

1.0 Application Number: WD/D/16/000378

Application Site: Land south of Warmwell Road, Warmwell Road, Crossways

Proposal: Full planning permission for the erection of 99 open market dwellings & affordable dwellings, a new doctors surgery, a replacement village hall, a car park, a new village green, new vehicular and pedestrian accesses and works to Warmwell Road. An outline application for the erection of 401 open market and affordable dwellings, the provision of 2.5ha of employment land, new vehicular and pedestrian accesses, roads, footpaths and cycleways, a car park for the proposed Site of Alternative Natural Greenspace (SANG) and 2 pumping stations; and a full application for the change of use of 22.4ha of land to Site of Alternative Natural Greenspace (SANG).

Applicant: C & G Properties Ltd

Case Officer: Ann Collins

Ward Member(s): Cllr N Ireland

This application is on this Planning Committee agenda as the application has been the subject of a committee resolution in November 2017, but the decision has not yet been issued and amendments are now being sought to that resolution.

2.0 Summary of Recommendation:

2.1 Recommendation A: Delegate authority to the Head of Planning to grant planning permission subject to planning conditions as detailed in section 16 of this report and the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Head of Planning to secure the following:

- 35% of the units as affordable housing with 50/50 tenure split between rented and shared ownership/low-cost affordable housing
- A clause to revisit the viability of the scheme and the affordable housing provision at 100, 200, 300 & 400 units
- Education contribution of £5,444 per dwelling with 2 or more bedrooms index linked using RPI from the date of this committee report
- Provision of a minimum of 22.4ha of suitable alternative natural greenspace (SANG) with a maintenance contribution of £960,000 and supporting funding provisions of £241 per dwelling (SANG) index linked using RPI from the date of this committee report
- Financial contribution of £149,089 towards mitigation for the impacts of the development on nitrogen levels in Poole Harbour index linked using RPI from the date of this committee report
- Highway contributions of £560,000 towards off-site highway works to include works to Warmwell Road and a Cycle Route Scheme index linked using RPI from the date of this committee report

- Provision of a minimum of three no. Locally Equipped Areas for Play, approval of maintenance and management arrangements and financial contributions towards maintenance of the proposed LEAPs of £58,540 index linked using RPI from the date of this committee report if they are transferred to the Parish Council to manage and maintain

Recommendation B: Refuse permission for the reasons set out below if the S106 agreement is not completed within 6 months of the date of the committee resolution or such extended time as agreed by the Head of Planning.

1. Policy HOUS1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 requires a minimum on-site provision of 35% of the units as affordable housing. In the absence of a planning obligation to secure these affordable units the scheme would fail to meet the substantial unmet need for affordable housing in the district and the proposal would therefore be contrary to Policy HOUS1 of the adopted Local Plan.
2. Policy COM1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 sets out that where new development will generate the need for new or improved community infrastructure and this need is not being met through the Community Infrastructure Levy, suitable provision should be made on site. Policy CRS1 of the Local Plan sets out the expected infrastructure for this site and its development. In the absence of a planning obligation to secure the required community infrastructure the scheme would fail to mitigate the increase in demand for the necessary infrastructure to support the development and to avoid and mitigate for the adverse effects upon internationally designated heathlands and additional nutrient loading upon the Poole Harbour internationally designated sites. It would namely fail to provide for:

Education;

Recreation spaces in the form of Sites of Alternative Natural Greenspace and the supporting maintenance and funding mechanisms required for the future;

Mitigation of the impacts upon the Poole Harbour internationally designated sites;

Highway improvements;

Children's play provision.

In the absence of a planning obligation the proposals therefore fail to meet the provisions of Policies COM1, CRS1, INT1, ENV2 and COM7 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2019).

2.2 This is very similar to the recommendation made to the planning committee on 16th November 2017 when the planning committee resolved to delegate authority to the Head of Planning in accordance with the officer's recommendation to them. The difference to the recommendation now is in respect of the proposed conditions, the elements to be included in the S106 agreement and part B of the recommendation in respect of what could happen if the S106 agreement is not completed within 6 months of the date of the committee resolution.

AMENDMENTS/ADDITIONS TO PREVIOUSLY RECOMMENDED CONDITIONS

2.3 It is proposed that the wording of condition no. 6 be amended to read as follows:

1. Prior to the commencement of the development a Phasing Plan for the entirety of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall make provision for:
 - a) Extraction of the mineral interest in accordance with a scheme to be first approved in writing by the Local Planning Authority from the area outlined in red on the Site Location Plan Drwg no. 1701 P01 Rev A prior to the commencement of any development the subject of this outline planning permission within that same area.
 - b) Delivery of the Village Green as part of Phase 1. No further dwellings in later phases to be constructed until it is complete.
 - c) Delivery of serviced employment land as part of the development of the adjacent residential phase.
 - d) Provision of allotments as part of the development of the adjacent residential phase.
 - e) Provision of Locally Equipped Areas for Play as part of the development of the adjacent residential phase.
 - f) The proposed village hall and adjacent parking spaces being constructed and ready for first use prior to the demolition of the existing village hall or the commencement of construction of the final phase of the development, whichever is soonest, and the submission of a scheme for the interim landscaping of the proposed village hall site until such time as the village hall is constructed. The interim landscaping scheme for the village hall site is to include details of the planting and its maintenance and shall be implemented and completed in full as part of Phase 1 and shall be maintained and retained thereafter until such time as the village hall is constructed on the site.
 - g) Provision of the doctor's surgery.

Thereafter the development shall be carried out in accordance with the phasing plan and any subsequent changes to the agreed phasing plan must also be agreed in writing by the Local Planning Authority.

REASON: In the interests of achieving the objectives of the Local Plan and the site specific policy.

2.4 It is also proposed to reflect the National Planning Policy Framework (2019) to include a condition regarding the design of the development to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. Paragraph 110 of the NPPF requires applications for development to make such provisions in respect of design.

2.5 It is therefore recommended that an additional condition is included as follows:

No development above damp proof course of any dwelling in the phase 1 full application area shall be carried out until a scheme showing how the charging of plug-in and other ultra-low emission vehicles is to be provided in safe, accessible and convenient locations has been submitted to and approved in writing by the Local Planning Authority. Furthermore as part of any reserved matters application relating to design, details shall be provided to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development. Thereafter the development shall be carried out in accordance with such details as have been approved by the Local Planning Authority.

REASON: To ensure that adequate provision is made to enable occupiers of and visitors to the development to be able to charge their plug-in and ultra-low emission vehicles.

2.6 It is proposed to amend the condition, no. 23, regarding the submission and implementation of biodiversity mitigation plans. This is to ensure that as the development is proposed to be phased a mitigation plan is submitted for each phase prior to the commencement of development on that particular phase and is based on up-to-date ecological survey work so that the impacts, mitigation and enhancement of biodiversity is fully addressed.

2.7 It is proposed to simplify the wording of condition no. 11 to avoid repetition. It is proposed to omit the reference to Wessex Water from condition no. 16 as its inclusion is not considered necessary. The wording of condition no. 17 is proposed to be amended to add “prior to the commencement of development” at the beginning of the first sentence. The wording of condition no. 18 is proposed to be amended to reflect the outcome of condition no. 17. In respect of condition no. 19 it is proposed to amend the wording to allow for remediation to potentially be carried out in phases should it be considered appropriate and safe to do so

and for the remediation scheme to be varied if necessary. In respect of condition no. 29 it is proposed to introduce the need to have a timetable for the implementation of the landscaping for phase 1 to be approved.

2.8 Some very minor amendments are also proposed to the conditions in respect of typographical errors and reference to an outdated local plan.

AMENDMENTS TO PREVIOUSLY RECOMMENDED S106 AGREEMENT

2.9 The previous committee resolution (as it stands) states that the following should be included within the S106 agreement in accordance with the officer recommendation at that time:

“Highway improvements at Max Gate payable not later than the occupation of 100 units and provision of a scheme for the extraction of mineral interest from the site and the restoration of the land concerned prior to its development.”

“Provision of a scheme for the extraction of mineral interest from the site and the restoration of the land concerned prior to its development.”

2.10 It is now proposed to omit those elements from the proposed S106 agreement as it is considered that they could be adequately covered by planning conditions. Condition no. 6 is amended in respect of the mineral extraction requirements.

2.11 The committee resolution in respect of the education contribution refers to a sum of £2,722,212 which is the correct figure if all houses were qualifying dwellings i.e. had 2 bedrooms or more. However as 1 bedroom properties would not be required to contribute it is proposed to break the contribution down into a per dwelling figure of £5,444 which would be required for all 2 or more bedroom properties.

2.12 The committee resolution refers to supporting funding provisions (SAMM) for the suitable alternative natural greenspaces (SANGs) but a figure was not stated. This figure has been calculated in consultation with Natural England to be £241 per dwelling and it is now proposed that this is stated in respect of the S106 requirements.

2.13 The committee resolution refers to financial contributions towards the maintenance of the proposed LEAPs. They would be required if the LEAPs management and maintenance were transferred to the Parish Council after completion of them and for clarity it is proposed to state that and include the maintenance figure which would be £58,540.

2.14 The committee resolution doesn't specifically refer to the financial contributions being index linked although this would have been written into the

S106 agreement. However in line with current practice for Dorset Council it is proposed to specifically state this in the wording of the recommendation.

ADDITION TO PREVIOUS RECOMMENDATION

2.15 The final amendment is in respect of the inclusion of recommendation B and that the application be refused if the S106 agreement is not completed within 6 months of the date of the committee resolution or such other extended time period as agreed by the Head of Planning.

2.16 A copy of the officer's committee report from 2017 is appended for information.

3.0 Reason for Recommendation:

3.1 To allow the village hall to be constructed outside of phase 1 of the development but to ensure it is constructed and ready for first use prior to the demolition of the existing village hall. The amendment to the wording of the condition in the committee resolution would also ensure that the proposed village hall site is landscaped in the interim and has a suitable visual appearance until such time as it is developed. As such it is considered that the amendment to the phasing should aid the viability of the scheme in its initial stages but would ensure that the provision of the village hall in a later phase is not jeopardised and the site remains visually acceptable in the meantime given its location adjacent to the road.

3.2 The additional condition regarding the design of the development to allow for the plugging in of vehicles in safe, accessible and convenient locations accords with the NPPF as updated in 2019.

3.3 Amending the condition regarding the submission of biodiversity mitigation plans will ensure they are based on up-to-date ecological survey work and as such fully address the impacts, mitigation and enhancement of biodiversity.

3.4 Amending the wording of other conditions will provide clarity and address issues regarding compliance with them.

3.5 It is considered that the highway works at Max Gate and mineral extraction from the site can be addressed by conditions and should not therefore be duplicated in the S106 agreement.

3.6 It is considered that the additional wording in respect of the index linking of the financial contributions and breaking the education contribution down per dwelling and including a figure for the supporting funding provisions provides clarity.

3.7 The inclusion of the provision of the doctor's surgery within the phasing condition will ensure that it is provided as the development progresses and as demand on the existing surgery increases as a result of the additional population.

3.8 The additional recommendation B is to ensure the completion of the S106 agreement occurs in a timely manner in order that a permission exists for the development of this allocated site.

4.0 Table of Key Planning Issues

Issue	Conclusion
Impact on the provision of community facilities	There would be no reduction in the provision of community facilities as the existing hall will not be demolished until the proposed village hall is constructed and ready for first use. Including the doctor's surgery in the phasing plan will ensure that it is provided as the development progresses.
Impact on visual amenity	The requirement for the site of the proposed village hall to be landscaped until such time as the hall is constructed will ensure that the visual amenity of the area is not adversely affected.
Sustainable development and transport	Designing the development to enable charging of plug-in and other ultra-low emission vehicles would aid sustainable development and transport options for residents of the development in accordance with the NPPF (2019).
Impact on setting of heritage assets and SSSIs	Regard has been had to the changes to the NPPF since 2017, however being largely an outline application and with the planning conditions and S106 mitigation as indicated, it is considered that the NPPF assessment of importance for the setting of heritage assets/Sites of Special Scientific Interest has been undertaken and proper regard to their importance acknowledged and appropriately mitigated.
Impact on biodiversity	It is considered that the amendments to the condition wording for the submission of biodiversity mitigation plans would ensure that the impacts, mitigation and enhancements are based on up-to-date ecological survey work.

5.0 Description of Site:

5.1 The site is located to the south of Warmwell Road and incorporates a large area of currently undeveloped land as well as Summer Farm and the existing village hall. It wraps around 3 sides of Hybris Business Park and is adjacent to Heathfield Park and a number of other residential properties. To the south west of the site is Warmwell Country Touring Park.

5.2 The land is allocated in the adopted Local Plan for a mixed-use development under Policy CRS1 and the defined development boundary for Crossways was extended to accommodate this allocation as part of the Local Plan. The application follows the boundaries of the allocated site in the local plan.

5.3 The site lies in a Minerals Safeguarding Area identified in the adopted Bournemouth, Dorset and Poole Minerals Strategy (2014).

5.4. Within the western side of the wider outline application is sited a Scheduled Ancient Monument (SAM) described as a “prehistoric earthwork in Bowley’s Plantation”. There is no Conservation Area for Crossways. The nearest listed buildings to the site are the Frampton Arms pub and its outbuildings at the level crossing at Moreton station. There is a further SAM approximately 350m south-east of the corner of the proposed SANG. This is Tinkers Barrow, a Bronze Age bowl barrow set within a woodland.

5.5 The site lies within the Crossways Gravel Plateau Landscape Character Area in the Council’s adopted Landscape Character Assessment SPD. The site is outside of the AONB. The application site is within 5km of both the Warmwell and Winfrith heathland SSSIs.

6.0 Description of Development:

6.1 The application is a hybrid proposal for full planning permission, change of use and outline planning permission for this strategic site allocation in the adopted local plan. The site area covers the entire allocation set out in Local Plan Policy CRS1 which includes an allocation for mixed-use development and an indicative area for suitable alternative natural greenspace (SANG) as mitigation for the impacts of this residential development on the protected heathlands which are within 5km of the site. The overall site area is 44.21 hectares.

6.2 The outline application seeks permission for 401 dwellings in addition to the detailed consent element for 99 dwellings. The 401 dwellings would be on land to the east of the Hybris Business Park and south of Summer Farm, extending down from the B3390. The residential elements also extend around to the current village hall site to the west of the Hybris and the residential areas extend south

wrapping around the lower part of Scotton Way to link back into the application area to the east of the business park.

6.3 Within the residential elements of the scheme are indicated areas of open space with three LEAPS (play areas) shown. There are also areas of open space including around the site of the Bowley's Plantation Scheduled Ancient Monument. There are also open areas around retained tree copses within the land. A series of allotments is indicated immediately adjoining the southern boundary of the recycling centre. A separate car park west of the public bridleway along the western boundary is located to serve the proposed SANG in this area.

6.4 At the eastern corner of the site at the junction of Warmwell Road and Moreton Road, an area of 2.5 hectares of employment land is indicated. This will be served by a separate access from the B road opposite 16 Warmwell Road. This road is then shown linking into the remainder of the development to the south. Overall there are three vehicular accesses indicated with a main central access forming part of the full permission element below. The third access is at the far western end of the site on the position of the current village hall access road.

6.5 The application includes a full permission element for an initial 99 dwellings to form the first phase of the development. 35% of these units are to be provided as affordable housing with a tenure split of 50/50 between rented and shared ownership/low-cost provision. In addition to the residential proposals, the full permission element also provides for the erection of a new village hall and doctors surgery at the entrance to the site from Warmwell Road with a new car park to serve these facilities. The detailed scheme element in addition proposes a new village green behind the village hall. New vehicular and pedestrian accesses and works to Warmwell Road also form part of the detailed proposals.

6.6 Village Hall – The village hall is a single-storey but double height building located to the east of the main access onto Warmwell Road. It is intended to be a key focal point for the development whilst also serving as a hub for the wider village. The building includes a main hall sufficient to accommodate a badminton court, stage area/ancillary committee room, small hall, store rooms, playgroup facilities including an outdoor play space, foyer/entrance area, kitchen, office, toilets and changing facilities. The village hall fronts west onto the new access road into the site but also includes large glazed areas on the east elevation. This will face out onto the proposed village green running alongside the main road. 9 parking spaces are shown immediately adjacent to the new hall with the majority of the parking demand to be met by the car park behind the new surgery (see below).

6.7 Doctors Surgery – The new doctor's surgery is proposed to the west of the new junction to the B3390. This has a smaller footprint than the new village hall

but instead is 2 storey. It includes three GP rooms, a nurse's treatment room, three multi-function rooms, a private consultation room, two offices, a reception and waiting area, toilets and a staff room. A pharmacist is shown as incorporated into the surgery on the ground floor with external public access and an internal connection to the surgery's waiting room. A total of 53 car parking spaces are shown along with motorcycle spaces, designed to be shared between the community facilities. Cycle parking for both the village hall and new surgery are shown to the front.

6.8 Change of use to SANG – 22.4ha of land within the site – a little over half – is proposed to be provided as suitable alternative natural greenspace. The application seeks permission for a change of use of this land from a nil/agricultural use to be used as open space as mitigation for the impacts of the increased residential development on the site on the nearby heathland Sites of Special Scientific Interest (SSSI) at Warmwell Heath and Winfrith Heath.

6.9 The proposed SANG includes areas of grassland, woodland and heath. The SANG is shown divided into four "units" with the open grassland areas immediately surrounding the proposed residential areas. On the eastern side these adjoin the woodland at Moigne Coombe Wood. The proposals for the SANG involve limited physical intervention to these areas. The main changes are to provide new links to these areas to bring these into the public domain, creating interest for informal walking routes to be used for dog walking and informal recreation.

7.0 Relevant Planning History:

Application. No	Application Description	Decision	Date of Decision
WD/D/16/000652	Gravel extraction of up to 131,000 tonnes of sand and gravel; new vehicular access onto B3390 Warmwell Road	Not yet determined	

8.0 List of Constraints:

- In defined development boundary
- Allocated site in Local Plan – CRS1
- Landscape character area - Crossways Gravel Plateau
- Within 5km of both the Warmwell and Winfrith heathland SSSIs
- In a minerals safeguarding area
- Scheduled ancient monuments

9.0 Consultations:

9.1 Full consultations took place on the application prior to its consideration by the Planning Committee in November 2017. All comments and representations can be viewed on the Council's website and were considered in the committee report from November 2017 as appended.

9.2 This report is recommending changes to the in respect of the conditions and 106 requirements within the previous committee resolution. As such there has been no re-consultation on the application at this time regarding the proposed amended conditions or any of the other amendments within this report.

9.3 Since the application was considered by the Planning Committee in November 2017 three further pieces of correspondence have been received. The first is from the Dorset Clinical Commissioning Group and is dated 19th September 2018. The letter can be summarised as follows:

- From recent premises visits and discussion with the practice, Dorset CCG can confirm that the current GP surgery building is reasonably fit for purpose to deliver primary care services to the location population. It's ideally located for the catchment population and provides good access with parking close by.
- The surgery clinical accommodation is fully utilised although there is some scope for extension at the site, subject to planning approval.
- Having taken into account the cost and revenue implications of a possible new build surgery as opposed to the option of extension Dorset CCG can confirm, with agreements from the practice that the preferred option would be to extend the existing building.
- For local primary care services, the estimated cost of creating an additional clinical room (plus increased ancillary space i.e. corridors, amending waiting areas etc.) is in the region of £60,000. Based on these costs the CCG are seeking a contribution of £40,000 from the development.

9.4 In response to the CCG letter of September 2018 the Parish Council wrote a letter to the CCG, copying in the local planning authority. The letter can be summarised as follows:

- The Parish Council consider that an extension to the surgery will only provide a sticking plaster for a few years before another major extension is required to cater for the increasing population of Crossways.
- Seeing sick patients while major building works are carried out is potentially dangerous, noisy, dusty and provides poor working conditions.
- The Parish Council's preferred option is for a new medical centre. This would provide a modern building with low maintenance and improved

insulation suitable for the expanding needs of the local population for now and many years in the future.

- It has been the vision that the new medical centre will not just be a doctor's surgery but also house other complimentary services for the Crossways area such as dentistry, chiropractic, opticians etc. which would pay toward the running costs and provide an inclusive health service for clients.

9.5 A letter has also been received from the Ramblers, Dorset Area. The letter can be summarised as follows:

- Attention is drawn to Chapter 8 of the NPPF and paragraph 98 – decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
- Public rights of way have not been included in the recommendations for this application.
- The illustrative masterplan, whilst illustrative, does not show any rights of way either existing or new and it would be helpful to have included them, if nothing more than to remind all concerned that they do exist, and are part of the “highway” network.
- Future plans should remedy this and that any recommendations include funding for rights of way and that anticipated diversions of public rights of way will be undertaken using the appropriate legal procedures, and with full consultation with user groups.

10. Relevant Policies:

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

CRS1 – Land at Crossways

INT1 – Presumption in favour of sustainable development

SUS1 – The level of economic and housing growth

SUS2 – Distribution of Development

ENV1 – Landscape, seascape and sites of geological interest

ENV2 – Wildlife & Habitats

ENV4 – Heritage Assets

ENV5 – Flood Risk

ENV9 – Pollution & Contaminated Land

ENV10 – The landscape and townscape setting

ENV11 – The patterns of streets and spaces

ENV12 – The design and positioning of buildings

ENV15 – Efficient & appropriate use of land

ENV16 – Amenity

ECON1 – Provision of employment

ECON2 – Protection of key employment sites

HOUS1 – Affordable housing
HOUS3 – Open market housing mix
HOUS6 – Other residential development outside defined development boundaries
COM1 – Making sure new development makes suitable provision for community infrastructure
COM7 – Creating a safe and efficient transport network
COM9 – Parking standards in new development
COM10 – The provision of utilities service infrastructure

National Planning Policy Framework

As far as this application is concerned the following section(s) of the NPPF are considered to be relevant;

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
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
17. Facilitating the sustainable use of minerals

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, including brownfield registers and permission in principle, 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.

11. 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. Public Sector Equalities Duty:

12.1 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.

12.2 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 PSED.

12.3 It is noted that the scheme will provide a new doctors’ surgery. This will expand provision and improve access to healthcare for residents, also meeting increased demand created by the development. A modern purpose-built facility is also likely to provide improved provision and a pharmacy will also benefit residents providing access to this type of healthcare advice and provision locally. All new buildings in the development will be required to comply with building regulations which have their own requirements in respect of access.

12.4 In addition the development would provide additional open space and access to the countryside through the provision of SANGs, allotments and LEAPs. The provision of open space provides greater opportunities for recreation, exercise and spending time outside, all of which have health benefits.

13. Financial Benefits:

Material benefits of the proposed development	
Housing Nos.	Up to 500 dwellings
Affordable housing Nos	35% of 500 = 175 dwellings
Employment land	2.5ha
Site of Alternative Natural Greenspace	22.4 ha
Replacement Village hall	
Doctors Surgery	
Village Green	
Allotments	

3 x LEAPs (play areas)	
Financial contributions to be secured via S.106 agreement	
Education contribution	£25,444 per dwelling
SANG maintenance contribution	£960,000
Strategic Access Management and Monitoring (SAMM) provisions	£241 x 500 dwellings = £120,500
Contribution towards mitigation for the impacts of the development on nitrogen levels in Poole Harbour	£149,089
Highway contributions towards off-site highway works including works to Warmwell Road and a cycle route scheme	£560,000
Highway improvements at Max Gate	Financial amount not known at this time – will be based on the physical works required by Highways England to be carried out.
Non-material benefits of the proposed development	
Business Rates	Unknown – outline application only
Council Tax	Unknown – part of the site is outline only
New Homes Bonus	Unknown – part of the site is outline only

14. Climate Implications:

14.1 The development is considered to be in a sustainable location with facilities such as a shop, village hall, library, first school and doctor's surgery all within the vicinity of the site such that a resident would not be reliant on a car to access such day to day services. SANGs and LEAPs are proposed as part of the development providing recreational opportunities on site rather than travelling further afield. The village is served by buses and it is intended that a bus would come into the site to pick up and drop off. There is a railway station at Moreton.

14.2 It is proposed to condition the provision of points for charging plug-in and other ultra -low emission vehicles.

14.3 It is proposed that the minerals would be extracted from the site prior to the development of that part of the site and thereby avoiding the sterilisation of the resource.

14.4. Energy would be used as a result of the production of the building materials and during the construction process. However that is inevitable when building houses and a balance has to be struck between providing housing to meet needs

(both open market and affordable) versus conserving natural resources and minimising energy use.

14.5 The dwellings would be built to current building regulation standards at the time of construction.

15. Planning Assessment:

Provision of the village hall:

15.1 As explained above the application was considered by the now decommissioned West Dorset District Council Planning Committee in November 2017. The committee resolved to approve the application subject to a number of conditions and the completion of a S106 agreement.

15.2 During 2019 there has been correspondence and meetings with the agent and officers of the Council with regards to the application and the lack of progress made in respect of the S106 agreement. The applicant has now agreed that they will proceed with the drafting of the S106 agreement. In the meantime the applicant is seeking an amendment to the committee resolution and specifically condition no. 6.

15.3 Condition no. 6 of the committee resolution currently reads:

Prior to the commencement of the development a Phasing Plan for the entirety of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall make provision for:

- a) Extraction of the mineral interest
- b) Delivery of Village Hall and Village Green as part of Phase 1. No further dwellings in later phases to be constructed in later residential phases until these are complete.
- c) Delivery of serviced employment land as part of the development of the adjacent residential phase.
- d) Provision of allotments as part of the development of the adjacent residential phase.
- e) Provision of Locally Equipped Areas for Play as part of the development of the adjacent residential phase.

Any subsequent changes to the agreed phasing plan must also be agreed in writing by the Local Planning Authority.

REASON: In the interests of achieving the objectives of the Local Plan and in accordance with Policy CRS1 of the

15.4 The applicant has asked that the change in the village hall delivery date be reconsidered (as detailed in condition 6) as they consider that the village hall and related car parking does not need to be delivered in phase 1 but rather it would need to be delivered either prior to the demolition of the existing village hall or before the commencement of phase 4 whichever is the sooner.

15.5 Although the applicant refers to the village hall potentially being constructed in phase 4, the phasing of the development has not yet been agreed as that is the first part of the requirements of condition no. 6. As such officers are therefore recommending that for the avoidance of doubt the new village hall be constructed and ready for first use prior to the demolition of the existing village, as until the existing is demolished there is essentially not the need for a new hall, although it is recognised that the new hall not only replaces the existing but provides upgraded facilities. However, it could be built into the condition that the hall be constructed and be ready for first use prior to the construction of the final phase of development being commenced. This would ensure that the new hall is provided prior to the construction of the final phase of development to ensure the developer provides the facility.

15.6 Not providing the village hall until the existing hall is programmed for demolition or prior to the final phase of development commencing, whichever is the sooner, is considered not to jeopardise the provision of community facilities within the village, as at all times one or other of the halls would exist.

15.7 Policy CRS1 of the adopted Local Plan requires a comprehensive mixed-use development to include new homes, local community facilities and employment land. The proposed village hall is a new community facility, along with the doctor's surgery, although the policy is not specific about what those community facilities should be or when during the development they should be provided. As such it is considered that the proposed new phasing of the village hall provision would not conflict with Policy CRS1.

15.8 There is the issue of what would happen in respect of the site of the proposed hall until such time as it is constructed as it is within the area of the site the subject of the full application for planning permission. However to address that it is proposed to require an interim soft landscaping scheme as part of the condition for the site of the proposed village hall which would be required to be implemented in full and maintained until such time as construction on the site for the new village hall commenced. The condition would require the interim planting to be carried out in phase 1 of the development. This would protect the visual amenity of the area having regard to the site being at the gateway to the development. The area adjacent to the site of the proposed hall is to be a village green and landscaping of the hall site would mean that it would visually assimilate with the green until such time as the hall was constructed.

Charging of plug-in and other ultra-low emission vehicles:

15.9 Since the consideration of the application in 2017 by the committee a new version of the NPPF has been published the latest version being February 2019 (updated June 2019). At paragraph 110 of the NPPF it states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. This is a material consideration and as such it is considered that the provision of such plug-in points should be conditioned. The design of phase 1 is already detailed in the full application but a scheme could still be required prior to development above damp proof course. The majority of the dwellings (401) are subject to the outline application only and therefore the matter can be addressed and designed into the scheme at reserved matters stage.

Heritage and Landscape Assets:

15.10 The new NPPF also increased the importance of heritage assets and landscape assets and the impact of development upon them. Due regard has been had to the amendments in the NPPF and being largely an outline application and with the planning conditions and S106 mitigation as indicated, it is considered that the NPPF assessment of importance for the setting of heritage assets/Sites of Special Scientific Interest has been undertaken and proper regard to their importance acknowledged and appropriately mitigated.

Biodiversity:

15.11 Amending the wording of the condition regarding the submission of Biodiversity Mitigation Plans (BMP) would ensure that each BMP was based on up-to-date ecological survey work and that should there be substantial delays between the implementation of each phase of the development such that the ecological context could have changed this would be addressed by the BMP through a review mechanism. Doing so would ensure that the development would have an acceptable impact on biodiversity.

Other Amendments to Conditions:

15.12 In reviewing the planning conditions the subject of the resolution some typographical errors have been corrected. Also it is suggested that amendments are made to condition no. 11 regarding the construction traffic management plan to simplify the wording and avoid repetition. The changes do not in anyway change the meaning or requirements of the condition.

15.13 In respect of the foul drainage condition (no. 16) whilst officers would liaise with Wessex Water over the submitted information it is not necessary or relevant to state this in the condition and therefore reference to Wessex Water is omitted.

15.14 Condition no. 17 requiring the submission of an investigation and risk assessment in respect of contamination requires a trigger for the submission of that information and therefore the words “Prior to the commencement of development” are added at the start of the condition.

15.15 Condition no. 18 concerns the submission and approval of a remediation scheme for land contamination. Whether such a scheme is required will depend on the outcomes of condition no. 17 and the investigation and risk assessment. As such the wording of the condition has been amended to reflect that.

15.16 Condition no. 19 deals with the implementation of an approved remediation scheme should it be required in respect of contaminated land matters. It is proposed to amend the wording to potentially allow for the submission and approval of a remediation phasing scheme if it transpires that it's appropriate for the approved remediation scheme to be carried out in a phased manner and also for amendments to be made to the remediation scheme should they transpire to be necessary during the course of the remediation process.

15.17 Whilst previously it was stated that the planning permission would be the subject of a plans list condition the plans themselves were not listed. The condition has now been included in full with the plans listed (condition no. 1).

15.18 It is proposed to include within condition no. 29 the requirement to submit a timetable for the implementation of the landscaping for phase 1 and that subsequently the landscaping be carried out in accordance with the agreed timetable.

Doctor's Surgery:

15.19 The proposals within the application for the Doctor's surgery remain as they were when the application was considered by the Planning Committee in 2017. There has since been the correspondence from the CCG and the Parish Council's response to it, however that has not impacted on the application at this time. Officers are aware of, but not party to, ongoing discussions between the CCG and the applicant as to whether a new doctor's surgery should be provided on the site or alternatively a contribution made to extend the existing surgery building. Those discussions and the research associated with them are unlikely to be completed for some time.

15.20 The previous committee resolution (as it currently stands) does not include a trigger for the provision of the doctor's surgery. Therefore whilst it is included within the full planning application and indicated as being within phase 1 there would be no requirement to actually provide the building in phase 1 or later in the development. However, consideration should be given to secure provision of the surgery within condition no. 6 which is the phasing condition. The doctor's

surgery would not necessarily have to be provided as part of phase 1 as the population increase may be met by the existing surgery provision within Crossways. However as the development proceeded and more houses were occupied pressure on the existing surgery would increase and so the doctor's surgery would be required.

Public Rights of Way:

15.21 The matter of public rights of way were considered in the committee report in 2017, however, a further representation has now been received from the Ramblers. Their concern is that public rights of way must be considered in the development and that it is Rambler's policy to resist footpath diversions onto Estate Roads.

15.22 Figure 32 in the Design and Access Statement submitted with the application suggests that Footpath S49/2 which crosses the site may be proposed to be diverted at least in part along the estate road within phase 1 of the development. This would be contrary to the Rambler's policy and they are concerned that a length of the rural path would be lost.

15.23 The illustrative masterplan doesn't indicate what may be proposed for any necessary diversion of the public right of way, but of course the plan is only illustrative. Furthermore the granting of planning permission, be it full or outline, does not override the fact that in order to build on the line of an existing right of way an application to divert the right of way must first be submitted and development should not proceed unless it is approved. The granting of a planning permission does not in anyway indicate that the approval of a subsequent public right of way diversion application would be forthcoming. Nor does an application for planning permission have to show how an applicant proposes to divert a right of way should permission be subsequently forthcoming. As such it is considered that the matter of how the right of way is dealt with within the development is for a future application to divert the right of way which would be subject to consultation in accordance with the relevant legislation at that time.

S106 Agreement:

15.24 The committee resolution from November 2017, in accordance with the officer recommendation, included within the S106 agreement a scheme for mineral extraction and highway improvements at Max Gate. These matters were also, at least in part, also covered by planning conditions.

15.23 In reviewing the application and committee resolution and discussing with solicitors the details of the S106 agreement, these matters and whether they need to be included within the S106 agreement have been reviewed.

15.24 In respect of the highway improvements required by Highways England at Max Gate on the A35, these were to be the subject of a condition (no. 10 previously). It is considered that the condition adequately covers the requirement that the works be carried out and the junction be open for use prior to the occupation of the 101th dwelling. As such to also include this requirement within the S106 agreement would have been unnecessary duplication.

15.25 It was also proposed that the mineral extraction be included within the S106 agreement. The proposed mineral extraction is the subject of a separate application being dealt with by the minerals and waste planning team. The application has not yet been determined but it proposes the extraction of gravel from part of the site in accordance with the minerals safeguarding policy. The scheme for minerals extraction will be considered and controlled via that separate application and if subsequently granted would be subject to conditions. The matter to be considered as part of the application before you today is the timing of any such extraction in the interests of safeguarding the mineral and residential amenity. This matter has been discussed with the minerals planning officer who does not consider it necessary to carry out the extraction prior to the occupation of any dwelling on the site. The officer's view is that it should be carried out prior to the development of the land the subject of the minerals extraction to ensure the resource is not sterilised and that doing so would not unacceptably impact on residential amenity as the workings would apparently be shallow and not that different to ground works for a residential development. Any permission for minerals extraction given as a result of the separate application can have conditions attached to in respect of hours of working etc. if considered necessary to protect residential amenity. As such amended wording in respect of the minerals extraction is proposed in condition no. 6.

15.26 Other amendments are proposed in respect of the recommendations for the S106 agreements. It is considered that the education contribution should be broken down into a per dwelling contribution to reflect that only dwellings with 2 or more bedrooms would pay the contribution. The total contribution for supporting funding mechanisms for the SANGs (SAMM) is also now included and calculated on a per dwelling basis. A figure has been included for maintenance of the 3 LEAPs and it is clarified that this is required if they are transferred to the Parish Council upon completion.

15.27 It is now included within the recommendation that all financial contributions are index linked.

15.28 It is now proposed that for applications which require a S106 agreement to be completed that the agreement should be completed within 6 months of the committee resolution or such other time period as agreed with the Head of Planning. This should ensure that agreements are completed in a timely manner enabling the planning permission to be issued and providing greater certainty in respect of the development of the site and housing delivery.

16. Conclusion:

16.1 It is considered that the provision of the new village hall prior to the demolition of the existing hall or the commencement of the construction of the final phase of the development, whichever is sooner, would not adversely impact on the provision of community facilities within Crossways as a village hall would always be provided on site.

16.2 The provision of a new hall, albeit not within phase 1 of the development would accord with Policy CRS1 of the adopted Local Plan. As would the inclusion of the provision of the doctor's surgery within the phasing condition.

16.3 The requirement for the approval and implementation of an interim soft landscaping scheme for the site of the proposed village hall and its retention and maintenance until such time as works commences on the construction of the village hall would ensure that visual amenities were protected and that this gateway site to the development was not left in an unacceptable condition.

16.4 It is considered reasonable having regard to the NPPF (2019), which is a change in material considerations since the committee resolution in 2017, to attach a condition regarding the design of the development enabling the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

16.5 It is considered that given the planning conditions and S106 agreement mitigation (as now amended) the development would have an acceptable impact on the setting of heritage assets, Sites of Special Scientific Interest and biodiversity.

16. Recommendation:

16.1 Recommendation

A: Delegate authority to the Head of Planning to grant planning permission subject to planning conditions and the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Head of Planning to secure the following:

- 35% of the units as affordable housing with 50/50 tenure split between rented and shared ownership/low-cost affordable housing
- A clause to revisit the viability of the scheme and the affordable housing provision at 100, 200, 300 & 400 units
- Education contribution of £5,444 per dwelling with 2 or more bedrooms, index linked using RPI from the date of this committee report
- Provision of a minimum of 22.4ha of suitable alternative natural greenspace (SANG) with a maintenance contribution of £960,000 and

- supporting funding provisions of £241 per dwelling (SMM), index linked using RPI from the date of this committee report
- Financial contribution of £149,089 towards mitigation for the impacts of the development on nitrogen levels in Poole Harbour, index linked using RPI from the date of this committee report
- Highway contributions of £560,000 towards off-site highway works to include works to Warmwell Road and a Cycle Route Scheme, index linked using RPI from the date of this committee report,
- Provision of a minimum of three no. Locally Equipped Areas for Play, approval of maintenance and management arrangements and financial contributions towards maintenance of the proposed LEAPs of £58,540 index linked using RPI from the date of this committee report if they are transferred to the Parish Council to manage and maintain

Planning Conditions:

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

Location Plan - Drawing Number 1677 P 01 received on 12/02/2016
Terrace - Type D - Proposed Floor Plans & Roof Plan - Drawing Number P-D-01 received on 12/02/2016
Terrace - Type D - Proposed Elevations - Drawing Number P-D-02 received on 12/02/2016
Mews - Type F - Proposed Floor Plans & Roof Plan - Drawing Number P-F-01 received on 12/02/2016
Mews - Type F - Proposed Elevations - Drawing Number P-F-02 received on 12/02/2016
Townhouse G - Type G - Proposed Floor Plans & Roof Plan - Drawing Number P-G-01 received on 12/02/2016
Townhouse G - Type G - Proposed Elevations - Drawing Number P-G-02 received on 12/02/2016
Manor - Type I - Proposed Floor Plans - Drawing Number P-I-01 received on 12/02/2016
Manor - Type I - Proposed Roof Plan - Drawing Number P-I-02 received on 12/02/2016
Manor - Type I - Proposed Elevations - Drawing Number P-I-03 received on 12/02/2016
Townhouse K - Type K Proposed Floor Plans & Roof Plan - Drawing Number P-K-01 received on 12/02/2016
Townhouse K - Type K - Proposed Elevations - Drawing Number P-K-02 received on 12/02/2016
Single Garage - Floor plans and Elevations - Drawing Number P-GAR-01 received on 12/02/2016
Double Garage - Floor plans and Elevations - Drawing Number P-GAR-02 received on 12/02/2016

Refuse & Cycle Store - Floor Plans & Elevations - Drawing Number 1677 P-REF-01 received on 12/02/2016

Garden Store - Floor plans and Elevations - Drawing Number 1677 P-SHE-01 received on 12/02/2016

Surgery - Proposed Elevations - Drawing Number 1677 P SU 03 received on 12/02/2016

Surgery - Perspective - Drawing Number 1677 P SU 05 received on 12/02/2016

Village Hall - Floor Plan - Drawing Number 1677 P VH 01 received on 12/02/2016

Village Hall - West Elevation - Drawing Number 1677 P VH 02 received on 12/02/2016

Village Hall - East Elevation - Drawing Number 1677 P VH 03 received on 12/02/2016

Village Hall - North & South Elevations - Drawing Number 1677 P VH 04 received on 12/02/2016

Proposed Roof Plan - Drawing Number 1677 P VH 05 received on 12/02/2016

Surgery - Proposed Elevations - Drawing Number 1677 P SU 04 Rev. A received on 18/09/2016

Site plan: Drwg. No. 1677 P 02 REV E (Amended) received on 18/09/2016

Block plan: Sheet 2 of 5 Drwg. No. 1677 P 03-2 REV A (AMENDED) received on 18/09/2016

Block plan: Sheet 1 of 5 Drwg. No. 1677 P 03-1 REV A (AMENDED) received on 18/09/2016

Block plan: Sheet 3 of 5 Drwg. No. 1677 P 03-3 REV B (AMENDED) received on 18/09/2016

Block plan: Sheet 4 of 5 Drwg. No. 1677 P 03-4 REV A (AMENDED) received on 18/09/2016

Block plan: Sheet 5 of 5 Drwg. No. 1677 P 03-5 REV A (AMENDED) received on 18/09/2016

Materials Sheet 2 - Drawing Number 1677 P10-2 Rev. A (AMENDED) received on 18/09/2016

Materials Sheet 1 - Drawing Number 1677 P10-1 Rev. A (AMENDED) received on 18/09/2016

Proposed Streetscene A-A - Drawing Number 1677/P07 REV A (AMENDED) received on 18/09/2016

Proposed Streetscene B-B - Drawing Number 1677/P08 REV A (AMENDED) received on 18/09/2016

Cottage - Drwg. No. P-P-02 TYPE P ELEVATIONS received on 18/09/2016

Cottage - Floor Plans Drawing Number P-P-01 TYPE P PLANS received on 18/09/2016

Dovecote Elevations - Drawing Number P-N-02 TYPE N received on 18/09/2016

Dovecote Floor Plan - Drawing Number P-N-01 TYPE N received on 18/09/2016

Lodge Elevations - Drawing Number P-M-02 TYPE M received on 18/09/2016

Lodge Floor Plan - Drawing Number P-M-01 TYPE M received on 18/09/2016

Grange - Elevations: Drawing Number P-J-02 REV A TYPE J (AMENDED) received on 18/09/2016

Grange - Floor Plan: Drawing Number P-J-01 REV A TYPE J (AMENDED) received on 18/09/2016

Townhouse H - Elevations: Drawing Number P-H-02 REV A TYPE H (AMENDED) received on 18/09/2016

Townhouse H - Floor Plan: Drawing Number P-H-01 REV A TYPE H (AMENDED) received on 18/09/2016

Townhouse G (Gable Front) - Elevations: Drawing Number P-G-04 REV A TYPE G (AMENDED) received on 18/09/2016

Townhouse G (Gable Front) - Floor Plan: Drawing Number P-G-03 REV A TYPE G (AMENDED) received on 18/09/2016

Farmhouse - Elevations: Drawing Number P-E-02 REV B TYPE E (AMENDED) received on 18/09/2016

Farmhouse - Floor Plan: Drawing Number P-E-01 REV B TYPE E (AMENDED) received on 18/09/2016

Wide Front - Elevations: Drawing Number P-C-02 REV A TYPE C (AMENDED) received on 18/09/2016

Wide Front - Floor Plan: Drawing Number P-C-01 REV A TYPE C (AMENDED) received on 18/09/2016

Townhouse B - Elevations: Drawing Number P-B-02 REV B TYPE B (AMENDED) received on 18/09/2016

Townhouse B - Floor Plan: Drawing Number P-B-01 REV C TYPE B (AMENDED) received on 18/09/2016

Apartment - Elevations (front & side): Drawing Number P-A-05 REV A TYPE A (AMENDED) received on 18/09/2016

Apartment - Elevations (rear & side): Drawing Number P-A-06 REV A TYPE A (AMENDED) received on 18/09/2016

Apartment - Roof Plan: Drawing Number P-A-04 REV A TYPE A (AMENDED) received on 18/09/2016

Apartment - Ground Floor Plan: Drawing Number P-A-01 REV A APARTMENTS PLOTS 2-7 (AMENDED) received on 18/09/2016

Apartment - 1st Floor Plan: Drawing Number P-A-02 REV A APARTMENTS PLOTS 2-7 (AMENDED) received on 18/09/2016

Apartment - 2nd Floor Plan: Drawing Number P-A-03 REV A APARTMENTS PLOTS 2-7 (AMENDED) received on 18/09/2016

Landscaping scheme - Drawing Number: TD742_05 PLANTING PLANNING SHEET 1 (AMENDED) received on 18/09/2016

Landscaping scheme - Drawing Number: TD742_06 PLANTING PLAN SHEET 2 (AMENDED) received on 18/09/2016

Landscaping scheme - Drawing Number: TD742_07 PLANTING PLAN SHEET 3 (AMENDED) received on 18/09/2016
Landscaping scheme - Drawing Number: TD742_08 PLANTING PLAN SHEET 4 (AMENDED) received on 18/09/2016
Landscaping scheme - Drawing Number: TD742_04B WARMWELL RD PLANTING PLAN SHEET 2 (AMENDED) received on 18/09/2016
Surgery - Ground Floor plans: Drawing Number 1677 P SU 01 REV A (AMENDED) received on 18/09/2016
Surgery - 1st Floor & Roof Plan: Drawing Number 1677 P SU 02 REV A (AMENDED) received on 18/09/2016
Affordable Housing Plan - Drawing Number 1677 P 09 Rev. D received on 07/08/2017
Village Hall and Doctors Surgery Materials - Drawing Number 1677 P11 received on 19/10/2017
Proposed Streetscene B-B Drwg no. 1677/P08 Rev A received on 16/09/2016
Materials Sheet 2 Drwg no. 1677 P10-2 Rev A received on 16/09/2016
Refuse & Cycle Store - Floor Plan and Elevations Drwg no. 1677 P-REF-01 received on 20/08/2019

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

Outline Consent

2. Approval of the details of the access, layout, scale and appearance of the development and the landscaping of the site (hereinafter called the Reserved Matters) for the remainder of the site outside of the full permission granted for Phase1 of this hybrid permission shall be obtained from the Local Planning Authority in writing before any development is commenced on these other phases of the development.

REASON: To ensure the satisfactory development of the site.

3. Application for approval of any “reserved matter” under Condition 2 must be made not later than the expiration of ten years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990.

4. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

5. Not more than 401 dwellings in total shall be constructed under this outline permission.

REASON: The assessment of the impacts of the scheme are based on a maximum of 500 dwellings across the whole site and additional dwellings would require further assessments of impacts to heathland SSSIs.

Phasing

6. Prior to the commencement of the development a Phasing Plan for the entirety of the development shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall make provision for:
 - a) Extraction of the mineral interest in accordance with a scheme to be first approved in writing by the Local Planning Authority from the area outlined in red on the Site Location Plan Drwg no. 1701 P01 Rev A prior to the commencement of any development the subject of this outline planning permission within that same area.
 - b) Delivery of the Village Green as part of Phase 1. No further dwellings in later phases to be constructed until it is complete.
 - c) Delivery of serviced employment land as part of the development of the adjacent residential phase.
 - d) Provision of allotments as part of the development of the adjacent residential phase.
 - e) Provision of Locally Equipped Areas for Play as part of the development of the adjacent residential phase.
 - f) The proposed village hall and adjacent parking spaces being constructed and ready for first use prior to the demolition of the existing village hall or the commencement of construction of the final phase of the development, whichever is soonest, and the submission of a scheme for the interim landscaping of the proposed village hall site until such time as the village hall is constructed. The interim landscaping scheme for the village hall site is to include details of the planting and its maintenance and shall be implemented and completed in full as part of Phase 1 and shall be maintained and retained thereafter until such time as the village hall is constructed on the site.
 - g) Provision of the doctor's surgery.

Thereafter the development shall be carried out in accordance with the phasing plan and any subsequent changes to the agreed

phasing plan must also be agreed in writing by the Local Planning Authority.

REASON: In the interests of achieving the objectives of the Local Plan and the site specific policy.

Masterplan

7. The development of the later phases of the Outline permission shall substantially accord with the layout and details of the Illustrative Masterplan Drwg No. 1677/P04 Rev C.

REASON: In the interests of achieving the objectives of the Local Plan.

Highways

8. The highway improvements to the Warmwell Road on the site frontage shall be constructed substantially in accordance with the submitted details shown on the application drawings before the development is first occupied.

REASON: In the interests of road safety.

9. The Phase 1 full application hereby permitted shall not be occupied or utilised until the access, geometric highway layout, parking and turning areas shown on the application drawings have been constructed, unless otherwise agreed in writing by the Local Planning Authority. Thereafter, these shall be maintained, kept free from obstruction and available for the purposes specified.

REASON: In the interests of road safety.

10. No more than 100 residential units (to include 35% affordable housing) shall be occupied until the A35 Max Gate junction arrangement, as shown in the WYG Transport drawing "SK09" dated 21 October 2015 is completed and open to traffic, unless any variation in the design of the proposals is otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the safe and efficient operation of the Strategic Road Network (A35).

11. No development shall be commenced until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority.

The plan shall include construction vehicle movements, operation hours, vehicular routes to and from the site, delivery hours, expected number of vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Practice and a scheme to encourage the use of public transport amongst contractors. The plan shall include contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities). The plan shall also include a scheme of signing of the heavy vehicle route to the site agreed with advice/warning signs at appropriate points.

The CTMP shall thereafter be implemented in accordance with the approved details upon the commencement of the construction phase of the development and be adhered to for the complete duration of the construction programme, unless a variation to the CTMP is otherwise first agreed in writing by the Local Planning Authority.

REASON: To ensure the safety of traffic on the Strategic Road Network.

Travel Plans

12. Before the development hereby approved is first occupied or utilised the Travel Plan and Strategy included in the submissions shall be implemented and operational.

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

13. Prior to the submission of any reserved matters under Condition 2 above for the approved employment allocation, a Travel Plan suitable to deal with the travel impacts of the whole 2.5ha employment allocation shall be submitted to and approved in writing by the Local Planning Authority. The employment Travel Plan shall be implemented in accordance with its agreed details prior to the first occupation of any approved employment building on the site.

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

Drainage

14. No development shall take place until a detailed and finalised surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, has been submitted to, and

approved in writing by the Local Planning Authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

REASON: To prevent increased risk of flooding and to improve and protect water quality.

15. No development shall take place until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

Foul Water

16. The development shall not be commenced until a foul water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing. The drainage scheme shall thereafter be completed in accordance with the approved details and to a timetable to be agreed in writing with the local planning authority.

REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

Contaminated Land

17. Prior to the commencement of development an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:

- (a) A survey of the extent, scale and nature of contamination;
- (b) An assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
- (c) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development.

18. Before commencement of development, should a remediation scheme be required based on the outcomes of the investigation and risk assessment required by condition no. 17 and the written response of the local planning authority as to whether a remediation scheme is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, shall be submitted and be subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development.

19. Any approved remediation scheme agreed by the Local Planning Authority as a result of condition no. 18 must be carried out in accordance with its terms, or such other terms which have first been agreed in writing by the Local Planning Authority, prior to the commencement of development other than that required to carry out remediation, unless a remediation phasing scheme is first agreed in writing by the Local Planning Authority, in which case the remediation shall be carried out in accordance with such scheme as has been agreed. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (validation report) that

demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: In the interest of ensuring there is no unacceptable risk to occupiers of the development.

20. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be submitted to and approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of ensuring there is no unacceptable risk to occupiers of the development.

Employment Allocation

21. The development shall provide a minimum of 2.5 hectares of employment land. No dwelling adjoining the eastern boundary of the residential development, adjacent to the proposed employment access road within the Character Areas 4, 5 & 6 as set out on page 48 of the submitted Design & Access Statement, shall be occupied before the employment allocation has been provided as serviced employment land in accordance with the phasing scheme submitted under condition 6 above.

REASON: In the interests of securing the economic benefits of this Key Employment Site allocation in the Local Plan.

22. Buildings constructed within the employment allocation hereby approved shall not exceed a total floorspace of 13,000 square metres (measured externally).

REASON: In the interests of the impacts of the traffic generated by that level of employment development on the strategic highway network.

Biodiversity

23. Prior to the commencement of the development of each phase agreed by condition no. 6, a Biodiversity Mitigation Plan (BMP) for that phase based on up-to-date ecological survey work which is not more than 2 years old at the time of the submission of the BMP shall be submitted to and approved in writing by the Local Planning Authority. Each Biodiversity Mitigation Plan will include details of the review process to be implemented at the

time of commencement of development if the survey work on which the BMP is based is more than 2 years old. The development shall thereafter be carried out in accordance with the approved details unless any subsequent variation is agreed in writing by the Local Planning Authority.

REASON: In order to protect the landscape qualities of the area and to safeguard and enhance the ecological value of the site.

Scheduled Ancient Monument

24. The submission of details of reserved matters under Condition 2 shall make provision for a minimum 5m buffer around the identified remains of the Bowley's Plantation enclosure as set out on page 10 of the submitted Settings Assessment by Context One received on 16th October 2017.

REASON: In the interests of the setting of the Scheduled Ancient Monument.

Broadband

25. No development above damp proof course of any building hereby approved shall take place until a scheme for facilitating infrastructure to support superfast broadband technology to serve the development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a timetable for implementation, including triggers for a phased implementation if appropriate. Thereafter, the development shall proceed in accordance with the agreed scheme.

REASON: To ensure that the utilities service infrastructure is sufficient to meet the extra demands imposed by this development.

Phase 1 Detailed Consent

26. The village hall hereby approved shall be laid out with a full-size badminton court in the main hall as shown on Drwg No. 1677 P VH 01 prior to the Village Hall first being brought into use.

REASON: In the interests of sports provision.

27. The Phase 1 full permission shall be carried out in accordance with the materials details in the approved Drwg No's 1677 P10-1 Rev A, 1677 P10-2 Rev A & 1677 P11. No development above damp proof course level of any dwelling approved under the Phase 1 full permission shall take place before samples of the materials to be used on that building have been submitted to and approved in writing by the Local Planning Authority. The

development shall be carried out in accordance with these details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the character and appearance of the area.

28. The development shall be carried out in accordance with the boundary treatments set out in the approved plans Drwg. No's 1677 P 03-1 to 5 Rev A. The boundary treatments to each individual building shall be completed in their entirety prior to the first occupation of the building concerned. The boundary treatments shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the character and appearance of the area.

29. The development of the Phase 1 full permission shall be carried out in accordance with the landscaping details set out in the approved plans Drwg. No's TD742_04B & TD742_05 – 08. The landscaping shall be carried out in accordance with the soft landscape works specification set out on the approved plan Drwg. No. TD472_08. No development above damp proof course level shall be carried out until a timetable for the implementation of the landscaping has been submitted to and approved in writing by the Local Planning Authority. Thereafter the landscaping shall be carried out in accordance with the approved timetable. 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. The landscaping shall thereafter be retained.

REASON: In the interests of the character and appearance of the location.

30. The development shall be carried out wholly in accordance with the Arboricultural Assessment & Method Statement by Barrell Tree Consultancy dated January 2016. The agreed tree protection measures shall be retained during the course of the development and there shall be no variation to the agreed protection measures without the prior written agreement of the Local Planning Authority.

REASON: To protect preserved trees within and adjoining the site during construction in the interests of preserving the character of the area.

Sustainable Transport Options

31. No development above damp proof course of any dwelling in the phase 1 full application area shall be carried out until a scheme showing how the charging of plug-in and other ultra-low emission vehicles is to be provided

in safe, accessible and convenient locations has been submitted to and approved in writing by the Local Planning Authority. Furthermore as part of any reserved matters application relating to design, details shall be provided to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development. Thereafter the development shall be carried out in accordance with such details as have been approved by the Local Planning Authority.

REASON: To ensure that adequate provision is made to enable occupiers of and visitors to the development to be able to charge their plug-in and ultra-low emission vehicles.

Informative Notes

Informative Note: The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 and those works under Section 278 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@dorset.gov.uk, or in writing at Development Team, Dorset Highways, County Hall, Dorchester, DT1 1XJ.

Informative Note: If the applicant wishes to offer for adoption any highways drainage to Dorset Council, they should contact the Highway's Development team at dli@dorset.gov.uk as soon as possible to ensure that any highways drainage proposal meets the Council's design requirements.

Informative Note: Prior Land Drainage Consent (LDC) may be required from Dorset Council's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with S23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team.

Informative Note: The applicant intends to rely heavily on infiltration. They will therefore need to demonstrate, through further post extraction ground investigation, that soakaways remain feasible. Given the proposed use of soakaways across the site, it is important that soakaway tests and ground water readings are representative of all the areas expected to support infiltration. The Council's FRM team as relevant LLFA will be unable to discharge the relevant condition above without detailed information concerning ground conditions that substantiate the use of drainage through infiltration. Should the site, after mineral extraction, be found not to support infiltration, then the applicant will need to

propose alternate and detailed designs for capturing and attenuating surface water.

Informative Note: The highway proposals for the A35(T) associated with this consent involve works within the public highway, which is land over which you have no control. Highways England therefore requires you to enter into a suitable legal agreement to cover the detailed design and construction of the works. Please contact the Asset Manager, Steve Hellier (Tel: 0300 470 4383) at an early stage to discuss the details of the highways agreement. The applicant should be aware that an early approach to Highways England is advisable to agree the detailed arrangements for financing the design and construction of the scheme. Commencement of works will also need to be timed to fit in with other road works on the strategic road network or local road network to ensure there are no unacceptable impacts on congestion and road safety. Please be advised that Highways England will charge Commuted Sums for maintenance of schemes delivered by third parties. These will be calculated in line with HM Treasury Green Book rules and will be based on a 60 year infrastructure design life period.

Informative Note: At all times, a contact telephone number shall be displayed on site for members of the public to use to raise issues. A named person will also be provided for Environmental Health in order for contact to be made should complaints be received. The use of any radio / amplified music system on site must be kept at a level not to cause annoyance to noise sensitive premises beyond the boundary of the site. Any future sub-contractors to the site shall be made aware of, and comply with any guidelines/conditions relating to site management of emissions of noise, dust, smoke, fumes etc. made in as part of the determination of this application. Letter drops to adjacent residents in close proximity should be considered as part of the construction phase to give a minimum of 48 hours notice of any exceptional activities proposed. Any waste arising at the site shall be appropriately segregated and controlled prior to its removal by an appropriately licensed contractor. Any waste arising from the activity which could potentially be contaminated in any way shall also be segregated again, and removed appropriately. Environmental Health must be informed if this occurs.

Informative Note: The applicant's attention is drawn to the response of the Council's Rights of Way officer and the need to secure diversions for the existing rights of way.

16.2 Recommendation B: Refuse permission for the reasons set out below if the S106 agreement is not completed within 6 months of the date of the committee resolution or such extended time as agreed by the Head of Planning.

1. Policy HOUS1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 requires a minimum on-site provision of 35% of the units as affordable housing. In the absence of a planning obligation to secure

these affordable units the scheme would fail to meet the substantial unmet need for affordable housing in the district and the proposal would therefore be contrary to Policy HOUS1 of the adopted Local Plan.

2. Policy COM1 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 sets out that where new development will generate the need for new or improved community infrastructure and this need is not being met through the Community Infrastructure Levy, suitable provision should be made on site. Policy CRS1 of the Local Plan sets out the expected infrastructure for this site and its development. In the absence of a planning obligation to secure the required community infrastructure the scheme would fail to mitigate the increase in demand for the necessary infrastructure to support the development and to avoid and mitigate for the adverse effects upon internationally designated heathlands and additional nutrient loading upon the Poole Harbour internationally designated sites. It would namely fail to provide for:

Education;

Recreation spaces in the form of Sites of Alternative Natural Greenspace and the supporting maintenance and funding mechanisms required for the future;

Mitigation of the impacts upon the Poole Harbour internationally designated sites;

Highway improvements;

Children's play provision.

In the absence of a planning obligation the proposals therefore fail to meet the provisions of Policies COM1, CRS1, INT1, ENV2 and COM7 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2019).