

# Planning Committee Report

## 1.0 Application Number – [2/2018/0036/OUT](#)

**Site address** - West Of Shaftesbury Road At Land South Of Gillingham, Shaftesbury Road, Gillingham, Dorset.

**Proposal** - Develop land by construction of an urban extension to the south of Gillingham between Shaftesbury Road (B3081) and New Road (B3092). The urban extension would comprise up to 961 dwellings. Up to 2,642 sq. m. in a new local centre providing retail, community, health and leisure uses, new and enhanced pedestrian/cycle routes, open spaces, roads, car parking and vehicular access. To include all ancillary works and associated infrastructure (Outline application to determine access only).

**Applicant name** - Welbeck Strategic Land LLP

**Case Officer** – Simon McFarlane

**Ward Members** - Val Pothecary, Belinda Rideout, David Walsh

## 2.0 Summary of Recommendation:

Recommendation A: Delegate authority to the Head of Planning to grant conditional planning permission subject to the completion of a Section 106 legal agreement, as specified in The Town and Country Planning Act 1990 (as amended), in a form to be agreed by the legal services manager to secure the following

- 50/50% tenure split for all affordable housing
- Minimum of 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

And the conditions (and their reasons) listed at the end of the report.

Recommendation B: If the S106 legal agreement is not completed by 14 November 2020, refuse permission for failing to secure the planning obligations (as set out above) which are considered to be necessary to mitigate the adverse impacts, and secure an adequate provision of affordable housing, of the proposed development.

### 3.0 Reason for the recommendation:

At the February 2019 North Dorset Planning Committee this application was recommended for approval by officers and was subsequently delegated by members for approval to the Head of Planning subject to pre-conditions and completion of a Section 106 agreement. This application is now back before the Committee as concerns had been raised by the applicant about the wording of some of the proposed planning conditions. The set of conditions below have been amended to ensure they meet the relevant tests set out in the National Planning Policy Framework.

The following reasons were set out previously in the Officer’s Report and are still relevant:

- The site is allocated in the North Dorset Local Plan
- The Council cannot demonstrate a five year housing land supply
- The proposal would contribute towards the Council’s 5 year housing land supply
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise. None have been identified
- The location is considered to be sustainable
- The development would secure significant economic and social benefits.
- There are no material considerations which would warrant refusal of this application

### 4.0 Table of key planning issues

Issue	Conclusion
Principle of development	The principle of development was agreed through the strategic Local Plan allocation and supported by the Gillingham Neighbourhood Plan.
Scale, design, impact on character and appearance	The application is Outline for access consideration only. However detailed parameter plans on density, building heights, landscaping, access & movement have been agreed which will guide the future reserved matters applications.

Access	There are three identified three points of access - Shaftesbury Road, New Road, and limited access for up to 100 dwellings off Woodpecker Meadow.
Transport	Due to the Principal Street and offsite transport improvements proposed there will be beneficial effects on the local highway system.
Flooding/Drainage	The development has been design sequentially avoiding areas of flood risk. Drainage details can be adequately secured by condition.
Impact on Heritage	Extensive Archaeological investigations have taken place to the satisfaction of the council's Senior Archaeologist and Historic England. Further work is to be secured by condition.
Impact on landscape	Primary and secondary mitigation measures will reduce the potential landscape impacts. After 15 years the visual effects could be reduced to slight/not significant.
Ecology	Full surveys have been undertaken and impact upon protected species can be mitigated to avoid significant effects.
s.106	Contributions will be secured towards affordable housing, transport infrastructure, green infrastructure, and social infrastructure.
Economic benefits	Significant benefits would come from the provision of jobs during construction, and future residential expenditure.
EIA	An assessment has been undertaken in respect to the scoped areas of potential environmental concern. This has shown that if the identified additional mitigation is implemented during the design, construction and operational stages of the development, the majority of operational and construction stage effects identified can be appropriately mitigated or

	compensated and reduced to a level which is not considered to be significant.
--	---

## 5.0 Description of Site

The site comprises an area of approximately 52.23 hectares, which is wholly within the Strategic Site Allocation – Gillingham Southern Extension (Policy 21).

Gillingham is located to the north of North Dorset District Boundary, approximately 35km to the west of Salisbury. It is recognised as one of the main towns in NDDC which serves a wide catchment of surrounding villages and settlements.

The application site is located to the south east of Gillingham town, to the immediate south of Ham. It comprises the land identified as Ham Farm and Newhouse Farm which is currently characterised by open fields, divided by a series of mature trees and hedgerows. The land is identified as 'Land to the South of Ham' in Policy 21 of the Local Plan Part 1 (2016). To the eastern boundary is the B3081 Shaftesbury Road and to the west is the B3092 New Road. To the south is Cole Street Lane, with open fields beyond.

The River Lodden runs along the north-western boundary of the site, and to the immediate north is the existing settlement of Ham, including the St Mary the Virgin Primary School.

To the east and west of the Site, beyond New Road and Shaftesbury Road are other Sites which form part of the Gillingham Southern Extension SSA.

These sites will be subject to individual outline planning applications. There are no existing buildings within the application site.

## 6.0 Description of Development

Develop land by construction of an urban extension to the south of Gillingham between Shaftesbury Road (B3081) and New Road (B3092). The urban extension would comprise up to 961 dwellings. Up to 2,642 sq. m. in a new local centre providing retail, community, health and leisure uses, new and enhanced pedestrian/cycle routes, open spaces, roads, car parking and vehicular access. To include all ancillary works and associated infrastructure (Outline application to determine access only).

The planning application seeks outline planning permission with all matters reserved for later approval save for main points of access from the adjacent highway (with internal access routes reserved for later approval).

The majority of the site is open land which is used for agricultural purposes. There are no existing buildings within the application site boundary.

The application seeks to establish the principles of use, amount, scale, massing and access. All matters, except for the main vehicular access points, are reserved for future consideration. The principal points of vehicular access are from New Road B3092, Shaftesbury Road B3081, and also Woodpecker Meadow to the north of the Site, which are for determination as part of the application. The access parameter plans also identify locations for pedestrian and cycle access. These specific points of access into and out of the Site are fixed but within the Site where access routes are identified on the parameter plans the alignment of the principal street may deviate within the limits of the 30m corridor.

All other access routes (vehicular/cycle and pedestrian) to be formed within the Site are reserved for later approval and are not fixed by the parameter plans but are shown illustratively in order to allow assessment of the impacts. This approach allows flexibility in terms of the relationship between access routes and development plots as both will be determined at reserved matters stage.

In addition layout, scale, appearance and landscaping are reserved for later approval. With regard to appearance and landscaping, the illustrative design set out within the illustrative drawings and Design and Access Statement (DAS) submitted in support of the application show one way in which the development could be brought forward within the parameters set. This approach, whilst allowing control over subsequent reserved matters, also allows for a degree of flexibility in the final design so that the scheme can evolve over time to take account of relevant factors including possible changes to the surrounding built environment and market conditions.

Permission is sought for the following uses across the Site as set out below:

Gross External Floorspace (GEA) Uses Maximum Quantum (GEA) Mixed Use Areas to include:

- Total maximum area – 2,642 sqm
- Retail (including convenience store) – Use Classes A1 – A5
- Non-Residential Uses (Use Class D1)

Individual use classes subject to a maximum cap of:

- A1 (Convenience Retail) – 760 sq.m
- A1 – A5 (excluding convenience retail)– 893 sq.m
- D1 – 989 sq.m
- Residential (Use Class C3) Up to 961 net residential units
- Extension to Primary School 1 Form Entry
- Car Parking Residential and Non-Residential parking

Details will be defined within reserved matters applications (Notes and assumptions for the figures above exclude open spaces).

## 7.0 Relevant Planning History

2/2018/0036/OUT - This application was recommended for approval by officers and was subsequently delegated by members at the February 2019 North Dorset Planning Committee to the Head of Planning, subject to the following pre conditions and completion of a Section 106 agreement.

Pre-Conditions:

To allow the applicant and Environment Agency one month to continuing their dialogue with the aim for the applicant to provide additional flood risk assessment information and / or amend their proposals for the western point of access, to secure removal of the present EA holding objection, or

1. Failing that, the Council's minded to resolution to grant outline planning permission be referred to the Secretary of State to determine whether they wish to call-in the application for determination;
2. The applicant completing the required archaeological trial trench surveying within four months of the Council's resolution to grant outline planning permission and, if required, agreeing with the County Archaeologist a programme of consequential additional surveying, works and recording, prior to the issue of outline planning permission;
3. Delegate to the Head of Planning completion of a Section 106 legal agreement to secure;
  - 50/50% tenure split for all affordable housing
  - TBC% affordable housing in the first phase of development
  - A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
  - Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
  - Provision of green infrastructure compliant with Local Plan Policy 21 requirements
  - Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

and then approve subject to the conditions and informatives.

The primary reason that this application is back before the Committee is that the Archaeological trial trenching was not completed within 4 months of the resolution

to grant planning permission. There has also been rewording and addition of further planning conditions.

## **8.0 List of Constraints**

Agricultural Land Grade: 4

Agricultural Land Grade: 3

Flood zone Type: Flood Zone 1, 2, and 3

HSE Hazardous Installations: Brickfields Business Park, New Road, Gillingham

HSE Hazardous Installations: Brickfields Business Park, New Road, Gillingham

Parish Name: Gillingham CP

Parish Name: East Stour CP

Public Rights of Way - Route Code: N64/35

Path Type: Footpath

Public Rights of Way - Route Code: N64/78

Path Type: Footpath

Public Rights of Way - Route Code: N62/1

Path Type: Footpath

Public Rights of Way - Route Code: N64/33

Path Type: Footpath

Public Rights of Way - Route Code: N64/34

Path Type: Footpath

TPO's - 12 individual trees including 9 Ash, 2 Oak & 2 Field Maple TPO 20/25/05  
Land south and south east of Higher Ham roundabout, Gillingham.

Settlement Boundary: Gillingham

## **9.0 Consultations**

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

Gillingham Town Council

- No objection, subject to Highway department being satisfied.

Highways England - Network Strategy Division

- No objection, subject to conditions and informatives

Transport Development Management - Dorset Council

- No objection, subject to S106 and conditions.

Planning Policy

- No objection

Sport England

- No objection and request to be involved in the configuration of new playing fields and ancillary facilities.

Drainage (Flood Risk Management) – Dorset Council

- No objection, subject to conditions and informatives

Wessex Water

- No objection.

Natural England

- No objection, subject to conditions.

Natural Environment Team

- No objection, subject to conditions.

Dorset Police - Architectural Liaison Officer

- There was no response from this consultee at the time of report preparation.

Health & Safety Executive

- There was no response from this consultee at the time of report preparation.

Environment Agency (detail explained below)

- No objection subject to conditions.

Archaeology (detail explained below)

- No objection, subject to a condition.

NHS Property Services Limited

- No objection, subject to financial contributions to fund additional NHS infrastructure.

NHS Property Services Limited

- The request for financial contributions to fund additional NHS infrastructure was withdrawn on the 03 June 2019 in order to build a more robust strategy and working relationship with Dorset Council and developers going forward.

## 10.0 Representations

23 letters of representation were received prior to the February 2019 Committee, of which 2 offered comments which neither supported nor objected to the proposal, 20 objected to the proposal and 1 supported the proposal.



One further representation has been received in March 2020 from a resident of Woodpecker Close raising a number of points and objecting to the proposal. The main issues raised can be briefly summarised as follows;

1. Concerns over the Highways consultee comments, vehicular access through Woodpecker Close and resident safety
2. The purported need to take the Paris Agreement into account, referencing the recent Court of Appeal judgement on the Government's decision to allow the third runway at Heathrow.
3. The 'Housing Design Audit for England' and issues with regards to the dominance of roads/cars in new developments.
4. The publication of the 'Building Better Beautiful Commission' and the emphasis on the requirement for Healthy Streets and the expansion of cycle networks and planning car routes away from schools.

*Officers note in response to these points:*

1. The highway consultee comments were received on the 14<sup>th</sup> February 2019. In their opinion the Transport Assessment and evidence submitted was satisfactory and robust. The issue of safety in Woodpecker Close was addressed with regard to vehicular access. A Stage 1 Road Safety Audit had been undertaken and it raised no overriding safety issues with the proposal. There are a significant suite of measures secured as part of this proposal which mitigate the transport impacts. These include; the provision of offsite local highway improvements and financial contributions towards the Principal Street/associated infrastructure, additional bus stops, community transport, the Enmore green link road, Gillingham rail station improvements, pedestrian and cycle improvements, travel plans, sustainable travel vouchers and town wide personalised travel planning contributions. It should be noted that the test set out in the NPPF is that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts upon the road network would be severe. The conclusion was that the proposed development did not give rise to any severe impacts and thus they raised no objections, subject to conditions. Officers support this stance.
2. The Paris agreement central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. It came into force in November 2016. The recent court of appeal ruling referred to 'R (*Friends of the Earth*) -v- Secretary of State for Transport and others' was in relation to a failing that the SOS made in designating the Airports National Policy Statement. The court found that the Secretary of State had acted unlawfully in not taking into account "its own firm policy

commitments on climate change under the Paris Agreement”. However this application (or misapplication) of law does not relate to making decisions on planning applications in the same way. There is no statutory duty when it comes to the Town and Country Planning Act.

When it comes to plan-making, section 19(1A) of the Planning and Compulsory Purchase Act 2004 imposes a statutory duty on local planning authorities that development plan documents must include policies that contribute to mitigation and adaptation to climate change, and this duty is reflected in paragraph 149 of the National Planning Policy Framework, stating in footnote 48 that policies should be “in line with the objectives and provisions of the Climate Change Act 2008”.

There are no specific equivalent requirements in relation to decision making, just the general statement in paragraph 148, stating that the “planning system should support the transition to a low carbon future in a changing climate” and “should help to: shape places in ways that contribute to radical reductions in greenhouse emissions”.

The National Planning Policy Framework has a clear emphasis on meeting the challenge of climate change (Section 14 is dedicated to it) and significant emphasis is placed on decision making to ensure that development is ‘sustainable’. It states that at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11). Therefore planning decisions must always be derived through a consideration of the sustainability of the proposals. In this case the officers believe that this development does accord with the definition of sustainable development and have therefore recommended approval.

3. The ‘Housing Design Audit for England’ was published in January 2020. The report was conducted by University College London (UCL) for the Place Alliance and the Campaign to Protect Rural England. This new audit evaluates the design of 142 large-scale housing-led development projects across England against seventeen design considerations. It provides enough data for comparisons to be made regionally and against the results of previous housing design audits conducted over a decade ago. It establishes a new baseline from which to measure progress on housing design quality in the future.

One of the key recommendations to Local Planning Authorities to enable better design outcomes is to ‘*set very clear aspirations for sites (in advance)*’. The council has clearly followed this approach in adopting a site specific Policy in the adopted North Dorset Local Plan. The site was allocated and clear aspirations set out in Policy 21. The council has worked closely with the developers to arrive at an outline application which can be fully supported.

The points raised in the representation relate to some issues in regard to the dominance of roads/cars in new developments, poor quality design, the need to build with popular consent and the requirement to expand cycle networks.

The application before the Committee is for Outline consent and detailed access provision only. The detailed design and layout of this proposal will be secured at a later stage through the submission of reserved matters applications. Nevertheless, there has of course been very careful consideration regarding design parameters and principles of this proposal. It should be noted that there are very few local objections to this major development. As mentioned above there is also a suite of sustainable travel mitigation measures proposed, including the expansion of cycle networks. It is hoped that in the future this site may be included in a similar audit which highlights this development as a positive case study.

4. The 'Building Better Beautiful Commission' is an independent body that advise government on how to promote and increase the use of high quality design for new build homes and neighbourhoods. The commission published its final report 'living with beauty' on the 30 January 2020. It has 45 Policy propositions and is 190 pages long with many key findings which will no doubt be beneficial in increasing the design quality of new neighbourhoods throughout the UK. Officers believe that the current outline proposals and subsequent reserved matters applications will result in a successful new community of high quality design.

## **11.0 Relevant Policies**

Local Plan -

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

Relevant applicable policies from LPP1 are as follows:

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 2: Core Spatial Strategy
- Policy 3: Climate Change
- Policy 4: The Natural Environment
- Policy 5: The Historic Environment

Policy 6: Housing Distribution  
Policy 7: Delivering Homes  
Policy 8: Affordable Housing  
Policy 11: The Economy  
Policy 12: Retail, Leisure and Other Commercial Developments  
Policy 13: Grey Infrastructure  
Policy 14: Social Infrastructure  
Policy 15: Green Infrastructure  
Policy 17: Gillingham  
Policy 21: Gillingham Strategic Site Allocation  
Policy 23: Parking  
Policy 24: Design  
Policy 25: Amenity

The relevant saved policies from the North Dorset District Wide Local Plan (1<sup>st</sup> Revision) Adopted 2002, are as follows:

Policy 1.20 - Contaminated Land  
Policy 4.3 - New Community Buildings, Village Halls and Libraries  
Policy 4.5 - Provision of Outdoor Sports Pitches and other Recreational Open Space  
Policy GH8 - Gillingham (allocation of employment land)  
Policy GH15 - Gillingham (retain, enhance and extend sports pitches at a and around the secondary school)  
Policy GH16-20 - Gillingham (policies for recreation, sport and cycling schemes)  
Policy GH23 – Gillingham (land safeguarded for extension of existing sewage treatment works)  
Policy GH 25-28 - Gillingham (minor highway improvements and cycling schemes)

Gillingham Neighbourhood Plan -

The Gillingham Neighbourhood Plan was 'made' on 27 July, 2018 and forms part of the Development Plan for North Dorset. Relevant policies applicable to these outline applications are:

Policy 1. Custom and self-build housing  
Policy 4. Support improvements in existing employment sites  
Policy 12. Pedestrian and cycle links  
Policy 13. Road designs in new development  
Policy 14. New and improved health and social care provision  
Policy 15. New and improved education and training facilities  
Policy 16. New and improved community, leisure and cultural venues  
Policy 17. Formal outdoor sports provision  
Policy 18. Equipped play areas and informal recreation / amenity spaces  
Policy 19. Allotments  
Policy 20. Accessible natural green space and river corridors

- Policy 23. The pattern and shape of development
- Policy 24. Plots and buildings
- Policy 25. Hard and soft landscaping

### **Current housing land supply**

Officers note that where a 5-year supply of housing land cannot be demonstrated paragraph 11d i) and ii) of the Framework outlines the implications for how development proposals should be determined. It states that where the (local) development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless the adverse impact of doing so would significantly and demonstrably outweigh the benefits.

North Dorset District Council published its latest Annual Monitoring Report (AMR) last year:

<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/additional-planning-policy-documents/annual-monitoring-report-development-stats/pdfs/annual-monitoring-report-2019-final.pdf>

It confirms that there is still a lack of an identifiable 5 year housing land supply. One reason that the 5 year supply has fallen (despite an increase in approvals) is that there is an amended definition of 'deliverable' in the latest NPPF, which means that the Council can no longer automatically include major development with outline permission in its 5 year supply. The definition states that Councils can only include such sites "where there is clear evidence that housing completions will begin on site within five years."

This means that the approval of outline applications such as the ones for the Gillingham SSA will not immediately improve the Council's 5 year supply.

National Planning Policy Framework (NPPF):

The NPPF has been updated with a revised version published February 2019. The following sections and paragraphs are relevant to this outline application:

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
10. Supporting high quality communications

11. Making effective use of land
12. Achieving well designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Note: NPPF paragraph 11 sets out the presumption in favour of sustainable development. This states, in part, that 'Plans and decisions should apply a presumption in favour of sustainable development. ... For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay...'

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, 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 development proposed; 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.

### *Current housing land supply*

The Council at present can only demonstrate 4.0 years of housing land supply of the requisite 5.0 years of housing land supply as set out in the NPPF. North Dorset District Council published its latest Annual Monitoring Report (AMR) last year:

<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/additional-planning-policy-documents/annual-monitoring-report-development-stats/pdfs/annual-monitoring-report-2019-final.pdf>

It confirms that there is still a lack of an identifiable 5 year housing land supply. One reason that the 5 year supply has fallen (despite an increase in approvals) is that there is an amended definition of 'deliverable' in the latest NPPF, which means that the Council can no longer automatically include major development with outline permission in its 5 year supply. The definition states that Councils can only include such sites "where there is clear evidence that housing completions will begin on site within five years."

This means that the approval of outline applications such as the ones for the Gillingham SSA would not immediately improve the Council's 5 year supply.

## 12.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## 13.0 Public Sector Equalities Duty

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

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

Whilst there is no absolute requirement to fully remove any disadvantage the duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

## 14.0 Financial benefits

<b>Benefit</b>	<b>Quantum</b>
Affordable Housing	Minimum of 10 % in Phase 1 and up to 25% depending upon development viability over the lifetime of the project.
Principal Street contributions	£3,540,526.32
Bus Service contributions	£434.04 per dwelling
Bus stop contributions	£52.63 per dwelling
Community Transport contributions	£29.23 per dwelling
Enmore Green Link Road/contributions	£329.47 per dwelling

Gillingham Rail Station Improvements Contribution	£94.15 per dwelling
Off-site Pedestrian and Cycle Improvements	Secured by s.106
Rail Station Cycle Parking Contributions	£1,186
Sustainable Transport Improvements Contributions	£137.43 per dwelling
Sustainable Travel Voucher	£100 provided to the first occupant of each dwelling
Town-wide Personalised Travel Planning Contributions	£99.85 per dwelling
Community Hall contributions	£936.32 per dwelling
Library contributions	£252.00 per dwelling
Heath facilities contributions	£112.28 per dwelling
Household recycling contributions	£271.94 per dwelling
Green Infrastructure	Public Open Space Play facilities Sports pitches with floodlighting/Pavilion - £800,000.
Primary Education Contribution	£2017 per qualifying dwelling
Secondary Education Contribution	£4077 per qualifying dwelling
Construction Jobs	Lasting approximately 21 years
Council Tax Revenue	Generated by upto 961 dwellings
New Homes Bonus	Approximately £4million

## 15.0 Planning Assessment

Given that the substantive issues remain the same and planning policy has not changed to any extent that would warrant a different recommendation, this report seeks only to clarify matters which have occurred since February 2019. Please



refer to the February 2019 Committee Report for the full details of the analysis of the planning issues (appended).

In summary Officers remain of the view that the application accords with the adopted Development Plan and the National Planning Policy Framework and should therefore be approved without any further delay.

*Planning update since February 2019 Committee*

*Amendment to Red Line:*

The applicant has submitted a revised Red Line Site Plan, ref - 01050\_PP\_01, Rev P3. This was necessary due to an error within the original Title Plan for Newhouse Farm which incorrectly placed the garden of part of the cottage within the Title. The Red Line has been amended to exclude this land.

*Flood risk matters:*

Following the committee resolution in February 2019, additional information was submitted to the Environment Agency (EA), which included correspondence from the applicants flood risk consultant and an updated flood risk assessment (AWP, Revision C).

The EA had previously been concerned that part of the Principle Street access joining the B3092 New Road was located with the flood plain and would not be operational in times of flood. They also requested clarification over the vulnerability classification of this element of infrastructure.

The EA were advised by the LPA and flood risk consultant that the Principle Street is considered to fall under the 'Essential Infrastructure' flood risk vulnerability classification. In this respect, with regards to whether it remains operational, the argument was put forward by the developer that a significant length of Principle Street would be operational in times of flood and available for use by the whole development to access onto Shaftesbury Road.

The Principle Street would 'remain operational' as an access route in times of flood, even if only in full from one end. Providing that access is available for all phases of the development onto the B3081 Shaftesbury Road, (or any other access located within low risk of flooding) at all stages as the development phases come forward there would always be a dry route of access/egress for residents and emergency services.

On this basis the Environment Agency withdrew their objection to this application subject to planning conditions and informatives.

*Archaeology:*

The applicant was required to carry out archaeological trial trench surveying within four months of the Council's resolution to grant outline planning permission and, if required, agreeing with the Council's Archaeologist a programme of consequential additional surveying, works and recording, prior to the issue of outline planning permission.

It was not possible to complete the trenching works within the stipulated four month period due to the cattle grazing on the land. An archaeological evaluation was undertaken between July-September 2019. The investigations were undertaken in accordance with a Written Scheme of Investigation prepared by WYG (2017) and approved prior to commencement on site.

This involved the excavation over 183 trenches and across the site. All spoil removal was undertaken under the control and direction of the Site Archaeologist. Topsoil and overburden were removed by mechanical excavator, using a wide toothless bucket, and ceased at the level at which archaeological deposits or natural subsoil was exposed.

Each trench was recorded using the full range of the standard AC archaeology *pro forma* recording system. In addition to this an analytical earthwork survey was also undertaken during the evaluation in five areas of the site.

The full results of these investigations were recorded and provided in a report dated November 2019, 'Results of archaeological site evaluation', ref – ACW1142/1/0.

This work has satisfied the Council's Senior Archaeologist and a planning condition has been recommended that will secure the implementation of a programme of further archaeological work/recording which shall be submitted to and agreed prior to commencement of any works on site.

*Section 106 legal agreement:*

The S106 has now been agreed between all parties and will secure the items previously requested, namely;

- 50/50% tenure split for all affordable housing
- 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements

- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

### *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.

This Council's Policies in the adopted Local Plan follow the approach of the presumption in favour of sustainable development. It has been noted above that this Council can only demonstrate 4.0 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.

The development broadly follows the agreed principles of the Policy 21 strategic site allocation, related draft Master Plan Framework and accords with relevant planning considerations, including the National Planning Policy Framework, with the exception of being policy compliant for the level of affordable housing proposed.

That said the application needs to be considered 'in the round' weighing all material issues in the planning balance, including:

- Local support for the development

- Lack of an identifiable 5 year housing land supply and the presumption in favour of sustainable development
- Prospect of delivery of up to a combined total of upto 961 homes and a new local centre providing retail, community, health and leisure uses
- Financial benefits through construction and the creation of local jobs
- Increased spending in the Town centre and other local businesses from future residents
- New Home Bonus payments and increased Council tax revenue
- Section 106 agreement which supports overall objectives to secure enhanced community infrastructure within Gillingham and which also underpin the Strategic Site Allocation Policy requirements with the following;
  - Community Hall contributions
  - Library contributions
  - Heath facilities contributions
  - Public Open Space
  - Play facilities
  - Sports pitches with floodlighting
  - Household recycling contributions
  - Principal Street contributions
  - Bus Service contributions
  - Bus stop contributions
  - Community Transport contributions
  - Enmore Green Link Road/contributions
  - Gillingham Rail Station Improvements Contribution
  - Master Plan and Residential Travel Plans
  - Off-site Pedestrian and Cycle Improvements
  - Rail Station Cycle Parking Contributions
  - Sustainable Transport Improvements Contributions
  - Town-wide Personalised Travel Planning Contributions
- A minimum of 10% affordable housing will be provided in the initial stages
- A 'Viability Review Mechanism' has been agreed with the applicants and Council's legal advisor drafting the Section 106 agreement that will allow the Council potential to recover a policy compliant level of affordable housing over the lifetime of this large scale phased development

When all the material planning issues are considered in the planning balance, your Officer's conclusion is that the benefits of the development warrant approval of the outline application. This is despite the initial 15% shortfall in the initial development phases being policy compliant in delivering affordable housing coupled with agreeing to a S106 agreement to deliver 10% affordable housing with a 50/50% tenure mix.

## **16.0 Conclusion**

The development broadly follows the agreed principles of the Policy 21 strategic site allocation, related draft Master Plan Framework and accords with relevant planning considerations, including the Government's National Planning Policy Framework, with the exception of being policy compliant for the level of affordable housing proposed.

It remains the view of Officer's that benefits of the development warrant approval of the outline application.

## **17.0 RECOMMENDATION**

### Recommendation A

Delegate authority to the Head of Planning to grant conditional planning permission subject to the completion of a Section 106 legal agreement, as specified in The Town and Country Planning Act 1990 (as amended), in a form to be agreed by the legal services manager to secure the following:

- 50/50% tenure split for all affordable housing
- Minimum of 10% affordable housing in the first phase of development
- A viability review 'mechanism'/clause to review development viability in subsequent phases, seeking to secure policy compliant 25% affordable housing across the development as a whole
- Provision of transport infrastructure compliant with Local Plan Policy 21 requirements
- Provision of green infrastructure compliant with Local Plan Policy 21 requirements
- Provision of Social infrastructure (including education, health, community hall, household recycling, sports field and leisure and library) compliant with Local Plan Policy 21 requirements

And the conditions (and their reasons) listed at the end of the report.

### Recommendation B

If the Section 106 legal agreement is not completed by 14 November 2020, refuse permission for failing to secure the planning obligations (as set out above) which are considered to be necessary to mitigate the adverse impacts, and secure an adequate provision of affordable housing, of the proposed development.

## **CONDITIONS**

### **Time Limits**

1. Approval of details of the layout, scale, appearance and landscaping ("the reserved matters") for each development phase (or a parcel or parcels

therein) shall be submitted to and approved in writing by the Local Planning Authority before development on that phase begins.

Reason: To ensure the proper and appropriate development of the site.

2. An application for approval of reserved matters for the first phase of development (or a parcel or parcels therein) shall be made to the Local Planning Authority within two years of the date of this permission. All applications for approval of reserved matters for each subsequent phase shall be submitted to the Local Planning Authority within 12 years of the date of this permission.

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

3. The first phase of development hereby permitted shall be commenced before the expiration of four years from the date of this permission. Thereafter, all subsequent phases shall be commenced within two years of the Local Planning Authority's approval of the last reserved matter for that phase.

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

### **Approved Plans**

4. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Parameter Plan 01: Red Line Plan, 01050\_PP\_01, Rev P3
  - Parameter Plan 02: Land Use Plan, 01050\_PP\_02, Rev P4
  - Parameter Plan 03: Density Plan, 01050\_PP\_03 Rev P5
  - Parameter Plan 04: Building Heights Plan, 01050\_PP\_04, Rev P3
  - Parameter Plan 05: Access and Movement Plan, 01050\_PP\_05, Rev P5
  - Parameter Plan 06: Landscape Strategy Plan, 01050\_PP\_06, Rev P2
  - Parameter Plan 07: Phasing Plan, 01050\_PP\_07, Rev P5
  - Illustrative Masterplan, 01050\_MP02, Rev P2
  - Proposed B3081 Shaftesbury Road/Principal Street Signals, Ref - ITB4057-GA-073 Rev G
  - Principal Street - Proposed Ghost Island Junction With B3092 New Road, Ref - ITB4057-GA-104 Rev C

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

### **Quantum of Development**

5. The development hereby approved shall be limited to a maximum of 961 dwellings only and up to 2,642 sqm of built floor space to include only retail, community, health, and leisure uses in a new local centre.

Reason: To define the extent of the permission and to recognise the calculations to define infrastructure contributions have been calculated on the basis of a minimum of 961 dwellings.

### **Phasing**

6. Prior to the commencement of any works on site, (excluding the Principal Street) a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper and appropriate development of the site

### **Materials**

7. The submission of reserved matters for appearance for each development phase (or a parcel or parcels therein) shall reflect a palette of materials referenced in the Design & Access Statement, Design Coding Section 8.16 (Material Palettes).

Reason: To ensure provision of a high quality development across the site in the interests of good design and to reflect the local distinctiveness of this rural settlement.

### **Trees/Landscaping**

8. The reserved matters for each phase (or a parcel or parcels therein) of the development shall include an updated Arboricultural Impact Assessment for that area. This document shall include details of how the existing trees are to be protected and managed before, during and after development. The development shall thereafter accord with the approved Assessment.

Reason: To ensure retention and appropriate protection of trees and other vegetation that are important to the character of the proposed development.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the 1st occupation of each phase of development (or a parcel or parcels therein); and any trees or plants which, within a period of 5 years from the completion of that phase of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed with the Local Planning Authority.

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

10. The reserved matters for each phase of the development (or a parcel or parcels therein) shall include a landscape management plan. This shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The subsequent management of the development's landscaping shall accord with the approved plan.

Reason: To ensure the landscape scheme secured by reserved matters is implemented and satisfactorily maintained in the interests of the character and amenity of the completed development.

### **Hours of Operation**

11. Before occupation of each unit of non-residential development, details of the hours of operation of those premises, hours of outside use of the premises, and hours of deliveries, shall be submitted to and approved in writing by the Local Planning Authority. The unit(s) shall thereafter only be occupied in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard residential amenities and to ensure that the development is not unneighbourly

### **Flooding/Drainage**

12. Prior to the commencement of any development (excluding the Principal Street), on any phase a scheme for the disposal of foul drainage, based on sustainable drainage principles in accordance with the AWP Flood Risk Assessment & preliminary Surface Water Drainage Strategy and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. Amongst other relevant details the Foul drainage scheme shall include appropriate arrangements for the agreed points of connection required to serve the proposed development phasing, ownership of the scheme and how it will be maintained and managed after completion. The drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

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

13. Prior to the commencement of any development (excluding the Principal Street), a scheme to ensure all new development finished floor levels are set at least 600mm above the future Flood Zone 3 flood level (based on the hydraulic model updated to include the associated Principal Street where it falls within the Flood Zones and any associated floodplain compensation) shall be submitted to, and approved in writing by, the local planning authority.



The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the impact of flooding to the proposed development and future occupants

14. Prior to the commencement of any development (excluding the Principal Street), a scheme that ensures no development or raising of ground levels (permanent or temporary) within Flood Zone 3b, 3a or future Flood Zone 3a derived by the hydraulic model updated to include the associated Principal Street where it falls within the Flood Zones, and any associated floodplain compensation, shall be submitted to, and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the impact of flooding to the development and surrounding area.

15. Prior to the commencement of any development (excluding the Principal Street) on any phase (which includes the River Lodden within its boundary) a scheme for maintenance access to the River Lodden and associated flood risk management infrastructure, shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding and ensure future maintenance of the River Lodden.

16. Prior to submission of any Reserved Matters (RM) application on any phase of development, and prior to any application to discharge condition (17), finalised and detailed designs for necessary crossing(s) of any Ordinary Watercourses (including details of culverts, structures, road height and embankments), required by the Principal Street, must be submitted to and approved by the local planning authority. These crossings must be designed such that;
  - a. They remain fully operational and safe during a 1 in 100-year fluvial flood event (Flood Zone 3/ 1% Annual Exceedance Probability).
  - b. They are passable by emergency vehicles during a 1 in 1000-year fluvial flood event (Flood Zone 2 / 0.1% Annual Exceedance Probability).

- c. Make necessary allowances for Climate Change.
- d. Be acceptable in wider planning terms i.e. scale, appearance and height.

Construction of the Principal Street must incorporate the necessary crossings and must be built in strict accordance with the approved design(s).

Reason: To ensure that the design of the road meets national planning policy requirements and that culvert designs can be incorporated into any modelling required under condition (20).

17. Prior to submission of any Reserved Matters (RM) application on any phase of development, a High-Level Drainage Strategy (HLDS) & Flood Risk Assessment (FRA) for the entire development must be submitted to and approved by the local planning authority and must:
- a. Use hydraulic modelling (or other reputable method) to consider the land take impact(s), in terms of fluvial flood risk, of culverting any on-site Ordinary Watercourses (OWC) required as a result of the proposed distributor road and finalised crossing design(s) submitted as per condition (2).
  - b. Consider the effect of winter Ground Water levels (and any revised fluvial modelling) upon the proposed drainage basins.
  - c. Show drainage and housing density layouts, that consider the revised modelling submitted and any increased (or reduced) land take required for attenuation.
  - d. Detail the location and specification for any necessary drainage infrastructure required to attenuate fluvial flooding and surface water

All Reserved Matters application(s) must be made in accordance with the approved HLDS & FRA

Reason: To ensure that strategic housing numbers / allocations for each phase, are made on the basis of appropriate flood risk mapping and Ground Water constraints, so as to allow proper implementation of the sequential approach for any subsequent Reserved Matters application, as required within the National Planning Policy Framework 2019.

18. Prior to the commencement of any development on any phase, a detailed Surface Water Management Scheme, including consideration of any construction period, for that phase shall be submitted and approved by the LPA. It shall;
- a. Accord with the approved High-Level Drainage Strategy.

- b. Fully consider the effect of development within that phase upon any land drainage or Surface Water flow paths, not identified within the high-level strategy.
- c. Provide detailed designs concerning the proposed drainage infrastructure and makes necessary allowances for climate change.
- d. Fully consider the effect of development within that phase on each of the other phases
- e. Include a surface water construction management plan (SWCMP)
- f. Include details of the maintenance and management of both the surface water sustainable drainage system and existing watercourse(s) within that phase,
- g. Include measures for the lifetime of the development, arrangements for adoption by any public body or statutory undertaker, and any other arrangements to secure the operation of the surface water drainage system throughout its lifetime.

The development of each and every phase shall be carried out in strict accordance with the approved Surface Water Management Scheme for that phase and maintained in accordance with the approved details for the lifetime of the development.

Reason: To reduce and manage the risk of flooding from watercourses, ensure that development follows the sequential approach as outlined in national policy, ensure that drainage infrastructure causes no worsening, reduces flood risk, improves water quality, ecology and amenity wherever possible.

#### 19. GRAMPIAN CONDITION

Prior to the commencement of any development (excluding the principal street) on any phase, the infrastructure required for that phase (or a parcel or parcels therein), pursuant to the approved High-Level Drainage Strategy shall be constructed and available for use whether or not that infrastructure is located within that phase.

Reason: To ensure that any offsite infrastructure, beyond any future applicant's ownership, which is critical to the successful, policy compliant, delivery of drainage infrastructure, has been delivered prior to construction of the phase in question.

#### **Heritage**

- 20. Prior to the commencement of any development (excluding the Principal Street) the applicant shall secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning

Authority. This scheme shall cover archaeological fieldwork together with post-excavation work and publication of the results.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

### **Ecology**

21. Prior to the commencement of any development (excluding the Principal Street), a scheme for the provision and management of an 8 metre wide buffer zone alongside the watercourse (River Lodden) and any wetland shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and should form part of green infrastructure provision. The schemes shall include:

- a) plans showing the extent and layout of the buffer zone
- b) details of any proposed planting scheme (for example, native species)
- c) details demonstrating how the buffer zone will be protected during development and
- d) managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- e) details of any proposed footpaths, fencing, lighting etc.

Reason: To protect from potentially severe impacts of the development associated with the ecological value of lands alongside the watercourse which are particularly valuable for wildlife and worthy of protection

22. Prior to the commencement of any phase of the development, or a parcel or parcels therein (excluding the Principal Street), no construction or clearance works shall take place within 50 metres of the River Lodden until a plan detailing the protection to populations of water voles and otters and their associated habitats within the site, during construction works through to completion has been submitted and agreed in writing by the local planning authority. Details shall include a timetable for implementation and mitigation of any potential damage.

Reason: To protect the river corridor habitat from potentially severe impacts of the development.

23. Prior to the commencement of any development comprised in a phase (or a parcel or parcels therein) a landscape and ecological management plan

(LEMP) relating to the relevant phase shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following;

- a) Strategic landscaping proposals to deliver the mitigation identified in Chapter 6 (Landscape and Visual) of the WYG Environmental Statement submitted in support of this application, and specifically;
  - Clarifying the length and quality of hedgerow to be removed and the amount and location of onsite replanting to be undertaken.
- b) Proposals to deliver the biodiversity mitigation identified in Chapter 7 (Ecology) of the WYG Environmental Statement submitted in support of this application, and specifically;
  - A method statement for the maintenance and enhancement of the Great Crested Newt population.
  - Details of otter holts to be provided along the river Lodden corridor

Unless approved otherwise in writing by the local planning authority, development of the site shall proceed in accordance with the approved LEMP.

Reason: To ensure that the development conserves and enhance the landscape and biodiversity

### **Highways/Transport/Construction**

24. Prior to the commencement of any development, (excluding the Principal Street) of each phase of the development ( or a parcel or parcels therein), details of the access, geometric highway layout, turning and parking areas for each phase (or part therein) shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of accidents

25. Prior to the commencement of any development (excluding the Principal Street), of each phase of the development (or a parcel or parcels therein), the first 15 metres of the access crossing, measured from the nearside edge of the carriageway, shall be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the risk of accidents

26. Prior to the commencement of any development (excluding the Principal Street), of each phase of the development (or a parcel or parcels therein) the visibility splay areas as required for each access point shall be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas shall thereafter be maintained and kept free from all obstructions.

Reason: To reduce the risk of accidents

27. Prior to the commencement of each phase of the development (or a parcel or parcels therein), a scheme showing precise details of the proposed cycle parking facilities must be submitted and approved in writing by the LPA. The approved scheme must be constructed prior to the occupation of the relevant building in that phase, and thereafter must be maintained, kept free from obstruction and available for the purpose specified.

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

28. Grampian condition – off-site highway works Before the 253rd dwelling is occupied the following works must have been constructed;

- The B3081 Shaftesbury Road/B3092 New Road junction improvement scheme, as shown on Dwg No ITB4057-GA-027 Rev G (scheme to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- A scheme to convert the existing mini-roundabout at the B3081 Le Neubourg Way/Newbury (High Street) to a signalised junction, as shown on Dwg No ITB4057-GA- 066 Rev E (scheme to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- The implementation of a SCOOT (Split Cycle Offset Optimisation Technique) urban traffic control (UTC) system on the central section of the B3081/B3092 corridor (scheme to be submitted and agreed in writing with the Local Planning Authority, or implemented directly by Dorset Council).

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

29. Grampian condition – Principal Street

Prior to the occupation of the 692nd dwelling the following works must have been constructed to the specification of the Local Planning Authority:

- The provision of the principal street, linking the B3081 Shaftesbury Road to the B3092 New Road.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

30. Grampian condition – site access

No dwelling hereby permitted shall be occupied (within the relevant phase of development in which the infrastructure listed below is located) until the following works have been constructed to the specification of the Local Authority;

- The provision of a signal-controlled junction on the B3081 Shaftesbury Road, as shown on Dwg No ITB4057-GA-073 Rev G) (scheme to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- The realignment and extension of the existing B3092 New Road to the south of Lodden Lakes to form the minor arm of a ghost island right turn lane junction with the principal street, as shown on Dwg No ITB4057-GA-104 Rev C(details to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- The extension of Woodpecker Meadow, as shown on Dwg No ITB13010-GA-008 (details to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council).
- The provision of a pedestrian/cycle access via Pheasant Way via the existing Footpath N64/33, as shown on Drawing no. ITB13010-GA-010 (to be submitted and agreed in writing with the Local Planning Authority or implemented directly by Dorset Council.).

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

31. Prior to the commencement of any phase of the development, or a parcel or parcels therein, details of a scheme to install infrastructure to facilitate charging for plug-in and other ultra-low emission vehicles within that phase of the development shall be submitted to and agreed in writing by the local planning authority. The scheme shall include a timetable for implementation. Thereafter the development shall be carried out in accordance with the agreed details as have been approved by the Local Planning Authority including the timetable for implementation.

Reason: To ensure that adequate provision is made to enable charging of plug-in and ultra-low emission vehicles

### **Construction**

32. Prior to the commencement of each phase of the development (or a parcel or parcels therein), a Construction Environmental Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the local planning authority. The CEMP shall detail the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. The CEMP shall include details of the following:

- details of the layout of the site including generators, pumps, silos, site office, staff car parks and storage;
- storage of plant, materials and waste;
- the erection and maintenance or security hoarding;
- details of a scheme for the prevention of disturbance/nuisance caused by noise, vibration, dust and dirt to sensitive properties during construction;
- a scheme for recycling/disposing of waste resulting from construction works;
- the operation of plant and machinery associated with engineering operations;
- site security;
- fuel, oil and chemicals storage, bunding, delivery and use;
- how both minor and major spillage will be dealt with; containment of silt/soil contaminated run-off;
- disposal of contaminated drainage, including water pumped from excavations;
- site induction for workforce highlighting pollution prevention and awareness;
- a scheme to dispose of surface water run-off during the construction phase;
- construction operating hours;
- details of intrusive construction practices and methods such as piling and the subsequent control measures that will be implemented;
- the type of plant to be used;
- details of construction methods
- 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
- a framework for managing abnormal loads



- contractors' arrangement plan showing; compound, storage, parking, turning, surfacing and drainage
- wheel cleaning facilities
- vehicle cleaning facilities
- Inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- 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 works shall be carried out in accordance with the approved CEMP.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site

33. There shall be no access to the development site for construction vehicles or associated contractors and suppliers' vehicles from Woodpecker Meadow.

Reason: To prevent vehicular access by construction vehicles.

#### **Broadband**

34. Prior to the commencement of any development (excluding the Principal Street), a scheme for facilitating infrastructure to support superfast broadband technology to serve the development shall be 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.

#### **Informatives**

TBC