

<b>Application Number:</b>	2/2020/0406/OUT
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	Land south of Lower Road, Stalbridge Dorset
<b>Proposal:</b>	Develop land by the erection of up to 114 No. dwellings and up to 2,000 square metres of employment space (for Business use (Class B1), with up to 1 No. Retail (Class A1) unit). Form vehicular and pedestrian access, form public open space and carry out associated works. (Outline application to determine access).
<b>Applicant name:</b>	Land Value Alliances
<b>Case Officer:</b>	Mr Robert Lennis
<b>Ward Member(s):</b>	Cllr Graham Carr-Jones

### 1.0 Reason this case is coming before Committee:

The applicant has appealed to the Planning Inspectorate for a decision on this application on the basis of non-determination. The Planning Inspectorate has agreed to consider this through a public inquiry later in the year.

Councillors are being asked to give an 'in principle' decision on this proposal which will be conveyed to the applicant and Planning Inspectorate.

Stalbridge has recently taken on a housing growth in excess of the current adopted Development Plan policies.

The Council is unable to demonstrate a five year housing land supply (HLS), and the latest Annual Monitoring Review shows we can only demonstrate 3.3 yrs HLS for the former North Dorset District council area.

### 2.0 Summary of recommendation:

That for the purposes of the appeal, the Council would, subject to the receipt of a satisfactory section 106 Agreement and the conditions (listed below), have granted this application.

### 3.0 Reason for the recommendation:

- Absence of 5 year land supply;
- Para 11(d) 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; 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.

- The location, adjacent to the settlement boundary of Stalbridge, is considered to be sustainable.
- There is not considered to be any significant harm to neighbouring residential amenity.
- The impact on landscape subsequent loss of countryside are not considered to be sufficient to warrant refusal in light of the current housing land supply.

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	The Council is not able to demonstrate a five year housing land supply, therefore the 'presumption in favour of sustainable development' is in effect. The site is considered to be in a sustainable location, and the proposed development would aid toward reducing this housing supply shortfall.
Landscape character and appearance	The proposed development site is not within a designated landscape.
Impact on amenity	There would not be any adverse impact on existing neighbouring properties.
Highway, road network and traffic safety	No objections have been by the Highway Authority.
Flood risk	The Lead Local Flood Authority are satisfied that an adequate drainage scheme could be designed for this site and development.
Affordable house	Stalbridge does not have a local need of affordable housing, however there is a wider need for affordable housing which this scheme would help to address.
S106 financial contributions	The applicant has shown a willingness to negotiated off-site planning contributions as set out below to provide their fair share towards community facilities and services.

#### 5.0 Description of Site

The site falls outside the settlement boundary of Stalbridge and is therefore located within the countryside. Stalbridge is located immediately to the north west of the site, with the areas closest to the site being predominantly two storey houses, with some bungalows.

The 5.67-hectare site is broadly triangular in shape, located to the south of Lower Road and currently comprises two agricultural fields. It is bounded on all sides by mature hedgerow, with a hedgerow running through the centre of the site, interspersed trees. A single-track lane runs along part of the western boundary, providing access to a residential property. A gas governor is located in the western corner of the site.

The ground rises gently from the south eastern corner towards the north-western corner. A public right of way runs along the site's south western boundary.

In terms of landscape the site is located within the Blackmore Vale and Clay Vale Landscape Character Areas.

The context of the site is also informed by recent planning permissions on adjacent sites. The site to the west has permission for 60no. dwellings (2/2017/1095/OUT) and the site to the north-east has permission for 120no. dwellings (2/2017/0741/OUT). These both have their respective reserved matters approved. Construction has commenced on the site to the north, and the site to the west is expected to commence by the end of the year.

Land to the south and east is currently undeveloped agricultural land in arable use.

## **6.0 Description of Development**

Outline planning permission is sought for the principle of erecting up to 114no. residential dwellings and up to 2000 sqm of retail development. Only details of access are for consideration at this time; all other matters relating to layout, scale, appearance, and landscape are reserved for future detailed consideration.

An illustrative layout (titled Concept Masterplan) accompanies the application to show how the site could be developed.

The residential parcel of development would be accessed directly from Lower Road, with an internal loop road and residential development arranged in legible spaces. It is envisaged that the residential properties would comprise a mix of detached, semi-detached and terraced properties, predominantly two-stories in height, but with the potential for additional rooms within the roof space.

Affordable housing would be provided at a policy compliant 40% of the total number of dwellings. The exact mix and location to be determined at reserved matters stage.

Planning permission is also sought for an employment hub comprising flexible employment uses (commercial, business, or service). It is anticipated that a variety of employment spaces would be provided, which could attract a mixture of offices, start-up businesses and light industrial uses with up to one of the proposed units being provided in a form that would accommodate a small shop or café. The employment land is proposed in the north west corner of the site, with a dedicated vehicular access from Lower Road. Buildings are shown in an informal

“courtyard” arrangement with parking contained within the centre. Links are shown to pedestrian/cycle links and connectivity to the adjacent residential area.

An area of open space would be retained along the northern boundary. Pedestrian links are proposed in the southern corner and along the western boundary, linking into the existing public right of way. Pedestrian/cycle points are also proposed along Lower Road, in the north west corner and further to the east, which link in with existing footpaths.

Existing trees and hedgerows would be retained where possible particularly around the perimeter of the site and two mature trees within the site and incorporated into the layout which would help provide a focal point to the public open space in the future.

## **7.0 Relevant Planning History**

None.

## **8.0 List of Constraints**

There are no statutory constraints to the site.

The trees on the site are covered by a tree preservation order (TPO-642-2020); request 15/06/2020 and confirmed 26/11/2020.

Request for EIA Screening Opinion under Section 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 to develop land by the erection of up to 150no. dwellings was made in 2019. The Local Planning Authority conclude that the proposed development was not likely to have significant environmental impacts.

## **9.0 Consultations**

*(all consultee responses can be viewed in full on the website)*

Stalbridge Town Council

- Object.
- Proposed and unanimously agreed not to support the application on the following grounds:
  - o Detriment to the rural amenity of the town & the adjoining countryside,
  - o Concerns regarding the highways safety of the access to and from the A357 to Lower Road.
  - o Concerns regarding the suitability and viability for the proposal of mixed residential and business use (Class B1) and retail (Class A1).
  - o Concerns regarding the general sustainability of the scale of the development taking into account local need and infrastructure, and the social impacts related to significant growth.

- The Town Council has also submitted a Planning consultant's report as additional information supporting their objections.

DC - Transport Development Management

- no objections subject to conditions

DC - Flood Risk Manager – Highways

- no objections in-principle subject to conditions

DC - County Archaeology Office

- no objections and no conditions necessary

DC - Planning Obligations

- this site is not one of the sites in Stalbridge on which s106 prerequisites have previously been identified consistent with extant permissions and necessary to make the 'cumulative' developments r122 compliant. Accepting this is an additional site would expect any s106 agreement to be substantially in accordance, and equitable with other agreements in the area

DC - Rights of Way Officer

- no objections subject to conditions and financial contributions towards to the enhancement and maintenance of the existing Rights of Way network, the enhancement and maintenance of Stalbridge Nature Reserve and the enhancement, maintenance and extension of the North Dorset Trailway, at the pro rata per dwelling rates previously agreed with the other developments in the Stalbridge area.

DC Environmental Health Officer

- no objections subject to conditions.

DC Policy Planning

- comments are incorporated into the Planning Appraisal below.

DC Housing Enabling Officer (Affordable Housing)

- no objection; there is a high level of housing need across Dorset, however the applicant has not submitted a local needs assessment to establish the needs for Stalbridge, comments are incorporated into the Planning Appraisal below.

DC Landscape Architect

- not able to support due to cumulative impacts, comments are incorporated into the Planning Appraisal below.

DC Principal Technical Officer NDDC

- no comment

DC Tree Officer Majors

- no objection subject to conditions

DC Urban Design

- no response

Dorset & Wiltshire Fire and Rescue Services  
- no response

Dorset Police Architectural Liaison Officer  
- no objection in principle; future design is recommended to comply with  
'Secured By Design Homes 2019 guide'

North Dorset Primary Care Trust  
- no response

Dorset Clinical Commissioning Group 1  
- no response

Dorset NHS  
- no response

Natural England  
- no response

Wessex Water  
- no response

DC - Education Officer  
- no response

DC - Natural Environment Team  
- no response.

## **10.0 Representations received**

There were fifteen representations received, including one from the CPRE (Campaign for the Protection of Rural England), raising concerns or objections relating to:

- Biodiversity/habitat
- Design
- Economic Benefits
- Effect on the Appearance of Area
- Flooding Issues
- Heritage
- Impact on Access
- Landscape
- Local or Government Policy (local needs assessment)
- Overlooking/Loss of Privacy
- Noise/Disturbance
- Public transport, and assimilating growth/cars
- Residential Amenity
- Road Safety

- Traffic or Highways
- Trees

## 11.0 Relevant Policies

### North Dorset Local Plan Part 1 (LPP1)

- Policy 1 – Presumption in favour of Sustainable Development
- Policy 2 – Core Spatial Strategy
- Policy 3 – Climate Change
- Policy 4 – The Natural Environment
- Policy 6 – Housing Distribution
- Policy 7 – Delivering Homes
- Policy 8 – Affordable Housing
- Policy 9 – Rural Exception Affordable Housing
- Policy 11 – The Economy
- Policy 12 – Retail, Leisure, and Other Commercial Development
- Policy 13 – Grey Infrastructure
- Policy 14 – Social Infrastructure
- Policy 15 – Green Infrastructure
- Policy 20 – The Countryside
- Policy 23 – Parking
- Policy 24 – Design
- Policy 25 – Amenity

### Saved Policies North Dorset District Local Plan 2003

- Policy 1.7 – Settlement Boundaries

### National Planning Policy Framework

The following sections of the NPPF are considered to be most relevant:

#### 1. Introduction

#### 2. Achieving sustainable development

- para 11. 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; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>7</sup>, 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<sup>6</sup>; 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.

#### 4. Decision-making

- para 49. However in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

#### 5. Delivering a sufficient supply of homes

- para 77. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.

#### 6. Building a strong, competitive economy

#### 7. Ensuring the vitality of town centres

#### 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

### Other material considerations

The Dorset Historic Towns project report on Stalbridge.

National Character Areas (NCA) Profile:133 Blackmore Vale and Vale of Wardour (NE539)

- The Blackmore Vale and Vale of Wardour National Character Area (NCA) comprises both the large expanse of lowland clay vale and the Upper Greensand terraces and hills that mark the southern and eastern edges of the NCA, and an area extending northwards from Penselwood around the edge of the Salisbury Plain and West Wiltshire Downs NCA.

Local Development Framework: Landscape Character Assessment, North Dorset District Council Evidence Base (March 2008)

- This document sets out: Key Characteristics, Landscape Description (Land shape and structure, and Settlement and land cover).
- The site is identified as follows:

Landscape Character Types	Landscape Character Areas
Clay Vale	Blackmore Vale



The Dorset Landscape (compiled by the former Dorset County Council :

- The document sets out: Location, Key characteristics, Management Objectives, and Key land management guidance.
- There is also a section which provides limited historical information.
- This site is identified as follows:

Landscape Character Type
Clay Vale

## 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 Public Sector Equalities Duty.

## 14.0 Financial benefits, Draft S.106 Obligations

Obligation	Calculation	Total amount (based on 114 dwellings)
Affordable housing	To be provided in line with Council policy (40% of total dwellings).	
Allotment provision	£288 per dwelling	£32,832

Biodiversity offsetting	TBC	N/A
Community, Leisure & Sports facilities	£2,110.16 per dwelling	£240,558.24
Play facilities Maintenance	£241.91 per dwelling	£27,577.74
Library Serviced Maintenance Mitigation	£75 per dwelling	£8,550
Local Nature Reserve Maintenance	£22.29 per dwelling	£2,541.06
Local Nature Reserve Mitigation	£190 per dwelling	£21,660
Pedestrian /Cycle Connectivity	TBC	
Pre-school provision	£190 per dwelling	£21,660
Primary & Secondary Education	£6,094 per qualifying dwelling (i.e. 2+ bedrooms) – final figure TBC	£694,716 NB: Final figure TBC
Primary Care Services	£73 per dwelling	£8,322

Public Open Space	N/A	
Public Transport	TBC	
Rights of Way Improvement	£154 per dwelling	£17,556
Trailway Strategic Project	£715.12 per dwelling	£81,523.68
Travel Plan	Clause to be drafted to specific Travel Plan	N/A
<b>Total</b>		<b>£1,157,496.72 (final amount TBC)</b>

## 15.0 Climate Implications

The applicant has not provided a 'climate implications' statement with their application.

## 16.0 Planning Assessment

The main issues of this proposal are considered to be:

- Principle of development
- Affordable housing
- Design and character of the area
- Landscape impact and character of the area
- Highway safety
- Flood risk
- Commercial, business area
- Other matters

### *Principle of development*

With respect to determining this application, the following planning policies and material are considered to be relevant to whether this proposal is in principle acceptable. It should be appreciated, however, that there may be other policies and material considerations not referred to below that are also relevant to this case.

North Dorset District Council ceased to exist as a local authority area on 1 April 2019 and has been replaced by Dorset Council. However, the most recently adopted local plan that covers this application area is the North Dorset Local Plan Part 1 (LPP1) adopted in January 2016. As such, any references to North Dorset and the District refer to the area covered by the LPP1.

### **North Dorset Residential Monitoring**

The latest Annual Monitoring Report (published February 2021) for North Dorset sets out that at 1<sup>st</sup> April 2020 the District's deliverable housing land supply (DHLS) was 3.3 years. This position is slightly down from the previous year (4.0 years in April 2019), but is the same position as it was in April 2018.

Between April 2011 and March 2020, Stalbridge has seen 20 net completions (i.e. additions to existing stock).

The Census in 2011 recorded the number of dwellings in Stalbridge to be 1,244. Therefore, from a count of extant planning permission our evidence suggests that the number of dwellings in the town would cumulatively rise as follows:

<b>Source</b>	<b>Net dwellings</b>	<b>Cumulative increase (%)</b>	<b>NPPF 'deliverable'</b>
Completions 2011–2020	20	20 (2%)	Y
Minor consents, April 2020	30	50 (4%)	Y
Land at Lower Road (reserved matters consented)	120	170 (14%)	Y
Land at Thornhill Road (reserved matters consented)	60	230 (18%)	Y
<b>Land south of Lower Road</b>	<b>114</b>	<b>344 (27%)</b>	<b>N</b>

Regarding the information presented in the table above, on its own the proposed development would represent a 9% increase in the town from its size in 2011. However, it should also be seen in context with other applications that have been submitted to date. If everything that currently has planning permission is built out then the town would increase by 18%, and if this proposed scheme is also built out then the town would increase by 27%.

Note: there are also two other sites that are being proposed for major residential development in Stalbridge; one off Waterlake (up to 90no.) and one off Station Road (up to 130no.).

### **North Dorset Local Plan Part 1 (2016)**

In relation to the proposed residential development the following policies are considered to be most relevant.

Policy 1 (Presumption in favour of sustainable development) largely repeats the provisions of NPPF paragraph 11. The first sentence states: *“When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.”*

As noted above, the proposed development is outside the defined settlement boundaries for the District. According to LPP1 Policy 2 (Core Spatial Strategy), development in this area *“will be subject to countryside policies where development will be strictly controlled unless it is required to enable essential rural needs to be met.”* The countryside policies are set out in Policies 9 and 20. However, due to the quantum of development this proposal seeks to address strategic needs for the Council and not to meet essential rural needs.

The site is located in the countryside adjacent to the settlement boundary for Stalbridge. Policy 2 states that these settlements *“have been identified as the focus for growth to meet the local needs outside of the four main towns.”* The town of Stalbridge and the 18 larger villages formed the second tier of settlements in the District.

Policy 6 (Housing Distribution) states: *“In the countryside (including Stalbridge and the villages) the level of housing and affordable housing provision will be the cumulative number of new homes delivered to contribute towards meeting identified local and essential rural needs.”* It specifies that *“at least 825 dwellings”* will be provided in the countryside over the plan period (2011-2031). This is about 14% of the total amount needed in the District.

Policy 8 (Affordable Housing) requires 40% of new residential developments in this part of the District to be ‘affordable’. The application form for this application proposes 40% of the overall number of dwellings to be affordable, and therefore the development would comply with this policy.

Policy 20 (The Countryside) states:

*Stalbridge and the eighteen larger villages will form the focus for growth outside of the four main towns. Development in the countryside outside defined settlement boundaries will only be permitted if:*

- a) it is of a type appropriate in the countryside, as set out in the relevant policies of the Local Plan, summarised in Figure 8.5; or*
- b) for any other type of development, it can be demonstrated that there is an ‘overriding need’ for it to be located in the countryside.”*

Residential schemes summarised in Figure 8.5 include rural exception schemes, occupations dwellings, re-use of heritage assets, re-use of redundant or disused buildings, and sites for gypsies, travellers and travelling showpeople. With respect to the appeal proposal for 144 dwellings, we do not consider that the proposed development meets either conditions (a) or (b).

For applications for new housing, Local Plan policies 2, 6 and 20 would normally be key considerations in terms of guiding location of development. However, as noted above, NPPF paragraph 11 and footnote 7 means that due to the lack of a 5-year deliverable housing land supply, local policies relating to housing supply should be considered 'out of date'. Therefore, they should carry limited weight and the decision should be taken primarily with reference to policies in NPPF.

Local Plan policies should not be ignored as they form part of the statutory development plan. Due weight should be given to local plan policies, "*according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*" as set out in paragraph 213 of the NPPF.

### **North Dorset Strategic Landscape and Heritage Study (LUC, 2019)**

A Strategic Landscape and Heritage Study was originally commissioned in order to inform the North Dorset LPR. This was completed by LUC in 2019. Although work on the North Dorset LPR has ceased, this work remains relevant and has been used to inform the Dorset Council Local Plan (as described below).

The Study was conducted in two stages. Stage 1 was a desktop assessment of the broad areas that were identified in an North Dorset Issues and Options consultation. Areas that were not scoped out at Stage 1 were taken forward to Stage 2 for a more detailed assessment. The application site falls within Area of Search C, and this was carried forward for consideration as a possible area for housing growth. Stage 2 found that in both terms of landscape and heritage that the overall sensitivity of the site to *low-moderate*.

### **Dorset Council Local Plan (Options Consultation, January 2021)**

Following the formation of Dorset Council, work on a Dorset Council Local Plan has commenced. It is intended that this will entirely replace policies in the former district local plans when it is adopted. The adoption date is anticipated to be April 2023. The plan period of the Dorset Council Local Plan is proposed to be 2021 to 2038.

The Dorset Council Local Plan Options Consultation document was published on 18 January 2021 (with the public consultation running until 15 March 2021). The consultation document places Stalbridge in Tier 2 of the settlement hierarchy; these settlements are described as 'Towns and other main settlements'. The document proposes to divide Dorset into four functional areas, and in this respect it places Stalbridge into the northern area. Draft Policy DEV4 ('Growth in the northern Dorset functional area') states that in the northern area housing growth will be delivered through major urban extensions at Gillingham and Sherborne, and through "the more modest expansion of Shaftesbury and the smaller market towns of Sturminster Newton and Stalbridge."

Chapter 32 of the Options Consultation document focuses on Stalbridge. In terms of a vision, paragraph 32.2.1 states:

In 2038 Stalbridge will:

- retain its attractive historic character and continue to respect the character of the surrounding countryside, whilst delivering new homes to meet housing needs; and
- improve accessibility between shops, services and new homes, whilst acting as a local service centre in conjunction with neighbouring settlements.

Paragraph 32.2.2 sets out a summary of the proposed development strategy for Stalbridge. The following are the preferred site options for residential development:

Proposed allocation	Estimated dwellings	Current status
STAL2: East of Thornhill Road	60	Reserved matters for 60 dwellings granted Sept 2020.
STAL3: South of Station Road;	280	Outline application for 130 dwellings submitted.
STAL4: Land north of Lower Road	120	Reserved matters for 120 dwellings granted Aug 2019. Currently under construction.
STAL5: Land south of Lower Road	150	Outline app for 114 dwellings submitted.

It should be clear from the information in the above table that progress is being made on all these site options, indicating at the very least that they are all available for development. In total, these site options could deliver 610 dwellings in Stalbridge. In combination with the completions since 2011 and other minor extant consents (20 + 30 – see above) this would result in the town growing by over 50%.

Accompanying the Options Consultation is a Sustainability Appraisal. This undertakes a 360 degree appraisal of site options around Stalbridge (similar to the North Dorset LPR described above). The application site falls within Area C, and the SA concludes that this site is suitable for residential growth – a conclusion that is largely based on the findings of the LUC report.

There is no demonstrable local need for this development and the proposed scheme is technically in the countryside and therefore contrary to policies in the adopted Local Plan. However, in the absence of a 5-year housing land supply, paragraph 11(d) of NPPF states that permission should be granted unless (i) *“the application of policies in this Framework ... provides a clear reason for refusing the development”*; or (ii) *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.”*

As Stalbridge is proposed to be a Tier 2 settlement, the plan proposes a moderate level of growth at the town in order to meet the housing needs of Dorset. While this site has been identified for growth the timing of this application circumvents the planning process. However, this must be seen in the context of the Council not being able to demonstrate a five year housing land supply and the presumption in favour of sustainable development.

Having considered the spatial options at Stalbridge, the January 2021 Options Consultation document proposes four large allocations for residential development at Stalbridge. Two already with reserved matters approved and are about to commence development. While the proposed development strategy set out in the draft Dorset Council Local Plan would currently carry limited weight (as the plan is at an early stage of production), the evidence base underpinning it, in particular the LUC Landscape and Heritage Study (2019) should carry moderate weight in our view. As such, we could support the of this application.

### *Affordable housing*

Below is the latest housing need record for Stalbridge from the housing register. These will mainly be a need for rented housing, shared ownership applications are moving towards using the help to buy model.

Row Labels	INELIG	BRONZE	SILVER	GOLD	EC	(blank)	Grand Total
Single person requiring studios or 1 bedroom		11	5	5	1		22
Couple requiring studios or 1 bedroom		4					4
Family requiring 2 bedrooms	1	11	5				17
Family requiring 3 bedrooms		3	4				7
Family requiring 4 bedrooms		2	1				3
(blank)							
Grand Total	1	31	15	5	1		53

(Ineligible are only able to apply for low cost home ownership, EC is emergency category).

The deliverable housing will be providing 108 affordable homes (60 Thornhill + 48 Lower Rd). This would be more than double the current local need of 53 dwellings.

### *Design and character of the area*

As this is an outline application with matters relating to design reserved. The one matter that may give an indication about design and character is density. However, skilful design, and a mix of housing types could provide for a wide variety of housing density. That said, a comparison to three adjacent development has been carried out for comparison.



- Thornhill Road  
60 dwellings/ 2.0ha = 30dph
- Lower Road (north)  
120 dwellings/ 6.42ha = 18.7dph
- Springfields +  
96 dwellings/ 6.43ha = 28.0dph

The illustrative parameters plan submitted with the application shows an outer residential density of 30dph for 66 dwellings, and an inner residential density for the site of 37dph for 48 dwellings.

In this countryside/edge of settlement location a lower density overall would help better transition from urban to rural environment. This could be achieved by reducing the amount of commercial space being allocated or by reducing the number of dwellings.

### *Landscape impact and character of the area*

Your Landscape Architect has considered the impact of the proposed development. There is a clear difference between individual impacts and cumulative impact upon the landscape. In conclusion she has stated “The cumulative landscape and visual effects of the proposals combined with the cumulative baseline lead me to conclude that the effects on receptors will pass an acceptable threshold. The magnitude of change/increase in size of the settlement will have an adverse impact on the character of the wider Blackmore Vale, which is a valued landscape with strong literary associations and conservation and recreational value. It will not be possible to mitigate the cumulative landscape and visual impacts satisfactorily.

On this basis, I am not able to support this application due to cumulative adverse effect on the character of a valued landscape. The development will not comply with paragraphs 127 and 170 of the NPPF, or the requirements of Policy 4 of the North Dorset Local Plan.”

The harm being described is predicated on a cumulative impact. The harm to individual receptors will not meet the threshold of significantly harmful. It is considered that this judgement of harm to local landscape is tenuous and weighted on this being a ‘valued landscape’.

The applicant has provided a rebuttal to these comments which state in part “The Council have been inconsistent in the way they have applied ‘valued landscape’ judgements. Their approach overstates the representativeness, conservation interest and recreational value of the site and its surroundings. Whilst the site is typical in terms of the occurrence of features, it does not contain the especially important or rare landscape resources as found within the AONB. There is an abundance of this pastoral character and nothing exceptional associated with the settlement fringe location. Conservation interests should consider the interplay between ecological, historical and cultural aspects; however, the Council’s assessment just focuses upon the surrounding heritage context, with reference to undocumented and non-designated ‘parkland setting’. Recreationally, the accessibility to the local landscape

is typical. There are no large expanses of open access land or visitor attractions, just a network of connecting PRow.”

It is considered that the harm to this local landscape is insufficient on its own to refuse this application.

### *Highway safety*

The Transportation Development Liaison Manager has made the following comments about this proposal.

“The proposed access serving the residential portion of the development would be located just east of the Lower Road/Springfields junction and would take the form of a standard priority junction. This junction is indicated on Dwg No 194687-A02 Rev A which shows that visibility splays will be provided that fully accord with the recommendation of Manual for Streets (MfS).

It is intended that the employment allocation would be served from a separate vehicular access sited to the west of the Lower Road/Springfields junction and would also take the form of a standard priority junction. This junction also provides visibility splays that conform with MfS guidance. This junction is shown on Dwg No 194687-A01 Rev A.

Both of these new junctions have been assessed using the latest industry standard PICADY software by TRL, Junctions 9. The modelling work confirms that both accesses would operate with over 90% spare capacity during both the AM and PM peak hours.

A pedestrian access is proposed from the north western corner of the site and would provide a dedicated pedestrian access and a dropped kerb and tactile paving crossing over Lower Road. This would connect to the existing footpath provision which runs along the northern side of Lower Road and is shown on Dwg No 194687-A02 Rev A.

The concept masterplan (Dwg No 3202C) also shows a pedestrian access at the eastern corner of the site frontage onto Lower Road. The Highway Authority suggests that this is removed from the proposals as it presents safety issues with pedestrians entering the public highway at a location with no pedestrian refuge or link to another footway/right-of-way. The need for it is questioned.

The internal estate road layout and associated car parking, etc, will be considered at the reserved matters stage. The applicant has confirmed that vehicle and cycle parking would be provided in accordance with Dorset Council guidance.

The proposal is supported by a Transport Assessment (TA) that investigates the likely transport impact of the development. It also considers the sustainability of the development in terms of accessibility to and from the site....

The proposed residential development is anticipated to generate up to 54 two-way vehicular trips in the AM peak period (08:00 to 09:00) and up to 50 two-way vehicular trips in the PM peak period (17:00 to 18:00).

The proposed employment development is anticipated to generate up to 49 two-way vehicular trips in the AM peak period (08:00 to 09:00) and up to 44 two-way vehicular trips in the PM peak period (17:00 to 18:00).

Hence, the predicted trip for the development proposal as a whole will be up to 103 two-way vehicular trips in the AM peak, up to 94 in the PM peak and 795 two-way trips daily.

The Transport Assessment.... indicated that there is ample capacity at each of the junctions. It is accepted that there have been no significant changes to traffic flows in the area and, consequently, the conclusion reached cannot be challenged.

The applicant's Highway Consultant provided further analysis of a number of other critical locations on the wider highway network at the request of the Highway Authority, namely, the junction of the A357/Grove Lane/Station Road, the A30/A357 junction and Stalbridge Town Centre. The accepted findings were that the network will continue to operate efficiently should the development traffic be introduced onto it.

The Highway Consultant was also asked to investigate the use of the Ring Street/A357/Lower Road junction by large service vehicles, allowing for the fact that the proposed development includes employment and retail uses. Whilst they indicated that the proposal would be unlikely to attract anything larger than a 7.5t box van, they carried out a swept path analysis for both this size of vehicle and a maximum legal length HGV (16.5m), proving that both vehicles can safely manoeuvre through this junction.

The application is also supported by a Framework Travel Plan which provides guidance on the production and implementation of a Site Travel Plan for residents and employees on occupation.

Bearing the above in mind, the Highway Authority is of the opinion that there are no highway safety issues presented by the proposal or any residual cumulative impacts on the road network that can be recognised to be "severe", when consideration is given to paragraph 109 of the National Planning Policy Framework (NPPF) - February 2019."

### *Flood risk*

The Council's Flood Risk Management team has considered the information submitted by the application. In particular they have noted: "...For continuity we reiterate that the site of the proposal is shown to fall within Flood Zone 1, as indicated by the Environment Agency's (EA) indicative flood maps and as such is at no modelled fluvial flood risk. Whilst according to the EA's Risk of Flooding from SW (RoFfSW) mapping, there is no modelled risk of surface water flooding on site up to

the 1-in-100 year event with only some small areas of ponding during the 1-in-1000 year rainfall event....

Following our comments, and in addition to any previous submissions, we note that the applicant has now provided the following:

- Lower Road, Stalbridge Flood Risk Assessment Addendum by Vectos (194687) – 22nd July 2020

The document referenced above provides explanation as to why the existing nearby ditch would not be suitable point of discharge for the surface water runoff from the site...”

In light of the submitted details, there is no in-principle objection to the proposed development subject conditions and compliance with the (conceptual) drainage strategy that has been outlined.

### *Commercial, business area*

In the Dorset Local Plan Consultation, the commercial needs for Stalbridge are characterised as follows as a Town Centre Strategy:

32.4.2 Stalbridge acts as a ‘District Centre’ within the hierarchy of centres. It is anticipated that there is a limited need for new retail floor space in Stalbridge over the plan period with a projected need for around 50 m<sup>2</sup> of convenience goods floor space and around 120 m<sup>2</sup> of comparison goods floor space.

32.4.3 The historic character of the conservation area and the density and pattern of existing development mean there are limited opportunities for additional retail development within the town centre. This lack of availability coupled with the uncertainty associated with the future projected need for retail floorspace lead to a situation where it is considered unnecessary to allocate additional space for retail expansion in the town. Any additional need could be addressed through take up of vacant units, the extension of existing units, infill development and/or potential change of use applications.

32.4.4 Due to the fragility of the retail offer in Stalbridge, additional retail provision away from the centre has the potential to have a significant impact on the existing units. For this reason, development outside the town centre, as identified on the policies map, will be resisted.

This characterisation is accurate, and for these reasons support for anything more than a corner-shop would not be given.

### *Other matters*

The applicant’s Ecological Consultant has provided an ecological impact assessment which sets out the findings of a desk study and phase 1 habitat survey at the

application site. It concluded that “Habitat features within the application site are considered to be of low ecological value (principally hedgerows and some occasional mature trees) with the proposals at least maintaining, if not enhancing, the biodiversity value of the application site through creation of new habitats (e.g. pond, species-rich grassland)... there are considered to be no overriding ecological constraints that would preclude implementation of the proposals.”

## **16.0 Planning Balance**

The proposals would increase the choice and supply of housing within the district and help to reduce the serious shortfall in supply. In addition, the affordable dwellings would assist in meeting the housing needs of those living within the area and would be conveniently located for services and facilities.

When the development commences there would be support for the construction industry, including employment provision. Upon occupation of the dwellings there would be additional household expenditure within the local economy, Council tax payments and the New Homes Bonus.

Some of the contributions contained within the section 106 Agreement, such as the Trailway Strategic Project and primary care services, would have wider economic or social benefits. In addition, the proposed play areas, allotments, enhanced cycle routes would amount to social benefits of the proposal.

The proposal would also provide some limited environmental benefits in terms of new hedgerows and other landscape planting, as well as some modest enhancements to biodiversity.

The totality of the above noted public benefits carries considerable weight in the planning balance.

When the above are weighed together, the lack of a 5yrHLS and the persistent shortfall of housing in North Dorset year on year are problematic. The proposed new housing, especially the quantum of affordable dwellings, tips the balance in the proposal. In this instance, the less than substantial harm to local landscape is not sufficient to outweigh the public benefits.

## **17.0 Recommendation**

**That for the purposes of the appeal, the Council would, subject to the receipt of a satisfactory section 106 Agreement and the conditions (listed below), have granted this application.**

1. No part of the development hereby approved shall commence until details of all reserved matters layout, appearance, scale, and landscaping have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory development of the site.

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

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

3. An application for approval of any 'reserved matter' must be made not later than the expiration of three years beginning with the date of this permission.

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

4. The development hereby permitted shall be carried out in accordance with the following approved plans: 1001B, Site Boundary Plan, 194687-A02 Rev A and Dwg No 194687-A01 Rev A.

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

5. No development must commence until details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Planning Authority.

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

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

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

7. Prior to occupation of any dwelling hereby approved the visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

8. Prior to occupation of any dwelling hereby approved the following works must have been constructed:

- The provision of a dedicated pedestrian access and a dropped kerb and tactile paving crossing over Lower Road at the north western corner of the site.
- The vehicular accesses to the development site show.

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.

9. Prior to commencement of any development on site a Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing by the Planning Authority. The CTMP shall include as a minimum:

- 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' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

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

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

10. Prior to occupation of any dwelling hereby approved, a Travel Plan must be submitted to and agreed in writing by the Planning Authority. The Travel Plan, as submitted, shall include as a minimum:

- Targets for sustainable travel arrangements.
- Effective measures for the on-going monitoring of the Travel Plan.
- A commitment to delivering the Travel Plan objectives for a period of at least five years from 50% occupation of the development.
- Effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development
- The development must be implemented only in accordance with the approved Travel Plan.
-

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

11. No development shall take place until a detailed and finalised surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

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

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

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

13. A condition would be required to limit the upper amount of proposed retail floor space to ensure that any potential impact on the centre of Stalbridge is kept to an acceptable level. The appellant has confirmed that the retail element of the proposed non residential use would be a local store format of limited retail floor area. The exact size of the retail element has not yet been agreed, however the Appellant has stated that there would be no objection to the inclusion of such a condition.

14. No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation, enhancement, restoration has been submitted to and approved in writing by the local planning authority.

The EDS shall include, where appropriate, the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.



- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

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