

1.0 Application Number – 2/2019/1649/REM

Site address: Land East Of, Barnaby Mead, Gillingham, Dorset,

Proposal: Erect 50 No. dwellings, form vehicular and pedestrian access. (Reserved matters application to determine access, appearance, landscaping, layout and scale; following grant of Outline Planning Permission No. 2/2016/0149/OUT).

Applicant name: Aster Communities

Case Officer: Hannah Smith

Ward Member: Cllr. V Potheary, Cllr. D Walsh, Cllr. B Ridout

REASON APPLICATION IS GOING TO COMMITTEE: At request of Head of Planning.

2.0 Summary of Recommendation: Grant, subject to conditions

3.0 Reason for the recommendation:

- The proposed changes, since the 2019 refusal, to the design, layout, scale and appearance of the development has overcome the material reasons to object to the proposals.
- The presumption in favour of sustainable development indicates that the proposal should be granted. It would make a notable contribution to the housing land supply through the provision of 50 dwellings, including affordable units.
- The amenity of the surrounding land users would be safeguarded.
- The proposal would not cause harm to the character of Bay, or to the setting of Bay House, a non-designated heritage asset.
- The proposal would have an acceptable impact on residential amenity, highway safety, flooding and biodiversity.

4.0 Table of key planning issues

Issue	Conclusion
Location of Development	<p>The application site is located within a highly sustainable location, within the settlement boundary of Gillingham, the largest town in the North Dorset area.</p> <p>Pedestrian access to the town centre via Barnaby Mead and the footpath network is possible, it is only a short walk to the facilities contained within the centre of the town.</p> <p>Gillingham has a railway station and the highway infrastructure of the town is currently undergoing a series of improvements in connection with the Gillingham Southern Extension.</p>

Design and Impact on Character of the Surrounding Area	<p>The design of the development has been improved following the refusal of a reserved matters application in 2019. There would now be a continuous landscape buffer to Bay.</p> <p>The varied design would include a variety of house sizes, including detached, semidetached, terraced and a small two storey block of flats.</p>
Heritage	<p>The proposal would not give rise to harm in respect of heritage assets. The impact on the setting of non-designated Bay Farm is considered to be acceptable, and would not give rise to harm, this being assessed as neutral.</p> <p>No designated assets would be adversely affected by the proposal. Listed buildings in the High Street and further away in Lodbourne, are located at such a distance, there would be no harm to their significance.</p> <p>Likewise, Kings Court Palace Scheduled Ancient Monument would not be harmed due to the distance from the site, (800m) and the intervening built form, including the high school, leisure centre and railway line.</p>
Trees and Landscaping	<p>Concern was raised in relation to the protection of trees, this would be addressed through a planning condition requiring an arboricultural method statement and a planting condition which specifies the precise planting details.</p>
Impact on Residential Amenity	<p>The dwellings would be sensitively located in relation to surrounding properties. Bungalows are now proposed adjacent to the existing bungalows in Barnaby Mead, thus overcoming one of the previous refusal reasons. Permitted development rights would be removed from the bungalows, so that new roof openings could not be formed without planning permission.</p> <p>The proposed dwellings would be located a sufficient distance from properties in Bay so as not to give rise to issues such as overlooking, overbearing or overshadowing.</p>
Access and Parking	<p>The proposal has been planned to adoptable standards. Sufficient levels of parking would be provided.</p>
Biodiversity	<p>Biodiversity mitigation and enhancement measures were conditioned on the outline consent.</p>

5.0 Description of Site

Gillingham has been one of the fastest growing towns in the South West over the period from 1990 to 2010. Housing growth has been matched by economic growth as the town has managed to attract and retain a range of general industrial businesses.

Gillingham sits within a basin at the confluence of three rivers, namely the River Lodden, the Shreen Water and the River Stour. Higher ground surrounds the town at: Bowridge Hill to the east; Hungerhill and Duncliffe to the south; Thorngrove in the west; and Huntingford and Milton-on-Stour to the north. As a result of the topography, fluvial flooding is a key climate change-related issue that affects the town.

The land east of Barnaby Mead amounts to just under 2 hectares in area. The site is located north of the town centre and in close proximity to Gillingham School and the leisure facilities in Hardings Lane. To the north of the site lies Shreen Water, a main river. The area adjacent to the river is within flood zones 2 and 3 and the remainder of the site is located in flood zone 1 and is therefore low risk.

The land rises gently from the river towards the south and the secondary school. Just outside of the site in this southerly corner, there is a public footpath. The raised land provides views across the site towards the river.

Residential development is located to the east and west of the application site. Properties are located in Bay to the east, and more modern development is located in Bay Fields, Mulberry Close and Barnaby Mead to the west of the site.

The site is undeveloped and laid to grass. There is an enclosed parcel of land labelled 'the Orchard' in the south east corner and this forms part of the application site. The Orchard is surrounded by a low maintained hedgerow. There are trees that line the river in the north of the site.

Access to the site is from Barnaby Mead and this road is located off the High Street of Gillingham. The access to the site is located between numbers 28 and 31 Bay Fields. The road currently terminates here and there is a close boarded fence that separates Bay Fields from the application site.

There is currently no public right of access through the site.

6.0 Description of Development

The applicant seeks approval of all reserved matters following the grant of outline planning permission to develop the land for residential purposes. Access to the site would be onto the adopted highway at Bay Fields. Bay Fields leads onto Barnaby Mead which in turn links to the High Street.

The legal agreement pertaining to the outline consent, would ensure that not less than 25% of the total shall be Affordable housing of which 70% shall be Affordable Rent or Social Rent with the remainder (30%) Shared Ownership. A series of other contributions were secured to include, education, library, open space, sports and leisure, and community hall facilities.

The applicant proposes to form a Sustainable Urban Drainage System (SuDs) to serve the development which will include an attenuation pond. This is located in the northern section of the scheme, adjacent to the river. The drainage would be landscaped and form part of an amenity area. The suitability of the drainage arrangement and potential flood risk, was considered at the outline stage. A condition was attached to the outline consent. The precise details of the drainage scheme were submitted for approval, in accordance with the agreed condition on the outline consent, and the details have been agreed as technically sound.

The overall mix of new homes in the scheme would include:

- 6 No. 2 bedroom apartments
- 3 No. bungalows
- 12 No. 2 bedroom houses
- 24 No. 3 bedroom houses
- 5 No. 4 bedroom houses

The affordable units would be a mix of 2 and 3 bedroom houses. This reflects the need for smaller properties.

7.0 Relevant Planning History

Application: 2/2000/0782
Proposal: Develop land for residential purposes, form pedestrian and vehicular access
Decision: Refuse
Decision Date: 24.10.2001

Application: 2/2016/0149/OUT
Proposal: Develop land by the erection of up to 50 dwellings, formation of vehicular and pedestrian access, (outline application with all matter reserved).
Decision: Approve
Decision Date: 02.10.2017

Application: 2/2018/0956/REM
Proposal: Erect 50 No. dwellings. (Reserved matters application to determine access, appearance, landscaping, layout and scale; following grant of Outline Planning Permission No. 2/2016/0149/OUT).
Decision: Refuse
Decision Date: 27.02.2019

8.0 List of Constraints

Inside the Gillingham settlement boundary
Agricultural Land Grade - Grade: GRADE 4
Flood Zone 2 - Floodzone Type: Flood Zone 2 (the proposed residential development would be wholly in zone 1, low risk)

Flood Zone 3 - Floodzone Type: Flood Zone 3 (the proposed residential development would be wholly in zone 1, low risk)

Parish Name - : Gillingham CP

Public Rights of Way - Route Code: N64/45 Path Type: Footpath

Settlement Boundary - Name: Gillingham

TPO - Gillingham No.1. The several trees including Yew, Lawson's Cypress, Larch, Scots Pine, Monterey Pine, Holm Oak, Hornbeam, Willow, Beech, Horse Chestnut, White Poplar, Elm, Ash and Oak. A2 (the protected trees lie outside of the application site)

9.0 Consultations

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

Gillingham Town Council: Objection:

- the density of the proposed development is out of character with the area, - overbearing and unneighbourly;
- the increase in houses within the area known as The Orchard is considered to be overdeveloped;
- the amended proposals do not offer a viable drainage strategy and will - increase the risk of surface water flooding to property, in particular - Honeymead (shown as Bahunia on the plans).
- The removal of the drainage ditch to the south of the site will increase the risk of surface water flooding to existing and proposed properties;
- the size and scale of the proposed block of flats is bulky, overbearing, dominant and out of character with the area;
- the sun path survey commissioned by the owner of the solar array at Bay Farm confirms that the solar array will be shaded for a significant part of the year resulting in a reduction of green energy generation;
- the amended layout has moved Plot No.4 closer to the boundary with Bay Lane resulting in a reduction in size of the proposed buffer which is now considered to be insufficient and contrary to the aims of the Gillingham Neighbourhood Plan.;
- there is insufficient screening between Bay Lane and the proposed development; the proposal will result in overlooking and a loss of privacy to properties in Bay Lane in particular Plot Nos. 4, 7 and 8.

Transport Development Management

No objection, subject to the same conditions previously imposed upon the Outline approval.

The revised technical drawings show an estate road layout that is suitable for public adoption and will encourage vehicle speeds of 20mph or less. It has been designed in accordance with the guidance provided by Manual for Streets and is considered as being safe for use by all road users. A satisfactory level of on-site car parking has been provided, with casual parking available on-street, when necessary.

Drainage Flood Risk Management

There was no response from this consultee at the time of report preparation. (Drainage was addressed at the outline stage, and an application to discharge the drainage condition has subsequently been approved).

Planning Obligations Manager

No objection.

Rights Of Way

No objection.

Environment Agency

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

Tree Officer Majors

Concern in relation to the protection of trees, this would be addressed through a planning condition requiring an arboricultural method statement.

10.0 Representations

Letters of objection have been received from 25 individuals. The following main concerns are raised within these letters:

- Impact on the character of the area, concern regarding the proposed flats, density and compliance with the Neighbourhood Plan,
- Ecology,
- Concern has been raised in relation to flood risk and drainage in view of the proximity to the river, reduction in attenuation, and the risk of surface water flooding,
- No significant change from the previously refused proposal,
- Question the adequacy of the junction onto the High Street, road safety fears and concern in relation to the increase in traffic that would result from the proposals,
- The development would erode the rural character of Bay and develop the last remaining green space that separates Bay from the built up area of Gillingham,
- Heritage concerns, Landscape impact, noise and disturbance, impact on trees, economic benefit, design, impact on access, parking,
- Impact on light, residential amenity, and overlooking,
- Loss of light to adjacent solar panels at Bay Farm,
- Impact upon the setting of Bay and on non-designated heritage assets,
- Inadequate provision for what is termed an attenuation pond has been made however this will be filled with water and so will not accommodate any rainwater runoff from the extensive hard surfaces proposed on this site particularly in winter. This will therefore immediately accelerate rising water levels and increase flood impact on the town.

11.0 Relevant Policies

The Development Plan consists of the saved policies of the North Dorset District-Wide Local Plan to 2011 (First Revision) (adopted January 2003) and the adopted Local Plan Part 1, 2011-2031. The made Gillingham Neighbourhood Plan carries full weight in decision making.

The Gillingham Neighbourhood Plan 2016- 2031

Table 6.1 - Design Requirements for Land at Bay

Policy 1: Custom & Self Build housing

Policy 2: Flexible Living Accommodation to Suit All Needs

Policy 12: Pedestrian & Cycle Links

Policy 13: Road Designs in New Development

Policy 17: Formal Outdoor Sports Provision

Policy 18: Equipped Play Areas and Informal Recreation / Amenity Space

Table 12.6: Bay Character Area
Policy 23: The Pattern & Shape of Development
Policy 24: Plots & Buildings
Policy 25: Hard & Soft Landscaping

The Neighbourhood Plan contains a section that relates specifically to the site at Bay. It sets out the important aspects that should be considered in any reserved matters application. This includes links through the site, building layouts that can adapt, enhancement to the river corridor for public use, appropriate landscaping between Bay and the site, density, and to ensure that the development respects the character of nearby buildings. New boundaries and changes to existing boundaries should be in keeping with the locality and/or enhance the street scene.

North Dorset Local Plan Part 1 (2016)

Policy 1 - Sustainable Devt.
Policy 2 - C Spatial Strategy
Policy 3 - Climate Change
Policy 4 - The Natural Env.
Policy 5 - The Historic Env.
Policy 6 - Housing Distribution
Policy 7 - Delivering Homes
Policy 8 - Affordable Housing
Policy 13 - Grey Infra.
Policy 14 - Social Infra.
Policy 15 - Green Infra.
Policy 17 - Gillingham
Policy 23 - Parking
Policy 24 - Design
Policy 25 – Amenity

The Local Plan Part 1 has updated the spatial strategy for the district and extends the Plan period to 2031. Policy 2: Core Spatial Strategy, continues to identify Gillingham as one of the main towns in North Dorset and a main location for growth. Policy 6: Housing Distribution, identifies a requirement for at least 2,200 dwellings in Gillingham over the Plan period.

Policy 2 establishes the 'core spatial strategy' for North Dorset. It identifies Blandford (Forum and St. Mary), Gillingham, Shaftesbury and Sturminster Newton as the key strategic settlements in the District and seeks to concentrate the vast majority of the District's growth at these 'four main towns'. It also establishes that outside the four main towns, development will be more strictly controlled with an emphasis on meeting local and essential rural needs.

The settlement boundaries will be used for development management purposes 'alongside the proposals for housing and employment growth and regeneration, as set out in Policies 16, 17, 18, 19 and 21'. The aim of this is to enable development to be brought forward on these sites in advance of the Local Plan Part 2, and enables the sites to be included in the five year supply, where proposals are sufficiently well advanced, as there would be no policy constraint to delivery.

Policy 4 sets out the Council's approach to the conservation of the natural environment including both landscapes (such as Areas of Outstanding Natural Beauty: AONBs) and

wildlife interests (including internationally, nationally and locally important wildlife sites and protected or locally threatened species).

Policy 5 relates to heritage assets and how they should be safeguarded. In terms on non-designated assets, Policy 5 states,

Where a development proposal will lead to harm to the significance of a non-designated heritage asset, regard will be had to:

e the desirability of sustaining and enhancing the significance of the asset;

and

f the scale of any harm or loss; and

g the significance of the heritage asset.

In respect of non-designated heritage assets, the local plan clarifies that these assets receive no statutory protection, but national policy establishes that the effect of a planning application on the significance of a non-designated heritage asset should be taken into account in determining the application.

Policy 6 sets out how housing will be distributed across the District. The annual target for North Dorset is 285 dwellings per annum, as is set out in the adopted planning policy for the district.

Policy 7 sets out the mix of housing that the Council will seek, in terms of bedroom size. It also sets out how the Council will meet the needs of particular groups such as families with children, older people and people with disabilities. It sets out the Council's approach to housing density, which is to seek densities that make effective use of land whilst also having regard to impacts on local character and design and amenity issues.

The policy allows a different mix of houses on a site (of 10 or more houses) to that sought in the policy if it can be justified by local circumstances. This has been expanded to also permit a departure from the preferred mix as a result of viability considerations.

Policy 8 sets out the Council's approach to the provision of affordable housing, subject to site-based viability testing. The adopted proportion of affordable housing that related to Gillingham is 25% on developments of more than 10 dwellings. The outline consent secured policy compliant affordable housing at 25%.

Policy 13 - Grey Infrastructure identifies future needs for: transportation, including roads, cycleways, footpaths and measures to facilitate public transport use; utilities, electricity, gas, water, sewerage and telecommunications; drainage and flood protection measures; waste; and the public realm i.e. street art and urban enhancement work.

Policy 17: Gillingham

A detailed assessment of the town's growth potential for the period up to 2026 and beyond underpins much of Policy 17. The assessment draws on many of the evidence base studies already produced and identifies the potential for medium- and longer-term growth. The assessment recognises the potential for Gillingham to develop its economic and service centre functions in the medium term and the relative lack of environmental constraints adjoining the existing urban area. However, it also identifies a number of issues that may limit long-term (post-2026) growth including economic

potential, town centre capacity, transport and other infrastructure issues and environmental constraints.

Gillingham's role as the main service centre in the north of the District will be enhanced through higher quality housing growth, the creation of a more diverse economy and the provision of a better range of services and community facilities. This growth will help to consolidate the town's role as a key service centre.

The key spatial aspects of this strategy will be:

- a strategic site allocation (SSA) to the south of the town delivering the majority of the town's housing and employment growth along with supporting infrastructure. Proposals for the SSA are set out in more detail in Policy 21 - Gillingham Strategic Site Allocation;
- a range and choice of employment sites in various locations around the town to support a more diverse economy;
- an enhanced town centre supported by the mixed-use regeneration of the Station Road area resulting in better integration of shopping, education, leisure, cultural and transport functions; and
- an enhanced green infrastructure network focused primarily on the river corridors linking new development to key locations such as the town centre.

Infill and redevelopment within the settlement boundary will continue in the town during the plan period and other sites in Gillingham identified to meet housing needs include:

- land in the Station Road area, which will be regenerated with a mix of retail, employment and residential uses; and
- land to the south and south-west of Bay (**the application site**).

The Local Plan Part 1 states that the land at Bay will accommodate about 50 dwellings. Development will need to respect the character of Bay and should also include good links to the adjacent leisure and education uses and the town centre.

The Council's overall approach to design is set out in Policy 24. It establishes a set of 'design principles' against which the design merits of any development can be assessed. It also sets out standards for the provision of storage for recycling bins (in accordance with advice from the Dorset Waste Partnership) and laundry drying.

Policy 25 deals with the issue of amenity in terms of: privacy and private open space; sunlight and daylight; artificial light intrusion; noise and vibration; and unpleasant emissions (such as odour and fumes).

Saved Policies of the North Dorset Local Plan, 2003

The settlement boundary, Policy 1.7, has been saved pending the review through Part 2. The settlement boundaries therefore form the appropriate starting point for assessing development proposals.

The site is located within the defined settlement boundary of Gillingham. The principle of developing this site has been established through the grant of the outline planning application.

National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied and is a material consideration in decision making.

Paragraph 8 of the NPPF explains that there are three dimensions to sustainable development: economic, social and environmental. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged.

Paragraph 11 of the NPPF states that at the heart of the National Planning Policy Framework there is a presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

This in turn has implications for how development proposals should be determined, because paragraph 11 of the Framework states that where the (local) development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless 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 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. **This applies to this proposal, due to the lack of a 5 year housing land supply, and because the Neighbourhood Plan does not contain policies and allocations to meet its identified housing requirement.**

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

In terms of heritage, section 16, paragraphs 193, 197 and 200 are relevant. Paragraph 184 states that these assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Other Documents

Gillingham Town Design Statement (2012)

Dorset Council Climate Crisis Statement.

DCLG statutory guidance Technical housing standards - nationally described space standard March 2015

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.

Arrangements would be made to ensure people with disabilities or mobility impairments are accommodated in order to comply with Building Regulations. The proposed layout would be provided to an adoptable standard, which would ensure that the use of mobility scooters and prams would be possible, throughout the development.

People with protected characteristics, such as disabilities or mobility impairments, or pushing buggies, would be accommodated through the highway design of corners and cross-overs. The Highway Officer has considered the use of shared surfaces within the scheme, having regard to the latest Government guidance on this issue. Dedicated footways would ensure there is ease of access around the development.

14.0 Financial benefits

Jobs would be created during the construction stage. Council Tax would be payable.

15.0 Climate Implications

Dorset Council declared a climate emergency in June 2019 which included a statement. Regard must be had to this statement alongside the Local Plan policies and NPPF policies on sustainable development and climate emergency. Development must meet strict standards at building control stage.

The development is considered to be in a sustainable location, within the settlement boundary for Gillingham, with the facilities in the town centre and public transport, including the railway station, close by.

Energy would be used as a result of the production of the building materials and during the construction process. However, that is inevitable when building houses and a balance has to be struck providing housing to meet needs versus conserving natural resources and minimising energy use.

16.0 Planning Assessment

Background

This application follows on from a previous refusal. The application was refused for the following reasons:

1. The proposal by reason of its scale, mass and layout would result in the living conditions of the occupiers of numbers 18 and 19 Barnaby Mead being demonstrably and significantly harmed through unacceptable overlooking, overbearing and overshadowing. The development is contrary to policies 24 and 25 of the North Dorset Local Plan, Part 1.

2. The proposal would fail to safeguard the character of Bay, is an overdevelopment of the site, and is of a too high density and scale. The design of the development is contrary to the aims of Policy 17 of the Local Plan Part 1 and policies 22, 24, and 25 of the Gillingham Neighbourhood Plan.

This application seeks to address the concerns in respect of the amenity impact through the provision of bungalows on the boundary of 18 and 19 Barnaby Mead. A proposed condition would ensure that there are no alterations to the rear roof of the properties, located adjacent to 17, 18 and 19 Barnaby Mead, through the removal of permitted development rights to make alterations to the roof. This would ensure that no dormer windows or other alterations could be inserted without planning permission, hence safeguarding the amenity of the occupiers of the properties.

The revised scheme has responded to the second refusal reason. The green buffer, located adjacent to Bay, has been extended around the perimeter of the site to the east, so it would form a continuous landscape feature. The scheme has responded to the concerns regarding density through incorporating smaller units in the form of a small block of flats. The flats are not excessive in scale, being only two storeys. Overall, the developed area has been reduced and the proposal, with its mix of house types, would have a more spacious feel.

Location of Development

As outlined in the policy section, the site is located within the settlement boundary of Gillingham. The site has been allocated for housing development in the Local Plan Part 1 and this is set out in Local Plan Policy 17. Outline consent has been given for up to 50 dwellings with all matters reserved. With this in mind, the principle of developing the site has been established. This application seeks approval of all of the reserved matters (appearance, scale, layout, landscaping, and access).

Policy Considerations

Since the grant of the outline consent, the Gillingham Neighbourhood Plan was made. In view of this, the relevant policies of the plan should be considered in the determination of the application. The neighbourhood plan does not allocate housing to meet the need in the area, therefore the protections contained in the NPPF at paragraph 14 do not apply in this instance.

This site was considered by the local plan inspector when the North Dorset Local Plan went through its examination. It is important to note that the Local Plan Inspector saw no impediment to around 50 dwellings being delivered on this site. The Made Neighbourhood Plan does not set a lower limit on the amount of housing that may be accommodated.

There is a specific section on Bay within the Neighbourhood Plan which includes the following requirements that are linked from other policies within the plan:

Policy 2: Encourages building layouts that can adapt to the changing needs of future occupants over and above building regulation requirements

The approach taken in this regard is that the dwellings would be built in a timber frame, this enables the outer walls to remain structural, while the internal walls will have the flexibility to be moved/adapted as any future residents may require. This complies with the requirement of Policy 2 of the Neighbourhood Plan, as it is not a building regulation requirement to provide a layout that can potentially be adapted in the future. For instance, this level of flexibility would not be afforded to a dwelling constructed in masonry with internal load bearing walls.

Policy 12: Seeks to secure opportunities for developments to connect to and help deliver the pedestrian and cycle network. The layout should include the link shown through the site as indicated in Figure 9.4 - consideration could be given to designing and aligning this route to also address Policy 22.

The layout has provided for a 3m cycleway that would link to the public footpath to the south of the site. In the event that there was a bridge provided across the river at a later date, the layout is designed to accommodate this and it would be possible to form a link across the open space.

Policy 20, 23 and 25: Supports measures that enhance public access to the river corridor. This is particularly important for the layout, orientation and landscaping on the northern edge, with consideration given to how the wider public can view and get access to the Shreen Water from the development (which is to be managed for biodiversity benefit), and the visual impact of the new housing as viewed from the river corridor. The development should not turn its back to the river.

This proposal has more informal areas in front of the dwellings that bound the river corridor. The refused scheme contained two engineered turning heads either side of the main road. The current application would have pedestrianised areas which would enhance the appearance of the development, when viewed from the river corridor.

The proposed layout does not turn its back to the river. Dwellings would be orientated to look towards the river corridor and the play area. It is of note that there is no public access across the site at present, although people have used the area informally. This

application would provide a link to the centre of Gillingham and to the river corridor. It would provide a public recreational area by the river, in a location where there is currently no public access.

22 and 25 Ensures development in the area south west of Bay includes a suitable landscaping scheme to retain the distinct character of Bay as a separate (historic) settlement. The landscaping scheme should address this point, with regard to the eastern edge of the development. This could provide further biodiversity and recreational benefits.

The area along the eastern boundary is of a sufficient size to enable the implementation of a robust planting scheme. So too is the amenity area adjacent to the river. Having regard to the importance of the eastern boundary planting and the river corridor planting, as is reflected in the Neighbourhood Plan policy, it is likely that a TPO would be placed on the planting to ensure its longevity. This current proposal would provide for a larger landscape buffer, which would link continuously around the perimeter of the site to the east. A set of conditions that relate to new planting and protection of existing trees adjacent to the site are recommended by officers.

24 and 25 Ensures the density of new developments respects the qualities and character of nearby buildings and the area (and key buildings) in which it is situated. This includes generally not exceeding the height or massing of existing buildings in the immediate locality. New boundaries and changes to existing boundaries should be in keeping with the locality and/or enhance the street scene.

This is particularly relevant in terms of development adjoining Bay, which is at a much lower density. Guidance on the qualities and character of nearby buildings is given in Table 12.6. It is important that the development is not seen as a modern housing estate at its transition with the existing development at Bay. Irregular plots, local materials, boundary treatments and links to the rural roots of this area should all be considered.

The Gillingham Design Statement contains a section that relates to the character of Bay. It states that the settlement pattern of Bay essentially comprises detached houses, farmhouses and houses set centrally within large plots. This reserved matters application does not seek to replicate this pattern, but it is nonetheless, relatively low density being around 25 dwellings per hectare. This represents lower density development. The local plan inspector, when commenting in on this site, considered it suitable for around 50 dwellings. It is unrealistic to suggest that the site should be developed at such a low density to include only detached dwellings in large plots. This would not accord with the Local Plan requirement for this site, nor would it reflect the identified housing need within the district and the policy objective to make an efficient use of the land. The proposed layout would not result in a cramped form of development.

The proposal has incorporated a small block of flats which provides a good mix of housing types and has the result of providing a more spacious layout as the overall footprint of the development has been reduced.

Housing Mix and Affordable Housing

There is a high level of demand for affordable accommodation across the whole of the Dorset area with currently over 940 households on the North Dorset Housing Register. The higher levels of need are for 2 and 3 bedroom homes.

The North Dorset Local Plan 2016 requires that a development which delivers eleven or more net additional dwellings will contribute to the provision of affordable housing. Within the settlement boundary of Gillingham the Plan requires that 25% of the total number of dwellings should be for affordable homes and that within this provision there should be the inclusion of 70% rented and 30% shared ownership. The outline consent secured the affordable element at the policy compliant level of 25%.

This application proposes 50 dwellings on Land east of Barnaby Mead, Gillingham and proposes that 13 properties will be affordable housing, this is 25% of the development total.

The overall mix of new homes in the scheme would include:

- 6 No. 2 bedroom apartments
- 3 No. bungalows
- 12 No. 2 bedroom houses
- 24 No. 3 bedroom houses
- 5 No. 4 bedroom houses

The affordable units would be a mix of 2 and 3 bedroom houses. This reflects the need for smaller properties.

The affordable allocation is provided in a mix of 2, and 3 bedroom houses with a tenure split of 70% affordable rent, 9 units, and 30% shared ownership, 4 units. This would help to significantly boost the supply of affordable units within the district. There is a significant need to bring forward sites to meet the unmet need within the district.

Studies show that the need in North Dorset is largely for affordable rented or social rented housing and this high level of housing need is reflected by the current number of households registered on Dorset Home Choice as being in housing need which is over 940 households. In providing at least 13 affordable dwellings with a tenure split of 70/30 affordable rent/shared ownership this development will make a contribution to meeting the affordable provision across the North Dorset area.

The affordable housing has been designed to be indistinguishable from other housing on a development site.

Layout and Density

The scheme maintains the same overall number of dwellings, which would make the most effective use of land and to maximise the provision of housing and especially affordable homes. However, the layout has been altered to provide a more spacious form of development through incorporating a variety of sized units, to include a small block of flats. This has reduced the overall footprint of the proposal.

The layout is designed to provide an attractive riverside area with the play space and attenuation pond both of which are located in this area. The Neighbourhood Plan

states that dwellings should not turn their back to the river. Dwellings are orientated to face out towards the river corridor and to provide an active frontage.

It is now proposed to locate the Local Area of Play (LAP) and the Locally Equipped Area of Play (LEAP), next to one another, adjacent to the river corridor. It was originally proposed to locate the LAP in the buffer area to Bay. This change has the advantage of allowing children of different ages to play more easily, as the smaller children's LAP would not be the other side of the development. This is considered to be a positive change, and it has allowed the buffer to Bay to be enhanced as a landscape feature.

Fewer dwellings are now proposed along the eastern boundary of the development, adjacent to Bay. This is a marked change from the refused plans and the reduction in the density of the proposal towards the sensitive edge of Bay is welcomed. The proposal is low density of around 25 dwellings per hectare. A further reduction in density would fail to make good use of the site, and as the revised layout responds positively to Bay and Barnaby Mead, could not be substantiated.

One consequence of reducing density in key locations such as adjacent to Bay, is that many street scenes feature fewer dwellings. This is most noticeable in the street scene adjacent to Bay, only three dwellings are proposed along this boundary, but in the refused scheme there were 6 units proposed.

The proposal would provide a small block of flats, but at an appropriate scale. The flats would face the new cycleway link. This would ensure there is surveillance of the link and provide an opportunity to design out crime.

The layout has been designed with buildings fronting onto roads, and clearly distinguishable public and private spaces. There is a landscaped buffer area between the existing properties in Bay and the new dwellings.

The Highway Authority has confirmed that the layout has been designed to adoptable standards. Waste collection would be from the curb side and there is no requirement for bin collection areas.

Appearance

The Town Design Statement states that the 18th and early 19th Century buildings in Bay, tend to be built in coursed and/or squared Greensand or Corallian limestone rubble. Earlier 19th Century suburban villas are built of coursed rubble with brick dressings and slate roof. Later 19th Century semi-detached houses are built entirely from brick. In general the area displays a mixture of slate and clay tiled roofs. Later 20th Century houses use a wider mixture of materials, including more of a nonlocal origin.

The refused application failed to include any degree of interest or variety in the design of the dwellings, with most of the properties repeating a semi-detached pairing of deep plan house types. The applicant has responded to this issue by proposing a varied design and more varied siting. This includes traditional plan forms and some reduced ridge heights.

The proposed dwellings are well designed and incorporate architectural features such as porches and chimneys on key buildings. Decorative brick coursing and corbelling to eaves on brick elevations are also proposed. Two different tiles are proposed to add

interest and variety. Dwellings feature chimneys to add character and porch canopies and brick arch headers and cills also form part of the design.

A good quality brick would be incorporated to reflect the later 19th Century red brick dwellings within Bay. A small element of render and stone on key buildings would further add to the pallet of materials, all of which are considered acceptable. The design has been enhanced since the previous refusal. There would be a mix of detached, semidetached and terrace properties, and a small block of flats. Most importantly, natural stone is now proposed on some key buildings.

The design is considered to better reflect the character of Bay, and would enhance the local distinctiveness of Gillingham.

Scale

The proposal is for single and two storey buildings. This is considered to be appropriate having regard to the character of the locality. The Town Design Statement and the Neighbourhood Plan identify that the prevailing character of Gillingham is of single and two storey dwellings. The proposal is considered to be in scale with its surroundings and it is designed sensitively to ensure that there is sufficient separation between the existing and the proposed development.

This proposal has responded positively to address the refusal reason. The scale of the properties have been altered so that some units have a narrower span. The overall height of the buildings is a maximum of two stories, with some single story buildings and single storey links.

Landscaping

A condition is proposed in respect of landscaping, a tree survey, an impact assessment and an Arboricultural method statement, this would ensure that the proposal is in accordance with the comments of the Tree Officer. Detailed specifications of the planting is required; however this could be dealt with by condition.

Sufficient areas for planting would be provided through the proposed layout. This includes the area adjacent to Bay and the area provided for the open space.

Visual and Landscape Impact

The potential visual impact from immediate views within Bay Road and Barnaby Mead and properties in Bay Fields is assessed as high. Many of the properties that face the site from Bay Field share an oblique view and many of the properties have 1 or no windows on the gable that faces the site. The visual impact from views east from below the play area is high due to the openness of the exiting boundaries.

It is evident from the assessment at the outline stage that the visual impact of the proposal is most significant in short range views from the footpath just outside of the site and from the existing residential development in Bay Lane, Barnaby Mead, Bay Fields and Mulberry Close. However, there is limited opportunity for longer range views due to the various buildings and vegetation that surrounds the site.

The Local Plan Inspector noted:

"The main area for residential growth within the town of Gillingham is on land to the south and south-west of Bay. I understand the importance of the open character of this site to local residents but the site (which is within the settlement boundary) is within walking distance of the town centre and other community facilities and I am told there are no impediments to its development. I acknowledge that Bay is identified as an 'area of local character' in the 2003 Local Plan but I agree with the Council that provided the character of Bay is respected then the provision of about 50 well designed dwellings on the land is justified".

The layout demonstrates that 50 dwellings could be accommodated on the site, while still retaining a sufficient area for landscaping between the properties in Bay. The proposal would have a reasonably low density of around 25 dwellings per hectare.

In view of the above considerations, the development would have a high visual impact upon immediate views and change the character of the site from an undeveloped parcel of land. However, this identified impact is not considered by your officers to outweigh the benefits of the in terms of its contribution to the supply of housing, public access across the site along the river corridor, and the opportunities for new planting.

Heritage Considerations and Archaeology

The character area of Bay, identified in the saved area policy of the 2003 local plan, sits to the north-east of the application site. The majority of houses along Bay Lane actually face Bay Lane and as such, when travelling along the lane the character of this area appears quite insular with little perception of what lies beyond the boundaries of the lane behind the buildings. Bay Farmhouse is located to the south-west of Bay Lane and is accessed along a narrow right of way. There are what look to be converted agricultural buildings to the north of the site which are likely to have formed part of the Bay Farmhouse complex at some point.

The proposed buffer to Bay has been extended around Bay Farmhouse. This would provide breathing space between the Farmhouse and the development site. The boundary is slightly awkward in that it projects straight from the north-west corner of the farmhouse. In terms of views of the farmhouse, these are achieved from the field to the rear where the boundary is most open. From Bay Lane, only the rear catslide of the property is visible and the agricultural building next door. A public right of way runs to the south of the site where the roof of the farmhouse can be glimpsed over the boundary vegetation, the further one moves along the lane to the south-west the more the building can be appreciated. However, the clearest views of the property are from the field to the west which does not have public access through it.

In terms of the value of the property it is considered the building is a non-designated heritage asset. The property is a C19 stone farmhouse with a slate roof, red brick arched headers above the windows and timber sash units. Adjacent to the farmhouse is a stone and brick agricultural building with a pantiled roof. The current use of the building in connection to Bay Farmhouse is not clear. Map regression has shown that Bay Farm as a group of buildings used to be a larger complex which enclosed the end of the lane leading up to it from Bay Lane. This indicates over time the farm complex itself has undergone much change. The maps are not clear but it would appear that the land to the west of the Farmhouse belonged to it historically.

The NPPF states that in weighing applications that affects directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm and the loss of significance of the heritage asset. The significance of the farmhouse in this case is the vernacular character of the building and its relationship to the agricultural buildings adjacent to it. This relationship will not change as a result of the development and the connection between the two will still be apparent as viewed from the access at Bay Lane, and there would be no resultant harm to its significance.

The proposed layout leaves a space around the Bay Farm. Wider views of the farmhouse from the field would be obscured, but these are not public views and the housing allocation would not allow for these views to be protected. The Inspector also did not feel that the land was of such value it should be excluded from development.

The adopted Neighbourhood Plan identifies the Bay area as a possible new Conservation Area. The development proposal would not prejudice this objective. It should be noted that currently, Bay is not designated as a Conservation Area.

Due to the intervening land uses and built form, there would be no harm to the significance of Kings Court Scheduled Ancient Monument which is located to the southwest, beyond the school, football ground and railway line. Likewise, there would be no resultant harm to the setting of the Gillingham Conservation Area due to the lack of intervisibility between the designation and the application site. Listed buildings in the High Street, and further away in Lodbourne, are located at such a distance, there would be no harm to their significance. An archology investigation was made a condition of the outline consent.

In terms of impact on heritage, no harm would arise and the proposal is considered to accord with Policy 5 of the Local Plan and the NPPF.

Residential Amenity

Policy 25 seeks to ensure that any new development will not have an adverse impact on the enjoyment of privately or publicly owned land and that the amenity of potential occupiers of new development is not likely to be compromised by their surroundings and general environment. Consideration of amenity includes privacy, sunlight and daylight, artificial light intrusion, noise and vibration and unpleasant emissions. In relation to this proposal, the key considerations are overlooking, overbearing, and overshadowing.

Barnaby Mead

There are a number of properties in Barnaby Mead that back onto the application site. There would be a distance of 23 metres between the back of plot 46, 47 and 48 and the neighbouring properties. Furthermore, these properties would be bungalows, in response to the previous refusal. With a separation of over 20 metres, and a proposed condition that would remove permitted development rights for roof openings, this is considered to be an acceptable distance in terms of impact from overlooking or overbearing. The site slopes from south to north and in view of this, properties surrounding the site would not share an overbearing relationship with the proposed properties. Concern was raised in relation to light intrusion as at night the field is dark. Inevitably there will be some increase in light from the proposed dwellings. However, this is not considered to be unacceptable and is what to be expected in a reasonably central location town location such as this.

Bayfield's and Mulbery Close

Sufficient space would be achieved between the properties in Bayfield's and Mulbery and the application site. Generally, 20 metres separation would be achieved. Plot 1 would be 14 metres from 31 Bayfield's, but the relationship would be gable on, and therefore would not give rise to unacceptable overlooking or overbearing.

Bay Farm

Concern was raised in relation to the impact of plots 8-13 and Bay Farm. The distance between the rear of Bay Farm and plots 8-13 is approximately 45-50 metres. This distance is well within the accepted limits in terms of impact from overlooking, overbearing or overshadowing. Furthermore, there is an area of planting proposed on the boundary of Bay House. This will further reduce any possibility of adverse overlooking. In view of the forgoing, the proposal is considered to safeguard the amenity of Bay Farm at an acceptable level.

Concern has been raised in relation to the solar array within the garden area of Bay Farmhouse. The applicant has provided a solar study. There would be a small loss of light in the winter months, when the sun is lower in the sky. This would be for a limited morning duration (approximately 9am to 11am) within winter months (again approximately November through February) there would be some shading caused.

This however, would not greatly impact the operation of the array. Any slight decrease in productivity of the panels, is not considered to outweigh the benefits of the scheme in terms of meeting the significant need for new open market and affordable dwellings. The shading of the panels would lead to a slight decrease in the amount of renewable energy produced. However, officers do not consider that this would amount to demonstrable harm. This is because the shading would only occur for part of the year. In addition to the general planting condition, a bespoke landscaping condition is proposed which relates to the boundary between the site and Bay Farm. This would ensure that the heights and species choice would be controlled through this condition, and this would ensure the planting shares a neighbourly relationship to Bay Farm. A hedge could replace the proposed trees, thus removing the concerns in terms of shading.

Honeymead

Honeymead is located to the east of the site. No direct overlooking of this property would occur as plot 8 does not look directly towards Honeymead, and would be located approximate 37 metres away, which is acceptable. The gable of plot has been moved away from the boundary of Honey Mead and the green buffer has been extended around plot 8 to provide a substantial separation. There is now 10 metres between plot 8 and the shared boundary with Honeymead.

Other Properties in Bay

Plots 4 and 7 would be located a significant distance from the properties in Bay, at 26-38 metres, resulting in no issue in terms of overlooking or overbearing. Plot 4 would not have any first floor openings on the side elevation facing Bay. Plot 7 would have a landing window at first floor that looks towards Bay. At a distance of 26-38 metres, this relationship would not be unneighbourly.

In the opinion of officers, the layout has been designed so as to protect the amenity of the existing development that surrounds the site. The previous refusal reason that related to the impact of the properties in Barnaby Mead has been fully addressed.

The proposal would comply with policy 25 of the local plan as the level of amenity afforded to surrounding properties would be safeguarded.

Means of Access

Vehicular access into the site would be from Barnaby Mead, extending the existing format of carriageway and footways into the site. There is a reduction of shared surfaces, which would result in a more legible layout. The lower hierarchy shared surface and private drives at the extremities of the site are more pedestrian friendly and less car dominated.

There is a Neighbourhood Plan and Local Plan requirement for this development to provide good links to the adjacent leisure facilities and to the Town Centre. Therefore, there is a requirement to provide an access point to enable a connection to the public footpath to the south of the site. This requirement was secured in the Section 106 Agreement on the outline consent.

The proposed layout shows a cycleway connection to the public footpath to the south of the site. The 3 metres wide cycleway would run through the site and could connect to a future bridge connection over the River Lodbourne, if one was ever brought forward.

The Highway Officer has provided comments upon the adequacy of the access serving the site. The Highway Authority is satisfied that the access onto the High Street, through Barnaby Mead, is acceptable. There is no highway objection to the proposals. Concern has been raised in relation to highway safety. There are particular concerns that relate to the safety of pedestrians at the junction onto the high street and also the possibility of congestion at this junction. It should be noted that the site has been accepted in principle.

In terms of sustainability, the application site is well located in respect of existing transportation links and the facilities located within the town. The location of the Site can be considered to be sustainable in view of the close proximity to the town centre and the recreation and education facilities on Hardings Lane.

The Highway Officer has reviewed the trip generation assignment and junction capacity assessment that has been undertaken by the applicant in relation to the outline consent. This has included the consideration of the junction capacity at the junction between Le Neubourg Way and St Martins Square, the roundabout between Le Neubourg Way/Queen Street/B3092 and the signalled junction between Le Neubourg Way and Station Road. The Highway Officer has not identified any capacity issues and all of these highway elements will function within capacity in the 2020 future year assessment with development traffic.

The mini-roundabout between Newbury/Le Neubourg Way/Newbury House access road is already exceeding its theoretical capacity. However, junction capacity modelling indicates that the proposed development for traffic would have a negligible impact upon the junction in 2020 when compared to the no-development scenario.

The Highway Officer has concluded that developing this site would lead to an acceptable impact upon the highway network in the immediate and wider locality. Furthermore, the site is situated in a location that will allow residents the option to walk, cycle and use public transport to and from the Site. The highway impact of the proposal is acceptable and cannot be considered as severe.

The requirement for a Travel Plan was addressed through the planning condition that was attached to the outline consent.

Drainage

Drainage conditions were attached to the outline planning permission and these pre-commencement conditions require discharging prior to any works starting on site. The drainage scheme will include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing and the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority. This is to ensure that proper provision is made for sewerage of the site and to ensure that the development would not increase the risk of sewer flooding to downstream property.

The Flood Drainage Authority, raised no objection to the outline application, subject to drainage conditions that require details of the surface water management system to be submitted for approval prior to the commencement of the development. A subsequent request to discharge the pre-commencement drainage condition was approved.

The site is mainly located within Zone 1, an area with low probability of flooding. The 50 proposed dwellings are all located within the low risk Zone 1.

The FRA also demonstrated that no flood plain storage will be lost and that attenuation storage will be provided to ensure that post development run-off matches that of the existing Greenfield site.

The development proposal is therefore considered to be acceptable in relation to flooding and drainage issues as it would not lead to an increase in flooding elsewhere. Also, runoff created by the development can be dealt with within the site, without resulting in a reduction in capacity flood plain storage.

Ecology

The outline consent has a condition that requires the measures that are set out in the mitigation strategy to be adhered to.

There would be no impact on dormice predicated. The Application Site is classed as being low/medium value to bats. No impact on otters is predicted. No impact on water voles is predicted. Further work was required in connection with reptiles/ amphibians that has been addressed in the Appraisal prepared by David Leach.

The application is supported by a Biodiversity Mitigation Plan, and this has been approved by the Council's Natural Environment Team.

The Phase 2 Bat Survey and Reptile Presence or Absence Survey prepared by David Leach Ecology concluded that,

- There will be increased lighting within the development and such lighting should be kept to a minimum around the perimeters of the Site.
- Development of the Site will result in the loss of suitable reptile habitat, but a mitigation plan has been produced to protect reptiles and ensure the continued conservation status of reptiles on the Site.
- There are a number of measures that should be implemented to enhance the Site including installation of bat and bird boxes and planting of native and wildlife friendly species.
- With the appropriate mitigation for reptiles there will be no adverse effect on the local population or protected species.
- The implementation of the enhancement measures will have a benefit for local wildlife increasing species diversity and adding roosting and nesting potential for bats and birds.

The Biodiversity Mitigation Plan sets out a series of measures that will help to mitigate the impact of the development upon protected species. The plan includes the provision of bat and bird boxes. 8 species of bats were recorded on the site and the provision of bat boxes will ensure that there is provision for bats within the site. Lighting along the river corridor must be carefully designed to ensure that there is limited amount of light spill. A lighting condition is recommended. The planting of nature and wildlife friendly species will also provide an opportunity for enhanced biodiversity within the site.

Planning Balance

The housing land supply is at 4 years in the North Dorset area, and therefore the Council cannot demonstrate a 5 year housing land supply. The site is identified in the Council's land supply and therefore it is important that the site is brought forward, so that the objectively assessed housing need for the area can be met. The principle of development was agreed through the grant of the outline consent. The presumption in favour of sustainable development applies and permission should be granted unless the impact of doing so would significantly and demonstrably outweigh the benefits.

As the housing land supply currently stands at 4 years supply, the presumption in favour of sustainable development applies. The shortfall is significant and the NPPF is clear that permission should be granted unless there would be demonstrable harm, which would outweigh the benefit. In this instance, no demonstrable harm has been identified.

The government is seeking to boost significantly the supply of housing, including affordable housing. This development proposal would meet this aim and it would also help to ensure that the identified need for housing within the area is met. This site is located within the settlement boundary of the largest town in the North Dorset area and outline consent has been granted for up to 50 dwellings. Significant weight is attached to the social benefit of providing housing in the overall balance.

Officers would also draw the committees' attention to the allocation of the land for housing within the Local Plan Part 1. The land at Bay is specifically referred to in Policy 17. Policy 17 states that the land at Bay will accommodate about 50 dwellings. Development will need to respect the character of Bay and should also include good links to the adjacent leisure and education uses and to the town centre.

The proposal would inevitably lead to a change in the character of the area through its development. At present, the land is open and there are views across the site. However, this change in character is not considered to be a reason to withhold planning permission, due to the sensitive design and layout of the proposal. There would also be a decrease in the solar efficiency of the neighbour's solar panels due to some overshadowing in winter months. Neither of the identified points are considered by officers to amount to demonstrable harm, when weighed against the public benefits of the proposals.

There would be no harm to designated and non-designated heritage assets. The impact on Bay Farm is considered to be neutral, as is discussed in the heritage section of this report.

The access, layout, landscaping, scale and design of the development have regard to the setting of Bay through an appropriate layout and green buffer.

17.0 Conclusion

The construction of 50 dwellings, including the provision of 25% affordable housing, as detailed within the planning obligation, would make a significant contribution to the current shortfall in housing supply. The provision of additional dwellings, including affordable homes, would constitute substantial public benefits.

The Framework seeks to encourage residential development in locations where employment opportunities, shops and services are reasonably accessible by modes of transport other than the private car. The proposed dwellings would be located within very close proximity to facilities and services, and contribute towards housing supply and choice, but also deliver some benefits to the local economy notably through short term construction.

The benefits of the scheme in boosting housing supply, including the provision of affordable housing, are afforded significant weight in the overall balancing exercise in terms of the economic and social roles that comprise sustainable development. Officers consider that there are significant public benefits from this scheme including the delivery of 50 new homes on a site allocated in the local plan and where the Council does not have a 5 year housing land supply. In view of there being no identified harm to heritage assets, and no other demonstrable harm, officers recommend that permission should be granted without delay, in accordance with paragraph 11 of the NPPF.

The development would provide housing to meet an acknowledged local need, including affordable housing and contribute towards the housing supply. In addition, the development would provide investment and jobs during the construction process to benefit the local and national economy. Weighed in the balance, officers consider the proposal would result in substantial advantages alongside the new cycleway link that would allow public access across the site, and ecological benefits, which together clearly outweigh the minor levels of identified harm.

Having regard to the policy and considerations outlined above, the proposal is considered to accord with the development plan, and there are no material planning considerations that would outweigh this.

18.0 RECOMMENDATION Grant, subject to conditions.

CONDITIONS:

1. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details:

1100 B1, 1101 B2, 1400 A1, 1401 A2, 1820 A1, AHL.01 B, BML.01_B, CSL.01_B, DML.01_B, RSL.01 B, ASTE190223 SS.19_A, P.13.E A, P.13.P A, P.31-36.P2 A, P.37-38.E A, P.37-38.P A, P.39-41.E A, P.39-41.P A, P.4-5.E A, P.4-5.P A, P.42-43.E A, P.42-43.P A, P.44-45.E A, P.44-45.P A, P.46_48.E A, P.46_48.P A, P.47.E A, P.47.P A, P.6-7.E A, P.6-7.P A, P.8.E A, P.8.P A, P.9-10.E A, P.9-10.P A, A108239_1100_P5, A108239_1101_A1, P.14-16.P A, P.17.E A, P.17.P A, P.18-19.E A, P.18-19.P A, P.2-3.E A, P.2-3.P A, P.20-21.E A, P.20-21.P A, P.22-23.E A, P.22-23.P A, P.24-25.E A, P.24-25.P A, P.26-28.E A, P.26-28.P A, P.29-30_49-50.E A, P.29-30_49-50.P A, P.31-36.E1 A, P.31-36.E2 A, P.31-36.P1 A P.31-36.P2 A, P.37-38.E A, P.37-38.P A, P.39-41.E A, P.39-41.P A, P.4-5.E A, P.4-5.P A, P.42-43.E A, P.42-43.P A, P.44-45.E A, P.44-45.P A, P.46_48.E A, P.47.E, P.47.P A, P.6-7.E A, P.6-7.P A, P.8.E A, P.8.P A, P.9-10.E A, P.9-10.P A, A108239_1100_P5, A108239_1300_P3, A108239_1301_A1, A108239_1322_A1, A108239_1350_P2, A108239_1360_A1, A108239_1361_A1, A108239_1400_T3, A108239_1401_A1, A108239_1810_A1, A108239_1820_A1, A278 LA01, A278 PP02, ASTE190223 AHL.01_A, ASTE190223 BML.01_A, ASTE190223 DML.01_A, ASTE190223 RSL.01_A, ASTE190223_CSE.01_A, ASTE190223_CSL.01_A, ASTE190223_CSL.01_A(1), P.1.E A, P.1.P A, P.11-12.E A, P.11-12.P A, P.14-16.E A

Forming the approved application.

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

2. Prior to the construction of the development above foundation level, large scale details of the chimneys, porches, eaves, plinths, lintels, windows and external doors shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is appropriately detailed having regard to the sites location on the edge of Bay.

3. Prior to the construction of the development above foundation level, samples to be used in the construction of the boundary walls, external walls of the dwellings, and the roof of the dwellings shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is appropriately detailed having regard to the sites location on the edge of Bay.

4. Prior to the construction of any hard surface, details of the materials to be used in the construction of the carriageways, shared surfaces and footways shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is appropriately detailed having regard to the sites location on the edge of Bay.

5. Prior to the construction of any external wall or brick enclosure, a sample panel measuring at least 1m by 1m shall be erected on site to include the brick, coursing, mortar and bond of the brickwork for approval in writing by the local planning authority. The development shall be carried out in accordance with the approved sample panel. The sample panel shall remain on site until completion of the dwellings to roof plate. Reason: To ensure that the development is appropriately detailed having regard to the sites location on the edge of Bay.

6. No works above foundation level shall commence on site until 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 continued visual public amenity and to ensure that there is a sufficient landscaped buffer between the site and Bay and that the amenity area adjacent to the river is appropriately landscaped.

7. Prior to first occupation of the development hereby permitted, a schedule of landscape maintenance covering a minimum period of five years following substantial completion of the development (including details of the arrangements for its implementation) shall be submitted to and approved in writing by the Local Planning Authority. The subsequent maintenance of the development's landscaping shall accord with the approved schedule.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features.

8. Before any works commence on site, a full survey of the site as existing shall be undertaken, submitted to, and approved in writing by the Local Planning Authority. The survey shall, by reference to site layout drawings of an appropriate scale, include, as appropriate, the following information:

(a) The location, species, girth or stem diameter, accurately plotted crown spread and a unique reference number of all trees with a stem diameter of 100mm or greater within or immediately adjoining the site.

(b) A numbered tree condition schedule together with proposals for surgery or other works, where appropriate.

(c) Existing ground levels including, where appropriate, sufficient detail to allow proper consideration of measures for the protection of existing trees and root systems.

(d) The location, spread and other relevant details of existing hedgerows, hedges and other significant areas of vegetation.

(e) The location and dimension of existing watercourses, drainage channels and other aquatic features and bank levels as appropriate.

(f) Existing boundary treatments and means of enclosure.

- (g) Existing structures, services and other artefacts including hard surfaces.
- (h) An indication of land use, roads or other means of access, structures and natural features on the land adjoining the site.
- (i) The route of existing footpaths and public rights of way on land adjoining the site.
- (j) A north point and scale.
- (k) A location map.

Reason: To allow the proper consideration of the impact of the proposed development on the well-being of the existing trees and vegetation together with the visual amenity and ecological value of the existing site.

9. Before any works commence on site, a detailed Arboricultural Impact Assessment shall, by reference to site layout drawings of an appropriate scale, be carried out, submitted to and approved in writing by the Local Planning Authority. Based on the Tree Survey, the assessment will identify and assess the impact of the proposed development on the existing trees on site, as well as any appropriate measures to alleviate this impact. The measures identified to alleviate impacts shall thereafter be implemented for the duration of the construction programme.

Reason: To ensure thorough consideration of the impact of the development and any mitigating measures on the existing trees.

10. Before any works commence on site a detailed Method Statement shall be produced, submitted to and approved in writing by the Local Planning Authority. The statement will include details of how the existing trees are to be protected and managed before, during and after development and shall include information on traffic flows, phased works and construction practices near trees. The development shall thereafter accord with the approved Statement.

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

11. Before the instillation of any external lighting, a scheme showing precise details of all external lighting (including appearance, supporting columns, siting, technical details, power, intensity, orientation and screening of the lamps) shall be submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall be permanently maintained thereafter. No further external lighting shall be installed on site without the prior approval, in writing, of the Local Planning Authority.

Reason: In the interest of the amenity of the area and the river corridor.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window or other opening permitted by Schedule 2 Part 1 of the 2015 Order shall be made in the rear roof slope of plots 46, 47, and 48 (the bungalows adjacent to Barnaby Mead), unless an application for planning permission in that behalf is first submitted to and approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development of the site to safeguard amenity.

13. Prior to the construction of the development above foundation level, full details of both hard and soft landscape proposals for the drainage basin shall, by reference to site layout drawings of an appropriate scale, be submitted to and approved in writing by the Local Planning Authority. The details shall include, as appropriate, the following information:

- (a) Proposed finished levels or contours.
- (b) Means of enclosure.
- (c) Hard surfacing materials.
- (d) Proposed functional services above ground.
- (e) Planting plans.
- (f) Schedule of plants, species, size, proposed numbers and densities.
- (g) Implementation and maintenance timetables. The development shall thereafter accord with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design of the drainage basin, within the public open space.

14. Notwithstanding the approved landscaping, prior to occupation of any of plots 8-12 a scheme of planting for the shared amenity areas adjacent to those dwellings and forming part of the landscape buffer to 'Bay', shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the additional planting approved shall be installed in tandem with the site wide landscaping approved by this reserved matters scheme, and maintained in accordance with the approved maintenance plan.

Reason: To ensure that the planting adjacent to Bay Farm shares a neighbourly relationship.