

**1.0 Application Number:** 2/2018/1240

**Site address:** Huntley Down, Milborne St Andrew, DT11 0LN

**Proposal:** Erect 25 no. dwellings with garages, form vehicular access.

**Applicant:** Lewis Wyatt (Constructions) Ltd.

**Case Officer:** Robert Lennis

**Ward Member(s):** Emma Parker

**2.0 Summary of Recommendation:**

2.1 DELEGATE AUTHORITY to the Planning Manager to grant planning permission subject to securing planning contributions through the signing of a S106 agreement and conditions listed in the report.

2.2 See previous committee report from 8<sup>th</sup> January 2019; appendix 1.

**3.0 Reason for reconsideration and the recommendation:**

3.1 The planning committee of (the former) North Dorset District Council on 8<sup>th</sup> January 2019 issued the following decision on this application:

*“To delegate authority to the Planning Manager to grant planning permission subject to securing planning contributions through the signing of a S106 agreement and conditions listed in the report.”*

The S106 legal agreement to secure offsite contributions has recently been completed and is ready to be signed. However, with the passage of time there have been some changes to the National Planning Policy Framework (February 2019) and the Milborne St Andrew Neighbourhood Plan (MSANP) has progressed through examination.

Recently, at the Dorset Council Cabinet meeting of 25<sup>th</sup> June 2019, a Decision of Notice of Referendum for the Neighbourhood Plan was made for the 8<sup>th</sup> August 2019. Because of this, national planning guidance would suggest that more weight should be given to the MSANP. As the decision notice for this application had not been issued, it was considered prudent to refer the matter back to Planning Committee to update members on these changes which affect the ‘planning balancing exercise’ which was undertaken back in January.

3.2 This Council can only demonstrate 3.3 years of housing land supply, in relation to area that was North Dorset District Council. Therefore, the relevant policies for the supply of housing should not be considered up-to-date and there are no

specific policies in the National Planning Policy Framework that would indicate otherwise.

The location of the proposed development is considered to be sustainable adjoining one of our larger villages. The proposal has addressed the Council's concerns leading to the refusal of an earlier application for 30no. dwellings and is considered to be acceptable in terms of design and general visual impact and there would not be any significant harm to neighbouring residential amenity.

When this application was delegated for approval in January 2019, the emerging Milborne St. Andrew Neighbourhood Plan (MSANP) had not been consulted on by the District Council and therefore was given limited weight in the planning balance. The MSANP has now been through an examination by the Planning Inspectorate. The weight that should be given to these policies has therefore increased from limited weight to moderate weight.

In the context of this particular site and the absence of five year housing land supply, the additional weight that can be afforded to the emerging MSANP would not outweigh the benefits of delivering new homes now.

#### 4.0 Table of key planning issues

<b>Issue</b>	<b>Conclusion</b>
Principle of development	Accepted; having regard to the sustainability of the location and lack of a five year housing land supply.
Amenity	No significant harm; amended layout and design has addressed previous issues raised.
Layout and density	Acceptable; amended layout and proposal has reduced the number of proposed dwellings from 30 to 25.
Character and design	Acceptable; there is a mix of housing types and styles in the area. The proposed appearance and layout would respond to and reinforce the character of Huntley Down.
Impact on ecology	Addressed by way of condition to provide a Heathland Infrastructure Project (HIP) prior to occupation.
Highway safety and traffic generation	No objections raised by the Highway Authority.
Affordable housing	Acceptable; ten affordable dwellings would be delivered with this development.
Planning Contributions	The legal agreement is now completed

	and ready to be signed. The amount is acceptable and meets the legal tests required of planning contributions. The provision of a HIP and local area of play will be secured by conditions.
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**5.0 Description of Site** – see previous report/appendix 1

The application site is 1 hectare (2.47 acres) of arable land located on the north western edge of Milborne St. Andrew. It consists of grade 3 agricultural land rising to the west and accessed from the existing residential street Huntley Down. The site is generally used as pastureland with a site slope upwards from the south-eastern edge to the north-west with a gradient averaging at 10%. The high point in the north west reaches 94.8m with the low point in the south east at 84.6m. Existing tree cover is located around the perimeter of the site. A strong line of Poplars are located just beyond the western edge. The south edge has a relative dense hedge and some isolated trees consisting primarily of Ash and Poplars trees.

The site is bordered by dwellings on three sides. South of the site properties located on Bladen View are suburban in character with front gardens and open space creating a green feel to the development. Parking is predominantly accommodated on plot through side driveways with garages located towards the rear of the property.

North of the site along Coles Lane the building line follows a more organic pattern fronting and siding the route. Where dwellings are occasionally positioned closer to the street, smaller front gardens are offset by areas of informal public spaces helping to maintain a green feel to the lane. Breaks in the built line are punctuated by glimpsed views towards small courtyard clusters located beyond and accessed from the lane. The use of flint details and the occasional thatch roof presents a more rural and village character.

To the east, Huntley Down provides the access route to the site. The route is characterised by larger properties stepping up the slope with some properties clustered around small cul-de-sacs. The properties are typically set back from the route with side or front gardens bringing greenery to the street scene. On-plot parking is provided through private driveways and integral / detached garages. Character detailing is provided by the use of flint and brick in the façades.

**6.0 Relevant Planning History**

6.1 As mentioned above, this application (2/2018/1240/FUL) for 25no. dwellings was considered by the NDDC Planning Committee 8<sup>th</sup> January 2019. Their decision was to delegate authority to the Planning Manager to grant planning permission

subject to securing planning contributions through the signing of a S106 agreement and conditions listed in the report.

6.2 Application: 2/2017/1871/FUL  
Proposal: erect 30no. dwellings with garages, form vehicular access.  
Decision: refuse for the following reasons:  
Dated: 25.07.2018

*- The proposed development would result in the levels of amenity currently enjoyed by dwellings adjoining the site being adversely impacted by reason of layout, siting, and scale of the proposed dwellings on rising ground contrary to Policy 25 of the adopted North Dorset Local Plan Part 1 (January 2016).*

*- The proposed layout would result in a density that does not reflect the loose knit and spacious characteristics of the settlement pattern in this edge of village location. Furthermore, the layout fails to adequately intergrade the affordable housing into the layout and the tenures can be clearly told apart and are clearly distinguishable from the market housing contrary to Policies 7, 8, and 24 of the adopted North Dorset Local Plan Part 1 (January 2016).*

6.3 Application: 2/2019/0843/FUL  
Proposal: Change of use of agricultural land to an informal public open space as a Heathland Infrastructure Project (HIP)  
Decision date: pending  
Decision: pending

7.0 **List of Constraints** – see previous report/appendix 1

8.0 **Consultations** – see previous report/appendix 1

9.0 **Representations received** – see previous report/appendix 1

9.0 **Relevant Policies** – in addition to previous report/appendix 1

9.1 *Milborne St Andrew Neighbourhood Plan (2018-2033)*

- Policy MSA1. Meeting Local Needs – Amount and Location of New Development
- Policy MSA2. Meeting Housing Needs – Dwelling Types
- Policy MSA4. Supporting Community Facilities
- Policy MSA6. Settlement Boundary
- Policy MSA7. Creating safer roads and pedestrian routes
- Policy MSA8. Parking provision
- Policy MSA9. Reinforcing Local Landscape Character
- Policy MSA10. Protecting Local Wildlife
- Policy MSA12. Improving Recreation Opportunities, and having regard to European and internationally protected sites

- Policy MSA14. Character and Design Guidance

Other material considerations:

- National Planning Policy Guidance, paragraph: 007 Reference ID: 41-007-20190509, Decision-taking 'What weight can be attached to an emerging neighbourhood plan when determining planning applications?'

*This states "... the community has the final say on whether the neighbourhood plan comes into force as part of the development plan. Where the local planning authority publishes notice of a referendum, the emerging neighbourhood plan should be given more weight, while also taking account of the extent of unresolved objections to the plan and its degree of consistency with NPPF..."*

## **10.0 Human rights (standard text)**

Article 1 – Protection of property

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

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.

## **11.0 Public Sector Equalities Duty (standard text)**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have "regard to" and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED. Access arrangements in particular have been given attention in the design.

## **12.0 Financial benefits**

- Affordable housing; 10no. dwellings.
- Heathland Infrastructure Project (informal open space); 1.24 hectares

	Item	Cost/home	Cost for Development
1	Destination play facilities (NEAP, MUGA, etc)*	£967.52	£24,188.00
2	Maintenance of destination play	£359.36	£8,984.00
3	Allotments*	£288.00	£7,200.00
4	Formal outdoor sports*	£936.40	£23,410.00
5	Maintenance of formal outdoor sports	£128.73	£3,218.25
8	Community, Leisure & Indoor sport facilities*	£2,006.97	£50,174.25
9	Rights of way enhancement	£22.56	£564.00
10	Poole Harbour nitrates [addressed through HIP project or contribution]	£868.80	£21,720.00
11	Dorset Heathlands	£241.00	£6,025.00
12	Primary and secondary (not for 1-bed)	£6,094.00	£140,162.00
	TOTAL [including nitrates contribution]		£285,645.50

It is worth noting that applicant has worked with Officer's to find flexible solutions to allow contributions for some highways matters which the Local Highway Authority see as unnecessary to make the development acceptable in planning terms. As such, some of the definitions in the legal agreement have been drafted to allow money to go towards the 'facilitation of access' from the development to off-site destinations.

### 13.0 Planning Assessment

A planning appraisal was undertaken in the previous committee report and presented to the Planning Committee on 8<sup>th</sup> January 2019. This assessment will set out the relevant policy changes and reassess the planning balance.

The new policies issues to consider relate to:

- Revised NPPF (February 2019);
- MSANP and the Examiner's findings;

#### 13.1 *National Planning Policy Framework (February 2019)*

The following three changes were made to the Framework that was published on 19 February, compared to the (July 2018) version at the time of the Planning Committee's resolution in January.

1. Paragraph 177 was amended to clarify that the 'presumption in favour of sustainable development' (paragraph 11) applies where an Appropriate Assessment concludes that a plan or project will not adversely affect the integrity of the habitats site.

2. Clarifications provided to footnote 37 and the glossary definition of local housing need.

3. A revised definition of 'deliverable' was provided in the Annex 2: Glossary of the NPPF.

13.2 With regard to paragraph 177, the Council had undertaken an Appropriate Assessment to consider the (cumulative) effect of the development on protected Dorset Heathland sites.

The previous Committee report stated:

*“With the previous application Natural England had no objections to the proposed development provided off-site contributions could be secured for heathland mitigation and Poole Harbour Nitrate mitigation. Their position has changed slightly due to the quantum of development being proposed at Milborne St Andrew and the potential cumulative impacts.*

*The applicant has worked with NE to find an acceptable solution to the impacts of this particular development. This would be to provide land to create a Heathland Infrastructure Project (HIP); at this time it is likely to be on land immediately adjacent to the proposed development site. This must be secured prior to occupation if the proposed development were to be approved. On this basis, and along with other mitigation as mentioned, NE would still have no objection to the proposal.”*

This mitigation would be secured by condition (see condition 15). Following the completion of the S106 the applicant submitted their planning application for the delivery of this HIP (publically-accessible informal open space) and is pending a decision.

These changes to the NPPF should not affect the planning balance or previous decision.

13.3 With regard to footnote 37, relates to local housing need and where the strategic policies are more than five years old. This is not relevant to the merits of this case at this time.

13.4 With regard to the revised definition of 'deliverable', the NPPF now sets out the following definition:

- *Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) *sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans.*
- b) *where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

This is important in the context of paragraphs 11 and 14 of the NPPF and the how we apply the 'presumption in favour of sustainable development'.

With regard to paragraph 11(c), we should be "*...approving development proposals that accord with an up-to-date development plan without delay...*" If the Council does not have a demonstrable 5 year housing land supply our development plan is not up-to-date.

The actual published figure in the Annual Monitoring Report 2018 (AMR) for North Dorset is slightly lower 3.3 yrs HLS than reported previously. This covers the period from 1 April 2017 to 31 March 2018, and for the 2017 AMR it was 3.4 years.

To meet the form District's housing needs the objective is to deliver more housing, including more affordable housing that better meets the diverse needs of the area. For North Dorset the housing target in the adopted Local Plan Part 1 is for 285 dwellings per annum. However, only in the first year (2011) of the adopted local plan was the Council able state net completions met this target. This can be call persistent under delivery. Therefore we do not have an up-to-date development plan.

Furthermore, these changes to the NPPF's definition of 'deliverable' will affect how we calculation our housing land supply. The Council expects to publish its next AMR for North Dorset later this year in December as per normal. Members should note that the revised definition of 'deliverable' is significant and is as generally seen as more onerous. In particular, sites should '*only be considered deliverable where there is clear evidence that housing completions will begin on site within five years*', including those with outline planning permission of which there are a quite a few in our calculations. In this light the applicant has submitted evidence to suggest that North Dorset's housing land supply is between 2.03 and 2.69 years but this has not be accepted by the Council.

With regard to paragraph 14 which relates to how neighbourhood plans should be viewed when the presumption of sustainable development is triggered, the NPPF remains unchanged as set out in the previous report. This states:

*In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:*

*a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;*

*b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;*

*c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and*

*d) the local planning authority's housing delivery was at least 45% of that required over the previous three years."*

We can only apply moderate weight to the MSANP as it has not been to referendum therefore criteria (a) needs to be considered in this context. Criteria (b) is addressed below. Criteria (c) was considered above. With regard to criteria (d), the Council has delivered rate of approximately 61% of the required housing over the previous three years (2015/16, 2016/17, 2017/18).

### 13.5 *Milborne St Andrew Neighbourhood Plan*

Limited weight was given to the policies of the MSANP in the planning balance in January. It is considered moderate weight should be given the Policies of the MSANP in light of the Examiner's Report and the fact that a referendum date has been set and its degree of consistency with NPPF. The Examiner's recommendations were all accepted and I am not aware of any unresolved objections to the plan. In the The outcome of the referendum will dictate how much weight can be ascribed to the emerging Neighbourhood Plan.

The Examiner's Report for the Neighbourhood Plan (dated 13 May 2019) has been received by the Council. The reporting of this to Dorset Council's Cabinet on 25<sup>th</sup> June included the following recommendations:

*a) members agree that the Milborne St Andrew Neighbourhood Plan 2018 to 2033, as modified (please see Appendix B), can proceed to referendum; and*

*b) a recommendation to 'make' the Milborne St Andrew Neighbourhood Plan 2018 to 2033 be made to the next Cabinet meeting after the referendum if the result of the referendum is in support of making the plan and there are no other issues identified that would go against such a decision.*

The Examiner's Report found that the Neighbourhood Plan meets the 'basic conditions' and provides recommendations for further modifications/ revisions. However, importantly, the Neighbourhood Plan does not preclude additional (unallocated) sites within the Plan area being approved.

With regard to the MSANP's approach to determining housing need, the Examiner noted that *"...it also remains the case that any planning application for development of land not allocated in the MSANP would need to be assessed on its merits, and in the light not just of the development plan, but all other material planning considerations – such as the latest information about the supply of, and need for, housing land, and the broad presumption in favour of sustainable development;*

*I also take note of the fact that Policy MSA1 specifically allows for the possibility (in certain carefully-prescribed circumstances) of unallocated greenfield sites outside the settlement boundary being released for housing, thus providing further flexibility should the need for it be demonstrated."*

It is considered that flexibility should be exercised with regard to this proposal having regard to its merits and the demonstrable need for housing in North Dorset.

On its merits the location of the proposed development is a logical extension to Huntley Down and would not project into the countryside relative to the existing pattern of development. Local services are easily accessible from this site. The design and layout are good. The scale of development proposed is modest in relation to the size of Milborne St. Andrew, representing an increase of approximately 5% in the number of homes. Cumulatively speaking, and taking account of the MSANP's additional housing requirement of 54no. dwellings, this would amount to approximately 15% housing growth for MSA.

Policy MSA1. Meeting Local Needs – Amount and Location of New Development is most relevant to the concerns being raised by the parish council. This states:

*"Sufficient sites are allocated in the Neighbourhood Plan, which together with other limited infill and rural conversion, should more than meet the projected housing need of about 2.8 dwellings per annum over the plan period (2018 – 2033).*

*The release of unallocated greenfield sites outside the settlement boundary for open market housing should be resisted unless it can be demonstrated that there is a local need for additional housing that will not otherwise be met, or substantial community benefits to justify their release, and that the site's development would align with all of the following objectives (as detailed in Figure 2):*

- *Support a working, active village*
- *Promote a walkable village*
- *Retain important green spaces*
- *Strengthen the village form and character*
- *Create attractive places to live*
- *Minimise flood risk*
- *Minimise the risk of traffic problems*

*Any net new residential development will need to avoid giving rise to any adverse impacts on the integrity of a European site. This can be achieved by adhering to the Dorset Heathlands Planning Framework SPD and Nitrogen Reduction in Poole Harbour SPD.”*

The preamble to this Policy recognises that “...if there were substantial benefits over and above the standard requirements for affordable housing, recreation and infrastructure contributions, further development could be favourably considered...”

There are benefits to be gained with this application. A new informal open space is substantial and would be delivered before the homes are occupied. Affordable housing and financial contributions have been listed above. It is considered that this would accord with the emerging Neighbourhood Plan. Furthermore, the proposed development aligns with the objectives identified in Policy MSA1, as follows:

- *“Support a working, active village”*: The delivery of additional homes with a mix of new homes (in terms of size, types and tenure) would support a working and active village and help to sustain and enhance existing services and facilities.
- *“Promote a walkable village”*: The site is well-related to the village centre, and the legal agreement has flexibility to improve walkways.
- *“Retain important green spaces”*: The site is not identified as an ‘important green space’. With the inclusion of new publically-accessible open spaces (HIP adjacent), the development provides the opportunity for enhanced public enjoyment of green spaces.
- *“Strengthen the village form and character”*: The site is well-related to the existing character and form of the village. The development has been carefully considered to reflect the character and appearance of the village. The layout and appearance of the proposed homes is fitting.

- *“Create attractive places to live”*: As above, the development has been conceived to provide an attractive living environment for future residents.
- *“Minimise flood risk”*: The site is not at risk of flooding and the drainage strategy has been accepted by the LLFA.
- *“Minimise the risk of traffic problems”*: There are no highway objections to the development and no requirements identified for off-site highways works.

With regard to the other MSANP policies listed above, it is considered that the proposed development with financial contributions would adequately address these.

### 13.6 *Planning Balance*

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

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF constitutes guidance and a material consideration in determining applications.

The emerging MSANP is also a material consideration. MSANP, which has allocated land for housing growth, has been through examination and will go to referendum in August of this year. Therefore, moderate weight can be given to these policies.

This Council’s Policies in the adopted Local Plan Part 1 follow the approach of the presumption in favour of sustainable development. It has been noted above that this Council can only demonstrate 3.3 years of housing land supply as such the relevant policies for the supply of housing should not be considered up-to-date.

This invokes NPPF paragraph 11 which states, in part, that when policies most important for determining the application are out-of-date, the Council should granting permission unless:

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

On the first point, this site is not part of a protected area or assets of particular importance which would provide a reason, clear or otherwise, for refusing the proposed development.

On the second point there has been no particular issue raised either with this site or the proposed residential development that would significantly and demonstrably outweigh the benefits boosting the local supply of housing for the District by delivering 10no. affordable housing dwellings and 15no. open market dwellings.

This application has addressed the concerns and objections raised by the Council regarding development of this site for housing.

It is considered that the sustainable aspects and benefits of this proposed development outweigh the conflicts with the MSANP.

#### **14.0 Conclusion**

There were three notable changes to the NPPF (February 2019). These would have no impact on the previous recommendation to approve this development. It has been noted that the changes to the definition of deliverability may have a negative impact on the Council's ability to demonstrate a five year housing land supply but this won't be known until December of this year at the earliest.

Notice of referendum has been given for the MSANP, therefore moderate weight can be attributed to the development policies therein. There is flexibility to the delivery of housing in the NP. This proposed development would deliver benefits which accord with the NP beyond the conflict of it not being an allocated site in the NP.

Having regard to the District's shortfall in housing land supply and the sustainability merits of this particular proposal, the moderate weight to be applied to the MSANP would not change the recommendation to grant planning permission subject to conditions and the signing of legal agreement which would secure the necessary off-site financial contributions that would make the proposed development acceptable in all of the regards.

#### **15.0 RECOMMENDATION**

- A) DELEGATE AUTHORITY to the Planning Manager to grant planning permission subject to securing planning contributions through the signing of a S106 agreement and conditions listed in the report.

## 16.0 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 strictly and only in accordance with the following approved drawings and details:

- Location and block plan (17161.79)
- Proposed Site Plan (17161.22)
- Plots 01 and 02 Plans and Elevations (17161.80)
- Plot 03 Plans and Elevations (17161.81)
- Plots 04 and 05 Plans and Elevations (17161.82)
- Plot 06 Plans and Elevations (17161.83)
- Plot 07 Plans and Elevations (17161.84)
- Plot 08 Plans and Elevations (17161.85)
- Plot 09 Plans and Elevations (17161.86)
- Plots 10 and 11 Plans and Elevations (17161.87)
- Plot 12 Plans and Elevations (17161.88)
- Plot 13 Plans and Elevations (17161.89)
- Plot 14 Plans and Elevations (17161.90)
- Plot 15 Plans and Elevations (17161.91)
- Plot 16, 17, 18 Plans and Elevations (17161.92)
- Plot 19, 20, 21 Plans and Elevations (17161.93)
- Plots 22 and 23 Plans and Elevations (17161.94)
- Plot 24 Plans and Elevations (17161.95)
- Plot 25 Plans and Elevations (17161.96)
- Single and Double Garages Plans and Elevations (17161.78)

Reason: For the avoidance of doubt and to clarify the permission.

3. Prior to occupation of any dwelling hereby approved, the access, geometric highway layout, turning and parking areas shown on drawing number 17161.22 shall have been constructed. Thereafter these areas shall be maintained, kept free from obstruction and made available for the purposes specified.

Reason: In the interests of highway safety.

4. Prior to occupation of the dwellings hereby approved a scheme showing precise details of cycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme must be constructed before first occupation of any dwelling hereby approved and thereafter maintained and kept free from obstruction, and made available for the purpose specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

5. Prior to commencement of any works on site, a Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing by the Local Planning Authority. Amongst other relevant matters, the CTMP shall include:

- construction vehicle details (number, size, type and frequency of movement);
- a programme of construction works and anticipated deliveries;
- timings of deliveries so as to avoid, where possible, peak traffic periods;
- contractors' site arrangement plan(s) (compound, storage, parking, turning, surfacing and drainage);
- wheel cleaning facilities;
- vehicle cleaning facilities;
- a scheme of appropriate signing of vehicle route to the site;
- a route plan for all contractors and suppliers to be advised on;
- temporary traffic management measures where necessary;

The development must be carried out strictly in accordance with the agreed Construction Traffic Management Plan.

Reason: In the interest of highway safety. In particular, to minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

6. No development shall take place until an Construction Environmental Management Plan (CEMP) based on the submitted Hydrogeological Risk Assessment and relevant to all phases of the construction of the proposed development, is submitted to and approved by the Local Planning Authority. The statement shall outline the potential impacts from all construction activities on both groundwater and surface water and identify the appropriate mitigation measures which shall then be implemented to the satisfaction of the Local Planning Authority. It shall include, but not be exclusive, to the following matters:

- a. Satisfactory arrangements for grit traps, sumps, oil interceptors (and sampling chambers) to restrict contaminants entering the groundwater system. These will require a regular maintenance and cleansing regime.
- b. storage and use of fuels and other chemicals on the site;
- c. all plant and equipment shall be checked each day for signs of leakage of fuel or other fluids and any equipment found to be leaking shall be removed from the site immediately; and
- d. design & management of on-site facilities including welfare units and vehicle washing etc, particularly in relation to disposal of waste water / effluent.

Reason: To minimise risk to groundwater and in the interest of public health

7. Prior to any development, details of maintenance and management of the foul and surface water sustainable drainage scheme shall be 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 details should include, an implementation schedule, 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.

8. No development shall be commenced until a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Thereafter, no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented.

Reason: To minimise the risk of flooding and/or pollution.

9. Prior to any development, a detailed and finalised a sealed system of foul water drainage and surface water management scheme for the site during and post-development, based upon the hydrological and hydrogeological context of the development, shall be 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. In particular, the scheme shall demonstrate the proposal poses either no risk to groundwater and the aquifer(s) feeding the abstraction boreholes, or that any risk can be successfully mitigated.

Reason: To prevent groundwater infiltration into the foul sewer network affecting service levels to public sewer systems and to prevent any increased risk of flooding.

10. Prior to occupation of any dwelling hereby approved, an arboricultural method statement shall be submitted to and agreed in writing by the Local Planning Authority. The statement shall include, amongst other relevant details, the following:

- details of any proposed tree works;
- installation of temporary ground protection and/or fencing;
- construction methodologies for installation of new hard surfacing within the RPA of retained trees; and
- an auditable/audited system of arboricultural site monitoring, including a schedule of specific site events requiring input or supervision.

Reason: in the interest of public amenity and ecology.

11. Prior to occupation of any dwelling hereby approved precise details of all tree, shrub and hedge planting (including positions and/or density, species and planting size) shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out before the end of the first available planting season following substantial completion of the development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.

Reason: In the interests of public amenity and ecology.

12. The Biodiversity Mitigation Plan approved by the Dorset NET dated 2 November 2018 (from Clare Bird and Adrien Meurer (Hankinson Duckett Associates) dated 2 November 2018) shall be implemented in full

Reason: To mitigate the potential adverse effects of the development on the local ecology.

13. Notwithstanding the details on the approved plans, samples of facing and roofing materials to be used in the construction of the dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The development hereby approved shall thereafter be completed in accordance with the agreed details.

Reason: In the interest of good design and to maintain the character of the area.

14. Prior to the occupation of any dwelling hereby approved, details of the proposed LAP (in the location shown on the Proposed Site Plan (17161.07 C)) shall be submitted to and approved in writing by the Local Planning Authority. Those details shall include, amongst other things, planting, layout, schedule of implementation, and future maintenance responsibilities.

Reason: In the interest of public amenity and ecology.

15. Prior to occupation of any dwelling hereby approved, a Heathland Mitigation Project (HIP) shall be secured and made available for the purposes set out in the letter from Natural England dated 13 December 2018 to a standard the details of which shall be agreed in writing by the Local Planning Authority adjacent to the site or in an agreed alternative suitable location within the Parish of Milborne St Andrew.

Reason: In the interest of wildlife habitat and ecology.