeck Local Plan for a non-domestic building of this size.

3.5 BREEAM 'Very Good' is a high sustainability rating well above that likely to be achieved by the existing building. Information submitted in support of the application identifies several site constraints limiting the number of achievable and available credits for the proposed development and further indicates that the uplift required to achieve a rating of 'Excellent' would, if achievable, have an obvious and clear impact on other force initiatives.

3.6 Replacement of the existing building would better suit the operational requirements of Dorset Police, would perform to higher level of sustainability and would be the benefit of the local economy. The architectural and landscape design proposals would:

- (i) enhance the character and appearance of the locality;
- (ii) provide for safe and convenient access;
- (iii) make appropriate provision for the conservation of heritage assets; and
- (iv) would contribute to biodiversity enhancement,

and use of the proposed development by Dorset Police would be to the benefit of communities across Dorset.

- 3.7 Having regard to the particular circumstances of the application site, the details of the development proposal and taking account of the public benefits that would accrue from the proposed development, it is considered that construction to a minimum BREEAM rating of 'Very Good' rather than 'Excellent' has been justified adequately in accordance with policy requirements.
- 3.8 Consideration of the potential for adverse effect on European sites is ongoing. On account of the location and nature of the proposed development, planning permission cannot be granted without the satisfactory completion of a habitats regulations assessment under The Conservation of Habitats and Species Regulations 2017 (as amended).
- 3.9 Subject to the satisfactory completion of a habitats regulations assessment, a planning obligation to secure mitigatory payment in accordance with an approved Biodiversity Plan and with the imposition of planning conditions necessary to secure an adequate level of compliance with the development plan, it is considered that the application proposal is in accordance with the development plan and that there are no economic, environmental or social considerations either warranting or necessitating determination of the application other than in accordance with development plan.

4.0 Conclusions on Key Planning Issues

Issue	Conclusion
Overall sustainability of proposed development and whether construction to minimum BREEAM rating of 'Very Good' rather than 'Excellent' has been justified adequately.	Requested change from a minimum BREEAM rating from 'Excellent' to 'Very Good' has been adequately justified in accordance Policy D of the Adopted Local Plan and would not unacceptably prejudice the overall sustainability of the proposed development.
Potential for significant effect on Poole Harbour Special Protection Area or Ramsar	Consideration is ongoing and therefore appropriate that any resolution to grant planning permission is made provisional on the satisfactory prior conclusion of a habitats regulations assessment.

5.0 The Application

- 5.1 Application is made by the OPCC Dorset Police under section 73 of the Town and Country Planning Act 1990 (as amended) for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.
- 5.2 'The OPCC' is the Office of the Dorset Police and Crime Commissioner.

- 5.3 Planning permission P/FUL/2021/04422 was granted on 08 March 2022 for the demolition of a police force headquarters building and for the erection of a new police force headquarters building. The permission was granted subject to a number of conditions regulating the conduct and/or management of the development permitted.
- 5.4 Planning permission is sought the removal or variance of condition 10 of planning permission P/FUL/2021/04422 to allow for construction of the replacement headquarters building to a BREEAM rating of “very Good” rather “Excellent”.
- 5.5 In addition to the requisite application form, ownership certificate and fee, the application includes:
- (i) a Location Plan (Corstorphine & Wright Drawing No. 19675-CWA-VX-ZZ-DR-A-0200 Revision P-00 dated 10.10.21) which identifies the application site (‘the Application Site’) edged red and other land in the Applicant’s ownership or control edged blue; and
 - (ii) a supporting statement prepared by the Applicant’s agent (‘the Applicant’s Supporting Statement’).
- 5.6 The application, the Application Site Location Plan and other information about the application may be inspected online through the application webpages accessible via <https://planning.dorsetcouncil.gov.uk/>.
- 5.7 The application has been advertised on site and in the local press. At the time of writing this report, the statutory consultation period is ongoing.

6.0 Description of the Application Site and Surrounding Area

- 6.1 The Application Site comprises approximately 1.2 hectares of previously developed land and associated landscaped grounds within the headquarters campus of Dorset Police.
- 6.2 The Application Site adjoins other parts of the headquarters campus to the north and west, a playing field to south, and an access service road to the east.
- 6.3 Pedestrian and vehicular access to the Application Site is available from the access service road which connects to the Dorset Innovation Park Access Road, which in turn connects to the A352 at Burton Cross. A public footpath (Right of Way SE28/12) runs along the access service road.
- 6.4 The Dorset Innovation Park is located to the west of the force headquarters campus and the London Waterloo to Weymouth railway line passes to the north. The nearest railway station is located at Wool, circa 1.7 kilometres to the east of the Application Site.

- 6.5 The Dorset Innovation Park ('the Innovation Park') was formerly known as the Dorset Green Technology Park and forms part of the former Winfrith Atomic Energy Establishment, other parts of which are being decommissioned. The Innovation Park is the second largest strategic employment site in the Dorset LEP (Local Enterprise Partnership) area and is a designated Enterprise Zone.
- 6.6 The Enterprise Zone benefits from a Local Development Order (LDO) which enables a mix of advanced engineering, defence, marine, energy, cyber security and other uses to come forward across the site to create a vibrant, successful and sustainable advanced engineering cluster. The LDO is intended to be in place for the duration of the Enterprise Zone (25 years from 2015) and covers the initial 40 hectares of the Innovation Park, although the Innovation Park site is expected to expand to circa 53 hectares after the decommissioning of an adjoining section of the former Winfrith Atomic Energy Establishment.
- 6.7 The wider surrounding area is predominately rural in character with areas of heath and agricultural land interspersed with pockets of woodland, agricultural buildings, commercial buildings, small settlements, occasional farmsteads, other residential properties and transport infrastructure.
- 6.8 The nearest residential properties are located within East Burton and are all more than 200 metres from the Application Site.

7.0 Designations and Constraints

- 7.1 The development plan for the Application Site includes:
- (i) *Planning Purbeck's Future Purbeck Local Plan Part 1* adopted by the former Purbeck District Council in November 2012 ('the Adopted Purbeck Local Plan'); and
 - (ii) the *Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019* adopted by Dorset Council in December 2019 ('the Adopted Waste Plan').
- 7.2 The Application Site is shown on Inset Map 6 of the Proposals Map of the Adopted Purbeck Local Plan as:
- (i) comprising part of an allocated employment site (Policy E); and
 - (ii) part-located within an area at flood risk (Policy FR).
- 7.3 The Application Site is additionally located:
- (i) within 250 metres of a safeguarded waste facility identified in the Adopted Waste Plan, that facility being the Tradebe B4 Complex from which a company specialising in radioactive waste management operates;
 - (ii) within a defined Site of Special Scientific Interest (SSSI) risk assessment zone;
 - (iii) within the Poole Harbour Hydrological Catchment Area;

- (iv) less than 5 kilometres but more than 400 metres from land comprised within the Dorset Heaths Special Area of Protection and the Dorset Heathlands Special Protection Area; and
- (v) approximately 1 kilometre from the designated Dorset Area of Outstanding Natural Beauty.

7.4 No part of the Application Site is subject to either a statutory landscape or a statutory nature conservation designation and there are no designated heritage assets either within or in the immediate vicinity on the Application Site (the nearest designated heritage assets being:

- (i) a bowl barrow scheduled monument 350 metres north west of Gatehouse Farm (NHLE: 1015399), circa 350 metres to the south west of the Application Site;
- (ii) Grade II listed buildings on the eastern side of Burton Road in East Burton more than 400 metres from the Application Site; and
- (iii) various other scheduled monuments situated further away from the Application Site; and
- (iv) the designated Wool Conservation Area which lies approximately 1.8 kilometres to the east of the Application Site.

7.5 The Dorset Constabulary War Memorial which is to be dismantled and re-erected elsewhere within the Application Site constitutes a non-designated heritage asset, but has been recommended to Historic England for statutory listing.

7.6 Section 85 of the Countryside and Rights of Way Act 2000 provides that in exercising or performing and functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

7.7 The Planning Listed Buildings and Conservation Areas Act 1990 (as amended): provides that:

- (i) in considering whether to grant planning permission for development which affects the setting of a listed building, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (section 66(1)); and
- (ii) with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (section 72(1)).

8.0 Relevant Planning History

8.1 Conditions attached to planning permission P/FUL/2021/04422 require:

- (i) that the development permitted must be begun not later than the expiration of 3 years beginning with the date of the permission (condition 1);
- (ii) that the development permitted shall be carried out in accordance with specified approved plans (condition 2);
- (iii) the submission, approval and implementation of a method statement for the dismantling and re-erection of the Dorset Constabulary War Memorial; (condition 3);
- (iv) the construction and maintenance of approved vehicular parking and turning facilities (condition 4);
- (v) the construction and maintenance of approved cycle parking facilities (condition 5);
- (vi) the submission, approval, and implementation of a detailed surface water management scheme to improve and protect water quality and to improve habitat and amenity (condition 6);
- (vii) the submission, approval and implementation of a scheme for the maintenance and management of the surface water sustainable drainage scheme and any receiving drainage system (condition 7);
- (viii) the submission, approval and implementation of a scheme to deal with potential contamination (condition 8);
- (ix) the implementation of specified controls during construction (condition 9);
- (x) the construction to a minimum BREEAM standard rating of 'Excellent' in accordance with Policy D of the Purbeck Local Plan (condition 10);
- (xi) the implementation of a submitted Tree Management Plan (condition 11);
- (xii) the submission, approval and implementation of hard and soft landscape works to preserve and enhance the visual amenities of the locality (condition 12);
- (xiii) the submission, approval and use in construction of materials and finishes to safeguard visual amenity (condition 13); and
- (xiv) the implementation of a submitted certified Biodiversity Plan to mitigate and compensate for impacts on biodiversity and provide net gain for biodiversity (condition 14).

8.2 In full, condition 10 of planning permission P/FUL/2021/04422 reads:

“The development hereby approved shall be constructed to a minimum BREEAM standard rating of 'Excellent' and, prior to the first occupation of the development, a copy of a formal assessment, undertaken by a licensed BREEAM assessor and a copy of the assessor's report along with a copy of the certificate shall be submitted to the local planning authority, unless otherwise first agreed in writing by the local planning authority.

“Reason: In the interests of promoting good design and sustainable construction in accordance with policy D of the Purbeck Local Plan.”

8.3 A separate application has been made for approvals under conditions 6, 7 and 8 of planning permission P/FUL/2021/04422. At the time of writing this report, that application has not been determined and consultation on the submitted details is ongoing.

9.0 The Proposed Development

9.1 No change is proposed to the architectural or landscape design proposals previously considered in the determination of application P/FUL/2021/04422 and no change is proposed to the permitted site access arrangements. Accordingly, vehicular and pedestrian access would continue to be provided from the existing access service road.

9.2 The permitted site layout and landscaping arrangements provide for the re-arrangement and intensification of development within the Application Site. The replacement headquarters building would provide a focal point at the entrance to the headquarters complex and a clear entrance for visitors, with landscaped grounds and parking in front of and beyond the building. 3,134 square metres of floorspace would be replaced with 3,171 square metres (gross internal); 15 new car parking spaces would be provided; there would be a net loss of open space (grassland); and the Dorset Constabulary War Memorial would be dismantled and re-erected elsewhere within the Application Site.

9.3 The Executive Summary of the Applicant's supporting statement comments:

“Through conducting an initial RIBA Stage 1 scoping exercise and a full BREEAM Pre-assessment exercise during RIBA Stage 2, it is now evident that the target BREEAM rating of ‘Excellent’ as requested by condition 10 is not achievable. The chief cause of the inability to achieve an ‘Excellent’ score is that some credits are unavailable due to the specific nature of the building, its operations, and the location of the site. Offsetting these unavailable credits through other measures would add substantially to the cost of the project, resulting either in the unacceptable reduction of Police service levels, or an inability to deliver the project at all, and in any event would not necessarily ensure that an ‘Excellent’ score might be achieved.

“It remains the case that the building to be provided will achieve a high level of performance in relation to sustainability criteria. Accordingly, it is requested that the condition is amended to require, as a minimum, a ‘Very Good’ score.”

10.0 Approach to Decision Making and Relevant Policies

10.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with an application for planning permission the planning authority shall have regard to:

- (i) the provisions of the development plan, so far as material to the application,
 - (ii) a post-examination draft neighbourhood development plan, so far as material to the application,
 - (iii) any local finance considerations, so far as material to the application, and
 - (iv) any other material considerations.
- 10.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 10.3 Section 73 of the Town and Country Planning Act 1990 (as amended) provides that on applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted, the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted and—
- (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
 - (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

The Development Plan

- 10.4 The Adopted Purbeck Local Plan sets out a strategy and policies for the delivery of development and supporting infrastructure in the plan area for the period 2006-2027.
- 10.5 The most relevant policies of the Adopted Purbeck Local Plan are:
- Policy SD: Presumption in Favour of Sustainable Development;
 - Policy LD: General Location of Development;
 - Policy ELS: Employment Land Supply;
 - Policy SW: South West Purbeck;
 - Policy CO: Countryside;
 - Policy BIO: Biodiversity & Geodiversity;
 - Policy DH: Dorset Heaths International Designations;
 - Policy PH: Poole Harbour;
 - Policy CF: Community Facilities and Services;
 - Policy FR: Flood Risk;
 - Policy GP: Groundwater Protection;
 - Policy D: Design;

- Policy REN: Renewable Energy;
 - Policy LHH: Landscape, Historic Environment and Heritage; and
 - Policy E: Employment.
 - Policy IAT: Improving Accessibility.
- 10.6 The Adopted Waste Plan addresses the period to the end of 2033 and promotes sustainable waste management. The most relevant policies of the adopted Waste Plan are:
- Policy 10 – Decommissioning and restoration of Winfrith Nuclear Licensed Site;
 - Policy 22 – Waste from new developments; and
 - Policy 24 – Safeguarding waste facilities.
- 10.7 Policy SD of the Adopted Purbeck Local Plan provides that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area.
- 10.8 Policy SD of the Adopted Purbeck Local Plan further states that:
- “When applying this presumption, the Council will consider all proposals carefully against their potential adverse effect upon European sites and, if necessary, ensure the developer provides effective mitigation.”

Post-examination Draft Neighbourhood Plan

- 10.9 The Application Site is located within the designated Wool Neighbourhood Area for which there is currently no made and no post-examination draft neighbourhood development plan.

Local Finance Considerations

- 10.10 For the purposes of section 70(2) of the Town and Country Planning Act 1990 (as amended) “local finance consideration” means:
- (i) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
 - (ii) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.
- 10.11 To be material to the determination of an application for planning permission, a local finance consideration must have the potential to help make development acceptable in planning terms.

10.12 The Community Infrastructure Levy (CIL) is operated in the former Purbeck district area, but the proposed development is of a type that is zero rated and so would not make any CIL payment and the submitted application does not refer to any other grant or financial assistance that would constitute a local finance consideration.

Other Material Considerations

10.13 The term “any other material considerations” is broad in scope, a material consideration being any matter which is relevant to making the planning decision in question.

10.14 In so far as material to the application, account should be taken of any consultation responses and other representations made about an application. In relation to policy and guidance, the term encompasses national planning policy and guidance; supplementary planning documents and guidance; emerging (i.e. draft) planning policy and guidance, and other forms of policy and practice advice.

10.15 Other statutory duties and/or the provisions of other regulatory controls applying to the development and use of land can also be material.

National Planning Policy and Guidance

10.16 Government planning policy set out in the National Planning Policy Framework (‘the NPPF’) is material to the determination of all applications for planning permission in England. National Planning Practice Guidance (‘NPPG’) and other statements of government policy fall to be read in conjunction with the NPPF.

10.17 The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7) and that achieving sustainable development means that the planning system has three overarching objectives – economic, social and environmental – which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives (paragraph 8).

10.18 In full, the objectives set out in paragraph 8 of the NPPF are:

- “a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- “b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes

can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- “c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

- 10.19 Paragraph 9 of the NPPF states that the above objectives should be delivered through the preparation and implementation of plans and policies but that they are not criteria against which every decision can or should be judged and that in guiding development towards sustainable solutions, planning decisions should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 10.20 So that sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking, amongst other matters, this means approving development proposals that accord with an up-to date development plan without delay (NPPF, paragraph 11).
- 10.21 Specifically in relation to decision making, paragraph 38 of the NPPF provides that:
- (i) local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area; and
 - (ii) decision-makers at every level should seek to approve applications for sustainable development where possible.
- 10.22 Paragraph 43 of the NPPF notes that the right information is crucial to good decision-making, particularly where formal assessments are required, and paragraph 55 of the NPPF provides that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations, but that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 10.23 Paragraph 56 of the NPPF provides that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and

to the development to be permitted, enforceable, precise and reasonable in all other respects.

10.24 Paragraph 57 of the NPPF provides that planning obligations must only be sought where they are:

- (i) necessary to make the development acceptable in planning terms;
- (ii) directly related to the development; and
- (iii) fairly and reasonably related in scale and kind to the development.

10.25 National Planning Practice Guidance advises that permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions and further notes that the new permission sits alongside the original permission, which remains intact and unamended (NPPG, Reference ID: 17a-015-20140306). The guidance further comments that:

“... It is open to the applicant to decide whether to implement the new permission or the one originally granted.

“A decision notice describing the new permission should clearly express that it is made under section 73. It should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect. ...”

(NPPG, Reference ID: 17a-015-20140306)

Supplementary Planning Documents and Guidance

10.26 Pertinent supplementary policy and/or guidance is set out in:

- (i) the *Nitrogen Reduction in Poole Harbour Supplementary Planning Document* of 01 April 2017 which provides guidance on the achievement nitrogen neutral development within the Poole Harbour Hydrological Catchment Area;
- (ii) the *Poole Harbour Recreation 2019-2024 Supplementary Planning Document* adopted dated April 2020 which sets out a strategy for mitigating the impact of development upon the Poole Harbour Special Protection Area;
- (iii) *The Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document* adopted by Dorset Council on 31 March 2022 which sets out a framework for the avoidance and mitigation of impacts by restrictions on development within 400 metres of designated heathland areas and mitigation associated with some types of development between 400 metres and 5 kilometres of designated heathland areas;
- (iv) the *Dorset Heathlands Interim Air Quality Strategy* adopted by Dorset Council on 02 March 2022 which aims to address the adverse effect of airborne nitrogen upon the Dorset Heathlands designated sites by

- contributing to the achievement of the conservation objectives for air quality and in doing so, facilitate the delivery of planned development;
- (v) the *Purbeck District Design Guide Supplementary Planning Document* adopted by Purbeck District Council on 14 January 2014 ('the Purbeck District Design Guide') which supplements and supports the policies of the Adopted Purbeck Local Plan; and
 - (vi) the *Draft Landscape Character Assessment and Management Guidance (Non-AONB) Areas* prepared by Purbeck District Council which provides guidance on the conservation and enhancement of the landscape characteristics and features.

Emerging Planning Policy

- 10.27 Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:
- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - (b) the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - (c) the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).
- 10.28 The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.
- 10.29 The *Purbeck Local Plan (2018-2034) Submission January 2019* ('the Submitted Draft Purbeck Local Plan') was submitted for examination in January 2019. At the point of assessing this application, examination of the Submitted Draft Purbeck Local Plan is ongoing, hearing sessions and consultation on *Proposed Main Modifications* and additional consultation on *Further Proposed Main Modifications* having been undertaken and a further public hearing session scheduled to be held on 22 July 2022. Updates on the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, Dorset Council and other interested parties) are published on Dorset Council website (www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news).
- 10.30 Having regard to the plan's progress through the examination and Dorset Council's position following consultation on the Proposed Main Modifications and the Further Proposed Main Modifications, at this stage only limited weight should be given to the Emerging Draft Purbeck Local Plan.

10.31 In the preparation of this report, account has been taken of the following draft policies of the Emerging Draft Purbeck Local Plan, but these policies should be accorded little weight in the determination of the application.

- Policy V1: Spatial strategy for sustainable communities;
- Policy E1: Landscape;
- Policy E2: Historic environment;
- Policy E4: Assessing flood risk;
- Policy E5: Sustainable drainage systems;
- Policy E7: Conservation of protected sites;
- Policy E8: Dorset heathlands;
- Policy E9: Poole harbour;
- Policy E10: Biodiversity and geodiversity;
- Policy E12: Design;
- Policy EE1: Employment land supply;
- Policy EE2: Planning for Employment;
- Policy I1: Developer contributions to deliver Purbeck's infrastructure;
- Policy I2: Improving accessibility and transport;
- Policy I3: Green infrastructure, trees and hedgerows; and
- Policy I7: Community facilities and services.

Other Statutory Controls and Duties

10.32 The use and development of land is subject to regulation under a range of statutory regimes that are operated separately from and/or in tandem with the planning system. National Planning Practice Guidance indicates that planning conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning (NPPG, Ref ID: 21a-005-20190723). However, statutory duties within and beyond planning legislation can impact on individual planning decisions and the provisions of other regulatory regimes can be material to the determination of planning applications.

11.0 Consultation Responses and Other Representations

11.1 At the time of writing this report, statutory consultation on the subject application is on ongoing. Consultation responses processed by 06 July 2022 are summarised below. Any further consultations responses or other representations made about the application will be reported at committee.

Natural England

11.2 Responded by letter dated 13 June 2022 stating:

“Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are

significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

“The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.”

Wool Parish Council

11.3 Responded on 21 June 2022 stating:

“No objection but would like the applicant to consider the reduction of possible bird strikes outlined in the attachment (as requested for previous application).”

Dorset & Wiltshire Fire & Rescue

11.4 As of 06 July 2022, no response received.

Dorset Council – Environmental Services (Environmental Protection)

11.5 Responded on 27 June 2022 indicating no comment.

Dorset Council – Ward Members

11.6 As of 06 July 2022, no response received.

Dorset Council – Transport Development Management Team

11.7 As of 06 July 2022, no response received.

Dorset Council – Flood Risk Management

11.8 As of 06 July 2022, no response received.

Dorset Council – Natural Environment Team

11.9 As of 06 July 2022, no response received.

Dorset Council – Conservation and Design

11.10 As of 06 July 2022, no response received.

Dorset Council – Building Control

- 11.11 Responded on 10 June 2022 advising that a meeting has been arranged with the contractor, Fire Engineer and Fire Officer to discuss revised scheme.

WPA Consultants Ltd (Contamination Risk)

- 11.12 As of 06 July 2022, no response received.

Dorset Council – Minerals and Waste Policy

- 11.13 As of 06 July 2022, no response received

Other Representations Received

- 11.14 As of 06 July 2022, no other representations have been received relating to this application.

12.0 Assessment of Key Planning Issues

- 12.1 The key planning issues in the determination of the application relate to:
- (i) the overall sustainability of the proposed development and whether construction of the replacement force headquarters building to achieve a minimum BREEAM rating of 'Very Good' rather than 'Excellent' has been adequately justified; and
 - (ii) whether the proposed development is likely to have a significant effect on Poole Harbour Special Protection Area and Ramsar either alone or in combination with other plans or projects.

BREEAM Rating and the Requirement for BREEAM 'Excellent'

- 12.2 BREEAM stands for 'Building Research Establishment Environmental Assessment Methodology' and comprises a science-based suite of validation and certification systems for a sustainable built environment.
- 12.3 The assessment methodology takes account of a range of factors that are measured against pre-determined targets that reward performance which delivers social, economic or environmental benefit. The assessment categories are Energy; Waste; Water; Materials; Health and Well-being; Transport; Pollution; Land Use & Ecology; and Management.
- 12.4 BREEAM rating is categorised by means of an overall percentage score with the available ratings being:
- Unclassified – a score of less than 30%, for which no certificate is issued;
 - Pass – a score of more than 30%;
 - Good – a score of more than 45%;
 - Very good – score of more than 55%;

- Excellent – a score higher than 70%; and
 - Outstanding – the highest rating for a score higher than 85%.
- 12.5 Assessment is made during the design stage, for which an interim certificate is given, and at the post-construction stage, leading to a final certificate and rating.
- 12.6 Achievement of any BREEAM rating is purposefully challenging and the pre-determined targets have been raised over time so as to push performance beyond best practice, drive innovation, create positive impact and showcase success. Approximately 75% of new non-domestic buildings in the United Kingdom rate at a 'pass' or higher, with around 25% achieving 'Very Good' and around 10% 'Excellent'.
- 12.7 The Application Site comprises previously developed land that is in active employment use and which forms part of an allocated employment site.
- 12.8 Planning permission P/FUL/2021/04422 was granted on the basis that with imposed conditions the development would be in accordance with the development plan. Planning permission P/FUL/2021/04422 remains extant and establishes the acceptability in principle of the proposed development.
- 12.9 There has been no change to the development plan since planning permission P/FUL/2021/04422 was granted, although updated advice has been received from Natural England on development proposals with the potential to affect water quality resulting in adverse impacts on various habitats sites including the designated Poole Harbour Special Protection Area and Ramsar. Further advice on the implications and application of that advice is being sought from Natural England and Dorset Council's Natural Environment Team and this matters is addressed further later in this assessment.
- 12.10 Paragraph 9 of the NPPF makes clear that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 12.11 Paragraph 81 of the NPPF states that planning decisions should help to create the conditions in which businesses can invest, expand and adapt and that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 12.12 The NPPF is equally clear that planning decisions should aim to achieve healthy, inclusive and safe places (paragraph 92); that significant development should be focussed on locations which are or can be made sustainable (paragraph 105); that planning decisions should promote an effective use of land while

safeguarding and improving the environment and ensuing safe and healthy living conditions (paragraph 119); and that good design is a key aspect of sustainable development - the creation of high quality, beautiful and sustainable buildings and places being fundamental to what the planning and development process should achieve (paragraph 126).

- 12.13 Paragraph 152 of the NPPF provides that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and further states that it should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 12.14 Paragraph 174 of the NPPF provides that planning decisions should contribute to and enhance the natural environment and paragraph 189 of the NPPF makes clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
- 12.15 The above matters are each addressed by policies of the Adopted Purbeck Local Plan.
- 12.16 Paragraph 5.1.2 of the Adopted Purbeck Local Plan states that to achieve sustainable development, new development should be located in the most sustainable locations with the aim of minimising car trips and the subsequent impact on climate change.
- 12.17 Policy LD of the Adopted Purbeck Local Plan provides that development will be directed towards the most sustainable locations in accordance with a defined settlement hierarchy and that:
- “Land outside of settlement boundaries will be classed as ‘countryside’ (including Other Villages without a Settlement Boundary) where development will be permitted only in exceptional circumstances as set out in Policy CO: Countryside. For example, an exception is made for existing employment sites that do not fit within this hierarchy, yet remain a focus for new employment growth, such as Holton Heath and Dorset Green.”
- 12.18 Policy ELS of the Adopted Purbeck Local Plan provides that new employment development will be focussed at the most sustainable locations in accordance with Policy LD and existing employment sites that do not fit with in the settlement hierarchy such as Dorset Green.
- 12.19 Policy CO of the Adopted Purbeck Local Plan provides that development in the countryside should aim to improve the sustainability of rural settlements, make a positive contribution to landscape character and enhance biodiversity and further

provides that development outside of a settlement boundary (classed as 'countryside') will be permitted where it does not have a significant adverse effect either individually or cumulatively on the environment visually, ecologically, or from traffic movements where, amongst other options:

“A countryside location is essential; or”

“It is an employment use that would intensify or expand an existing employment site, or ...”.

12.20 Policy E of the Adopted Purbeck Local Plan provides that new employment provision for B class uses should be located at the most sustainable locations in accordance with Policy LD: General Location of Development and existing employment sites that do not fit within the settlement hierarchy such as Holton Heath and Dorset Green. Through reference to sites identified in Table 2 of in section 6.5 of the Plan, Policy E safeguards the Application Site for employment uses and provides that:

- New proposals will only be permitted where they do not compromise the integrity of the employment site; and
- The expansion of employment use(s) will be permitted where this would not result in an unacceptable adverse impact in terms of visual harm, noise and traffic flow.

12.21 In light of the foregoing and particularly the allocation of the Application Site as an employment site, there is no question over the acceptability in principle of the Application Site as a suitable location for the proposed development.

12.22 Policy D of the Adopted Purbeck Local Plan provides that:

“The Council will expect proposals for all development and other works to:

- Positively integrate with their surroundings;
- Reflect the diverse but localised traditions of building material usage found across the District;
- Avoid and mitigate effects of overshadowing, overlooking and other adverse impacts including light pollution from artificial light on local amenity;
- Demonstrate support for biodiversity through sensitive landscaping and through in-built features, which provide nesting and roosting facilities for bats and birds;
- Reflect the good practice advice, including appropriate densities, contained in District design guidance including townscape character assessments for Swanage, Wareham (and North Wareham), Upton, Bere Regis, Bovington, Corfe Castle, Lytchett Matravers and Wool;

- Reflect good practice guidance contained in the Dorset and New Forest Contaminated Land Consortium of Local Authorities' planning advice note 'Development on Land Affected by Contamination';
- Demonstrate a positive approach to delivery of sustainable development objectives through site layout and building design, which should be as comprehensive as other policies and criteria allow.

"Where applicable:

- ...
- Development of more than 10 dwellings (net) or 1,000m² (net) of non-residential floor space should, having achieved a Part L of the Building Regulations pass, further reduce its regulated greenhouse gas emissions (as predicted by SAP/SBEM) either by 10% via the use of on-site renewable energy generation, or by 20% overall. Where viability constraints of the proposal would preclude the additional cost, the onus will be upon the applicant to demonstrate this (using an open book method if deemed necessary by the Council, the independent verification of which the applicant will be expected to fund). These requirements will be reviewed as further information becomes available about the changes to Part L of the Building Regulations.
- Demonstrate that every effort has been or will be made to achieve a significant carbon reduction in all new built development, at least matching the national targets set out in 'Building a Greener Future' and by the Building Regulations;
- ...
- Achieve a BREEAM 'Very Good' rating or higher for new build non-domestic development up to 1,000m² (net) floor space, and as a minimum a BREEAM 'Excellent' rating for larger developments. Where viability constraints of the proposal would preclude the additional costs of achieving an 'excellent' rating the onus will be upon the applicant to demonstrate this (using an open book method if deemed necessary by the Council, the independent verification of which the applicant will be expected to fund).

"The Council supports energy efficiency improvements to existing buildings provided improvements are in accordance with national guidance and other policies in this plan."

12.23 From the above, it is particularly pertinent to note that Policy D of the Adopted Purbeck Local Plan recognises that there will be circumstances in which viability constraints will preclude the additional costs of achieving a BREEAM 'Excellent' rating, but also makes clear that the onus will be on the applicant to demonstrate that this is the case.

12.24 In relation to the existing building to be demolished, the Design and Access Statement submitted in support of application P/FUL/2021/04422 commented:

“The building is fundamentally not fit for purpose anymore. It is dated, suffers from maintenance issues as well as performs poorly in terms of sustainability. Internally the space is dated and does not provide a healthy, high quality work environment which encourages communication and collaboration.”

12.25 Save for the Dorset Constabulary War Memorial, the existing built development within the Application Site is of no particular architectural or historic interest and its replacement as proposed would make a positive contribution to the character and appearance of the locality, with no material harm to either the natural beauty of the Dorset AONB or to the heritage significance of any designated heritage assets. No change is proposed to the intended use of the replacement headquarters building from that previously permitted and no change is proposed to the architectural or the landscape design proposals, to the previously permitted access arrangements or to the previously proposed site drainage and servicing strategies.

12.26 Replacement of the existing building as proposed would better suit the operational requirements of Dorset Police, would perform to higher level of sustainability and would be the benefit of the local economy. The architectural and landscape design proposals would:

- (i) enhance the character and appearance of the locality;
 - (ii) provide for safe and convenient access;
 - (iii) make appropriate provision for the conservation of heritage assets; and
 - (iv) would contribute to biodiversity enhancement,
- and use of the proposed development by Dorset Police would be to the benefit of communities across Dorset.

12.27 Paragraph 104 of the Submitted Draft Purbeck Local Plan provides that when developing proposals for development, applicants should have regard to the criteria set out in Draft Policy E12 read alongside:

- The Dorset Design Guide SPD (2014);
- Dorset County Council’s residential car parking strategy (2011); and
- Townscape character appraisal SPDs for Swanage, Wareham, North Wareham, Upton, Bere Regis, Bovington, Corfe Castle, Lytchett Matravers and Wool (2012).

12.28 Policy E12 of the Submitted Draft Purbeck Local Plan provides that the Council will expect proposals for all development and other works to demonstrate a high quality of design that:

- (a) positively integrates with their surroundings;
- (b) reflects the diverse but localised traditions of building materials found across the District;

- (c) limits the opportunities for crime and anti-social behaviour;
- (d) where appropriate supports and promotes sustainable modes of transportation;
- (e) avoids and mitigates any harmful impacts from overshadowing, overlooking, noise and any other adverse impacts including light pollution from artificial light on local amenity;
- (f) supports biodiversity through sensitive landscaping and in-built features;
- (g) minimises energy consumption, including where possible inclusion of renewable energy;
- (h) supports the efficient use of land taking account of capacity in existing infrastructure and services, access to sustainable means of transport, the local area's prevailing character and the requirement to deliver high quality buildings and places; and
- (i) provides buildings which are accessible to all.

12.29 Neither draft Policy E12 nor any other part of the Submitted Draft Local Plan specify a requirement to achieve a particular or minimum BREEAM rating, but the referenced Purbeck District Design Guide of 2014 advises:

“1.39 You should ensure that the layout of the site and the design of new buildings do not create any unnecessary limitations on potential future adaptation (i.e. to alternative use or user), or linkage with future development sites.

“1.40 You should consider and provide for the long term maintenance of building materials, finishes and landscaping. Aim for durability and easy maintenance.

“1.41 You will need to consider performance of your design against BREEAM standards, and ensure that it achieves a ‘very good’ rating up to 1000m² of floor space, and ‘excellent’ above this, unless there are clear viability reasons for not complying with these standards. In addition, for developments over 1000m² of floor space, you will need to incorporate measures that reduce regulated greenhouse gas emissions beyond levels required by the Building Regulations: 10% if doing this via on site energy provisions, and 20% in other cases.”

12.30 Accordingly, whilst the Emerging Draft Purbeck Local Plan does not specify a particular or minimum BREEAM rating, the referenced Design Guide again favours excellence over ‘Very Good’ for buildings over 1,000 square metres unless there are clear viability reasons.

12.31 The Applicant's Supporting Statement explains that there are several site constraints limiting the number of achievable and available credits for the proposed development and in particular refers to the following:

- Transport – Campus wide shared services such as operational waste stores, access, parking facilities (showers, lockers etc) would need to be taken into consideration as well as the necessary upgrades of these services. These facilities are located out of the scope of this work.
- Pollution – The size of plot and need to maximise internal space to meet the forces requirements limits the credits available under the Pollution issue in particular Pol 03 Surface water run off as well as targeting significantly higher levels of biodiversity.
- Ecology – The proposed location and existing site does not allow the re-use of land, or site contamination credits LE01 to be awarded. The land is considered not significantly contaminated.
- Health & Wellbeing – Due to the nature of the building and the need for privacy and security it does not meet the daylight credit of HEA01, while the location of the building is in very close proximity to sources of external pollution which makes it unviable to achieve the indoor air quality credit of HEA02.

12.32 The Applicant's Supporting Statement further notes that although the key reason for not being able to achieve an 'Excellent' score is due to the operational nature of the proposed building and site constraints, in theory delivering an 'Excellent' score would also require substantial expenditure over and above the project budget. Information provided jointly by Dorset Police and Dorset Police and Crime Commissioner indicates that, if achievable, the uplift required would have an obvious and clear impact on other force initiatives.

12.33 The Applicant's Supporting Statement further explains detailed findings from a full BREEAM pre-assessment exercise and further comments that:

“3.19 The proposed building demonstrates a high level of sustainability and has incorporated numerous measures, some of which are highlighted below:

- PV system to generate a minimum of 14,113Kwh / year to comply with Building Regulations compliance (Part L2A).
- Mixed-mode ventilation system to optimise indoor air quality and energy efficiency during changes in seasons. There will be zoned spaces controlled by the BMS with CO2 sensors and the mechanical ventilation system will incorporate heat recovery.
- Two single mode reversible air source heat pump chillers will

provide heating and cooling via a common primary loop. The refrigerant type used will have Direct Life Effect Cycle CO₂ equivalent emissions (DELCO₂e) of $\leq 1,000$ kgCO₂e/KW cooling capacity.

- Hot Water demand for the building is relatively low as the use is limited to handwashing, cleaners store sink and for catering in the Café area. Therefore the hot water shall be provided by local point of use electric water heaters.
- Significant increase in biodiversity due to the landscape design.
- 40% reduction in water consumption from the BRE baseline through low flow sanitary ware and use of native species planting.
- Health & Wellbeing benefits for police staff providing comfortable and exceptional internal environments with he designing accounting for future climate change.
- The project shall be provided with a total of 8 electric vehicle charging spaces in the form of 4 No. twin chargers.”

12.34 The Applicant’s Supporting Statement further states that:

- The current design meets all minimum standards for BREEAM ‘Excellent’ including energy performance requirements under Ene 01.
- The proposed building is expected to limit operational carbon by more than 40% over Part L building regulations.
- Operationally the design will assist the implementation and progress towards Net Zero carbon through the all-electric design, with low carbon and renewable energy sources as well as the installation of electric car charging points.
- A significant reduction in water use over the BRE baseline.
- Committed to exceeding biodiversity net gain targets and maximising the benefit for both ecology and users of the site.

12.35 Taking account of the information provided within the application, I am satisfied that the requested change from a minimum BREEAM rating from ‘Excellent’ to ‘Very Good’ has been adequately justified in accordance Policy D of the Adopted Local Plan and would not unacceptably prejudice the overall sustainability of the proposed development.

Impact on Poole Harbour Special Protection Area and Ramsar

12.36 Section 40 of the of Natural Environment and Rural Communities Act 2006 provides that a public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of preserving biodiversity.

- 12.37 The Application Site is not subject to any statutory nature conservation designation, but is located within a defined Site of Special Scientific risk assessment zone and the application proposal relates to a form of development requiring consultation with Natural England.
- 12.38 Natural England was consulted on application P/FUL/2021/04422 and responded on 01 December 2021 advising:
- “Natural England has no comments to make on this application.
- ...
- The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.”
- 12.39 Following the grant of planning permission P/FUL/2021/04422, on 16 March 2022, Natural England issued updated advice on development proposals with the potential to affect water quality resulting in adverse impacts on various habitats sites including the designated Poole Harbour Special Protection Area and Ramsar.
- 12.40 The updated advice relates primarily to residential development and other forms of development providing overnight accommodation, but as the competent authority for the purposes of The Conservation of Habitats and Species Regulations 2017 (as amended), Dorset Council cannot grant planning permission or other authorisation for a project that is likely to have a significant effect on a European site or a European offshore site (either alone or in combination with other plans or projects), and which is not directly connected with or necessary to the management of that site unless it has made an appropriate assessment of the implications of the project for that site in view of that site’s conservation objectives.
- 12.41 Application P/FUL/2021/04422 was supported by an *Ecological Assessment Report* which recommended that ecological enhancements be included as part of the scheme to provide a net gain for biodiversity. The Ecological Assessment Report considered potential impact on a number of designated sites, but did not address potential impacts on the Poole Harbour Special Protection Area and Ramsar.
- 12.42 Application P/FUL/2021/04422 also included a *Biodiversity Plan* certified by Dorset Council’s Natural Environment Team, implementation of that Plan being a requirement of condition 14 of planning permission P/FUL/2021/04422. Implementation of the certified Biodiversity Plan can be required by planning condition and payment of component compensation can be secured by planning obligation.

- 12.43 The certificate of approval of the Biodiversity Plan indicates that providing the Biodiversity Plan and its full implementation is conditioned as part of any grant of planning permission, it is the opinion of Dorset Council's Natural Environment Team that the Biodiversity Plan is considered to provide reasonable mitigation and enhancement measures to meet the duty under the Natural Environment and Rural Communities Act 2006. However, the certificate relates solely to the application/proposed works described within the Biodiversity Plan and makes clear that it covers only biodiversity considerations at the site level; does not cover impacts on nationally and/or internationally designated sites; and that if the proposed development should change materially prior to application submission, the measures put forward in the Biodiversity Plan should be reviewed by Dorset Council's Natural Environment Team.
- 12.44 In response to the current application Natural England has indicated that that they are not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application and that it is for local authority to determine whether or not the proposal is consistent with national and local policy.
- 12.45 Amongst other matters, Policy BIO of the Adopted Local Plan provides that new development will need to ensure that there are no adverse affects upon the integrity of European sites (SPA, SAC, Ramsar, possible SAC, potential SPA).
- 12.46 Further guidance from Natural England relating to nutrient neutrality in Poole Harbour is expected and comments on the subject application Dorset Council's Natural Environment Team are awaited.
- 12.47 With consideration of this matter ongoing, it is appropriate that any resolution to grant planning permission is made provisional on the satisfactory prior conclusion of a habitats regulations assessment. An update on the latest position will be provided at committee.

Other Matters and Other Issues Raised in Representations

- 12.48 The conditions set out in planning permission P/FUL/2021/04422 have been reviewed against the provisions of the development plan and updated to take account of the information submitted for approval under the existing conditions. Save for the requirement for the development permitted to achieve a BREEAM rating of 'Excellent', all matters secured previously by means of planning condition can reasonably be secured by means of planning condition of the same or similar form. Recommend conditions are section out in paragraph 16.1 below.
- 12.49 Wool Parish Council has commented on the reflectiveness of the proposed building. This issue was raised previously by the Parish Council in response to the application P/FUL/2021/04422.

12.50 It was previously explained that the artist impressions provided in support of application P/FUL/2021/04422 suggest that the proposed building might be more reflective than is actually intended and understood:

- (i) that the glazing would be much like the glazing of a standard window;
- (ii) would not be mirrored; and
- (iii) that the window frames would be a matt anodised aluminium.

12.51 As previously, it is considered that the proposed arrangements will be satisfactory, but a condition requiring the submission, approval and use of approved materials is recommended.

13.0 Human Rights

13.1 The Human Rights Act 1998 imposes an obligation on public authorities not to act incompatibly with the European Convention on Human Rights. The articles/protocols of particular relevance are:

- (i) Article 6 - Right to a fair trial;
- (ii) Article 8 - Right to respect for private and family life; and
- (iii) The First Protocol, Article 1 - Protection of Property.

13.2 The recommendation set out in this report is based on the consideration of planning policy and statutory requirements the application of which does not prejudice the Human Rights of the Applicant or any third party.

14.0 Public Sector Equalities Duty

14.1 Section 149 of the Equalities Act 2010 (as amended) provides that in the exercise of its functions a public authority must have due regard to the need to:

- (i) eliminate discrimination, victimisation and any other conduct that is prohibited by or under the Act;
- (ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14.2 Commonly referred to as 'the Public Sector Equalities Duty', the relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

14.3 The design proposals provide for safe and suitable access to the Application Site, to the proposed headquarters building and to the shared spaces and other facilities within and around the Application Site. Construction of the proposed headquarters building would be subject to control under the building regulations which set standards for the design and construction of buildings addressing various matters including accessibility and which help ensure that new buildings are safe, healthy and high-performing.

- 14.4 Having regard to the information provided in the current application and application P/FUL/2021/04422 before it, policy requirements, consultation responses received, the regulatory requirements of the building regulations and the recommended conditions set out at paragraph 16.1 of this report, I am satisfied that the proposed development:
- (i) would help to advance equality of opportunity;
 - (ii) would assist in fostering good relations; and
 - (iii) would have no material adverse impact on individuals or identifiable groups with protected characteristics.

15.0 Conclusion

15.1 Subject to:

- (i) the satisfactory completion of a habitats regulations assessment undertaken in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended);
- (ii) the prior execution of a planning obligation securing payment of financial compensation in accordance with the certified Biodiversity Plan submitted in support of planning application P/FUL/2021/04422; and
- (iii) with the imposition of planning conditions necessary to secure an adequate level of compliance with the development plan,

it is considered that the application proposal is in accordance with the development plan and that there are no economic, environmental or social considerations either warranting or necessitating determination of the application other than in accordance with development plan.

16.0 Recommendation and Details for Inclusion in the Decision Notice

- 16.1 Resolve that following the satisfactory conclusion of a habitats regulations assessment undertaken in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and the execution of a planning obligation securing payment of financial compensation in accordance with the certified Biodiversity Plan submitted in support of planning application P/FUL/2021/04422, the Head of Planning be given delegated authority to grant planning permission subject to the following conditions or conditions to similar effect.

Time Limit – Commencement of Development

- (1) The development hereby permitted shall be begun not later than the 08 March 2025.

Reason: In accordance with sections 73(5) and 91 of the Town and Country Planning Act 1990 (as amended).

Development in Accordance with Approved Plans and Drawings

- (2) Unless otherwise required by the conditions of this permission, the development hereby permitted shall be carried out in accordance with the following approved plans and drawings previously submitted to Dorset Council as part of planning application P/FUL/2021/04422:
- (i) Corstorphine & Wright Drawing No. 19675-CWA-VX-ZZ-DR-A-0200 Revision P-00 dated 10.10.2021 and titled Location Plan;
 - (ii) Corstorphine & Wright Drawing No. 19675-CWA-VX-ZZ-DR-A-0300 Revision P-00 dated 05.07.21 and titled Proposed Site Plan;
 - (iii) Corstorphine & Wright Drawing No. 19675-CWA-B1-00-DR-A-0310 dated 27/07/21 and titled Proposed Ground Floor Plan;
 - (iv) Corstorphine & Wright Drawing No. 19675-CWA-B1-01-DR-A-0311 dated 27/07/21 and titled Proposed First Floor Plan;
 - (v) Corstorphine & Wright Drawing No. 19675-CWA-B1-02-DR-A-0312 dated 27/07/21 and titled Proposed Second Floor Plan;
 - (vi) Corstorphine & Wright Drawing No. 19675-CWA-B1-03-DR-A-0313 dated 26/07/21 and titled Proposed Third Floor Plan;
 - (vii) Corstorphine & Wright Drawing No. 19675-CWA-B1-RF-DR-A-0314 dated 26/07/21/ and titled Proposed Roof Plan;
 - (viii) Corstorphine & Wright Drawing No. 19675-CWA-B1-XX-DR-A-0320 Revision P01 dated 19/07/21 and titled Proposed Elevations Sheet 1;
 - (ix) Corstorphine & Wright Drawing No. 19675-CWA-B1-XX-DR-A-0321 dated 07/19/21 and titled Proposed Elevations Sheet 2; and
 - (x) Corstorphine & Wright Drawing No. 19675-CWA-B1-ZZ-DR-A-0330 dated 07/19/21 and titled Proposed Section & Bay;
 - (xi) Corstorphine & Wright Drawing No. Elevation19675-CWA-VX-XX-DR-A-0202 Revision P-00 dated 20.05.21 and titled Demolition Elevations.

Reason: To regulate the development in accordance with the application proposal and the development plan having regard to government policy set out in the National Planning Policy Framework and to Policies BIO, CF, D, LHH and E of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Construction to Minimum BREEAM Rating of 'Very Good'

- (3) The development hereby permitted shall be constructed to a minimum BREEAM standard rating of 'Very Good' and within 12 months of the first occupation or utilisation of the development a formal BREEAM assessment report and a copy of the accompanying certificate shall be submitted to the local planning authority for review and approval.

Reason: In the interests of promoting good design and sustainable construction having regard to government policy set out in the National Planning Policy Framework and to Policy D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Development in Accordance with Approved Arboricultural Impact Statement and Tree Protection Plan

- (4) The development hereby permitted shall proceed and be managed in accordance the tree protection measures and Tree Protection Plan contained within the Arboricultural Impact Statement dated 13 October 2021 previously submitted to Dorset Council in support of planning application P/FUL/2021/04422.

Reason: In the interest of the preservation of trees having regard to section 197 of the Town and Country Planning Act 1990 (as amended), Government policy set out in the National Planning Policy Framework and to Policies BIO and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Implementation of Approved Biodiversity Plan

- (5) The biodiversity mitigation, compensation and net gain measures set out in sections F, G, H and I of the approved Biodiversity Plan certified by the Dorset Council's Natural Environment Team on 17/11/2021 submitted in support of planning application P/FUL/2021/04422 shall be implemented in accordance with any specified timetable and be completed and maintained in accordance with the approved arrangements.

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

Submission, Approval and Implementation of Ground Investigation Report, Contamination Risk Assessment and Contamination Risk Management Plan

- (6) Prior to the commencement of the development hereby permitted a Ground Investigation Report, a Contamination Risk Assessment and a Contamination Risk Management Plan shall be submitted to and approved in writing by the local planning authority. The Contamination Risk Management Plan shall specify works and measures to be taken to avoid risk from contaminants or gases when the site is developed and shall include:
- (i) a detailed phasing scheme for the development and any remedial works (including a timetable);

- (ii) a monitoring and maintenance scheme to allow for the evaluation of the long-term effectiveness of the proposed remediation over a period of time.

The development shall be undertaken in accordance with the approved Contamination Risk Management Plan. On completion of the development a verification report confirming that all works were completed in accordance with the approved Contamination Risk Management Plan shall be submitted to the local planning authority for approval.

Reason: To ensure appropriate risk mitigation and avoidance measures are implemented having regard to Government policy set out in the National Planning Policy Framework and to Policies BIO, DH, PH, and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval and Implementation of Construction Environment Management Plan (CEMP)

- (7) Save for demolition and site clearance works no development hereby permitted shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall set out:
 - (i) site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology and ground water;
 - (ii) arrangements for the management of demolition, excavation and construction waste arisings;
 - (iii) arrangements by which the developer shall monitor and document compliance with the measures set out in the CEMP.

The development shall be carried out in accordance with the approved CEMP.

Reason: To ensure appropriate management of waste arisings and safeguard the natural environment having regard to Government policy set out in the National Planning Policy Framework and Planning Policy for Waste, to Policy 22 of the adopted Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019 and to Policies BIO, DH, PH, FR and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval and Implementation of Surface Water Management Plan

- (8) No development hereby permitted shall take place until a detailed Surface Water Management Plan based upon the hydrological and

hydrogeological context of the development and addressing surface water management during both the construction and the operational phases of the proposed development has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance approved Surface Water Management Plan.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity having regard to government policy set out in the National Planning Policy Framework and to Policies BIO, DH, PH, FR and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval and Implementation of a War Memorial Dismantling and Reconstruction Method Statement

- (9) Prior to the carrying of any development hereby permitted that would impact the Dorset Constabulary War Memorial, a method statement shall be submitted to and approved by the local planning authority setting out arrangements for the dismantling and reconstruction the Memorial and the associated kerb and railings. The method statement shall provide details of any materials to be used for surfacing the area around the reconstructed War Memorial. The dismantling and reconstruction of the War Memorial shall be undertaken in accordance with the approved method statement.

Reason: In the interest of preserving heritage significance having regard to government policy set out in the National Planning Policy Framework and to Policies D and LHH of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval and Implementation of Surface Water Drainage System Management Plan

- (10) No development hereby permitted shall take place until a Surface Water Drainage System Management Plan detailing arrangements to be made for the maintenance and management of the surface water drainage system and any receiving drainage system for the lifetime of the development have been submitted to and approved in writing by the local planning authority. The Surface Water Drainage System shall be managed in accordance with the arrangements approved Surface Water Drainage System Management Plan for the lifetime of the development hereby permitted.

Reason: To ensure future maintenance of the surface water drainage system in the interest of the natural and built environment having regard to Government policy set out in the National Planning Policy Framework and to Policies BIO, DH, PH, FR and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval and Use of External Materials

- (11) Prior to any development above damp proof course level, details and samples of materials to be used in the construction and external finish of the proposed building shall be submitted to and approved by the local planning authority. The development shall thereafter be undertaken using the materials as approved.

Reason: In the interest of the character and appearance of the locality having regard to Government policy set out in the National Planning Policy Framework and to Policy D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Submission, Approval, Implementation and Maintenance of Landscaping Treatments

- (12) Prior to the carrying out of the construction of any part of the building hereby permitted above damp course level, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. The submitted details shall include:
- (i) proposed finished levels or contours;
 - (ii) all means of enclosure;
 - (iii) hard surfacing materials;
 - (iv) planting specifications; and
 - (v) a timetable for implementation.

Landscaping of the application site shall be undertaken in accordance with the approved details. If within a period of 5 years from the date of the planting of any tree or plant, that tree or plant or any tree or plant planted in replacement for it is removed, dies, becomes seriously diseased or is seriously damaged another tree or plant of the same species and size as that originally planted shall be planted as a replacement in the next available planting season.

Reason: In the interest of good design and to preserve and enhance biodiversity, character and appearance having regard to Government policy set out in the National Planning Policy Framework and to Policies D and BIO of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Construction and Maintenance of Proposed Turning and Parking Facilities

- (13) Within 6 months of the first occupation or utilisation of the development hereby permitted, the turning and parking facilities shown on approved Drawing Number 19675-CWA-VX-ZZ-DR-A-0300 and the cycle parking facilities shown on approved Drawing Number 19675-CWA-VX-ZZ-DR-A-0300 shall have been constructed in accordance with the details shown on the approved drawings. Thereafter, these areas shall be permanently maintained for the purposes indicated and shall be kept free from other obstruction.

Reason: To ensure appropriate provision and maintenance of site infrastructure and encourage the use of sustainable transport having regard to government policy set out in the National Planning Policy Framework and to Policies D and IAT of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

Unexpected Contamination

- (14) In the event that previously unidentified contamination is found at any time during the construction of the development hereby permitted an investigation and risk assessment shall be conducted and reported to the local planning authority and details of any proposed contamination management and/or remediation measures shall be submitted to the local planning authority for approval. Remediation and management shall be undertaken in accordance with the approved measures. On completion of the development a verification report confirming that all works were completed in accordance with the approved management and remediation measures shall be submitted to the local planning authority for approval.

Reason: To ensure appropriate risk mitigation and avoidance measures are implemented having regard to Government policy set out in the National Planning Policy Framework and to Policies BIO, DH, PH, and D of the Adopted Purbeck Local Plan (Planning Purbeck's Future Purbeck Local Plan Part 1).

16.2 Informative notes to be included on the decision notice:

Statement of Positive Involvement

- (1) In accordance with the National Planning Policy Framework, in its capacity as local planning authority, Dorset Council takes a positive and proactive approach to development proposals focused on solutions. The council worked with the applicant in a positive and proactive manner by:
- (i) providing a pre-application advice service;

- (ii) updating the applicant of issues as they arose in the processing of the application; and
- (iii) providing the applicant with the opportunity to address issues of concern with a view to facilitating the grant of permission.

Surface Water Drainage System Management

- (2) The applicant is advised to have early discussions with Wessex Water in relation to the possible adoption of any Sustainable Urban Drainage System (SUDS) features to ensure that the final designs of the SUDS features are in line with their design requirements.

Potential for Bird Strike

- (3) Wool Parish Council has requested that the applicant consider the reduction of possible bird strikes through detailed design specification. A copy of the Parish Council's request may be viewed on the application webpages accessible via <https://planning.dorsetcouncil.gov.uk/>.