

<b>Application Number:</b>	P/RES/2021/04848
<b>Webpage:</b>	<p>The planning application documents for P/RES/2021/04848 are available here: <a href="https://dorsetforyou.com/dorsetcouncil.gov.uk">Planning application: P/RES/2021/04848 - dorsetforyou.com (dorsetcouncil.gov.uk)</a></p> <p>The Design Code can be viewed via the following links:  <a href="https://dorsetcouncil.gov.uk/BackgroundCommitteePaperBridportDesignCodePart1.pdf">BackgroundCommitteePaperBridportDesignCodePart1.pdf (dorsetcouncil.gov.uk)</a>  <a href="https://dorsetcouncil.gov.uk/BackgroundCommitteePaperBridportDesignCodePart2.pdf">BackgroundCommitteePaperBridportDesignCodePart2.pdf (dorsetcouncil.gov.uk)</a></p>
<b>Site address:</b>	Land at Foundry Lea Vearse Farm Bridport
<b>Proposal:</b>	Construction of 760 dwellings, public open space (including play space and landscape planting), allotments, an orchard, sports pitch provision, with associated changing rooms and car parking, pedestrian, cycle and vehicular links, drainage works and associated infrastructure (Reserved matters application to determine appearance, landscaping, layout and scale following the grant of Outline planning permission number WD/D/17/000986)
<b>Applicant name:</b>	Barratt David Wilson Homes
<b>Case Officer:</b>	James Lytton-Trevers
<b>Ward Member(s):</b>	Cllr. Bolwell; Cllr. Clayton; Cllr. Williams

## 1.0 Reason for committee determination

This application is on this Planning Committee agenda as the application has been the subject of a committee resolution on 4 August 2022, but the decision has not yet been issued and amendments are now being sought to that resolution for the size and position of three attenuation basins **only**.

- Pond 2 – is to be reduced in size. The capacity lost as a result of its reduction in size will be compensated for through the provision of additional cellular storage, which is a design approach already adopted in this area of the application site.
- Pond 6 - is to be relocated to the north.
- Pond 7B –is to be reshaped into a more linear attenuation pond.

## 2.0 Summary of recommendation:

That delegated authority be granted to the Head of Planning and the Service Manager for Development Management and Enforcement for the approval of reserved matters, subject

to the discharge of any outstanding conditions on the outline planning permission (WD/D/17/000986) which are required to be discharged prior to the approval of the reserved matters (conditions 2 for the phasing, 6 for a Design Code, 7 for the LEMP, 38 for the road crossings over the river and 39 for floor levels of the dwellings) and subject to conditions as set out in this report, with the relevant plan number and revision number to be entered in conditions no. 2, 3 and 4.

This is the same recommendation made to the planning committee on 4 August 2022 when the planning committee resolved to delegate authority to the Head of Planning in accordance with the officer's recommendation.

### **Amendment to previously recommended condition**

It is proposed that the plans listed in condition 1 as set out in the recommendation be amended to include the amended attenuation basins.

A copy of the officer's committee report from 4 August 2022 is appended for information.

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

- The layout of the drainage would meet the requirements necessary for the scheme to function and integrate with Bridport and would satisfactorily address surface water drainage requirements.
- The proposal would comply with the West Dorset, Weymouth & Portland Local Plan, the Bridport Area Neighbourhood Plan and the National Planning Policy Framework (NPPF).
- Paragraph 11 of the 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 issue**

<b>Issue</b>	<b>Conclusion</b>
Layout of foul and surface water drainage	The layout of the drainage strategy details submitted for the site are acceptable and would comply with LP policy ENV5 and BANP policy D5 and the requirements of the NPPF.

### **5.0 Description of Site**

5.1 The application site comprises a number of open fields to the west of Bridport town centre and the Bridport Area Conservation Area. It is within the Dorset Area of Outstanding Natural Beauty and allocated within the Local Plan for mixed development. The farmland forms part of Vearse Farm, which includes a grade II listed farmhouse and boundary walls. There are a number of buildings within the farmstead. The application site measures

approximately 43.3 hectares. The land is mainly agricultural divided into fields by hedgerows and some trees.

5.2 The site is south of West Road which currently provides the only access into the site down a straight farm track which leads southwards towards the farm buildings. A number of public rights of way cross the site.

5.3 The site adjoins the A35 to the west and the B3162 West Road to the north.

5.4 The land is within flood risk zone 1 excepting for the land near to the River Simene which flows through the northern part of the site.

5.5 The land rises from north to south where the topography is varied. The highest point of the site is c.36AOD (to the south) and the lowest point is c.7AOD in the north-eastern edge of the site. The gradients in the eastern, south-eastern and western areas of the site are gentle and in the central and southern areas of the site steeper.

5.6 There are no designated nature reserves within the site.

## **6.0 Description of Development**

6.1 This reserved matters application only covers the residential element of the scheme together with associated open spaces. The northern parcel of development that includes a local centre, employment uses, and a care home do not form part of this application.

6.2 Following concerns raised by the Officer and consultees, the proposals have been revised and a second round of consultation undertaken. The revisions were chiefly to the layout, house types, materials and landscaping. As a result of the re-consultation nearly all objections have been withdrawn.

6.3 The proposals, as revised, would comprise of the following:

### Housing

760 dwellings built in 31 different house types would contain 94% housing and 6% flats:

1 Bed	28	4%
2 Bed	194	26%
3 Bed	318	42%
4 Bed	212	28%

5 Bed

8

1%

### Affordable housing

Built in 15 different house types would contain:

40% affordable housing (302 dwellings). This includes an increase of 36 dwellings above the 35% which is required by the S106 agreement in order to be policy compliant.

70% rented units (186 dwellings) and 30% shared ownership (80 dwellings). 5% of the rented units as Category 2: Accessible and Adaptable Dwellings.

The additional 36 affordable units would be provided by a Homes England grant fund.

### Self-build

Three areas (0.4ha) of self build units where mains services and access would be provided.

### Landscaping

Specific Character Areas comprising:

A Country Park along the River Simene corridor;

Woodland walks along the site's western and southern boundaries;

Green links and squares;

A circular leisure route; and

A primary green movement link, which is referred to as the Cycle Street.

### Play areas

These would include:

Two Locally Equipped Areas of Play (LEAPs) located on the eastern arm of the Loop Road and within the 'green square' and in the south east of the site;

A Multi-Use Games Area (MUGA) north east of the playing pitch;

A Neighbourhood Equipped Area of Play (NEAP) south of the MUGA; and,

A Woodland Play Trail in the west of the site.

### Allotments and orchard

0.5ha allotments west of the loop road;

0.25ha orchard near to the river.

## Playing field

Football pitches, changing rooms and car park Access

Internal roads to land adjacent to Pine View, the school site (6.75m carriageway, plus 2m footways and 3m cycleway) and mixed use land (7.3m carriageway).

East-to-west cycle/pedestrian routes (5m segregated);

Two North-to-south cycle/pedestrian routes (3m);

Circular pedestrian route;

Three public electric vehicle charging points;

Bus stop;

Land for a community bicycle pool;

Bicycle shelter;

Bicycle maintenance hub and drinking fountain;

1577 allocated parking spaces mostly within plots or garages/car ports;

237 visitor spaces;

On Plot Parking	537
On Street Parking	550
Garage Parking (in curtilage)	221
Car Port (within curtilage)	18
Rear Parking Court	251
Visitor Shared	102
Visitor on Street	135

Electric vehicle charging points for all dwellings consistent with Part S of the Building Regulations.

Cycle parking for each home, either in rear gardens or garages.

Bin/recycling stores.

## Foul and surface water

A number of drainage basins for surface water attenuation;

Mains sewer connection to Magdalen Lane and a sewage pumping station.

The basins would be protected from the predicted 1 in 100 year event, plus an allowance for climate change, a 40% allowance for climate change rather than the 30% allowance at the principal decision stage, a 10% allowance for urban creep which was not included at the principal decision stage and an allowance of 3.5 litres per second discharge from the school site.

### Energy efficiency

The energy efficiency of the dwellings has now been updated since the original submission and the revised scheme to now comply with the 2021 Building Regulations. The three phases of dwellings being constructed originally proposed, which took into account 2013 Building Regulations, would now be divided between 2021 and 2025 Building Regulations:

Dwellings to comply with 2021 Building Regs would have 850 m2 roof mounted PV panels, passive design measures and gas fired combi-boilers. Electric vehicle charging within plot parking.

Dwellings to comply with anticipated 2025 Building Regs would have 1180 m2 roof mounted PV panels and air source heat pumps. This can be confirmed once future legislation for the Future Homes Standards are known.

### Skills Academy

A building containing classrooms and workshop.

The above is all as considered by the planning committee in August 2022, the only amendment to the scheme since then has been in respect of the attenuation basins.

## **7.0 Relevant Planning History**

WD/D/17/000986    Decision: GRANTED    Decision Date: 02/05/2019

Outline application for the development of up to 760 dwellings, 60 unit care home (Use Class C2), 4 hectares of land for employment (Use Classes B1, B2, B8), mixed use local centre (Use Classes A1, A2, A3, A4, A5, B1, C3 and D1), primary school and associated playing fields (Use Class D1), areas of public open space and allotments, drainage works, the formation of new vehicular accesses to West Road and the formation of new pedestrian and cycle links.

The Outline permission was granted with all matters reserved except for means of access. The vehicular access to the site was to be fixed via two new junctions with West Road (B3162). The easternmost of these would be positioned opposite no. 3 West Mead and the westernmost would be positioned opposite the access to Symondsburry Estate Business Park. The reserved matters would be only for layout, scale, appearance and landscaping. The permission was subject to conditions and a Section 106 Agreement.

In summary the outline permission secured the following through conditions and a s106 Agreement:

Affordable housing provision

Provision of primary school

Junction improvement to Miles Cross (A35)

Traffic calming facilities on the B3162

Traffic calming associated with the new footway/cycle access to Magdalen Lane

Minor improvement at the mini-roundabout junction of the B3162 West Allington/North Allington junction

Upgrade and improvement of the existing Public Footpath linking Magdalen Lane to the Town Centre via the Dreadnought Trading Estate to a public Bridle path for the use of pedestrians and cyclists.

The creation of pedestrian/cycle links to Pine View and Coronation Road

Employment – minimum 4 ha of land allocated for employment uses.

Local infrastructure provision - including 22 ha made up of outdoor sports pitches, play facilities, allotments, and public open space; local centre; care home; drainage works; and strategic landscape planting.

Strategic landscape planting and hedgerow replacement

Upgrade of facilities at Bridport Medical Centre

The conditions, in brief, covered the following matters:

1. Five approved plans for the location, priority junction layout from the B3162, Parameters, Green Infrastructure and Scale & Density;
2. Approval of a Phasing plan;
3. The matters to be reserved being layout, scale, appearance and landscaping;
- 4 – 5. The reserved matters be made within 10 years of the outline and commencement within 2 years of approval of each reserved matter;
6. Approval of a Design code;
7. Approval of a Landscape Environment Management Plan;
8. Approval of a Highways layout based upon the principles in the approved “KEY PRINCIPLES: ACCESS AND MOVEMENT contained within the Vearse Farm Masterplan;
- 9-11. A scheme of tree protection, landscaping and planting;
12. Not exceeding 760 dwellings;
13. No less than 4 hectares of employment land for the provision of Use Classes B1, B2 and B8 industrial uses; a mixed use local centre of Use Classes A1, A2, A3, A4, A5, B1, C3 and D1; a serviced site of 2 ha to provide a new, one-form entry, primary school with associated grounds, playing fields and parking, with the site sized to accommodate a 2-form entry school (Use Class D1); and, a 60-bed residential care home (Use Class C2).
14. A care home;
- 15-16. Employment buildings and approved uses (B1, B2 and B8) to ensure that the B2 and B8 uses are buffered by other buildings;
17. Broadband provision;
18. Eastern Access provision;

19. Western Access provision before 300 dwellings occupied;
20. Construction Traffic Management Plan;
21. Highways Detail for layout, turning and parking areas;
22. Travel Plan;
23. Cycle Parking Facilities;
- 24-26. Miles Cross junction improvement;  
Walking, Cycling and Horse Riding Assessment and Review (WCHAR) for the Miles Cross junction;
- 27-29. Land contamination;
30. Archaeology;
31. Magdalen Lane link;
32. Pine View link after 400 occupied;
33. Multi-Use Games Area (MUGA) after 400 dwellings occupied;
34. Neighbourhood Equipped Area for Play (NEAP) after 400 dwellings occupied;
35. Locally Equipped Area for Play (LEAP) after 200 dwellings occupied;
36. Second Locally Equipped Area for Play (LEAP) after 500 dwellings occupied;
37. Woodland Play Trail after 500 dwellings occupied;
38. Access roads crossing Flood Zones 3 & 2 (the floodplain) and the compensatory floodplain storage scheme in accordance with the Flood Risk Assessment (Brookbanks, Ref: 10006/FRA/01, Rev. 2, dated 28 March 2017) before reserved matters.
39. Finished floor levels;
40. No general storage of any materials including soil, no raising of ground levels, no Sustainable Drainage System features, or erection of buildings / structures within the floodplain (Flood Zones 3 and 2);
41. Surface water management scheme;
42. Strategic surface water management scheme;
43. Surface water sustainable drainage scheme;
44. Foul drainage disposal scheme;
45. Foul Water drainage strategy;
46. Each dwelling or building before it is occupied served by a properly consolidated and surfaced footway and carriageway;
47. Means of vehicular access to the residual part of the allocated site to the east (Land adjacent to Coronation Road/Pine View) and the site boundary;

The section 106 Agreement, in summary, makes obligations for:

- 35% of the dwellings to be affordable with 70% of those being affordable rented and 30% shared ownership.
- Self-build land
- Provision of allotments
- Provision of employment land, including affordable employment land.
- Marketing of local centre.

- Provision and delivery of a sports pitch scheme.
- Provision of 2 locally equipped areas of play, a neighbourhood equipped area of play and a multi-use games area.
- Provision of open space
- Submission and implementation of landscape environment management plan.
- Hedgerow payments
- Bridport leisure centre payment
- Healthcare provision payment
- Continuation link
- School site and its transfer to the Council.
- Education contribution payment.
- Miles Cross junction works.
- B3162 contribution.
- New footway/cycle access traffic calming works
- Mini roundabout minor improvement works
- Existing public footpath improvement contribution.
- Biodiversity compensation payment.
- Surface water drainage scheme.

The development was “EIA development” for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and the latest EIA Regulations that came into force on 16th May 2017. The application was accompanied by an Environmental Statement (ES).

A Master Plan accompanied the application, but it was neither an approved plan nor referred to in the decision notice or Section 106 Agreement.

P/FUL/2021/01895 Decision: GRANTED Decision Date: 14/12/2021

Construction of a pedestrian/cycle link between Pine View and the Vearse Farm development (granted outline planning permission in May 2019 under planning reference WD/D/17/000986)

P/NMA/2021/05028 Decision: GRANTED Decision Date: 14/3/2022

Amendment to Outline Planning Permission reference WD/D/17/000986 to increase the footway on the western side of the western access to 3m.

Applications for the discharge of the following conditions of the outline permission WD/D/17/000986 are currently under consideration (these conditions are required to be discharged before approval of the reserved matters):

Condition 2 for approval of a phasing of the development;

Condition 6 for approval of a Design Code;

Condition 7 for approval of a Landscape Environment Management Plan (LESMP);

Condition 38 for approval of flood mitigation measures; and,

Condition 39 for approval of floor levels.

The application has been subject to a Planning Performance Agreement which has included pre-application advice.

## **8.0 List of Constraints**

Within defined development boundary.

Grade: II Listed Building: MAGDALEN FARM HOUSE List Entry: 1228712.0 (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Bridport Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Landscape Character; Undulating River Valley; Brit Valley

Landscape Character; urban area; Bridport

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

Tree Preservation Order - (26 Magdalen Lane, Bridport)

Tree Preservation Order - (Westmead House, Symondsburry)

Footpath W18/3

Footpath W18/7

Footpath W18/2

Footpath W18/6

Footpath W18/4

Footpath W3/9

Footpath W18/5

Footpath W18/95

Footpath W18/8

Areas Susceptible to Groundwater Flooding

Agricultural grade: Grade 3a

Agricultural grade: Grade 3b

SSSI impact risk zone

Tertiary River

Secondary River

Primary River Simene

Flood Zone 3

Flood Zone 2

Contaminated Land

Agreement under Section 106 Agreement of the Town and Country Planning Act 1990 (WD/D/17/000986)

## **9.0 Consultations**

Full consultation took place on the application prior to its consideration by the Planning Committee in August 2022. All comments and representations can be viewed on the Council's website and were considered in the committee report from August 2022 as appended.

This report is recommending changes to a condition within the previous committee resolution for three attenuation basins only. There has been full re-consultation and publicity on the application. The responses are those listed below.

### **Consultees**

**9.1 National Highways – No further comment**

**9.2 Sport England – No further comment**

**9.3 Historic England - No comment**

**9.4 Wessex Water – No reply**

**9.5 Dorset Gardens Trust – No reply**

**9.6 Dorset Clinical Commissioning Group – No reply**

**9.7 Dorset Police - Crime Prevention Design Engineers – No reply**

#### **9.8 Dorset Council – Landscape – Comment**

The depth of attenuation basin 7b of 2.5 m would appear to exceed the recommended max depth and would appear to need fencing.

**9.9 Education Officer – No reply**

**9.10 Natural Environment Team – No reply**

**9.11 Flood Risk Manager – No objection**

**9.12 Rights of Way Officer – No reply**

**9.13 Highways – No reply**

**9.14 Waste – No reply**

**9.15 Conservation Officer – No reply**

**9.16 Trees - No reply**

**9.17 Urban Design – No reply**

**9.18 Housing Enabling Team - No comment**

**9.19 Dorset AONB Team – No reply**

**9.20 Public Health – No reply**

**9.21 Economic Development and Tourism – No reply**

**9.22 Land Drainage – No reply**

**9.23 Env. Services – Protection – No reply**

**9.24 Building Control West Team - No reply**

**9.25 Libraries – No reply**

**9.26 Street Lighting Team (West) – No reply**

**9.27 Outdoor Recreation – No reply**

**9.28 Planning Policy – No reply**

**9.29 Bridport Ward Members– No reply**

**9.30 Symondsburry Parish Council – No reply**

**9.31 Bridport Town Council – Support**

**9.32 Char Valley Parish Council – No reply**

**9.33 Allington Parish Council – No reply**

### **Representations received**

4 Comments from individuals. These are not new comments or where these relate to attenuation basins, have been addressed in the original report and below. Numbers in brackets denote number who have commented.

Affordable housing must remain in perpetuity/to include rented/more. (1)

Impact on biodiversity. (1)

Attenuation basins must meet Environment Agency and Flood Risk Manager requirements (1)

No planning issues raised (1)

## **10.0 Development Plan - Relevant Policies**

### **West Dorset and Weymouth & Portland Local Plan (2015) (LP)** **Policies**

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise. The following policies are considered to be relevant to this proposal:

INT1	-	Presumption in favour of Sustainable Development
ENV1	-	Landscape, seascape & sites of other geological interest
ENV2	-	Wildlife and habitats
ENV4	-	Heritage assets
ENV5	-	Flood risk
ENV10	-	The landscape and townscape setting
ENV11	-	The pattern of streets and spaces
ENV 12	-	The design and positioning of buildings
ENV13	-	Achieving high levels of environmental performance
ENV15	-	Efficient and appropriate use of land
ENV 16	-	Amenity
SUS1	-	The level of economic and housing growth
SUS2	-	Distribution of development
HOUS1	-	Affordable housing
HOUS3	-	Open market housing mix
HOUS4	-	Development of flats, hostels and houses in multiple occupation
COM1	-	Making sure new development makes suitable provision of community infrastructure
COM4	-	New or improved local recreational facilities
COM6	-	The provision of education and training facilities
COM7	-	Creating a safe & efficient transport network
COM9	-	Parking provision
COM10	-	The provision of utilities service infrastructure
BRID 1	-	Land at Vearse Farm

## **Neighbourhood Plan**

### **Bridport Area Neighbourhood Plan 2020-2036 (made 5/5/2020) (BANP)**

CC1 Publicising Carbon Footprint

CC2 Energy and Carbon Emissions

AM1 Promotion of Active Travel Modes

AM3 Footpath and Cycle path Network

AM5 Connections to Sustainable Transport

H1 General Affordable Housing Policy

H2 Placement of Affordable Housing

H4 Housing Mix and Balanced Community

H6 Housing Development Requirements

H7 Custom-Build and Self-build Homes

CF3 Allotments

HT2 Public Realm

L1 Green Corridors, Footpaths, Surrounding Hills and Skylines

L2 Biodiversity

## L5 Enhancement of the Environment

D1 Harmonising with the Site

D2 Programme of Consultation

D3 Internal Transport Links

D5 Efficient Use of Land

D6 Definition of Streets and Spaces

D7 Creation of Secure Areas

D8 Contributing to the Local Character

D9 Environmental Performance

D10 Mitigation of Light Pollution

D11 Building for Life

## **Material Considerations - National Planning Policy Framework (NPPF)**

Relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land supply.
- Section 8 'Promoting healthy and safe communities' aims to make places healthy, inclusive and safe.
- Section 9 'Promoting sustainable transport' requires appropriate opportunities to promote sustainable transport modes can be taken up, given the type of development and its location, safe and suitable access to the site can be achieved for all users, the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46 and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- Section 11 'Making effective use of land'. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- Section 12 'Achieving well designed places.

Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the

lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (para 30).

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'. The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. 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.
- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 176). Paragraphs 179-182 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199).

### **Other material considerations**

Supplementary Planning Documents/Guidance-

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

WDDC Design & Sustainable Development Planning Guidelines (2009)

Landscape Character Assessment February 2009 (West Dorset)

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 includes a general duty to 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 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

## Conservation Area Appraisals:

Bridport Conservation Area Appraisal (Adopted April 2004 & Reviewed October 2010). The Bridport Conservation Area was first designated in 1972 and was centred on the historic core of the town. It has subsequently been extended four times, the last occasion being in October 2010, when the latest Conservation Area Appraisal which included a westward extension of its boundary was adopted by the District Council.

### 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 three 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. In particular;

- Access; arrangements made to ensure people with disabilities or mobility impairments or pushing buggies have been accommodated (off road footpath links, widening of roads, crossing points).
- Access; there will be footpath and cycleway links to Bridport town centre. Gradients of 1 in 12 or less can be achieved within the site.
- Health Care; a contribution to additional health care provision is being sought through the s106 (secured at outline planning permission stage).
- Officers have not identified any specific impacts arising from the development on those persons with protected characteristics.

### 13.0 Financial benefits

What	Amount / value
Material Considerations	

Affordable housing	302 dwellings
Quantum of greenspace	23ha
Play areas	2 Sports pitches including MUGA, 2 LEAPs, 1 NEAP
Skills Academy	1 building
Self-build land	0.4ha
Provision of allotments	0.5ha
Orchards	0.25ha
Implementation of Landscape Environment Management Plan.	A large number of biodiversity and landscape enhancements
Hedgerow payments	£50,282.20
Bridport leisure centre payment	£429,000.00
Healthcare provision payment	£225,000.00
School site and its transfer to Dorset Council	2.0ha
Education contribution payment	£5,444.00 per qualifying dwelling
B3162 contribution	£100,000.00
Biodiversity compensation payment	£96,990.82
Highway works	Miles Cross, mini roundabout, traffic calming and footway/cycle access
Existing public footpath improvement contribution	£212,000.00
Non-Material Considerations	
Council Tax	According to value of each property
CIL	Zero rated
New Homes Bonus	A proportion of provisional 2022-2023 allocation of £3,759,871.00

## 14.0 Climate Implications

The proposal would lead to additional CO2 emissions from construction of the dwellings and from the activities of future residents.

The construction phase would include the release of CO2 emissions from workers vehicles during the construction process. CO2 emission would be produced as a result of the production and transportation of the building materials and during the construction process.

This has to be balanced against the benefits of providing housing in a sustainable location and should be offset against factors including the provision of electric car charging, some photovoltaic panels and the dwellings being reasonably energy efficient. The previous grant of outline planning permission for 760 dwellings on the site does in some respects assume that climate implications, at least in principle, have already been accepted.

## 15.0 Planning Assessment

### Layout of foul and surface water drainage

15.1 Condition 38 of the outline planning permission requires the final details of the proposed access roads crossing Flood Zones 2 and 3 and a compensatory floodplain storage scheme to be submitted and approved by the Local Planning Authority. The Condition requires the discharge of condition application to be accompanied by a number of details, which include the results of updated hydraulic modelling. At the request of the Environment Agency, the Applicants have provided updated hydraulic modelling, which has taken account of the final bridge crossing point, culverts and floodplain compensation designs.

15.2 The updated hydraulic modelling demonstrates that the vast majority of the proposed development is located outside areas of flood risk associated with the River Simene and an unnamed watercourse that cross the reserved matters application site. It also found that three attenuation basins shown on the previous Layout (ref: 1859\_1100 Rev C) were located in the revised flood extent. Consequently, there is a need to alter the design of these three attenuation basins (basins 2, 6 and 7B). The applicants have also introduced additional landscape planting in the north western area of the application site.

**Basin 2** – which is located to the east and south east of Plot 754, is to be reduced in size. Rather than extending to a footpath to the north of the allotments, the attenuation basin will instead terminate to the north of the turning head to the east of Plots 756 and 757. The capacity lost as a result of its reduction in size will be compensated for through the provision of additional cellular storage, which is a design approach already adopted in this area of the application site.

**Basin 6** – which was proposed to be located to the south east of Plot 1, is to be relocated to the north. The revised design promotes a non-buried and unfenced attenuation pond to the east of Plot 1.

**Basin 7B** – which is located to the north east of Plots 120 to 128 is to be reshaped into a more linear attenuation pond.

15.3 These changes ensure that all sustainable drainage systems (SuDS) will be located outside of the flood extent and result in an appropriate storage capacity being provided. The changes were required by the Environment Agency.

15.4 The changes have had the effect of squeezing the shape of two of the basins (basin 6 and 7b) into the available space. It is undesirable to increase the amount of underground tanked storage on site in order to provide more scope for a different shape for basins 6 & 7B. The reason being that the additional maintenance of the underground storage, albeit small, would still be an increase and undesirable. The shape of basin 7b is mainly batter slope. However, the batter slopes are all a maximum of 1 in 3 to facilitate safe access and egress in conjunction with a planting regime. The depth of the basin is 2.3m, with a design depth of water of 2.0m. In terms of a 1 in 100 year event plus climate change allowance there is a maximum temporary depth in the basin of 2m.

15.5 Drawings of all the basins have been provided in order to establish that the basins could meet CIRIA guidelines. Additional sections would be required to be submitted to and approved under conditions 41-43 of the outline planning permission.

15.6 The attenuation basins would be acceptable on health and safety grounds. The storage capacity required for non-worsening of flood characteristics off-site is still provided in the basins (albeit provided in a different shape to the previous scheme).

## **16.0 Conclusion**

16.1 The layout of the drainage would meet the requirements necessary for the scheme to function and integrate with Bridport.

16.2 The proposal would comply with the West Dorset, Weymouth & Portland Local Plan, the Bridport Area Neighbourhood Plan and the National Planning Policy Framework (NPPF).

16.3 Paragraph 11 of the 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.

16.4 There are no material considerations which would warrant refusal of this application.

## **17.0 Recommendation**

17.1 That delegated authority be granted to the Head of Planning and the Service Manager for Development Management and Enforcement for the approval of reserved matters, subject to the discharge of any outstanding conditions on the outline planning permission (WD/D/17/000986) which are required to be discharged prior to the approval of the reserved matters (conditions 2 for the phasing, 7 for the LEMP, 38 for the road crossings over the river and 39 for floor levels of the dwellings) and subject to conditions as set out in this report.

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

### **Arboriculture**

Veteran Tree Assessment and Management Plan      Dated March 2023

Arboricultural Assessment and Method Statement      Dated March 2023

### **Architecture**

Acoustic Mitigation Plan      1859 1119 Rev B

Design Compliance Statement Addendum      DCSA\_01

Location Plan      1859 1000 Rev D

Phasing Plan 1859 80 Rev D

Roof Materials, Front Door Colours and Chimney Placement Plan 1859 1140 Rev B

Planning Layout 1859 1100 Rev E

Planning Layout (1 of 3) 1859 1101 Rev E

Planning Layout (2 of 3) 1859 1102 Rev E

Planning Layout (3 of 3) 1859 1103 Rev E

Masterplan 1859 1105 Rev E

Materials Plan 1859 1111 Rev E

Storey Heights Plan 1859 1112 Rev D

Parking Plan 1859 1113 Rev D

Land Ownership Plan 1859 1114 Rev D

Affordable Housing Plan 1859 1115 Rev D

External Works Plan 1859 1116 Rev D

Waste Collection Plan 1859 1117 Rev D

Enclosures Plan 1859 1118 Rev D

Site Sections 1859 1150 Rev B

Site Sections 1859 1151 Rev B

Central Vearse Streetscenes 1859 1170 Rev B

Core Neighbourhood and Countryside Edge Streetscenes 1859 1171 Rev B

Park Edge and West Mead Streetscenes 1859 1172 Rev B

House Type Elevational Key 1859 3000 Rev A

House Type Elevational Key Central Vearse 1859 3001 Rev A

House Type Elevational Key Core Neighbourhood 1859 3002 Rev A

House Type Elevational Key Park Edge 1859 3003 Rev A

House Type Elevational Key Countryside Edge 1859 3004 Rev A

House Type Elevational Key West Mead 1859 3005 Rev A

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1.0m Low Brick Wall and Estate Vertical Railings Ball Top (Painted Black) – Plans and Elevations	1859 2006
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Landscape and Ecological Strategy Plan 10042-L-01 Rev G

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Landscape Signage Strategy 10042-L-02 Rev A

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Detailed Planting Plan Sheet 1 of 43 10042-FPCR-XX-ZZ-DR-L0002 Rev P05

Detailed Planting Plan Sheet 2 of 43 10042-FPCR-XX-ZZ-DR-L0003 Rev P05

Detailed Planting Plan Sheet 3 of 43 10042-FPCR-XX-ZZ-DR-L0004 Rev P06

Detailed Planting Plan Sheet 4 of 43 10042-FPCR-XX-ZZ-DR-L0005 Rev P06

Detailed Planting Plan Sheet 5 of 43 10042-FPCR-XX-ZZ-DR-L0006 Rev P05

Detailed Planting Plan Sheet 6 of 43 10042-FPCR-XX-ZZ-DR-L0007 Rev P06

Detailed Planting Plan Sheet 7 of 43 10042-FPCR-XX-ZZ-DR-L0008 Rev P05

Detailed Planting Plan Sheet 8 of 43 10042-FPCR-XX-ZZ-DR-L0009 Rev P05

Detailed Planting Plan Sheet 9 of 43 10042-FPCR-XX-ZZ-DR-L0010 Rev P05

Detailed Planting Plan Sheet 10 of 43 10042-FPCR-XX-ZZ-DR-L0011 Rev P06

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Detailed Planting Plan Sheet 12 of 4310042-FPCR-XX-ZZ-DR-L0013 Rev P05  
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Detailed Planting Plan Sheet 16 of 4310042-FPCR-XX-ZZ-DR-L0017 Rev P05  
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Detailed Planting Plan Sheet 19 of 4310042-FPCR-XX-ZZ-DR-L0020 Rev P05  
Detailed Planting Plan Sheet 20 of 4310042-FPCR-XX-ZZ-DR-L0021 Rev P06  
Detailed Planting Plan Sheet 21 of 4310042-FPCR-XX-ZZ-DR-L0022 Rev P06  
Detailed Planting Plan Sheet 22 of 4310042-FPCR-XX-ZZ-DR-L0023 Rev P05  
Detailed Planting Plan Sheet 23 of 4310042-FPCR-XX-ZZ-DR-L0024 Rev P05  
Detailed Planting Plan Sheet 24 of 4310042-FPCR-XX-ZZ-DR-L0025 Rev P05  
Detailed Planting Plan Sheet 25 of 4310042-FPCR-XX-ZZ-DR-L0026 Rev P05  
Detailed Planting Plan Sheet 26 of 4310042-FPCR-XX-ZZ-DR-L0027 Rev P05  
Detailed Planting Plan Sheet 27 of 4310042-FPCR-XX-ZZ-DR-L0028 Rev P05  
Detailed Planting Plan Sheet 28 of 4310042-FPCR-XX-ZZ-DR-L0029 Rev P05  
Detailed Planting Plan Sheet 29 of 4310042-FPCR-XX-ZZ-DR-L0030 Rev P05  
Detailed Planting Plan Sheet 30 of 4310042-FPCR-XX-ZZ-DR-L0031 Rev P05  
Detailed Planting Plan Sheet 31 of 4310042-FPCR-XX-ZZ-DR-L0032 Rev P05  
Detailed Planting Plan Sheet 32 of 4310042-FPCR-XX-ZZ-DR-L0033 Rev P05  
Detailed Planting Plan Sheet 33 of 4310042-FPCR-XX-ZZ-DR-L0034 Rev P05  
Detailed Planting Plan Sheet 34 of 4310042-FPCR-XX-ZZ-DR-L0035 Rev P05  
Detailed Planting Plan Sheet 35 of 4310042-FPCR-XX-ZZ-DR-L0036 Rev P05  
Detailed Planting Plan Sheet 36 of 4310042-FPCR-XX-ZZ-DR-L0037 Rev P05  
Detailed Planting Plan Sheet 37 of 4310042-FPCR-XX-ZZ-DR-L0038 Rev P05  
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Detailed Planting Plan Sheet 39 of 4310042-FPCR-XX-ZZ-DR-L0040 Rev P05  
Detailed Planting Plan Sheet 40 of 4310042-FPCR-XX-ZZ-DR-L0041 Rev P05  
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Sustainability

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Section 38 Agreement Layout Sheet 3 of 26 P7102 Rev P4

Section 38 Agreement Layout Sheet 4 of 26 P7103 Rev P4

Section 38 Agreement Layout Sheet 5 of 26 P7104 Rev P4

Section 38 Agreement Layout Sheet 6 of 26 P7105 Rev P4

Section 38 Agreement Layout Sheet 7 of 26 P7106 Rev P4

Section 38 Agreement Layout Sheet 8 of 26 P7107 Rev P4

Section 38 Agreement Layout Sheet 9 of 26 P7108 Rev P4

Section 38 Agreement Layout Sheet 10 of 26 P7109 Rev P3

Section 38 Agreement Layout Sheet 11 of 26 P7110 Rev P4

Section 38 Agreement Layout Sheet 12 of 26 P7111 Rev P4

Section 38 Agreement Layout Sheet 13 of 26 P7112 Rev P3

Section 38 Agreement Layout Sheet 14 of 26 P7113 Rev P3

Section 38 Agreement Layout Sheet 15 of 26 P7114 Rev P3

Section 38 Agreement Layout Sheet 16 of 26 P7115 Rev P3

Section 38 Agreement Layout Sheet 17 of 26 P7116 Rev P4

Section 38 Agreement Layout Sheet 18 of 26 P7117 Rev P3

Section 38 Agreement Layout Sheet 19 of 26 P7118 Rev P3

Section 38 Agreement Layout Sheet 20 of 26 P7119 Rev P3

Section 38 Agreement Layout Sheet 21 of 26 P7120 Rev P3

Section 38 Agreement Layout Sheet 22 of 26 P7121 Rev P4

Section 38 Agreement Layout Sheet 23 of 26 P7122 Rev P4

Section 38 Agreement Layout Sheet 24 of 26 P7123 Rev P3

Section 38 Agreement Layout Sheet 25 of 26 P7124 Rev P3

Section 38 Agreement Layout Sheet 26 of 26 P7125 Rev P3

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

2. No development above damp proof course level for each phase of development as shown on Plan 1859 80 Rev D shall take place until samples of materials to be used in the construction and finish of walls and roofs for that phase have been made available on site for the inspection by the Local Planning Authority and they have been approved in writing by the Local Planning Authority. The samples shall include sample panels measuring 1 metre by 2 metres of each principal facing material, which shall include details of coursing, mortar mix and pointing. The sample panels shall be retained on-site until they have been approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved materials.

Reason: To safeguard the character of the locality.

3. No development above damp proof course level for each phase of development as shown on Plan 1859 80 Rev D shall take place until detailed drawings (at a scale of not less than 1:20) showing the design, materials and construction specifications of external doors and windows for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved scheme.

Reason: In order to ensure that the details are of sufficient standard.

4. No development above damp proof course level for each phase of development as shown on Plan 1859 80 Rev D shall take place until a scheme showing details of all external vents, flues and utility meter boxes for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved scheme.

Reason: To safeguard the character of the locality.

5. The development hereby approved shall proceed only in strict accordance with the details set out in the Arboricultural Method Statement dated: March 2023, with associated Tree Protection Plans ref: 10042-T-03 C - 10042-T-13 C and details contained within the Veteran Tree Assessment dated: March 2023.

Reason: To ensure thorough consideration of the impacts of development on the existing trees.

6. In implementing the landscape planting hereby permitted, the following species must not be planted within 10m of the A35:

Blackthorn (*Prunus spinosa*)

Goat willow (*Salix caprea*)

Crack willow (*Salix fragilis*)  
Dogwood (*Cornus sanguinea*)  
Italian alder (*Alnus cordata*)  
Bird cherry (*Prunus avium*)  
Quaking Aspen (*Populus tremulans*)  
Wild Privet (*Ligustrum vulgare*)

In addition, the following trees must not be planted in a position where at maturity they would be within falling distance of the A35 trunk road carriageway or any significant National Highways asset:

Silver Birch (*Betula pendula*)  
Austrian Pine (*Pinus nigra*)  
Poplar (*Populus alba*, *Populus hybrid*, *Populus lombardii*)  
English Oak (*Quercus robur*)

Reason: To ensure the safe and efficient operation of the strategic road network.

7.No development above damp proof course level shall take place within a sub-phase of development, until a plan showing the sub-phasing arrangements for the development hereby approved in relation to the visibility splay areas shown on Drawing Number 1628 P7150 P4 has been submitted to and approved in writing by the Local Planning Authority.

Prior to the occupation or the utilisation of each agreed sub-phase, the approved visibility splays as per Drawing Number 1628 P7150 P4 shall be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

8.Prior to the construction of the vehicular access to the rear of plots 700-707 inclusive as shown on Drawing Number 1859 1100 Rev E, a scheme showing how the vehicular access to the rear of plot 707 will be signposted and marked to ensure the access is used for the purpose of Entry Only, shall be submitted and approved in writing to the Local Planning Authority. The approved scheme shall be implemented prior to the occupation or utilisation of plots 700 to 707 and, thereafter, must be permanently maintained for the purpose specified.

Reason: To ensure safe entry and exit to and from the site onto the highway.

**Informative Notes:**

1. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated 1 May 2019.

2. Informative: The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at [dli@dorsetcc.gov.uk](mailto:dli@dorsetcc.gov.uk), or in writing at Development team, Infrastructure Service, Dorset Council, County Hall, Dorchester, DT1 1XJ.

3. Informative: The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making-up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset Council's Development team. They can be reached by email at [dli@dorsetcc.gov.uk](mailto:dli@dorsetcc.gov.uk), or in writing at Development team, Infrastructure Service, Dorset Council, County Hall, Dorchester, DT1 1XJ.

4. Informative: There is a requirement for condition 22 of the outline planning permission to provide a plan showing the sub-phasing arrangements for the development hereby approved in relation to the access, geometric highway layout, turning and parking areas shown on Drawing Number 1859 1100 Rev E.

5. Informative: The Council is responsible for street naming and numbering within our district. This helps to effectively locate property for example, to deliver post or in the case of access by the emergency services. You need to register the new or changed address by completing a form. You can find out more and download the form from our website [www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering](http://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering).

6. Informative: Plans of the Skills Academy shall be submitted to and agreed by the Local Planning Authority in the discharge of condition 20 of the outline permission for the agreement of a Construction Traffic Management Plan.

7. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and

- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.