

Northern Area Planning Committee
Tuesday 21st November 2023
Decision List

Application Reference: P/RES/2023/02376

Application Site: West of Shaftesbury Road (Land on Ham Farm), Land South of Gillingham, Shaftesbury Road, Gillingham

Proposal: Erect 34 No. dwellings (including show homes / sales area) and associated infrastructure including formal and informal public open space, following the grant of Outline Planning Permission No. 2/2018/0036/OUT. (Reserved Matters application to determine access, appearance, landscaping, layout and scale).

Recommendation: GRANT subject to conditions

Decision: **A) Approval of 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 approved shall be carried out in accordance with the following approved plans:

General arrangement (Drawing No. A409-RM-01 Rev D);
Longitudinal sections Sheet 1 (Drawing No. A409-RM-15 Rev B);
Drainage layout (Drawing No. A409-RM-41 Rev C);
Engineering layout (Drawing No. A409-RM-41 Rev D);
Drainage construction details Sheet 1 (Drawing No. A409-RM-55 Rev B);
Drainage construction details Sheet 2 (Drawing No. A409-RM-56 Rev B);
Drainage construction details Sheet 3 (Drawing No. A409-RM-57 Rev B);
Highway construction details Sheet 1 (Drawing No. A409-RM-41 Rev B);
Materials layout (Drawing No. A409-RM-71 Rev D);
Large refuse vehicular tracking (Drawing No. A409-RM-81 Rev F);
Fire tender vehicular tracking (Drawing No. A409-RM-82 Rev F);
Standard car vehicular tracking (Drawing No. A409-RM-83 Rev F);
Strategic Landscape Masterplan Sales Arena (Drawing No. P22-1067_EN_0005 Rev B);
Detailed Planting Plan Sales Arena (Drawing No. P22-1067_EN_0006 Rev B);
Hard Landscape Plan Sales Arena (Drawing No. P22-1067_EN_0007 Rev B).
All received on 21st April 2023

House type Warwick B1 (Drawing No. A1071 12);
House type Amberley A1 (Drawing No. A1071 13);

House type Shrewsbury 3 B1 (Drawing No. A1071 14);
House type Leamington Lifestyle B1 (Drawing No. A1071 15);
House type Oxford Lifestyle B1 (Drawing No. A1071 16);
House type Oxford Lifestyle A1 (Drawing No. A1071 17);
House type Stratford B1 (Drawing No. A1071 18);
House type Stratford A1 (Drawing No. A1071 19);
House type Lincoln 3 (Drawing No. A1071 20);
House type Lincoln 3 A1 (Drawing No. A1071 21);
House type Marlow A1 (Drawing No. A1071 22);
House type Cambridge A1 (Drawing No. A1071 23);
House type Harrogate B1 (Drawing No. A1071 25);
House type Harrogate A2 (Drawing No. A1071 26);
House type Ledsham (Drawing No. A1071 27);
House type Ledsham B1 (Drawing No. A1071 28);
House type Hampstead B1/A1 (Drawing No. A1071 29);
House type Hampstead A1 (Drawing No. A1071 30);
House type Dart 3 block floor plans (Drawing No. A1071 33);
House type Dart 3 block elevations (Drawing No. A1071 34);
Single garage floor plans and elevations (Drawing No. A1071 35);
Twin garage floor plans and elevations (Drawing No. A1071 36).
All received on 28th April 2023

House type Spey/Tavy 3 block floor plans (Drawing No. A1071 39);
House type Spey/Tavy 3 block elevations (Drawing No. A1071 40).
All received on 10th July 2023

Massing plan (Drawing No. A1071 03 Rev C);
Housing plan (Drawing No. A1071 04 Rev C);
Affordable Housing plan (Drawing No. A1071 05 Rev C);
Material plan (Drawing No. A1071 06 Rev D);
Enclosures plan (Drawing No. A1071 07 Rev C);
Parking plan (Drawing No. A1071 08 Rev C);
Refuse plan (Drawing No. A1071 09 Rev C);
Hard surfacing plan (Drawing No. A1071 09 Rev C);
All received on 11th August 2023

House type Shaftesbury A1 (Drawing No. A1071 24 Rev B);
House type Harrogate A2 Showhome (Drawing No. A1071 26 Rev B);
House type Harrogate B1 (Drawing No. A1071 38 Rev A);
House type Harrogate A2 (Drawing No. A1071 41 Rev A).
All received on 15th August 2023

Planning layout (Drawing No. A1071 010 Rev i);
Street scenes A-A, B-B & C-C (Drawing No. A1071 11 Rev E);
Detailed soft on-plot landscaping proposals (Drawing No. P22-1067_019 Rev A);
Strategic Landscape Masterplan (Drawing No. P22-1067_EN_0012 Rev G).
All received on 11th September 2023

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

3. The sales area hereby approved (Drawing Nos. P22-1067_EN_0005 Rev B; P22-1067_EN_0006 Rev B; P22-1067_EN_0007 Rev B) shall be limited to the period ending 31 December 2036, or upon completion of all development approved under 2/2018/0036/OUT and all subsequent Reserved Matters), whichever is the sooner; by which date the use of the buildings and land as show home(s)/marketing suite(s) shall have been discontinued.

At such time as the relevant temporary time period expires:

- a) the parking area and vehicular access and highway crossing (as shown within Drawing Nos. P22-1067_EN_0005 Rev B; P22-1067_EN_0006 Rev B; P22-1067_EN_0007 Rev B) must be fully removed;
- b) all hard and soft landscaping within the sales arena area shall be instated and reconfigured as per any relevant Reserved Matters details that have been approved by the Local Planning Authority, or to a specification which must first be submitted to, and agreed in writing, by the Planning Authority.

Reason: To reserve the Planning Authority control over the long term use of the land and ensure the proper and appropriate reinstatement of the adjacent highway.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the development; and any trees or plants which, within a period of 5 years from the completion of this phase 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 otherwise agreed with the Local Planning Authority.

Reason: In the interest of the amenity and appearance of the location.

5. Notwithstanding the details shown within the Strategic Landscape Masterplan (Drawing No. P22-1067_EN_0012 Rev G), all playing equipment and play features within the Locally Equipped Area for Play (LEAP) shall be provided with impact absorbing surfaces beneath and around them in accordance with specific material and specification details to be submitted to and approved in writing by the Local Planning Authority prior to first use of the LEAP play facilities.

Reason: To ensure that the approved play facilities are fully in accordance with the requirements of the s106 agreement.

6. No development shall proceed beyond damp proof course level until full specification details of all external facing materials (including, walls, roofs and fenestration detail) have been submitted to, and approved in writing by, the Local Planning Authority.

Thereafter, the development shall proceed in accordance with the approved materials and shall also comply with the approved materials distribution plan (Drawing No. A1071 06 Rev D).

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

7. Prior to the commencement of the development above damp course level, a scheme showing precise details of all external lighting within all of the public open space areas (including appearance, supporting columns, siting, technical details, power, intensity, orientation and screening of the lamps) shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall reflect the need to assist public safety whilst also minimising light spill to avoid harm to protected species. The approved scheme shall be implemented before the development is occupied and shall be permanently maintained thereafter. No further external lighting shall be installed on site without the prior approval, in writing, of the Local Planning Authority.

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

8. The development hereby approved shall be undertaken in accordance with the detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the Biodiversity Mitigation and Enhancement Plan (RSK Biocensus – Project No. 2483600 Rev 05 27/09/2023), subject to all new hedgerows to be species-rich native hedgerow that includes at least 5 woody species.

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

9. Before installation of the electrical substation as shown on the approved site plans, a noise assessment shall be submitted to, and approved in writing by, the Local Planning Authority. The assessment shall include: background sound measurements at times the plant will be in operation; a comparison with the operational plant sound level; the likely external noise impact on sensitive receptors in the area, and; mitigation to prevent an adverse effect. The assessment shall be undertaken in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound, and also include penalties for any tonality, impulsivity, or intermittency of the plant.

The development shall be completed in accordance with the approved details and the noise attenuation measures shall be retained thereafter.

Reason: In order to protect the living conditions of future occupiers of residential properties.

10. Before installation of any air source heat pumps or similar equipment, a noise report from a suitably qualified/experienced person shall be submitted to and agreed in writing by the Local Planning Authority. The written report shall follow the BS4142:2014 format and contain details of background sound measurements at times when the plant is likely to be in operation, against the operational plant sound level(s). The report shall predict the likely impact upon sensitive receptors in the area and all calculations, assumptions and standards applied shall be clearly shown. Where appropriate, the report shall set out appropriate measures to provide mitigation to prevent loss of amenity and prevent creeping background noise levels. The agreed mitigation measure shall be fully implemented and permanently retained thereafter.

Reason: In order to protect the living conditions of future occupiers of residential properties.

11. Prior to any occupation of development hereby approved, a final Acoustic Design Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall demonstrate how occupiers of the approved dwellings will be protected from their noise climate, including anticipated traffic noise and where necessary, noise mitigation measures for the dwellings. Any such noise mitigation measures must be fully established, implemented, and maintained for the lifetime of the development, and avoid conflict with ventilation requirements.

Reason: In order to protect the living conditions of future occupiers of residential properties.

12. Prior to use or occupation of development hereby approved, a scheme showing details of the proposed cycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved details shall be maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure provision of adequate cycle parking to support sustainable transport; in the interests of highway safety and residential amenity.

13. The development hereby approved shall be undertaken in accordance with the details set out in the submitted Stage 1, 2 and 3 Arboricultural Impact Assessment and Arboricultural Method Statement Report (RSK Biocensus – Project No. 2483604 Rev 1 04/07/2023). All trees and hedges shown to be retained in the Appendix 5 Tree Protection Plan (Dwg. No. 2 Rev 2 04/07/2023) shall be fully safeguarded during the course of site works and building operations.

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

14. The construction of the development hereby approved shall be limited to between the hours of 07:00hrs – 19:00hrs on Mondays to Fridays, 08:00hrs – 13:00hrs on Saturdays, with no activity on Sundays or Public Holidays.

Reason: To safeguard the amenity of the area and living conditions of any surrounding residential properties.

Appendix 1 – Details submitted to seek discharge of Outline Condition nos. 7 (Palette of materials), 8 (Updated Arboricultural Impact Assessment), 10 (Landscape Management Plan), 23 (Landscape and Ecological Management Plan) & 32 (Construction Environment Management Plan) of Outline Planning Permission No. 2/2018/0036/OUT

It is considered that the proposed external material types are sufficient to discharge Condition 7, given this parcel's location near the Principal Street and at some distance from the countryside edge. A new condition (No. 6 above) is proposed to secure the precise specifications for these external materials.

The Arboricultural Impact Assessment has been corrected to retain the hedgerow between the LEAP and kickabout areas, and the Council's Tree Officer has raised no other concerns. Condition 8 can therefore be discharged.

Condition 10 requires Reserved Matters to include a landscape management plan, to include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The Council's Landscape Architect considers that the landscape management details submitted with this application are considered sufficient to discharge Condition 10.

Condition 23 requires Reserved Matters to include a landscape and ecological management plan (LEMP). The Council's Landscape Architect and Natural Environment Team has raised no objection to the submitted LEMP for this phase. Condition 23 can therefore be discharged.

A Biodiversity Construction Environment Management Plan (CEMP) has also been submitted to seek part-discharge of Condition 32. This is considered acceptable by the Council's Natural Environment Team and therefore discharges the biodiversity requirements of Condition 32 (Construction Environment Management Plan).

Application Reference: P/FUL/2022/07360

Application Site: Lower Woodbridge Farm, Peaceful Lane Kings Stag DT10 2BD

Proposal: Demolish existing timber barn. Erect new structure to the same footprint to be used as a Microbrewery.

Recommendation: Grant permission subject to conditions.

Decision: Grant, subject to the following conditions:

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

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

2. The use hereby approved shall be limited to that of a brewery. No additional ancillary facilities or activities including tap room, bar, public visits and retail sales shall take place from the site.

Reason: In the interests of the character of the area, to protect the amenity of nearby residential occupiers and in recognition of the narrow width of the access track and the limited area available for on-site parking.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 1201-6 The location plan
 - 1201-6 A The location plan
 - 1201-7 A Block plan of the site
 - 1201-7 Block plan of the site
 - 1201-3 D Proposed ground floor and roof plan
 - 1201-4 B Proposed elevations
 - 1201-5 B Proposed Section A-A
 - 1201-8 A Proposed external layout

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

4. The pre-development, development and post development precautionary and mitigation measures set out within sections D and F the approved Biodiversity Plan (ref DBAP22462NH) certified by the Dorset Council Natural Environment Team on 30th November 2022 must be implemented in full and accordance the specified timetable specified in the Plan.

Reason: There is a low risk that bats may be present on site and such measures are necessary in the interests of biodiversity.

5. Prior to first use of the building hereby approved, one Improved Cavity Bat Box as detailed in the approved Biodiversity Plan, shall be installed on its southwest upper gable within 1m of the gable's apex. The said bat box shall remain in place for the lifetime of the development.

Reason: This is a necessary biodiversity compensatory measure.

6. One Eco Sparrow Tower as detailed in the approved Biodiversity Plan, shall be installed on the northeast gable apex of the building hereby approved prior to the building's first use and thereafter retained for the lifetime of the development.

Reason: This is necessary biodiversity net gain.

7. Within 6 months from the date of the first use of the development hereby approved soft landscaping shall have been planted in accordance with a scheme and schedule to include two fruit trees as required by the approved Biodiversity Plan. The scheme shall be submitted to the local planning authority for approval in writing prior to first use of the development. The approved

landscaping shall be retained and maintained for a period of not less than 10 years from the date of the first use of the building and, if either of the trees die, are removed or become seriously damaged or diseased within that 10 year time period, they 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: This is necessary for biodiversity net gain and to maintain an appropriate balance between the natural and built environment in this countryside location given that the impact of the parking and serving areas would not be acceptable without this landscaping.

8. Prior to the first use of the development hereby approved an acoustic fence shall be erected on the northern boundary as shown on the approved drawing 1201-8 A Proposed external layout in accordance with details first submitted to and approved in writing by the local planning authority. The approved fence shall be retained thereafter for the lifetime of the development.

Reason: In the interests of the residential amenity of the dwelling to the north of the site.

9. Upon and following the first use of the building hereby approved external lighting within the site shall be restricted to that included within a lighting scheme first submitted to and approved in writing by the local planning authority.

Reason: In the interests of biodiversity.

10. Prior to the first use of the building hereby permitted the parking, manoeuvring and vehicular access routes within the site and the visibility splays, shall have been completed, including the carriageway top surface, in accordance with the details provided on the approved drawing 1201-8 A. The parking, manoeuvring, access routes and visibility splays shall be retained thereafter for the lifetime of the development.

Reason: In the interests of highway safety.

11. Prior to the use hereby approved becoming operational, a servicing and delivery plan shall be submitted to the Local Planning Authority for written approval.

The plan shall including details of:

- The maximum size of vehicles to be used for deliveries and distribution.

- The hours during which deliveries to the site and distribution of finished product from the site will take place.
- The routing to and from the site for delivery and distribution vehicles

The use shall be operated strictly in accordance with the approved details.

Reason: In the interests of the character and amenity of the area, the amenity of nearby residential occupiers and having regard to the narrow, single track width of Peaceful Lane, the grass verges of which are identified as a site of nature conservation interest.

Informative Notes:

1. 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 applicants/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.

Application Reference: P/FUL/2023/05810

Application Site: Fairfield Car Park Fairfield Road Dorchester

Proposal: Construct footway along Fairfield Road and carry out vehicle restrictions works. Form pedestrian access from Weymouth Avenue.

Recommendation: GRANT, subject to conditions.

Decision: **Grant**, subject to conditions

Recommendation: Approve subject to the following conditions:

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

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

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

HI1290_Location plan Location plan
HI1290_1_101_DD_General Arrangement Site plan - Fairfield Road
HI1290_1_102_DD_GA Copper Street Site plan - Copper Street
HI1290_1_501_DD_Drainage Drainage drawing
HI1290_1_1202_DD_Signage Signage Drawing
HI1290_1_401_DD_Street Furniture Street Furniture drawing
HI1290_1_1301_DD_lighting Street Lighting drawing
HI1290_1_701_DD_Surfacing Footways and Carriageway surfacing drawing
HI1290_1_1101_DD_Kerbing Kerbing drawing

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

3. Within two years of the date of the permission hereby approved, a soft and hard landscaping scheme, to include details of planting, surface treatments, street furniture and sustainable urban drainage measures to be incorporated, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within a timescale to be agreed in writing with the Local Planning Authority.

Reason: In the interests reducing floor risk and of enhancing the visual amenity and character of the area in accordance with Policies ENV5, ENV10 and ENV11 of the Adopted West Dorset and Weymouth & Portland Local Plan.

4. Within two years of the date of the permission hereby approved, details of biodiversity enhancement measures shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed measures shall be installed/provided in accordance with a timescale to be agreed in writing with the Local Planning Authority.

Reason: To enhance biodiversity in accordance with Policy ENV2 of the Adopted West Dorset and Weymouth & Portland Local Plan.

Informative Notes:

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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

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

