

Reference No: P/RES/2022/06180
Proposal: Erect 80 No. dwellings, carry out works to form associated infrastructure and public open space. (Reserved matters application to determine appearance, landscaping, layout and scale, following the grant of Outline Planning Permission No. P/OUT/2021/04019); and discharge Condition Nos. 7 (Arboricultural Method Statement) and 18 (Electric Vehicle Charging Scheme) of Outline Planning Permission No. P/OUT/2021/04019.
Address: Land North of Common Mead Lane, Gillingham Dorset
Recommendation: APPROVE, subject to conditions
Case Officer: Jim Bennett
Ward Members: Cllr Ridout, Cllr Potheary, Cllr Walsh
CIL Liable: No

1.0 Gillingham Town Council object to the application, raising concerns over highway safety and lack of allotment provision.

2.0 Recommendation: **GRANT**, subject to conditions

3.0 Reason for the recommendation:

- The site benefits from outline planning consent for 80 no. dwellings and the principle of development is therefore accepted.
- The Council at present have a published 5 year housing land supply, but there have been appeals where the inspector has found the supply to be below 5 years and this is a material consideration. Furthermore, the Housing Delivery Test in this area is not met as supply is at 69 percent and the presumption applies.
- The location is considered to be sustainable despite its position outside of the settlement boundary
- There is not considered to be any significant harm to the appearance of the area, highway safety, ecology, flood risk, neighbouring residential amenity or heritage.
- The development would secure economic, social and environmental benefits, including significant open space and ecological enhancements, the full quota of affordable housing and other infrastructure contributions.
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of development is acceptable in light of the lack of 5 year housing land supply, sustainable location, extant outline permission and that there are no material considerations which would warrant refusal of this application.
Loss of agricultural land	Loss of this land in the context of the provision of housing and social/economic benefits is considered to be acceptable.
Housing delivery	The proposal is for 80 dwellings and would make a valuable contribution to housing land supply.
Affordable housing and infrastructure	The development will provide policy compliant affordable housing at 25% and a suite of s.106 obligations (onsite and offsite).
Highway Impacts	The access and parking arrangements are acceptable, subject to the conditions applied at outline stage and to revision of traffic calming.
Urban Design/Landscape	While unable to support, most of the initial concerns have been addressed by amended plans and may be addressed by condition.
Trees	No important trees will be lost, additional tree planting is proposed and conditions will secure the requisite protection.
Residential Amenity	The amenity of adjacent residents protected with adequate space/buffers, between proposed and existing properties.
Ecology	Surveys have been undertaken and impact upon protected species can be mitigated to avoid adverse effects. Significant areas of ecological enhancement are secured by S106 agreement and condition.
Flooding/Drainage	The site is in Flood Zone 1 (low risk). Surface water drainage details are secured by condition.
Impact on Heritage	A degree of less than substantial harm is outweighed by the public benefits.
Archaeology	Archaeological investigations have taken place to the satisfaction of the Council's Archaeologist, secured by outline condition.
Economic benefits	Benefits would come from delivery of this housing, including provision of jobs during construction and future resident expenditure.

5.0 Description of Site

The site lies to the west of Gillingham, which is identified in the North Dorset Local Plan as one of the four main towns and one of the most sustainable locations for housing development. Gillingham will accommodate about 39% of housing growth in North Dorset over the 20 years between 2011 and 2031 reflecting its economic potential, the availability of suitable sites and the relative lack of environmental constraints.

The site lies outside but immediately adjacent to the settlement boundary of the town and can be classified as 'countryside'. It comprises an irregular shaped parcel of land of approximately 3.9ha, defined as agricultural land, but has not been farmed in recent times.

The site is not subject to any national or local designations (such as AONB) and is situated within flood zone 1 (lowest probability of flooding). The Wyke Conservation Area is situated to the north of the adjoining field to the site. The nearest listed buildings to the site are the Wyke Brewery and Brewery House situated approximately 510m to the north.

There is an established hedgerow defining its western and northern boundaries, the eastern and southern boundaries adjoining residential development off Freame Way and the Mellows care home off Common Mead Lane. Established public rights of way N64/57 and N64/58 passing through the site and a pedestrian access from Freame Way.

The site is identified in the Gillingham Neighbourhood Plan as an 'area of search for formal sports provision'. However it is also identified in the emerging Dorset Local Plan as an allocation for residential development and benefits from outline consent for residential development.

6.0 Description of Development

This application follows outline planning permission ref. P/OUT/2021/04019 (varied by P/VOC/2022/06529), which granted the principle of housing and access on the site. This application seeks approval of the reserved matters being; layout, scale, appearance and landscaping to facilitate development of 80 dwellings on the site. The reserved matters show access from Common Mead Lane via a new entrance between the Mellows Care Home and the boundary of No. 7 Freame Way, as per the outline approval.

The application is submitted with details demonstrating how the reserved matters follow the design approach set by the outline approval. The plans have been amended during the course of determination to take account of the comments of consultees and notified parties, primarily addressing the density of development on the eastern boundary, affordable housing distribution, highway matters, rights of way impacts and landscaping.

The scheme shows two storey detached, semi-detached and terraced dwellings set out in seven blocks consisting of four linear blocks along the site boundaries with gardens generally facing onto these boundaries and facades facing the street. Three central perimeter blocks with facades facing the street and back to back rear

gardens forming the core of each block. The proposed materials would be buff and brown brick, with stone facades on prominent elevations and grey and brown roof tiles. The majority of boundaries fronting onto access roads would be formed of 1.8m high brick walls and rear and side boundaries would be formed of 1.8m high close boarded fencing except where rear garden boundaries face onto existing boundary vegetation where they would be formed of 1.2m high post and wire fencing. Some front boundaries would be formed by 1.2m high estate railings and the LEAP by 1.2m high bow tip fencing and hedging.

Apart from one shared surface north/south orientated road, dwellings would be accessed via roads with pedestrian pavements on either side. Pedestrian routes are also shown through the public open space along the western boundary of the site and linking to Freame Way and the field to the north along the route of defined rights of way. Parking provision for private dwellings would predominantly be a mix of garaged and/or on plot parking spaces and on street perpendicular parking spaces. Parallel visitor parking spaces would be located adjacent to the open space at the entrance to the site. An electricity sub-station would be located adjacent to the site entrance close to an attenuation basin in the south eastern corner.

With the exception of a short length of hedge at the entrance to the site and one tree group on the southwestern boundary of the site, the existing boundary hedges and trees would be retained. A total of 0.6Ha of Public Open Space would be provided including a Local Area of Play (LAP) in the south eastern corner adjacent to the entrance and a Local Equipped Area of Play (LEAP) in the north eastern corner of the site. Tree planting is shown within the public open spaces, around the attenuation basin, along the route of the existing public right of way which crosses the site and along the south eastern boundary with The Mellows Care Home. Further street trees have been added during the course of negotiations. All access roads would be lit by street lighting.

The outline permission secured the whole of the northern field adjoining the site, which measures at 8.05 hectares, including 4.3 hectares of biodiversity enhancement, to be offered to Gillingham Town Council. If the offer is accepted, the transfer would contain sufficient covenants to prevent any future development and to guarantee that it is held as publicly accessible green space in perpetuity. By accepting the offer of the transfer, the land would become accessible, could be enjoyed by the town and would be protected from any future risk of development. The transfer would take place upon or near completion of the new development and liability for maintaining the field would pass to Gillingham Town Council at this point.

7.0 Relevant Planning History

P/FUL/2022/06528 - Construction of attenuation SUDS pond associated with reserved matters submission for housing development pursuant to outline permission P/OUT/2021/04019 – decision pending

P/VOC/2022/06529 - Develop land by the erection of up to 80 No. dwellings, form vehicular access, associated open space and infrastructure. (Outline application to determine access) (with variation of condition 4 of planning permission P/OUT/2021/04019 to amend approved access) – Approved 05/12/2022

P/OUT/2021/04019 - Develop land by the erection of up to 80 No. dwellings, form vehicular access, associated open space and infrastructure. (Outline application to determine access). APPROVED - 29/06/2021

P/OUT/2020/00472 – Develop land by the erection of up to 80 dwellings, form vehicular access, associated open space and infrastructure. (Outline application to determine access). REFUSED - 24/08/2021

8.0 List of Constraints

CON - WYKE, Wyke Conservation Area - Distance: 46.79

PROW - Right of Way: Footpath N64/55; - Distance: 0

TPO (TPO/2021/0008) - NULL: NULL - Distance: 0

EA - Risk of Surface Water Flooding Extent 1 in 1000 - Distance: 0

EA - Areas Susceptible to Groundwater Flooding; Clearwater and Superficial Deposits Flooding; < 25%; - Distance: 0

9.0 Consultations

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

Ward Councillor - Gillingham Ward - No comments received

Gillingham Town Council - Recommend refusal due to concerns over internal speed limits, visibility splays, pedestrian refuge and lack of allotment provision.

Dorset Rights of Way Officer – No objections

Ramblers – FP N64/57 is part of both the Stour Valley Way and the White Hart Link, both important local designated links and should be acknowledged and suitable signposting and waymarking provided. Also give informatives.

Dorset Highways – Amended plans and information is sufficient to overcome the Highway Authority's previous concerns. The latest site plan (Dwg No 220901/SL01 Rev L) reflects the changes mentioned in the letter. The road that runs from east to west still requires traffic calming and while this would be picked up at the s38 stage if the internal layout is going to be offered for public adoption, it would be preferable to show the traffic calming measure on a revised plan to cover the adoption/non-adoption issue.

Dorset Trees Team - confirm that Condition 7 (Arboricultural Method Statement) may now be discharged on the basis of the arboricultural information supplied.

Landscape Officer - While the revised scheme improves upon the previous iteration, unconvinced that the amended proposal would function as well as it might, would add to the overall quality of the area as much as it could, would be as visually

attractive as a result of good architecture, layout and appropriate and effective landscaping as possible or that it would fully meet the requirements of a number of national, local and neighbourhood planning policies relevant to landscape and visual considerations. Consequently approval of landscaping as a reserved matter is not supported.

Urban Design – A number of previously identified issues have been resolved such as the affordable housing distribution and the density disparity between the east and west parcels of the site. However, security in relation to the wildlife corridor is queried. The site layout should be enhanced to allow for adequate street tree planting and good parking design, possibly through reconsideration of the open market housing mix. While architectural detailing has been enhanced from the original submission, it does not go far enough to be reflective of the local character of the area as identified in the DAS.

Development Control - Housing Enabling Team - The affordable housing complies with policy and will help to meet an identified housing need. There are a good mix of rented homes which include 10 x three-bedroom houses and 2 x four-bedroom homes. There is a significant level of need for larger family homes and there will be a high level of demand for these properties. The revised layout has improved the relationship between the affordable and market homes, avoiding large blocks of affordable housing. All of the affordable homes are houses rather than flats which also helps create a tenure blind development.

Lead Local Flood Authority - The application is supported by an updated Drainage Strategy and Sustainable Urban Drainage Systems Statement and Exceedance Flow drawing, which provide detail regarding drainage from the site. The surface water drainage proposals are broadly in-line with those accepted at the outline planning stage. No objection, subject to surface water drainage conditions and informatives.

Development Control - Section 106 - On the understanding that this application is determined in line with the S106 agreement dated 29 June 2022 (outline application P/OUT/021/04019). Including the identified financial and non-financial obligations and associated trigger points, then no further comments from this perspective.

NHS Dorset - Since November 2021, there has been agreement that NHS Dorset will be provided with an allocation from the development. The outline planning application was dated 13 October 2021, pre-dating these arrangements. A contribution of £6,400 is sought.

Environmental Health Section – No objections, subject to conditions in relation to noise generating plant and a construction management plan.

Wessex Water - Separate systems of drainage are required and informatives on foul sewerage, surface water sewerage and water infrastructure are given.

Representations received

Correspondence has been received from 46 notified parties, objecting to the proposal on the following grounds:

- The proposals constitute a departure from the indicative outline plan.
- Proximity and number of dwellings adjoining Freame Way and Mellows Care Home with consequential loss of privacy and outlook
- There should be bungalows adjoining Freame Way not two storey units
- All development should be moved to the west of the site
- Density of proposed development is too great.
- The plan and designs are not in keeping with the character of the area
- Predominance of affordable housing on the eastern side of the site
- Affordable housing is not distributed evenly throughout the site
- Affordable housing materials are distinguishable from market housing
- Materials should match the stone used on Freame Way
- Impingement on footpaths/rights of way
- Fencing erected on site
- Inadequacy of wildlife corridor on north east boundary
- Species choice in wildlife buffer is criticised
- Lack of buffer planting and landscaping to north eastern boundary
- Security of the wildlife corridor is queried
- Proximity of access road, visitor parking and street lighting in relation to existing dwellings
- The width of access roads is questioned
- Inappropriate siting of visitor car parking
- Inappropriate size and position of parking area to north, next to footpath and open space
- Concern raised over construction activity and disturbance
- The proximity of the play area to existing dwellings will impinge upon privacy and cause noise nuisance.
- No playing field is shown within the site
- There is sufficient land elsewhere in the town for housing
- Some of the proposed energy saving technology is criticised, particularly use of gas and the implications for climate change
- Play space has limitations in terms of equipment, size and location next to a car park
- Query made over longevity of case officer's site visit and visits to neighbours
- Query made over adherence to adopted policy in determining proposal

10.0 Relevant Policies

Local Plan: The North Dorset Local Plan Part 1 (LPP1) was adopted by North Dorset District Council (NDDC) on 15 January 2016. It, along with policies retained from the 2003 North Dorset District-Wide Local Plan, and the 'made' Gillingham Neighbourhood Plan, form the development plan for North Dorset. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant applicable policies in the adopted North Dorset Local Plan Part 1, January 2016 are as follows:

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

Relevant saved policies from the **North Dorset District Wide Local Plan (1st Revision) Adopted 2003**, are as follows:

- Policy 1.7- Development within Settlement Boundaries
- Policy 1.9 – Important Open or Wooded Areas

Gillingham Neighbourhood Plan

The Gillingham Neighbourhood Plan was ‘made’ on 27 July, 2018 and forms part of the Development Plan for North Dorset. Relevant policies applicable to this application are:

- Policy 1. Custom and self-build housing
- Policy 12. Pedestrian and cycle links
- Policy 13. Road designs in new development
- Policy 14. New and improved health and social care provision
- Policy 15. New and improved education and training facilities
- Policy 16. New and improved community, leisure and cultural venues
- Policy 17. Formal outdoor sports provision
- Policy 18. Equipped play areas and informal recreation / amenity spaces
- Policy 19. Allotments
- Policy 20. Accessible natural green space and river corridors
- Policy 22. Protecting important green spaces
- Policy 23. The pattern and shape of development
- Policy 24. Plots and buildings
- Policy 25. Hard and soft landscaping

Material Considerations

National Planning Policy Framework (NPPF):

The NPPF has been updated with a revised version published July 2021. The following sections and paragraphs are relevant to this outline application:

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

Emerging Local Plans:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan 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.

North Dorset District Council Landscape Character Assessment (2008)

The Site lies within the eastern edge of Limestone Hills Landscape Character Area.

Gillingham Town Design Statement (adopted 2012)

The Gillingham Town Design Statement (TDS) was adopted by Cabinet on 19 March 2012 and endorsed by Council on 30 March 2012, as an evidence base study. It was developed to safeguard the local characteristics of the Town, and to encourage sensitive, high quality design where new development occurs. It details distinctive local features and policies to inform those applying for planning permission what should be considered when preparing a scheme for submission.

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.

The application site is located in line with the spatial strategy of the local plan, which seeks to locate development close to services. Occupiers of the dwellings would have access to open space and to health and other facilities that are contained within the town.

The proposed change in land use will not result in any disadvantage to people due to their protected characteristics. While there is no specific provision for lifetime homes or accommodation specifically for those with protected characteristics, the form of development proposed will provide housing, additional open space and enhancements to the local rights of way network, to ensure the needs of people with disabilities or mobility impairments or pushing buggies are met. This will be through accommodation of appropriate off road footpath links, shared surfaces, improvements to existing links and by ensuring that the access arrangements to the new housing and open space are subject to the requisite standards applied by the Building Regulations and Highway Authority.

Officers have considered the requirement of the duty, and it is not considered that the proposal would give rise to specific impacts on persons with protected characteristics.

13.0 S106/ Financial benefits

A Section 106 agreement was completed for the outline permission, securing the following:

- 25% affordable housing

- Local Area of Play
- Local Equipped Area of Play
- Destination Play Facilities Maintenance
- Formal Outdoor Sport
- Formal Outdoor Sports Maintenance
- Informal Outdoor Space
- Informal Outdoor Space Maintenance
- Community, Leisure & Indoor Sport Facilities
- Primary School contribution
- Secondary School contribution
- Pre School contribution
- Bus Service contribution
- Bus stop contribution
- Community transport contribution
- Rights of way enhancements
- Health
- Libraries
- Waste
- Drainage (SUDS)
- 4.3ha of land for biodiversity net gain
- The northern field (8.05ha) to be offered to and transferred (if accepted) to Gillingham Town Council
- £65,467.20 towards compensatory habitat

14.0 Climate Implications

In May 2019, Dorset Council declared a Climate Emergency and there is a heightened expectation that the planning department will secure reductions in the carbon footprint of developments. The Climate Change Statement addresses the Council's current planning policy requirements. Planning conditions requiring cycle parking (17), electric vehicle charging (18), travel plan (19) and biodiversity enhancements (14) to be submitted to and approved in writing by the Council, were applied to the outline consent. The following sustainability measures will be incorporated into the proposed development:

- Passive and active design measures for dwelling including; external wall, roof and floor U-values in excess of Part L standards, double glazing with low G-values, air tightness and waste water heat recovery.
- Water use less than 110 litres per person per day per dwelling
- 4kW photovoltaics per unit on SE to SW facing roofslopes
- Low carbon gas boilers
- Swales and SUDs to minimise surface water flood risk
- Electric vehicle charging points will be provided for all dwellings with allocated parking and for all unallocated parking spaces.
- All dwellings provided with cycle parking facilities
- Landscaping to include native species to enhance biodiversity
- Construction phase waste management

It is considered that there is sufficient scope within the proposed development to incorporate a wide range of sustainability measures. These will reduce the impacts of the development on the climate in line with Dorset Council Climate and Ecological Emergency Strategy 2020.

15.0 Planning Assessment

- Principle of development
- Impact upon the character and appearance of the area
- Trees impacts
- Residential Amenity
- Affordable Housing and Infrastructure
- Highway Impacts
- Heritage
- Archaeology
- Biodiversity
- Flooding/Drainage
- Loss of Agricultural Land
- Housing Delivery
- Other Matters

Principle of Development

The site was identified by North Dorset District Council in the 2019 Strategic Housing Land Availability Assessment, which established that it may be suitable for around 72 dwellings. The site is also referenced in the emerging Dorset Local Plan under Policy GILL3: Land at Common Mead Lane, which proposes its allocation for residential development. Whilst this does not constitute planning policy, nor a formal site allocation, it does indicate the direction of travel for addressing housing need in the Gillingham area.

In light of emerging policy and the lack of a five year housing land supply in North Dorset, outline planning permission for the erection of up to 80 no. dwellings and the formation of a vehicular access was granted on the 29 June 2022 under ref. P/OUT/2021/04019. Consequently the principle of residential development on the site has been established. The Council must now assess the acceptability of the reserved matters, on the basis of the material considerations set out below.

Impact upon the character and appearance of the area

In terms of visual impacts, a full Landscape and Visual Impact Assessment was submitted with the outline application, concluding that the overall impact of up to 80 dwellings on the wider landscape character beyond the site arising from the development would not be significant. There was no objection in principle to the outline proposal on landscape grounds, acknowledging matters of detail would be addressed by the current reserved matters application.

In respect of the current submission, the Landscape Officer noted that while the distribution of development blocks, vehicular access and public open space was

broadly similar to that at the outline application stage, four of the development blocks have expanded and/or changed shape. In addition the alignment of roads and block frontages were straightened to a more rectilinear form giving the layout a more urban and less rural character than indicated at outline. Concerns were raised by other consultees and notified parties regarding the form and density of the original submission and its likely impact upon the character and appearance of the area. Amended plans were subsequently received seeking to address those concerns. The main changes were to decrease the density of housing on the eastern boundary, incorporate a wildlife corridor/buffer on the eastern boundary, distribute the affordable housing more evenly through the site, alter the housing mix, increase the number of street trees, alter parking arrangements, amend open space and play space proposals and to address impacts on definitive rights of way.

The presence of FP N64/58 effectively bisects the site into two distinct parcels. Initially this was reinforced by higher density in the eastern parcel and almost exclusively large, detached dwellings in the western parcel. While the graduation of density from higher to lower as built form progresses to the outer, rural edges of the site, is supported, the extent to which this scheme initially proposed would have created too much of a disparity between the two parcels of the site, uncondusive to creating a cohesive and balanced community. With this in mind, the density of development on the boundary with Freame Way was scaled back to provide a more consistent approach to the existing grain and maintain the sensitive transition between the existing and new development. The loosened density, together with introduction of the wildlife corridor on the eastern boundary and introduction of frontage planting, proposed by the revised layout is acceptable.

Paragraph 131 of the NPPF states that; *“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined”*. While the quantum of trees has increased in public open spaces from the outline stage, the number of street trees had diminished in the initial reserved matters submission. This was a concern, particularly in some of the more densely packed streets and amended plans were received to address the matter. The revised plans have provided more street trees and while all streets cannot be described as tree lined, the central corridor along FP N64/58 and entrance to the site can be described as such. The introduction of street trees to other streets, including the island in front of Plots 3-5 and to the shared surface street have certainly enhanced the presence of trees throughout the scheme. While the Landscape Officer is unable to support the scheme, in part due to the lack of street trees and the likely establishment of those proposed, it is accepted that the revised proposal will provide an adequate quantum of street trees. However, it is imperative that the street trees that are proposed will establish healthily and the applicant has agreed to the imposition of a condition in relation to tree planting. The condition will relate to all tree planting, but focus in particular on those locations identified by the Landscape Officer as marginal, due to their proximity to hardstandings and infrastructure. The condition will require identification of the location, species, size, planting medium, preparatory engineered tree pit systems and procedures for ensuring the healthy establishment of trees.

The materials palette is predominantly brown and buff brick finishes with stone finishes on the front elevations for key plots, with a mix of brown and grey roof tiles. Use of red brick is also proposed for window headers and artstone cills. The use of brown brick for building facades is queried, where the majority of existing neighbouring development is stone and/or white render. The brindle colour of Keyblok paving for some drives was also queried, but it is considered that these details can be firmed up by a materials condition. In terms of architectural detailing, the initial submission was lacking, chimney stacks being absent, despite reference to them in the character analysis within the DAS. Chimneys have been added to approximately 25% of the dwellings, lending an attractive articulation of roof form, evident in the revised street scene drawings. Architectural detailing is picked out with stone quoinwork and brick plinths, string courses, corballing, buttressing and verge details. Door openings are finished with a variety of timber framed flat roofed or monopitched storm canopies. Walled boundaries are proposed for those plot boundaries visible to the street and public realm, finished in brickwork to match the façade material of their respective plot. Low railings are proposed to define the front curtilages of some of the street facing units. Overall the design, architectural detailing and materials of the amended proposal are considered to be of good quality.

The quantum of public open space included in the proposed development meets local and neighbourhood policy requirements, although some reservations were raised over its design, in terms of footpath alignment, playspace surfacing and equipment, incorporation of informal play features and seating, tree species selection, parking and passive surveillance.

The Landscape Team welcome the details on the play area within the Public Open Space (POS) at the northern apex of the site, but suggested it could be improved in respect of surface treatments, boundary planting and the range and orientation of play equipment. In response the applicant provided amended plans showing the LEAP bound by bow-top metal fencing and hedging and appropriate play equipment. With regard to the POS at the western boundary of the site, the footpath was realigned in response to initial Landscape comments. Furthermore, new woodland tree planting will be relocated beyond the line of underlying services.

The site layout proposes perimeter block development with natural surveillance of public spaces. As the corners are turned within the development, active side elevations including bay windows are designed to ensure natural surveillance to public spaces. This is achieved through specific house types that incorporate strong side elevations; Avondale, Earlswood and Hadley. The route of FP N64/58 is maintained and would be well surveyed by built form and be tree lined, factors which would contribute to an attractive route.

There was a marked increase in the quantum of parking provision from the outline stage, with the introduction of significant amounts of perpendicular and parallel parking along streets. The amendments have addressed concerns raised over the design impacts of parking, which are expanded upon in the Highway Impacts section below.

The distribution of affordable housing initially proposed was not pepper-potted amongst the market housing sufficiently and a more even distribution was requested. Amended plans addressed these concerns, amplified in the Affordable Housing Section below.

The proposal achieves a design, layout and density that makes effective use of the site, reflecting the character of the locality and a development that will be acceptable in terms of design and visual amenity, in accordance with Policies 7 and 24 of the Local Plan and Policies 23, 24 and 25 of the Gillingham Neighbourhood Plan.

Tree Impacts

A small section of the site, towards the site entrance to the south, was identified in the former Local Plan (2003) as an 'Important Open or Wooded Area' IOWA. It should be noted that this part of the site is grassland (not wooded). Since adoption of the Local Plan Part 1, the Gillingham Neighbourhood Plan has been made. The Neighbourhood Plan has identified specific green spaces for protection. The application site is not identified as an important open/green space, however much of the area around the site access will be maintained as open space and landscaped appropriately to maintain a sense of openness.

There are a number of trees around the site, largely on adjoining land, but no important trees are proposed for removal. New tree and hedge planting are shown throughout the final site layout and the applicant has incorporated a significant number of street trees into the amended layout, which will be a significant benefit to the street scene and overall feel of the finished development. The Council's tree officer has no objection to the proposal.

Residential Amenity

There will be an inevitable change to the nature of the site from its current use as an open field. The proposed built form, increased vehicular movement, increased domestic noise and activity will all have an impact upon the neighbouring dwellings and the level tranquillity currently enjoyed. However, this is unlikely to adversely impact adjacent neighbours to the extent that would warrant the refusal of this application.

The most affected residents will be the properties adjoining immediately to the east of the site on Freame Way and to the south of the site at the Mellows care home. The originally submitted layout differed from the illustrative layout submitted at the outline stage. The indicative layout showed a much more generous buffer to Freame Way, in the region of 25m, where the original submission took that distance down to 21m and much closer in respect of the gable end of Plot 7. This close relationship and lack of buffer was considered to be unneighbourly in terms of the perception of overlooking and overbearing impact. Consequently the applicant was requested to amend the layout to give more separation, incorporate more planting and mitigate the impacts on neighbouring residents. The layout was amended to provide 7 plots in this area, where the original submission showed 11 plots. The effect was to loosen up development along the boundary with Freame Way, provision of a landscaped buffer/wildlife corridor and a lower requirement for parking

and other ancillary features, which assisted with addressing the overdeveloped form of the original submission in this area of the site. There is an oblique window to window distance between Plot 3 and no. 23 Freame Way of 23m, well beyond the accepted rule of thumb (21m) and coupled with the buffer vegetation, the relationship is acceptable. While Plots 1 and 7 are closer to the boundaries of 22 and 32 Freame Way, at 14-15m, these are unfenestrated gable elevations, which will present no privacy issues, particularly considering the screen planting provision. The degree of separation is considered to be acceptable in terms of any overbearing presence.

It is suggested that the proximity of the play area to existing dwellings will impinge upon privacy and cause noise nuisance. In terms of privacy, the definitive line of a public footpath is in fact closer to the rear curtilage of no. 33 Freame Way than the proposed play area. The play area will be separated from the rear of no. 33 by bow top fencing, two hedges, scrub planting and 2 no heavy standard tree specimens, so it is not accepted that privacy will be lost. The play area will be equipped with a swing, slide, pyramid climbing frame, a rocking plate, timber train and wobble dish. While there will be some noise from younger children at play, the play equipment is all at least 8m from the boundary of no. 33 and the degree of separation is considered to be acceptable.

The proximity of the access road to existing dwellings was agreed at the outline stage. The access road will run parallel to the rear curtilage of no. 7 Freame Way and there will be some separation of the carriageway by the footway and hedge planting. Efforts have been made to minimise any perceived disruption by moving visitor parking to the opposite side of the access road. Street lighting is necessary for this scheme and it is noted that there will be four lighting columns adjacent to the open space at the site entrance. These lights will be directed down on the pavement and carriageway and not toward the rear curtilages of nos. 7, 8 and 9 Freame Way. While there will be new lighting introduced into this area, the level of light pollution would not be such to substantiate a reason for refusal.

The Environmental Health Section raise no objections, subject to conditions to address the potential for noise from the electrical substation and pump station and a construction management plan. They also suggested that the windpipes in the proposed play area be removed to protect adjoining residential properties from noise, which have been removed from the scheme. The construction management plan will go some way to mitigating the possible adverse effects associated with construction activity, such as noise, dust suppression, vehicular access, hours of operation, parking, bonfires etc, although some disturbance is an inevitable consequence of any new development, large or small.

Private amenity space for future occupiers of the development is varied, largely linked to the size and type of associated dwelling and are broadly acceptable, following enhancement of private open space for some plots by the amended plans.

Overall, it is considered that the amenity of adjacent residents can be sufficiently protected in accordance with Policy 25.

Affordable Housing and Infrastructure

Policy 8 states that in Gillingham, 25% of the total number of dwellings are to be affordable with a presumption that it will be provided on-site. Of the 80 dwellings proposed in total, 20 are proposed to be affordable housing, meeting the 25% requirement stipulated by Policy 8. Of these 14 will be rented homes and 6 shared ownership.

The distribution of affordable housing initially proposed was contrary to NDLP Policy 8, as they were not dispersed amongst the market housing sufficiently, with affordable housing in two clusters of nine and 11 units on the eastern side of the site. A more even distribution of the affordable housing across the site was therefore requested, along with changes to the siting, use of materials and landscaping. Suitably amended plans were received to address these concerns, reflected by the comments of the Housing Enabling Team (HET), who consider the revised layout has improved the relationship between the affordable and market homes, avoiding large blocks of affordable housing and fronting four of the five streets within the scheme. HET go on to comment that the scheme offers a good mix of house types and being houses rather than flats will help create a tenure blind development and help fulfil a need for larger family homes' for which there is a high level of demand.

Policy 7 states that housing should contribute towards the creation of mixed and balanced communities based on 40% of market housing being one or two bed properties and 60% of affordable housing being 3+ bed properties. The proposal demonstrates that 65% of the market housing will be 3, 4 and 5 bed, with 35% of the market housing being 2 bed units. It also demonstrates that 80% of the affordable housing will be 3 or 4 bed units and overall the proposal is in broad compliance with the provisions of Policy 7.

In addition to affordable housing and to ensure the development is acceptable in planning terms, the outline approval secured a number of onsite and off-site improvements to transport, community and green infrastructure in the context the requirements of Policies 13 (Grey Infrastructure), 14 (Social Infrastructure) and 15 (Green Infrastructure). The outline S.106 secured the requisite items (see table at section 13.0), which meet the statutory tests set out in the Community Infrastructure Levy Regulations 2010 paragraph 122; being necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

Highway Impacts

The outline planning application approved the principle of access to the site from Common Mead Lane, although a variation application under ref. P/VOC/2022/06529 approved minor changes to the access arrangement. A new priority junction will be formed to the northeast of the existing access to The Mellowes care home, of sufficient size to allow the two-way movement of all vehicles, confirmed by a full swept path analysis. This access will be provided in accordance with the guidance provided by Manual for Streets. Sufficient intervisibility between the proposed access and the existing care home access to the south west is available. Planning conditions were applied to the outline approval and subsequent variation approval to secure details of construction (15), visibility spays (16), cycle parking (17), electric vehicle charging (18), travel plans (19) and a construction traffic management (20).

Whilst the site lies outside of the settlement boundary, it does adjoin it, is close to existing residential properties and is well located in terms of distance to a major town and its services. The site is within 600m of a convenience store, 900m to Wyke Primary School, 350m of a bus stop and 1.2km from Gillingham High Street, accessible via a 15-minute walk or 5-minute cycle journey, so there is a wide range of local amenities and services readily available, including a mainline train station in the town centre. The proposal meets the aims of paragraph 105 of the NPPF by focusing development in a sustainable location, thereby limiting the need to travel and offering a genuine choice of transport modes.

While notified parties have queried the width of access roads, the Highway Authority advise that the amended plans and information is sufficient to overcome their initial concerns. They advise that the road running from east to west still requires traffic calming, which would be picked up at the s38 stage if the internal layout is going to be offered for public adoption. A plan showing traffic calming measures to comply with the Highway Engineer's comments has been submitted and the view of the Highway Engineer on these plans will be reported to Members.

Policy 23 (Parking) identifies the need to accommodate car and cycle parking in accordance with the Council's standards and that the parking needs of people with impaired mobility are addressed in accordance with the Council's standards. The proposal makes provision for 141 allocated parking spaces, 18 unallocated spaces, 10 visitor spaces and 45 garages. The garages may be treated as allocated spaces, all being at least 6m x 3m garage units. The Dorset Parking Standards for new dwellings within town and fringe areas in North Dorset, suggest the optimum level of unallocated and visitor car parking spaces for a development of the type proposed would be 34 unallocated spaces and 14 visitor spaces, which constitutes under-provision. However, given the development is over-providing allocated parking by 52 spaces, including garages, the level of under-provision (20 spaces) may be offset. The disparity between allocated and unallocated provision would not significantly impact highway safety, bearing in mind the full allocated provision. Furthermore, the proximity of the site to a main town, with bus links, cycle parking provision for all dwellings and good links to local rights of way, dictate that the degree of unallocated under-provision is acceptable. Consequently the proposed parking, for both cycles and cars, is considered to be appropriate for this location.

Notwithstanding the position on the quantum of parking, in design terms the initially submitted scheme proposed a variety of frontage, garage, double/triple banked, parallel and perpendicular parking. There was a marked increase in the quantum of parking provision from the outline stage, with the introduction of significant amounts of perpendicular and parallel parking along streets and open spaces, which contributed to an overdeveloped form and was harmful to the street scene and ability to provide street trees. Consequently it was requested that these areas were loosened up in terms of design and density and the amended plans reflect those changes, albeit with a slight loss of unallocated parking provision. The triple banked parking proposed for 2 plots to the south of the site was unacceptable and has been removed from the scheme. Plots 19-23 (now 14-17) were initially engulfed by parking, to the detriment of the street scene, which has also been addressed by the

amendments. Parallel parking has also been removed, other than visitor spaces close to the site entrance and western side of the site.

The amended scheme is acceptable in relation to highway and parking matters, subject to receipt of amended plans to address traffic calming measures.

Heritage Impacts

Policy 5 notes that it is important that heritage assets are protected. For any designated heritage asset, great weight will be given to its conservation when considering any proposal that would have an impact on its significance. Any harm to designated and significant undesignated heritage assets will need to be fully justified. Through the submission of supporting heritage documentation submitted with the application, the significance of heritage assets and the impact of the proposed development has been assessed and special regard has been given to the preservation of those assets in the balancing exercise.

There are long views within, through and into the Wyke Conservation Area from the west. Being situated on higher ground the development will be visible from the majority of these views, though highly screened by existing trees. Ridgelines visible will be difficult to distinguish from existing built development to the east of the site and the proposal will not form a prominent visual element which detracts from the appreciation of the views into the conservation area. The nature and extent of that harm to be minimal and the development will not impinge upon the important open gap identified in the Neighbourhood Plan. The proposals will result in less than substantial harm to the significance of a designated heritage asset. However, the nature and extent of harm would be outweighed by the significant public benefits of the proposal outlined above.

NPPF paragraph 203 requires that the effect of an application on the significance of a non-designated heritage asset be taken into account in determining the application. A balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. The Moat at Thorngrove is a non-designated heritage asset. Although the Moat is not visible or appreciable from the application site, it will 'impose a built form in close proximity and therefore impacts upon its current undeveloped immediate setting. The proposals will therefore result in less than substantial harm to a non-designated heritage asset. However, the level of harm is minor insofar as its effect on the key elements of significance is acceptable. As the proposal will result in less substantial harm to the Moat at Thorngrove, paragraph 203, of the NPPF is engaged, requiring a balanced judgement taking into account the significance of the affected asset and the scale of harm or loss. Taking these matters into account, the harm is considered to be acceptable.

Archaeological Impacts

The site has been identified as having some archaeological potential and the applicant was required to carry out archaeological trial trench surveying, prior to the issue of outline planning permission. In February 2021, the applicant arranged for the archaeological evaluation of land, in accordance with a written scheme of

investigation, approved by the Council's senior archaeologist. The evaluation fieldwork identified one area, in the south portion of the application area revealed some limited evidence for probable late bronze age occupation, but overall, the significance of the archaeological interest of the site is considered to be low.

A planning condition (no. 12) was applied to the outline permission to secure the implementation of a programme of further archaeological work and recording. Strip trenches have already been cut on site as part of the further archaeological investigation, details of which will be submitted in due course to discharge condition no. 12.

Biodiversity

The outline permission secured significant biodiversity enhancements, including 4.3ha of land to the north-west of the site to be enhanced as species-rich grassland, secured and protected by the Section 106 agreement. The extent, nature and condition of this habitat will provide a 10% biodiversity net gain and a financial contribution is secured in the S106 for compensatory habitat. 0.48ha of species-rich grassland will be provided within the application site, towards its western fringes, which will be enhanced to create a wildlife corridor and provide foraging habitat for bats, birds, amphibians, reptiles and invertebrates. The proposal will also include bat tubes and bird boxes in the new buildings. Condition 13 applied to the outline permission requires an external lighting strategy to be submitted and agreed by the local planning authority to ensure that lighting is installed and maintained in a manner which minimises light pollution to the night sky, neighbouring properties and protected species.

Habitat creation/management and provision of species specific enhancement measures is required to demonstrate a 10% net gain in biodiversity. The features of greatest ecological value are the priority hedgerows and a priority pond, which will be retained and protected through the establishment of a suitable buffer zone which will be managed post construction in accordance with a Landscape and Ecological Management Plan (LEMP). The development will result in the destruction of great crested newt terrestrial habitat, which will require a translocation programme under a mitigation licence. Full details of the LEMP are required to be submitted to discharge condition no. 14 applied to the outline permission.

Notified parties lament the inadequacy of the wildlife corridor on north east boundary in terms of its width. The corridor was missing from the initial submission and was required as an amendment. The corridor is 9m in width for the majority of its length across the back of Plots 1-7. The corridor's primary purpose would be to facilitate the migration of smaller mammals, reptiles, amphibians and birds across the site, rather than larger mammals such as deer and at 9m it is considered fit for purpose. For the most part the tree species selected for the wildlife corridor are smaller varieties; birch, cherry, crab apple, holly and maple, although the hornbeam (*carpinus betulus*) close to 32 Feame Way can grow to a substantial size in lowland settings and the applicant has been requested to amend the landscape plan to replace it with a smaller variety, in the interests of adjoining amenity.

The proposed grass, native hedge, scrub and tree planting serves a secondary purpose, as a buffer to the residents of Freame Way, to soften the impact of built form with a foil of vegetation.

Comments have suggested the corridor could encourage anti-social behaviour as it would be poorly surveilled being to the rear of the garden areas of Plots 1-7. In order to address this point a condition is proposed requiring details of boundary treatments to secure the wildlife corridor, which might include use of powder coated green paladine/weldmesh fencing, to blend in with the proposed planting. The fencing scheme would need to be permeable to wildlife, as well as facilitate access for management purposes. The condition will also require details for the wildlife corridor's long term management.

In light of these mitigation and enhancement measures to be secured through a LEMP and S.106 agreement, biodiversity and protected species will be adequately safeguarded and will comply with Policy 4.

Flooding and Drainage Impacts

The application is supported by an updated Drainage Strategy and Sustainable Urban Drainage Systems Statement and Exceedance Flow drawing. Drainage details confirm that the site is within Flood Zone 1 (lowest probability of flooding) and concludes that drainage on the site can be suitably managed and would not create any increase in flood risk to existing properties within the catchment area or the proposed development.

The assessment identifies that the site is would unlikely be suitable for infiltration. The proposals therefore involve routing the surface water via pipes into vegetated attenuation basins before discharging into the existing surface water network at restricted rates. Due to the site topography, the drainage strategy considers splitting the site into two catchments, with the southern portion routing surface water towards Common Mead Lane and the norther portion routing towards the low point in the north western corner of the site. The attenuation basin for the north western drainage scheme is beyond the application site and is considered separately under ref. P/FUL/2022/06528.

The Lead Local Flood Authority confirm the surface water drainage proposals are broadly in-line with those previously accepted at the outline planning stage and they raise no objection to the reserved matters application, subject to surface water drainage conditions and informatives. The requested planning conditions were imposed on the outline permission (nos. 10 and 11) and there is no requirement to re-apply them to any reserved matters approval. Wessex Water raise no objections, but advise that separate systems of drainage are required and give informatives on foul sewerage, surface water sewerage and water infrastructure.

Loss of Agricultural Land

The site is identified as unclassified agricultural land, which would be lost as a result of the proposal. While relatively small in the context of the area administered by the Council, it is a finite resource and its loss was considered at the outline stage,

bearing in mind the site does not form part of a larger farm, which could otherwise affect the viability of an existing agricultural enterprise and has not been in recent agricultural use. Consequently loss of this land in the context of housing provision and social and economic benefits is considered to be acceptable.

Housing Delivery

NPPF paragraph 74 tells us that “Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old. North Dorset District Council first announced that it could not demonstrate a 5-year supply in 2017. While the Council’s published supply was 5.17 year supply on 1st April 2021, two appeal decisions at; Station Road, Stalbridge in June 2022 determined that the ‘deliverable’ supply in North Dorset was 4.35 years; and at Crown Road, Marnhull in July 2022 which determined that deliverable supply was 4.58 years. The appeals, whilst only a snapshot in time, are material considerations and underline that further work is still required to ensure a robust housing land supply position.

There has been an undersupply of new homes delivered in North Dorset over the first 10 years of the Local Plan period 2011 to 2031. Furthermore, the latest Housing Delivery Test measurement is 69%. Applications that provide new housing should be given great weight in the planning balance in order to support the Government’s objective of significantly boosting the supply of homes (NPPF para 60). This weighs in favour of the proposal.

The proposed development will deliver 80 new homes and contribute towards fulfilling the housing needs of North Dorset and Gillingham. The site will provide new housing supply and make a valuable contribution towards boosting housing and affordable housing supply in Gillingham to meet needs/demand within the town and elsewhere.

Other Matters

The Town Council point out that the proposed development will not provide allotments contrary to the aims of the Gillingham Neighbourhood Plan. Allotments did not form part of the outline indicative plan and it would not be physically possible to provide allotments on-site with the quantum of development approved by the outline permission. The outline application was the appropriate vehicle to secure an allotments contribution, which could have been provided elsewhere, but cannot be applied to this reserved matters submission.

There is no requirement to provide a playing field on the site, although play areas are provided. It is noted that the legal agreement associated with the outline approval secures a significant range of community contributions and benefits, including the transfer of the northern field (8.05ha) to the Town Council.

The Council's Rights of Way Officer and Ramblers raised initial concerns over the accuracy of public right of way N64/58 on the plans, with potential for its obstruction by the play area. The applicant provided amended plans revising the siting and boundaries of the LEAP to reflect the definitive line of the rights of way, which address those concerns and negate any requirement for any subsequent footpath diversion order. The request by the Ramblers for acknowledgement of the Stour Valley Way and the White Hart Link with suitable signposting and waymarking can be addressed by condition within the site and by the rights of way contribution, secured by the outline legal agreement, beyond the site boundaries.

In terms of housing density, the NPPF no longer prescribes the 30 dwellings per hectare target previously identified by PPG3 (Housing). The proposed density would certainly be much greater than the level achieved at Freame Way, but times have moved on and the presumption in favour of sustainable development applied by paragraph 11 of the NPPF advises that land in urban areas should be effectively used. The proposal would achieve a density of 20 dwellings per hectare, much lower than the old PPG3 target, but it does make effective use of land and considering the outline approval established that 80 dwellings are acceptable on this site, a reason for refusal based on density is not substantiated.

Since November 2021, there has been agreement that NHS Dorset will be provided with an allocation from the development. The outline planning application was dated 13 October 2021, pre-dating these arrangements and a contribution of £6,400 is sought. Unfortunately the outline application was the appropriate vehicle to secure this contribution, which cannot be applied to the reserved matters.

With regards to the comments of notified parties, which are not addressed above, the fact that the reserved matters depart from the indicative plan submitted at outline stage is not unusual. The indicative plan was prepared to demonstrate how the quantum of development (80 houses) could be accommodated on site, although as the 'indicative' nature suggests, the applicant was not tied to that layout. The fencing already erected on the site is a temporary measure, for the purpose of securing the site during construction and will be removed post construction.

With regard to comment that there is sufficient land elsewhere in the town for housing, in order for the Council to meet its five year housing land supply in North Dorset, sustainable sites such as this one need to be brought forward, particularly those with the benefit of outline planning permission.

16.0 Planning Balance

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

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Proposed development that accords with an up-to-date Local Plan should

be approved; and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

There is conflict with the development plan, by reason of the effect of the proposal on the Council's spatial strategy and location of the proposed development outside of a settlement boundary. However, the Council's policies in the adopted Local Plan follow the approach of the presumption in favour of sustainable development. It is accepted that the tilted balance should be applied in the decision-making process on this application, given that the policies referred to in footnote 7 of the NPPF are not engaged. In accordance with paragraph 11 d) of the Framework, as directed by Footnote 8, policies which are most important for determining the application are considered out-of-date, and subsequently planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Given this shortage of housing land supply the 'tilted balance' would apply. This is where the need to boost housing land supply is prioritised when weighing up the planning balance for proposals. As such, Policy 6 of North Dorset Local Plan, which seeks to deliver housing, is tempered. The application needs to be considered 'in the round' weighing all material issues in the planning balance.

Officers consider that there are significant public benefits derived from the proposed development and include the following:

Economic benefits would be derived from the proposal in the form of affordable housing and infrastructure contributions secured by the outline permission. Economic benefits would be derived through New Home Bonus payments, during construction and later with residents contributing to local businesses, services, facilities and Council Tax, so weight is given to the overall economic benefits of the proposal.

A social benefit of the proposed development would be delivery of affordable and market housing in a sustainable location, close to a main town centre and within walking distance of shops, services and transport modes. As such, weight can be attached to the overall social benefits of the proposal.

The quantum of development would be appropriate in this location and would not conflict with local and national policies in terms of environmental impacts. The character and density are acceptable and the plans demonstrate that there would be adequate living conditions for existing and future residents, including public open space. It has been demonstrated that the proposed development would not harm protected species, with measurable net gains for biodiversity and tree planting. Subject to receipt of amended plans to show traffic calming, the resultant traffic levels would be within the capacity of the highway network and no highway objections are raised. The proposals will result in less than substantial harm to the significance of designated heritage assets, although the nature and extent of harm would be outweighed by the significant public benefits. It is considered that the proposal has demonstrated overarching environmental benefits.

Weighed against the adverse impacts of the proposal, the benefits significantly and demonstrably outweigh the disbenefits. Accordingly, the proposal benefits from the

presumption in favour of sustainable development in the NPPF or in Local Plan Policy 1, material considerations indicating that planning permission should be granted.

17.0 Conclusion

The principle of 80 dwellings on this site has been established by the outline permission granted on this site in 2022, which secured the requisite affordable housing and infrastructure contributions. The applicant has amended the details of the original submission to take account of concerns and comments raised by consultees and notified parties. The submitted details of layout, scale, appearance and landscape are considered to be acceptable, subject to the conditions outlined below. As the Council is still not providing a sufficient supply of housing in the North Dorset area, the public benefits of delivering 80 dwellings in this location remain significant and weighs heavily in favour of the proposed development. It is considered that the revised proposal accords with the aims of the Development Plan and the NPPF, having due regard to the context of this site.

18.0 Recommendation

Recommendation A: **APPROVE the reserved matters**, subject to the following conditions:

1. The development to which these reserved matters and accompanying details relates shall be begun not later than two years from the date of this permission.

Reason: To comply with the provision of Section 92(2) 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:

140226/LP/1 Site Location Plan
220901/AB/SG/EP A Single Garage Floor Plan & Elevations
220901/AB/DG/EP A Double Garage Floor Plan & Elevations
220901/AB/TG/EP A Twin Garage Floor Plan & Elevations
220901/ARC/EP C House Type Archford (ARC)
220901/AVO/EP B House Type Avondale (AVO)
220901/EAR/EP B House Type Earlswood (EAR)
220901/EXE/EP B House Type Exeter (EXE)
220901/FAI/EP B House Type Fairway (FAI)
220901/HAD1/EP B House Type Hadley Detached (HAD1)
220901/HAD2/EP B House Type Hadley Wide (HAD2)
220901/HAD3/EP A House Type Hadley Semi (HAD3)
220901/HOL/EP B House Type Holden (HOL)
220901/KIR/EP B House Type Kirkdale (KIR)

220901/WIN/EP B House Type Winstone (WIN)
 220901/SH52/EP B House Type SH52 (Affordable)
 220901/SH55/EP B House Type SH55 (Affordable)
 220901/2BWC/EP B House Type 2BWC (M4(3))
 220901/3BWC/EP B House Type 3BWC (M4(3))
 220901/SH72/EP House Type SH72 (Affordable)
 BDWS23938 11 overall G Landscape Proposals overall
 BDWS23938 11 Sheet 6 G Landscape Proposals Sheet 6
 BDWS23938 11 Sheet 1 G Landscape Proposals Sheet 1
 BDWS23938 11 Sheet 2 G Landscape Proposals Sheet 2
 BDWS23938 11 Sheet 3 G Landscape Proposals Sheet 3
 BDWS23938 11 Sheet 4 G Landscape Proposals Sheet 4
 BDWS23938 11 Sheet 5 G Landscape Proposals Sheet 5
 BDWS23938 12 overall F Hard Landscape Proposals overall
 BDWS23938 12 Sheet 5 F Hard Landscape Proposals Sheet 5
 BDWS23938 12 Sheet 1 F Hard Landscape Proposals Sheet 1
 BDWS23938 12 Sheet 2 F Hard Landscape Proposals Sheet 2
 BDWS23938 12 Sheet 3 F Hard Landscape Proposals Sheet 3
 BDWS23938 12 Sheet 4 F Hard Landscape Proposals Sheet 4
 BSO/E5031/001 G Fire Tender Analysis Layout
 BSO/E5031/002 G Refuse Vehicle Analysis Layout
 BSO/E5031/004 C Levels Strategy
 BSO/E5031/005 C Drainage Strategy
 BSO/E5031/007 B Drainage - Exceedance Flow
 BSO/E5031/008 A Street Lighting Layout
 220901/SL01 M Site Layout
 220901/SL02 D Site Layout - Storey Heights
 220901/SL03 E Site Layout - Dwelling Types
 220901/SL04 E Site Layout - Tenure
 220901/SL05 D Site Layout - Parking
 220901/SL06 D Site Layout - Refuse Strategy
 220901/SL07 D Site Layout - Fire Strategy
 220901/SL09 E Site Layout - Materials
 220901/SL10 D Site Layout - Electrical Vehicle Charging Points
 220901/SL13 C Site Layout - Boundary Treatments
 22124 3 Tree Protection Plan
 Cycle Parking Sheds
 220901/SUB/EP Electricity Substation Floor Plan & Elevations
 220901/SH54/EP C House Type SH54 (Affordable)
 220901/SS01 C Street Scenes Sheet 1 of 2
 220901/SS02 C Street Scenes Sheet 2 of 2
 BDWS23938 10 C Landscape Masterplan
 BSO/E5031/008C Street Lighting Layout
 22090/SL14 Rev A SL14_ENTRANCE FEATURE WALL Rev A

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

3. Prior to development above damp proof course level, details and samples of all external facing materials for the walls, roofs, boundaries and all hard surfaces 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.

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

4. Prior to the commencement of installation of externally mounted plant, details of the plant (electrical substation and pump station) shall be submitted to the Local Planning Authority (LPA) along with a noise assessment such as that conducted in accordance with BS4142:2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The assessment shall be submitted to and approved in writing by the LPA. The agreed scheme (together with any required measures) shall be installed to the agreed specification prior to the first use and maintained and operated in that condition thereafter unless agreed in writing by the LPA.

Reason: In the interests of the amenity of the area.

5. Prior to the commencement of development on the site, a Construction Method Statement must be submitted to and approved in writing by the Local Planning Authority to manage any possible adverse effects associated with the development. The CMP must include the following:

- a) Confirmation that there will be no bonfires on the site during construction
- b) Details of protection measures for nearby receptors from dust arising from construction
- c) Confirmation of vehicle movements and numbers to/from the site during operations
- d) Details of storage of waste materials prior to removal from site.
- e) Operating times of construction
- f) Mitigation measures to reduce noise during the build.

The development shall take place strictly in accordance with the approved CMP.

Reason: To protect the residential amenity of adjoining occupiers during the construction phase.

6. The hard, soft and Masterplan landscaping works detailed on approved drawings must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

7. Prior to the commencement of any development hereby approved, above damp course level, a street tree planting scheme and management plan shall be submitted to, and approved in writing, by the Local Planning Authority, to identify the location, species, size, planting medium, tree pit specification and procedures for ensuring the healthy establishment of trees. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: In the interest of visual amenity.

8. Prior to the commencement of any development hereby approved, above damp course level, details of all proposed means of enclosure, boundary walls and fences to the site, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

Reason: In the interests of the amenities of the area

9. Prior to the commencement of any development hereby approved, above damp course level, 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

10. Prior to the commencement of any development hereby approved, above damp course level, full details of the position and type of rights of way signage within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure rights of way crossing the site are adequately waymarked.