

**Application Type:** Outline Application

**Application No:** 2/2017/0741/OUT

**Applicant:** Gladman Developments

**Case Officer:** Ms. Clare McCarthy

**Recommendation Summary:** Approve

**Location:** Land North Of, Lower Road, Stalbridge, Dorset,

**Proposal:** Develop the land by the erection of up to 120 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Lower Road. (outline application to determine access).

**Reason for Committee Decision:**

**A major application which is a departure from Local Plan Policy**

**Proposed Development:**

The application seeks planning permission for the development of the land for residential purposes for up to 120 dwellings with public open space, landscaping and sustainable drainage system together with a vehicular access point off Lower Road. It is envisaged that detailed proposals would include, play areas, car parking and associated infrastructure.

The application is in outline to determine the principle of development and matters of access only. Matters of layout, scale, appearance and landscaping are all reserved at this stage. Notwithstanding these matters being reserved the applicant has submitted indicative layout and landscaping details demonstrating how the quantum of development could be delivered on the site.

**Description of Site:**

The application site is agricultural land located to the south-east of Stalbridge within the landscape character area known as Blackmore Vale.

The site consists of two agricultural fields and is situated outside the defined development boundary for Stalbridge, to the south east of a modern housing development at Springfields, where houses in Larks Meadow, The Hawthorns and the Paddocks form the western boundary of the application site. The Blandford to Templecombe former railway line now forms a railway that sits on the eastern boundary of the site.

The application site amounts to approximately 6.2 hectares, of which 2.62 hectares (39%) is proposed to be used for formal and informal open space.

Vehicular access to the site is proposed from Lower Road which is a country lane with no footpaths on either side south from the application site.

Stalbridge is a small town and not identified as one of the district's main towns. In the adopted Local Plan, Stalbridge is considered to be a sustainable settlement and an appropriate location for spatial

growth but not strategic growth as it is not one of the 4 larger towns within North Dorset District Council.

### **Constraints:**

Agricultural Land Grade - Grade: GRADE 3  
Parish Name: Stalbridge CP  
Settlement Boundary - Name: Stalbridge  
Ward Name - Ward Name: Blackmore Ward

In terms of site specific constraints, the site is located in the countryside within the agricultural landscape of Blackmore Vale, outside of the settlement boundary of Stalbridge. There are no records of important archaeology in the vicinity of the site. A number of listed buildings are located to the north in the town centre but none close to the application site. The site is not in a Conservation Area and is not part of a setting to a Listed Building.

The site is located approximately 800 metres south of Dike's supermarket and the post office, and 600m-800m from the primary school, the community hub and the village hall. The site is also in easy reach of a number of employment sites in Stalbridge off Station Road and Jarvis Way.

The site is located in flood zone 1.

The land lies within the landscape character area of Blackmore Vale, below the limestone ridge of Marnhull to the east. The application site gently slopes down from north-west to south-east. The boundaries of the site are largely enclosed by mature hedgerow and trees (none of which are covered by individual tree preservation orders) and there are no protected trees within the site. The nearest residential properties are located adjacent to the north-west boundary of the site.

There is presently no public access to the land nor any rights of way across it. A public right of way does exist to the south east of the site alongside Bibberne bridge which currently links Lower Road and the railway on the former Blandford to Templecombe railway line.

### **Planning Policies:**

#### **North Dorset Local Plan Part 1 (LP1) 2016-2031**

Policy 1 - Sustainable Development  
Policy 2 - C Spatial Strategy  
Policy 3 - Climate Change  
Policy 4 - The Natural Environment.  
Policy 5 - The Historic Environment.  
Policy 6 - Housing Distribution  
Policy 7 - Delivering Homes  
Policy 8 - Affordable Housing  
Policy 13 - Grey Infrastructure.  
Policy 14 - Social Infrastructure  
Policy 15 - Green Infrastructure  
Policy 20 - The Countryside  
Policy 23 - Parking  
Policy 24 - Design  
Policy 25 - Amenity

#### **North Dorset District Wide Local Plan to 2011 (First Revision) (adopted January 2003)**

Policy 1.8 - Settlement boundary

## **National Planning Policy Framework:**

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 planning decisions.

Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and that policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

Paragraph 7 of the NPPF explains that there are three dimensions to sustainable development: economic, social and environmental.

Paragraph 14 of the NPPF states that, at the heart of the National Planning Policy Framework there is a presumption in favour of sustainable development. This in turn has implications for how development proposals should be determined, because it states that where the (local) development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless the adverse impact of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 47 of the NPPF seeks to boost significantly the supply of housing and requires local planning authorities to use their evidence base to ensure that their Local Plan meets the full, objectively assessed housing needs for market and affordable housing in the housing market area (HMA)..

Paragraph 49 of the NPPF explains that 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 14 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 adverse impact of doing so would significantly and demonstrably outweigh the benefits.

North Dorset's five year housing land supply has dropped to 3.4 years as published in July 2017, which means that the housing policies contained within the Local Plan, Part 1 are not currently considered up-to-date. This means that Paragraph 14 of the NPPF applies to this application and will be discussed in more detail in the following sections of this report.

Paragraph 112 of the NPPF states that Local planning authorities should take into account the economic, and other benefits, of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

Paragraph 115 of the NPPF states,  
"Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty." The application site itself is situated beyond the designated AONB and in the landscape character area

Paragraph 118 of the NPPF refers to biodiversity interests and states,  
"When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:  
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

## **Other:**

### **Environmental Impact Assessment (EIA) Screening**

This application was not screened in advance of the submission of the application under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Therefore the Council has undertaken a screening opinion of the application submitted to assess under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 what impact the scheme would have on the environment and whether an Environmental Impact Assessment would be required for any of the considerations.

The Council Screening opinion, given the nature, size and location, is that the development would not be likely to have significant impacts on the local landscape and environment and that an Environmental Impact Assessment is not required

### **Planning policy and guidance:**

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 North Dorset Local Plan Part 1 (LP1) 2011-2031.

The North Dorset Local Plan Part 1 (LP1) was formally adopted by the Council in January 2016 and forms the development plan for the district, along with the saved policies of the 2003 Local Plan. Following its adoption, full weight can be attributed to the relevant policies of LP1.

### **North Dorset Local Plan Part 1 (LP1) 2011-2031**

The adopted North Dorset Local Plan Part 1 2011-2031 has updated the spatial strategy for the district and extends the Plan period to 2031.

The adopted policies that are relevant to the assessment of this application are as follows.

#### **Policy 1 - Presumption in Favour of Sustainable Development**

Policy 1 sets out the 'presumption in favour of sustainable development' (from the NPPF) and the supporting text provides guidance on how 'the presumption' will be applied in North Dorset.

It is a 'model policy' provided by the Planning Inspectorate, which all Councils are strongly encouraged to include in their local plans and following the adoption of the Local Plan, Part 1, full weight can now be afforded to this policy.

#### **Policy 2 - Core Spatial Strategy**

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.

Core Spatial Strategy, identifies Stalbridge along with the larger villages in North Dorset not as a main location for growth. It retains settlement boundaries for Stalbridge from the North Dorset District-Wide Local Plan 2003 and all land outside the development boundaries is defined as being subject to countryside policy. At Stalbridge and all the District's villages the focus will be on meeting local (rather than Strategic) 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 3 - Climate Change

Policy 3 sets out a number of ways in which the Council will seek to tackle the causes of climate change and also how it is proposed to adapt to the anticipated changes. The causes will be tackled primarily through measures to improve the design and performance of new and existing development and by encouraging the use of renewable energy. Adaptation measures include: encouraging increased water efficiency; reducing the impact of flooding; and reducing heat stress through the planting of trees and other vegetation.

#### Policy 4 - The Natural Environment

Policy 4 sets out the Council's approach to the conservation of the natural environment including both landscapes (such as Landscape Character areas) and wildlife interests (including internationally, nationally and locally important wildlife sites and protected or locally threatened species).

#### Policy 5 - The Historic Environment

Policy 5 sets out how proposals should be assessed having regard to heritage assets and what justification is necessary if less than substantial, substantial or total loss of a designated heritage asset occurs. The Policy also indicates the requirement to consider impact on buried heritage and archaeology.

#### Policy 6 - Housing Distribution

Policy 6 sets out how housing will be distributed across the District and 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. At least 825 dwellings will be provided in the countryside (including Stalbridge and the villages) during the period 2011 - 2031.

#### Policy 7 - Delivering Homes

Policy 7 sets out the mix of housing that the Council would seek, in terms of bedroom size. It also sets out how the Council would 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.

#### Policy 8 - Affordable Housing

Policy 8 sets out the Council's approach to the provision of affordable housing, subject to site-based viability testing. The policy compliant proportion of affordable housing in Stalbridge is 40% on developments of more than 10 dwellings with a tenure split of 70% affordable rent and 30% intermediate housing.

#### Policy 13 - Grey Infrastructure

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 14 - Social Infrastructure

Policy 14 - Social Infrastructure identifies future needs for: education facilities including schools; health services including doctors' surgeries; emergency services; cultural facilities including libraries; recreation and sports facilities; and community facilities including community halls. The policy includes a reference that the Council will ensure that sufficient general surgeries and health centres are in place with new and expanded surgeries provided in Blandford, Gillingham and Shaftesbury.

#### Policy 15 - Green Infrastructure

Policy 15 - Green Infrastructure states that the Council will seek to enhance the provision of green infrastructure in the main towns and in the countryside (including at Stalbridge), especially where it

helps to improve recreational opportunities. The Policy sets out that development will be required to enhance existing and provide new green infrastructure to improve the quality of life of residents and deliver environmental benefits.

#### Policy 20 - The Countryside

Policy 20 states that 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: it is of a type appropriate in the countryside, or if it can be demonstrated that there is an 'overriding need' for it to be located in the countryside.

#### **Consultations:**

##### **Stalbridge Town Council - Object**

Consulted on the 24 May 2017, their comments dated 17 August 2017 are as follows: Object to the application for the following reasons:

The proposed site is situated beyond the existing established settlement boundary, in open countryside and would therefore be in conflict with the District Council's spatial strategy to development contained within the Local Plan Policy 2. This seeks to direct development to the existing settlement boundaries of Stalbridge.

The proposed development would be a substantial increase over and above the existing population of Stalbridge and would result in extensive development that far exceeds all development seen in Stalbridge over the last 20 years. Such a large addition, in conflict with the District Council's adopted spatial approach to development, would be resisted as it is inherently contrary to the policy and threatens a significant encroachment into the countryside and is harmful to the rural character of the edge of Stalbridge.

The eastern parcel of land has a rural countryside character and the proposed development would result in a significant and detrimental change.

The proposed creation of an access onto Lower Road means that a substantial amount of native hedgerow would need to be removed to accommodate the visibility splays. This will impact on the rural character of Lower Road as you approach and leave Stalbridge. Access and egress of traffic from Lower Road on to the main A357 is not good and any extra traffic movements are unsustainable.

##### **Highways England - No objection**

No objection to the outline application for up to 120 dwellings with vehicular access from Lower Road. We are satisfied that there will not be a material impact on the A303 trunk road.

##### **Transport Development Management - DCC - No objection**

Consulted on the 22 September 2017 final consultee response was received on 15th January 2018.

The updated Transport Assessment (TA), prepared by the applicant's highways consultants and received on 2 August 2017, considers the impact that a development of up to 120 dwellings will have on the highway network in the vicinity of the site. It considers the sustainability of the development, in terms of accessibility to and from the site and seeks to determine the access to the proposed development.

It is proposed that the vehicular access to the site will be provided via a new junction onto Lower Road (classified the C109). It is intended to provide a new 2.00m wide footway from the access to link with the existing footway at the junction to Springfields. A build-out will be introduced into the carriageway to the west of the new access, acting as a traffic calming feature and this, in conjunction with an extension of the existing street lighting to the east of the new access, will effectively extend the existing 30mph speed limit.

TRICS is the national standard for trip generation analysis and employs a system of site selection filtering that enables users to simulate site scenarios through a number of progressive stages and to

calculate vehicular and multi-modal trip rates based on these selections. The submitted TA has, in the opinion of the County Highway Authority, complied with the recommendations of the TRICS Good Practice Guide 2013 and produced a robust daily trip generation for the proposed development. The TRICS data outputs are attached to the TA and provide the empirical evidence to substantiate the trip rates used. The Transport Assessment suggests that the proposal could generate the following additional vehicle trips onto the highway network for the proposed development - 62 two-way movements in the AM peak (08:00 to 09:00) and 61 two-way movements during the PM peak (17:00 to 18:00). It is anticipated that the development will generate up to 542 two-way trips per day.

The Transport Assessment uses 2017 as the base survey year to produce a baseline of highway capacity against which the impact of the proposal can be considered. It then looks at two different scenarios - the 2022 forecast year without the development and the 2022 forecast year with the development. The TA considers the impact of the new trips upon six locations on the surrounding highway network - A357/Lower Road North, A357/Lower Road South, A357 Cook's Lane/A357 Thornhill Road/Kings Mill Road/Thornhill Park, the narrowing of the A357 south of Barrow Hill and Station Road, the localised narrowing at Bibbern Bridge and Lower End/ C15 Junction, Badger Crossroads.

The conclusion reached within the TA is that all of the junctions assessed will operate within capacity in the 2022 forecast design year for the proposed development and that the local highway network has sufficient capacity to safely accommodate the additional development traffic movements.

The Traffic Impact Assessment received on 27 September 2017 considered the cumulative impact of the three planning applications currently submitted for residential development in Stalbridge:

- 2017/0741/OUT - Gladman Developments - up to 120 dwellings on Lower Road
- 2017/1094/OUT - Lightwood Strategic - up to 90 units on Barrow Hill
- 2017/1095/OUT - Lightwood Strategic - up to 60 units on Thornhill Road

In addition, a pre-application site on Station Road being promoted by Savills (the publicity material shows 140 units) and an application site in Henstridge - 17/03029/OUT -(in South Somerset District) for a development of up to 130 units (Gladman Developments) is included within the assessment.

The study looks particularly at the narrowing of the A357 south of Barrow Hill and Station Road and also considers the signalised junction of the A30/A357 north of Henstridge.

The conclusion reached is that the impact of each individual development on the strategic highway network is modest and that when the combined traffic generation from all the developments is taken into account, the network continues to operate well within capacity for an A class highway.

To sum up, the County Highway Authority considers that the submitted Transport Assessment and cumulative impact analysis are satisfactory and robust. Whilst it is accepted that the proposal will obviously increase traffic flows on the highway network the residual cumulative impact of the development cannot be thought to be "severe", when consideration is given to paragraphs 29 to 36 of the National Planning Policy Framework (NPPF).

Should planning permission be granted, the County Highway Authority recommends that the following conditions be imposed:

- Estate Road Construction details,
- Cycle parking
- Footway provided from the new site access to Springfields and Jarvis Way
- Construction Traffic Management Plan

## **Sustainable Transport - DCC - No objection**

The settlement of Stalbridge is in a generally inaccessible location, being remote from a large number of services. There are however a number of things that can be done to provide for sustainable access to a number of services within and beyond the town.

Within the town there are services including shops, a school, employment and community facilities. All of the town is within a reasonable walking distance of any of the proposed development sites. However, many of the available routes within the town are lacking in offering suitable and accessible walking routes to key destinations. Where possible these routes need to be improved to provide the necessary availability of walking routes within Stalbridge to and from the proposed development sites.

Routes within the town are restricted in a number of ways, including absence of footways, narrow footways, lack of suitable dropped kerbs, obstruction and unsuitable surface treatment. Some of these cannot be resolved due to space but there are others that require reasonable improvement to allow for access between the proposed development sites and key destinations within the town.

We have provided a list of necessary infrastructure improvements for each of the sites coming forward in the town. Some improvements are a requirement for more than one of the proposed sites and have therefore been identified for each site. The improvements include provision of dropped crossings along key routes, to provide safe facilities for less able people, those with push chairs, wheelchairs or mobility scooters; improvement of two key public footpath routes within the town and improved crossing points on key roads.

Sustainable access to locations outside of Stalbridge are currently limited. Bus services to the town do not offer a viable alternative to private cars for many everyday trips and there is little chance or benefit in seeking to improve them in the short term off the back of the proposed development. The town does however benefit from being 6km south of the mainline rail station at Templecombe, which provides regular services to London and the wider south west.

The potential off-road route between Stalbridge and Templecombe forms part of the old Somerset and Dorset Railway which used to link Bristol, Bournemouth and Christchurch. Other sections of this extinguished rail line have been turned into the North Dorset Trailway which currently runs between Sturminster Newton in the north and Spetisbury in the south.

There has been a desire to extend this route further along the old rail bed for some time, partly to link additional rural communities to more services and destinations.

Providing the link will allow for sustainable travel in the local area but will also enable access to local greenspaces and to a safe area for regular exercise. Both are proven to impact positively on people's health and wellbeing and the principles are embedded in the Sustainability and Transformation Plan for local health services under the title 'Prevention at Scale'.

The existing section of the trailway operates very well and caters for an average of 300 trips a day across the whole year with peak usage exceeding 700 trips. Users are split between leisure and utility. The route also provides an accessible route for those with mobility scooters with, for example, people using the route to access doctors surgeries in Blandford from Durweston and Shillingstone.

The overall package of transport contributions for rights of way, Trailway and localised pedestrian cycle infrastructure reasonably provide improved levels of sustainable transport for occupants of the proposed developments. They also support sustainable development in a wider sense by helping to provide an environment in which a healthy lifestyle is possible, reducing the developments impact on central health services.

Site specific infrastructure requirements - Land north of Lower Road, 120 dwellings:

- Contribution to Trailway Upgrade - Section 106
- Footway improvements on Lower Road to join with existing footway north of the site beyond Springfields to include dropped crossing with tactile paving at Springfields - (Grampian condition)
- Links to the rights of way/trailway to the north and north-west of the site to be provided within the site layout/reserved matters.
- Contribution to allow delivery of dropped kerb crossings at 8 junctions on Lower Road and Jarvis Way to be used by occupants of the development when accessing the town facilities and local school.
- Section 106

#### **(Flood Risk Management) - DCC - No objection**

Consulted on the 24 May 2017, their comments dated 3rd August 2017 are as follows:

Whilst the site in question is shown to fall entirely within Flood Zone 1 the site is thought to be at some (theoretical) risk of localised surface water flooding to the eastern corner.

Given the Outline nature of the current submission, we acknowledge that the existing drainage infrastructure and prevailing risk from received flow, has now been adequately investigated. We recommend that these additional documents are added to the relevant FRA as an appendix or addendum, for ease of reference and continuity.

On the basis of the additional information & documents supplied, and listed above, we (DCC FRM) duly withdraw our previous (Holding) Objection, provided that two generic planning conditions and informative are attached to any subsequent permission.

#### **Wessex Water - No objection**

Consulted on the 24 May 2017, their comments dated 13 June 2017 are as follows:

We have previously undertaken a preliminary capacity assessment of the site in response to a pre-application enquiry by the developer. This was completed in March 2017 and a record is provided within the Foul Drainage Analysis (April, 2017) submitted with the planning application. At this stage we have no further comments.

#### **Natural England - No comment**

Consulted on the 24 May 2017, their comments dated 6 June 2017 are as follows: Natural England has no comments to make on this application.

#### **Natural Environment Team - No objection**

We have no objection on ecological grounds. The site specific approved Biodiversity Mitigation Plan Version 4 Revision D and S106 includes contributions linked to improvements to the local Rights of Way network to mitigate impacts on nearby wildlife sites, which will encourage people to use nearby sites for recreation.

We have been consulted in connection with the S106 contributions for the nature reserve improvements, which the applicant has agreed to offer and also to the footpath links and trailway alongside and linking the nature reserve to the rest of the town.

Funding to secure the provision and maintenance of areas of Green Infrastructure, strategic planting and onsite biodiversity mitigation/enhancement measures shall be secured in perpetuity and such areas shall be transferred to and managed by a suitable third party such as a Local Council or the Dorset Wildlife Trust.

Comments in relation to the biodiversity of the landscape can be dealt with via a Landscape Environment Management Plan (LEMP) condition.

## **Wildlife Trust - No objection**

Comments received 8th June 2017 and 22 January 2018

Since the site lies immediately adjacent to the Stalbridge Site of Nature Conservation Interest (our ref: ST71/053), and Local Nature Reserve.

SNCIs are identified and selected for their local nature conservation value. They act as buffers, stepping stones and ecological corridors for species between nationally and internationally-designated wildlife sites and often contain priority species and habitats that are listed on section 41 of the Natural Environment and Rural Communities Act (NERC) 2006. Section 40 of this Act requires all public bodies to have regard to biodiversity conservation when carrying out their functions.

North Dorset's Local Plan Policy 4.104 states that "The designated SNCIs in the District are material considerations in determining planning applications and should not be harmed by development."

Dorset Wildlife Trust have removed their initial objection and confirmed that the Biodiversity Mitigation Plan version 4 together with S106 contributions will secure the appropriate enhancement of the nature reserve, stating:

"The BMP has secured a substantial amount of mitigation for wildlife habitats and species, and that together with the sums of money secured for work on the Local Nature Reserve to mitigate the potential effects of extra disturbance caused by the additional residents, cats, dogs etc., and for ongoing maintenance, this amounts to an overall net biodiversity gain, as required by NPPF.

## **Landscape Officer - NDDC**

Consulted on 24 May 2017 comments received 01 November 2017

The proposed site is located on the south-eastern edge of the settlement of Stalbridge and consists of two small-sized fields (pasture).

### Description of factors affecting landscape

The settlement of Stalbridge sits on the lower slopes of the north Dorset limestone ridge that forms the western extent of the Blackmore Vale. The proposed site sits on valley floor, on lower ground to the historic centre Stalbridge.

The settlement of Henstridge is located approximately 2km to the northwest of Stalbridge and the two settlements are connected by the Stalbridge Road (A357), which runs along the edge of valley and is elevated above the valley floor. The A357 continues south through Stalbridge towards Sturminster Newton, passing 500m to the west of the proposed site as it exits Stalbridge.

The settlement of Marnhull is located on the other side of the Blackmore Vale, approximately 3km to the east of Stalbridge. Marnhull is a ribbon settlement that runs along the top of the Blackmore Vale to the east. The settlement of Stalbridge Weston is located approximately 1.5km away on high ground to the south-east of Stalbridge.

To the immediate west of the application site, are the rear gardens of properties on a number of residential streets. None of these properties fall within the Stalbridge Conservation Area.

To the south-west of the application site is Lower Road and to the east and south-east is the North Dorset railway with arable fields beyond.

### **Blackmore Vale Landscape Character Area**

- A broad expansive clay Vale which is tranquil and unified.
- A unique mosaic of woods, straight hedgerows and grassland fields 'dotted' with distinctive mature hedgerow Oaks.
- Open views across the undulating to flat pastoral landscape to the chalk escarpment backdrop.

- Dense network of twisting lanes often with grass verges and sharp double 90o bends.
- Small hump backed bridges with low stone or brick parapets.
- Many very small villages and hamlets built with locally distinctive materials, such as stone, redbrick, tile and thatch.
- A network of ditches, streams and brooks which drain into the tributaries of the Stour.
- Lydlinch Common (an SSSI) and Stock Gaylard Deer Park (an SNCI) are both key locally important features.

#### North Dorset Limestone Ridge Landscape Character Area

- Elevated open plateau areas of undulating farmland landscape with distinctive sloping edges in places.
- Thick dense hedgerows and frequent small copses and plantations.
- Open views from higher areas across the Vale to the chalk escarpment.
- Many scattered villages and farmsteads and a distinctive settlement pattern along the ridges or on the side slopes to the ridges.
- The traditional use of locally available and distinctive limestone in the villages and in other buildings and structures.
- Numerous twisting hedge lined lanes, straighter ridge top roads and many public Rights of Way.
- Stalbridge Park is a key local feature of interest.
- Twinwood Coppice is a key local feature of interest.

The proposed site is approximately 6ha in size and typical of the Blackmore Vale landscape character area, containing pasture bound by low hedgerow.

The development boundary of Stalbridge covers an area approximately 70ha in size.

#### Visual Amenity

The proposed site is located on rising ground on the edge of the Blackmore Vale, with the settlement of Stalbridge below and to the east. I have no comments on the viewpoints assessed within the submitted LVIA.

#### Landscape assessment

In relation to assessing any harm to the landscape character it is noted that Stalbridge is one of many small towns and villages found within the Blackmore Vale and North Dorset Limestone Ridge landscape character areas. It is of a similar size to other nearby settlements such as Henstridge, Marnhull and Sturminster Newton. The town of Henstridge is located in close proximity to Stalbridge.

The Stalbridge historic towns survey identifies that the area has a medium sensitivity to major change. Major development has taken place within the area during the modern era in the form of housing estates, modern infill housing and commercial development. This has damaged historic plot boundaries but has not severely damaged the historic street frontage

The loss of an area of open agricultural fields will diminish the core elements of the Blackmore Vale landscape character area but to a limited extent.

The development will be contained within the historic plot boundaries surrounding the settlement and will not damage the historic street frontage of the town.

The density of the proposed development will be high (120 units), which does not reflect the townscape character of Stalbridge.

#### Visual Amenity

I agree with the submitted LVIA that the most harmful visual impacts of the proposed scheme will be largely limited to the area immediately surrounding the site. Topography, intervening settlement and tree and hedge planting, will screen the development in wider views. It is noted within the LVIA that a

number of residential properties in close proximity to the site will be subject to moderate and major/moderate adverse visual effects.

One area where I would argue with the findings of the LVIA, is where visual amenity of residential properties are affected by the scheme and the LVIA states "The magnitude of effect will reduce to low and the level of effect moderate/minor and adverse as the proposed development becomes integrated within the maturing mitigation planting (Year 10)".

Given the very close proximity of the development to the residential properties and the high level of value derived from these views, I would argue that this change would not diminish over time, as it represents a permanent loss of open views across the countryside.

#### **Tree Officer North - NDDC - No objection**

Consulted on the 24 May 2017, their comments dated 5 June 2017 are as follows: I have viewed the proposal and visited the site. The site is not situated within the Stalbridge Conservation Area, nor are there any Tree Preservation Orders in place. It is important to note that the site falls outside of the Stalbridge settlement boundary into open countryside.

With regards to arboricultural matters I can confirm that I have no objection to the proposed tree removal with respect of the proposed point of access. The emergent trees/hedging that are proposed to be removed are of varying quality and of an age that can be readily mitigated through the submission of a comprehensive and suitable landscaping scheme.

A public right of way is situated on a slightly raised bank along the north eastern edge of the site with trees and hedging currently providing a sense of maturity. It is important that the layout of the site be designed, so to incorporate new and existing trees/hedgerows successfully into the proposal. Due consideration should be given (at reserved matters stage) to ensuring the future relationship between trees and dwellings is appropriate, so to prevent any future pressures of tree removal or excessive works. I would suggest that any new planting should seek to incorporate native species that are of local provenance to the area. Hazel, field maple, hawthorn, oak, blackthorn and dog rose etc. were a few of the species seen to be doing well at this site.

If the case officer is minded to issue consent I would ask that the following information is conditioned:  
- A detailed Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection

Plan should be made a condition of any reserved matters application along with details regarding the alignment of any services or utilities.

#### **County Archaeological Office - DCC - No objection**

Consulted on the 24 May 2017, their comments dated 8 June 2017 are as follows: No objection. There is not a strong enough case to advise of a need for archaeological evaluation or mitigation.

#### **Senior Conservation Officer - NDDC- No objection**

No comment necessary, as the heritage assets in Stalbridge are some distance away with the boundary of the conservation area and nearest listed building located in excess of 400 metres away.

#### **Dorset Education Authority - DCC - No objection**

Consulted on the 24 May 2017, their comments are as follows relating to all largescale housing applications and pre-application enquiry at the time of consideration of contributions:

Based on the following assumptions:

There are 4 sites coming forward:

Site A - 137 units

Site B - 98 units

Site C - 60 units

Site D - 120 units

Total Units - 415

Stalbridge has a single 1FE Primary School. It is currently on an undersized site and as of May 2017 had 202 pupils on roll.

A total of 415 houses will generate a total of 81 children - an average of 11 additional children per year group. Based on current projections, this will require the expansion of the existing school.

The school currently sits on a site of just over 9,500m<sup>2</sup>, but a school with capacity for 210 children requires 10,900m<sup>2</sup>. With additional 81 children it may be necessary to increase the size of the school up from a 1FE to a 1.5FE school. This would require an additional 3 classrooms, other ancillary spaces but more crucially would require an overall site of 15,100m<sup>2</sup>. This site provision would need to be adjacent to the existing school site.

In order for the total quantum of development to come forward it is unlikely that the existing primary school provision would be able to cope without the expansion of the site and additional accommodation on that site.

In terms of Secondary Provision, Stalbridge sits within the Sturminster Newton High School catchment. The school currently operates as a PAN 120 and will be breaching this level of demand from 2021 onwards based on current projections prior to allowance for new housing in the catchment area.

Based on the individual sites the following contributions would be sought.

Site	Units	Primary £	Secondary £	Post 16 £	Total £
A	137	279,371	447,459	111,093	834,924
B	98	197,696	320,080	79,468	597,245
C	60	121,038	195,967	48,654	365,660
D	120	242,077	391,935	97,320	731,320
Total	415	837,184	1,355,441	336,523	2,529,150

These figures are based on the premise that all units are eligible at a rate of £6,094 per unit broken down by phase.

The calculation below is indeed scalable to 300 units at the same per unit cost for all phases. Primary generates 61 places from 300 units.

In terms of Secondary and Post 16.

The Secondary School is Sturminster Newton High School and it currently has Published Admission Numbers (yearly intake) of 120. The catchment projections for the school are as follows:

Year 7 projections from within catchment show over demand over 120 in 2020, 2021, 2022, 2023 and 2024, this is without any consideration on ongoing developments across the area including Sturminster Newton itself. In 2022 there would be less than 5% spare capacity.

In terms of Post 16 - there are expectations already within the projections that demand will grow by at least 60 places in the next 3 years and then level off at an increased demand of 30 places year on year. Again this is without the additional 11 children to be generated at Post 16 as a result of 300 houses in this proposal.

To update the figures - 300 units will generate 61 Primary, 44 Secondary and 11 Post 16. Based on £6094 per unit - Total of 1,828,301 excluding pre-school.

## **The Director of Commissioning Operations NHS Dorset**

Consulted on the 24 May 2017 response provided on 5 December 2017.

We would estimate a significant increase in the local population and we will need to fully evaluate the impact on the local NHS resources in terms of the Primary and Community Care.

Should these planning applications be successful, we would request that a financial contribution is provided to fund the additional NHS primary care infrastructure from the Community Infrastructure Levy or Section 106 agreements in place with the developer.

To aid this we have undertaken an analysis of the anticipated impact on the NHS infrastructure and the likely financial implications on the Stalbridge area as a result of the proposed developments.

Using current guidance of 2.4 persons per dwelling, this calculates an additional increase in population of approximately 1300. For local primary care services, this equates to one additional clinical room would be required as a minimum. The estimated cost of creating an additional clinical room is in the region of £40,000. The location of where the additional clinical room would be would need to be considered as and when the funding was made available from the developers.

In light of the fact that the development is multiple sites and agents it is felt that the contribution should be divided by the number of houses for each scheme, so each developer would make a percentage contribution towards the total costs.

## **North Dorset Planning Policy**

Consulted on the 24 May 2017 and responded 18 January 2018.

These comments are applicable to all three current outline applications (2/2017/0741/OUT, 2/2017/1094/OUT and 2/2017/1095/OUT) for large scale residential development at Stalbridge. The comments below focus on the matter of the principle of the proposed developments taking into account the Council's current housing land supply situation. Consequently, the commentary below focuses on particular policies within the North Dorset Local Plan Part 1 (LPP1). There are a wide range of other planning policies that are of relevance in considering the proposed developments.

Policy 2 (Core Spatial Strategy) in the North Dorset Local Plan Part 1 (LPP1) states that 'All development proposals should be located in accordance with the spatial strategy for North Dorset'. It is outlined that Blandford (Forum and St. Mary), Gillingham, Shaftesbury and Sturminster Newton are identified as the main towns in North Dorset and will be the main focus for growth, both for the vast majority of housing and other development. Policy 2 details that Stalbridge, and the eighteen larger villages within the District, are identified as the focus for growth to meet the local needs outside of the four main towns.

It is considered that the affordable housing element (40%) that would be provided in relation to all three schemes would largely meet local needs over the plan period (2011-2031). However, the market housing element (60%) relating to all three schemes would meet wider strategic needs over the plan period. Therefore, whilst the proposals, which are located beyond the existing settlement boundary at Stalbridge, would meet a local need for housing it is considered that the developments would go beyond meeting just local needs and would contribute towards meeting the strategic development needs of the District. In this regard it is considered that the proposed development would be contrary to Policy 2 in LPP1.

Further to Policy 2 referred to above, Policy 6 (Housing Distribution) in LPP1 sets out that at least 5,700 net additional homes will be provided in North Dorset between 2011 and 2031. As with Policy 2, Policy 6 also details that the vast majority of housing growth will be concentrated at the District's four main towns of Blandford (Forum and St. Mary), Gillingham, Shaftesbury and Sturminster Newton. Policy 6 outlines the approximate scale of housing development at the four main towns during the period 2011-2031.

Policy 6 goes on to state that '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. At least 825 dwellings will be provided in the countryside (including Stalbridge and the villages) during the period 2011-2031.' As stated above the proposals would go beyond meeting just local needs. The proposals would also go beyond meeting essential rural needs.

Since the start of the plan period (2011), completions and existing extant consents account for approximately 550 of the 825 dwellings referred to in Policy 6. Therefore, there isn't currently an oversupply of dwellings in the countryside. The proposals could result in the development of up to 278 dwellings if they were all granted planning permission. This would result in the number of completions and extant consents totalling 828 dwellings. This would be in excess of the 825 figure referred to in Policy 6 of LPP1.

However, given the 825 figure referred to in Policy 6 is preceded by the words 'at least' (this is not a target for, or a cap on, the overall level of housing development that should take place in the countryside (including Stalbridge and the villages), granting all three proposals planning permission would not result in an oversupply issue. Consequently, it would not prevent possible future proposals at the eighteen larger villages, which sought to provide for local needs/essential rural needs, being granted planning permission. Nevertheless, the Council will need to closely monitor future rates of development in the countryside to ensure that oversupply does not become a problem.

Policy 20 (The Countryside) in LPP1, sets out that Stalbridge and the eighteen larger villages will form the focus for growth outside of the four main towns. It states that '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.'

The proposals, given, amongst other things, their location outside of the settlement boundary at Stalbridge, their large scale and the fact that they go beyond meeting just local and essential rural needs, are contrary to Policy 20. Nevertheless, it is worth noting that Stalbridge is the fifth largest settlement in North Dorset and it has a wide range of services and facilities. Access to services and facilities is better than other settlements located in the countryside in North Dorset. This is a point that is acknowledged in the Issues and Options Consultation which is currently being undertaken as part of the Local Plan Review.

In addition to development plan policies referred to above, a key consideration in respect of this planning application is the fact that the Council cannot currently demonstrate a five-year housing land supply. The Council considers that its housing land supply is currently 3.42 years. Although an outline application for large scale residential development has recently been submitted in respect of the Gillingham Southern Extension, and a further outline application is expected to be submitted in the near future, it is considered that these applications will not have a significant positive impact on the Council's housing land supply in the short term. Therefore, there is no basis for refusing the proposals at Stalbridge on the basis of the current outline application, and the further outline application anticipated, at Gillingham given that there is currently a need for a range of sites to be developed in North Dorset in order to boost the supply of housing.

Paragraph 47 of the National Planning Policy Framework (NPPF) sets out the government's aim 'to boost significantly the supply of housing'. Paragraph 49 of the NPPF states that 'Housing applications should be considered in the context of the 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.'

Paragraph 14 of the NPPF sets out what is meant by the presumption in favour of sustainable development. It details that 'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - 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; ( Unless material considerations indicate otherwise) or;
  - specific policies in this Framework indicate development should be restricted.' (2 For example, those policies relating to sites protected under the Birds and Habitats Directive (see paragraph 119 of the NPPF) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion)

Paragraph 49 of the NPPF acts as a 'trigger' to engage the relevant part of paragraph 14 (set out above) of the NPPF in decision-taking. For all three proposals there are no specific policies in the NPPF that indicate that development should be restricted.

### Summary

The proposed developments are contrary to Policy 2, Policy 6 and Policy 20 of the LPP1. However, as set out above the council cannot currently demonstrate a five-year housing land supply and as a result paragraph 14 of the NPPF is engaged in respect of considering the proposed developments. In terms of paragraph 14 it is considered that there are no specific policies in the NPPF that indicate that development should be restricted in respect of any of the proposals.

Consequently, given the extent of the existing housing shortfall in North Dorset and the fact that there isn't currently an oversupply of housing in the countryside (including Stalbridge and the eighteen larger villages), it is considered that there is no basis for refusing the proposed developments planning permission on the grounds that they are contrary to Policy 2, Policy 6 or Policy 20 of the LPP1.

It will be a matter for the case officer to express a view whether any of the proposals should be refused planning permission on the basis of other material planning considerations. In reaching this view the case officer will need to determine, in line with paragraph 14 of the NPPF, whether any adverse impacts resulting from any of the proposals would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The case officer should also consider whether there is a basis for any of the proposals being refused planning permission due to the cumulative impacts that would result from the proposed developments.

It is of note that the main reason that there is no objection to the proposed developments on the grounds of Policy 2, Policy 6 or Policy 20 in LPP1 is because the Council cannot currently demonstrate a five-year housing land supply. Consequently, if the proposals are granted outline planning permission, it is considered important that development is brought forward on the sites as quickly as possible to address the existing shortfall. Therefore, consideration should be given to the conditions regarding the submission of reserved matters that may be applied to the proposals if they are granted outline planning permission. Reducing the amount of time for the submission of reserved matters from three years to two years may help to accelerate the speed at which development is brought forward on the sites.

## **Representations:**

40 letters of representation were received, all of which objected to the proposal including a response from the CPRE and the A357 Action Group.

The objections raised the following concerns which are considered in the relevant sections of the Planning Appraisal below:

- Strategic and large scale development not acceptable should be local needs housing
- Unacceptable increase in traffic particularly on the A357
- Outside the defined development boundary of Stalbridge
- Loss of Countryside
- Damaging to landscape and countryside
- Views of Blackmore Vale lost
- Poor public transport
- Insufficient facilities in the town
- Primary school at capacity
- Lack of facilities in town no bank or solicitor
- Loss of GP surgery in town and need for replacement
- Lack of infrastructure to accommodate the number of houses
- Need bungalows not houses
- Limited employment opportunities
- Infrastructure needs improving before housing approved
- Site was not included in the strategic housing assessment
- Population increase from new housing is unsustainable
- Inadequate recreational facilities offered

## **Relevant Planning History:**

Pre-Application: PRE/2017/0045/PREAPP

Proposal: Application for up 130 dwellings, this number is approximate at present as draft reports are not due to be returned until 28th February. If the numbers alter prior to the meeting then an update will be provided to the Case Officer.

\* We are hoping to combine the pre application meeting with a meeting with the Town Council. The meeting with the Town Council is 7pm 8th March, if at all possible we would like to meet with you in the morning of 9th March.

## **Relevant Planning History:**

There have been no previous planning applications on this application site.

## **Planning Appraisal:**

### **Ensuring an adequate supply of deliverable housing sites (five year supply)**

Local Authorities are tasked to identify and update annually a supply of specific deliverable sites, known as housing land supply. The NPPF states that "To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable."

A lack of a five year supply or evidence of persistent under delivery can make it much more difficult to defend speculative development proposals in both the towns and villages. It has resulted in these development proposals coming forward that would not necessarily have the benefit of the level of community and member involvement that the current plan has been subject to, as is detailed in the planning policy comment above. Currently North Dorset District Council is unable to demonstrate a five year housing land supply. In this situation the relevant policies for the supply of housing need to be treated as out-of-date. It is important that the Council maintains a supply of housing land to meet the needs within the district

Stalbridge and the larger villages are identified in the local plan as suitable locations to accommodate local needs housing within their settlement boundaries. However, in view of the great importance placed upon housing supply they are vulnerable for consideration as strategic housing beyond their settlement boundaries. Indeed if they can be found to be in sustainable locations when the benefits are weighed against the harm from all other material considerations, then they should be considered to be acceptable to accommodate strategic housing supply.

### **Sustainability of location**

Stalbridge is the only other town in North Dorset District Council which is not currently designated for strategic growth. Therefore it could be a better location in terms of infrastructure and facilities to receive a proportion of strategic growth than the larger villages. This matter is currently out for consideration in the Issues and Options review of the Local Plan Part 1. As such it is too early a stage whilst still under consultation to carry weight in decision making in relation to the Local Plan.

Since the four main towns within North Dorset District Council area have not provided the expected strategic housing supply within the 5 year framework anticipated in the LPP1, it falls to other settlements to be considered. In this instance Stalbridge is now required to be considered as a possibility unless weighed to be unsustainable for a valid material consideration, given the pressing demand for housing supply in the District as a whole.

Stalbridge is well placed with infrastructure within the town itself. The A357 is the main road through the village connecting it to Henstridge, Templecombe and Wincanton to the North and Sturminster Newton and Blandford to the south and east. There is a community hub and village hall, a post office, a primary school, outdoor recreational facilities, a library, a sports pavilion, industrial estate offering employment, a supermarket with café, a variety of shops, a doctor's surgery (imminently to close) public toilets, pedestrian and cycle links and a petrol station. These factors all indicate that it is suitable to take further housing development.

To weigh against that Stalbridge is a smaller, rural, more isolated town which is not as well connected as the four main towns of North Dorset by public transport and the nearest rail link is at 6km. It has significantly fewer shops, no bank and no secondary school compared to the other four main towns of North Dorset. It is remote from a larger number of services and there is no viable alternative to private cars. Within the town itself accessibility to walking routes is restricted by limited opportunities for improvement due to narrow footpaths and buildings close up to the roads. It also has a historic core and valued local landscape character areas surrounding it. These matters are therefore fully assessed separately below to see if the harm from any of these factors would mean that the development is unsustainable as a whole for one of these reasons.

Clearly Stalbridge can provide some amount of housing development. The 40% of houses proposed to be affordable housing within this development would help to address local needs housing, being those on the North Dorset Housing Register in need of housing. If that were the case then those would be considered to be sustainable as meeting local need, leaving the remaining 60% market housing to be meeting a strategic housing supply rather than serving local needs.

Stalbridge is not designated in local plan policy to meet a strategic need for housing, but that is not in itself sufficient reason to prevent it meeting that need, if it is found to be a sustainable location for the housing and if no material considerations would significantly outweigh that.

The next step is for Members to determine, in line with paragraph 14 of the NPPF, whether any adverse impacts resulting from any of the proposals would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The material considerations will be explored in turn below and will be followed by an assessment of the amount of weight to be attached to them.

The report will then conclude with a final assessment of the weight of the need for housing supply against the combined weight of the material considerations, which would indicate otherwise. After this a tilted balance will be applied in favour of the need for housing supply, given the present shortfall of 3.42 years supply compared to the required 5 years supply.

### **The Principle of Housing Development**

In terms of Local Plan policy, the proposed development is contrary to Policy 2, Policy 6 and Policy 20 of the LPP1. This is because it is for development outside of the saved settlement boundaries of Stalbridge required by Policy 2, is of a quantity that would meet strategic and not just for local needs, as required by Policy 6; and, would be within the countryside, where market housing developments are not permitted, contrary to Policy 20.

With an adequate supply of housing (5yr plus) adopted Local Plan policies would be sufficient reason to refuse the development in principle in accordance with the NPPF paragraph 196 which states:

"The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.. This Framework is a material consideration in planning decisions."

However, Paragraph 49 of the National Planning Policy Framework (NPPF), which is itself a material planning consideration, states that 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.

The Council cannot currently demonstrate a five-year housing land supply therefore Policies 2, 6 and 20 of LPP1 (which are considered to be relevant policies for the supply of housing) cannot any longer be considered to be up to date. Where relevant policies are out of date, Paragraph 49 effectively 'triggers' the application of the presumption in favour of sustainable development in Paragraph 14 of the NPPF.

Paragraph 14 of the NPPF, sets out that for decision-taking this means granting permission unless:

- 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; or
- specific policies in this Framework indicate development should be restricted by footnote 9.

Footnote 9 to Paragraph 14 indicates that the only exceptions to such a presumption are: "sites protected under the Birds and Habitats Directive (see paragraph 119 of the NPPF) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion."

None of the examples listed as restricted developments in Footnote 9 apply to this application site.

This means that the application should be determined against the criterion which states:

"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"

National policy in paragraph 47 of the NPPF is to significantly boost housing supply and therefore additional housing provision should be seen as a benefit, alongside the community and infrastructure benefits that would be delivered. Housing in this location would help to meet the existing shortfall in the five-year housing supply in North Dorset and would not result in an oversupply of housing in the countryside (including Stalbridge and the eighteen larger villages), as set out in the Policy Officer comments above.

Any 'adverse impacts' of the development would need to significantly and demonstrably outweigh these housing and community benefits, in order to justify a refusal of planning permission.

### **Affordable Housing**

Local Plan Policy 8 indicates that development that delivers eleven or more net additional dwellings would contribute to the provision of affordable housing. The Policy identifies that such development outside settlement boundaries shall contribute a 40% proportion of the total number of dwellings as affordable. The policy requires the tenure mix of affordable housing to be 70% affordable rent and 30% intermediate housing.

The applicant has agreed to provide 40% of the units on site towards affordable housing at a tenure split of 70% affordable rent and 30% intermediate housing at this outline stage. This is a policy compliant contribution and is considered reasonable and necessary to make the development acceptable.

As the application is in outline, the exact number of affordable units and their locations is not yet known; but the applicant has agreed to the policy compliant level of provision towards affordable housing and this will be secured via a Section 106 agreement.

Members should be aware that whilst the full 40% quantum of affordable housing is included in the S106 agreement, this does not prevent the submission of a viability assessment with another outline application in future to seek to demonstrate that the 40% is not achievable once all the infrastructure costs are fully known. The existing S106 agreement could not be varied without a separate application.

### **Access, Highway Impact and Sustainable Transport improvements**

#### Access

The proposed access to the application site is a single point of entry and exit from Lower Road close to the boundary with the rear garden boundaries of properties in The Paddocks off Springfields. It offers good visibility onto Lower Road and a 2 metre wide footpath link to Springfields with streetlights which would effectively reduce the speed limit to 30mph from the site to Springfields to ensure highway safety for pedestrians and for drivers utilising the access.

#### Highway Impact

The proposal would result in up to 120 additional dwellings accessing the transport network from this point. The application has been submitted with a Cumulative Transport Assessment which indicates that the volume of traffic flowing into and out of the site through Stalbridge will not lead to a severe impact on traffic flows through the town or undue danger to road users, including pedestrians, horse riders and cyclists.

Highways England has raised no objection and confirmed that the volume of traffic will not have a significant impact on the Strategic Road Network.

The Dorset County Council Highway Authority has raised no objection to the proposal. They liaised with Somerset County Council Highway Authority to confirm the cumulative impact assessment, which looked at several potential developments in Stalbridge and one in Henstridge; accurately portrayed the impact of traffic on the A357; and that the extra volume from all the developments combined would not cause undue delay to vehicles travelling on through Stalbridge and Henstridge.

The Transport information submitted with the application has been given detailed scrutiny by both Highways England and the County Highway Authority, with due consideration also given to the counter claims of the A357 Action Group.

Whilst the proposal would undoubtedly increase the number of vehicles using the transport network, the applicant has provided robust evidence that demonstrates that the development can be accommodated without resulting in unacceptable highway impacts. As such, the proposal complies with the relevant policies of LPP1 and the NPPF. The highway impact of the proposal will not be severe and the NPPF is clear that planning permission should only be refused in cases where a severe impact is anticipated and cannot be appropriately mitigated.

### Sustainable Transport Improvements

There are a number of things that can be done to provide for sustainable access to a number of services within and beyond the town. A list of necessary infrastructure improvements include improvements to walking routes on key roads in and around Stalbridge, through the introduction of better pedestrian and cycle crossing points, with dropped kerbs and tactile paving, to provide safe facilities for less able people, those with push chairs, wheelchairs or mobility scooters; improvement of two key public footpath routes within the town.

Sustainable access to locations outside Stalbridge is currently limited. Bus services do not offer a viable alternative to private cars. However, the town does benefit from being 6km south of the mainline rail station at Templecombe which provides regular services to London from Exeter and the wider south west.

The potential off-road Trailway link between Stalbridge and Templecombe, along the disused Somerset and Dorset railway, secured by a S106 agreement, would provide a viable cycle route for commuters. The Trailway extensions could allow for sustainable travel in the local area including towards Sturminster Newton and enable access to local greenspaces and to a safe area for regular exercise. These improvements would positively impact on people's health and wellbeing following the principles embedded in the Sustainability and Transformation Plan for local health services.

The overall package of transport contributions for rights of way, Trailway and localised pedestrian cycle infrastructure would reasonably provide improved levels of sustainable transport for occupants of the proposed developments. They would also support sustainable development in a wider sense by helping to provide an environment in which a healthy lifestyle is possible.

The specific infrastructure requirements agreed with the applicant for this application site are:

- A contribution to Trailway extension for 120 dwellings - secured by section 106
- Rights of way improvements for 120 dwellings - secured by section 106
- Public footpath links to the rights of way/trailway to the north and north-west of the site to be provided within the site layout/reserved matters - Secured by planning condition
- Build a new footpath from Springfields to Jarvis Way with improvements on Lower Road, to include dropped crossing with tactile paving at Springfields - Secured by planning condition
- Contribution to allow delivery of dropped kerb crossings at 8 junctions on Lower Road and Jarvis Way to be used by occupants of the development when accessing the town facilities and local school.

These contributions and infrastructure improvements are necessary to provide appropriate accessibility to different parts of the town and routes to school and countryside walks. These improvements would impact positively on people's health and wellbeing which is an aim of improving the sustainability of Stalbridge as a community.

## **Flood Risk and Drainage**

Whilst the site is located in Flood Zone 1 and it is therefore at low risk of flooding there is a risk of localised surface water flooding towards the eastern corner of the site where there is an open channel which is partly culverted and joins a receiving system to the south-east. The ground conditions of mudstone and clay are anticipated to have poor infiltration rates.

As the development site exceeds 1 hectare in size a Flood Risk Assessment (FRA) has been carried out by the applicant which addresses the risks of localised surface water flooding. The FRA demonstrates that the proposed drainage strategies proposed would ensure that surface water arising from the developed site would be managed in a sustainable manner, reducing the flood risk to the site itself and elsewhere.

Dorset County Council's (DCC) Flood Risk Management (FRM) team has been consulted during the application process as they are the relevant Lead Local Flood Authority (LLFA) in this matter. They have assessed the submitted FRA and confirm it complies with the recommendations of the NPPF, adheres to the SUDS hierarchy and offers an acceptable drainage strategy. As such the DCC FRM have concluded that the site is not at risk of flooding and does not pose a risk to off site flooding, subject to drainage conditions.

## **Impact on Landscape Impact**

The Landscape Visual Impact Assessment (LVIA) has assisted in informing the judgement of the Council's Landscape Officer that there is no significant harm to landscape impacts.

The proposal would clearly have some landscape impact due to the visibility of the site from the more open elevated land on the limestone ridge at Marnhull; but due to its low lying position, enclosed by hedging, the impact of the development can be satisfactorily mitigated by ensuring the development of a robust landscaping proposal to enhance existing planted screening.

Whilst the loss of an area of open agricultural fields would diminish the core elements of the Blackmore Vale landscape character area, it would only be to a limited extent which would not amount to material harm to the landscape as a whole.

It is accepted that the siting of the development would be contained within the historic plot boundaries surrounding the settlement and will not damage the historic street frontage of the town.

It is acknowledged the density of the proposed development would be high (up 120 units at about 30 dwellings per hectare), which does not reflect the low density townscape character of Stalbridge adjacent.

It is also assessed by the landscape officer that, contrary to the statement in the LVIA the high level of value derived from the views from adjacent residential properties would not diminish over time, given the very close proximity of the proposed development to the residential properties, as it represents a permanent loss of open views across the countryside.

The loss of existing residential views over the landscape cannot be given weight in the consideration of the planning application, because there is no right in law to a view. Therefore the Council can only consider the impact on neighbours' residential amenity in relation to distances from new dwellings, light and privacy in order to ensure they are not materially harmed. There is no reason why this amenity could not be provided by the dwellings.

It is therefore concluded that there would be no significant harm from the change to views from neighbouring properties out onto this pastoral landscape as the harm would be adequately mitigated by retention of a landscape buffer and planning on boundaries. Development of the site would not adversely affect wider views into the site and beyond from Blackmore Vale and the Limestone ridges beyond, due to the low lying and enclosed nature of the site.

The overall landscape impacts of the development proposal are considered to be acceptable and compliant with Policy 4 of the LPP1.

### **Impact on Ecology**

Policy 4 of the Local Plan Part 1 has requirements in respect of Ecology which are consistent with the objectives and requirements of the policy at the national level contained within paragraph 118 of the NPPF. The application has demonstrated compliance with these requirements through the submission of a Biodiversity Mitigation Plan which demonstrates that appropriate enhancements can be achieved.

The existing coniferous plantation along part of the boundary of the site with the Springfields housing development provides visual screening of the existing housing, but is a bit of an anomaly in the landscape where deciduous planting predominates. The approved Biodiversity Mitigation Plan recognises scope to enhance the ecological and recreational value of the conifer plantation the detail of which would be included in the landscape design at reserved matters stage. It also recommends planting of fruit trees in the open space, provision of bird and bat boxes, habitat and landscape buffer around a pond, thickening of existing hedgerow at the site entrance and enhancement of other hedges in the development site supplemented with native deciduous tree planting.

Given the overall size of the site and existing vegetation, the proposals demonstrate potential for delivery of a good range of biodiversity enhancements as required by the NPPF. Natural England advised that any planning permission should be conditional on a Biodiversity Mitigation Plan (BMP) being approved by the Dorset County Council's Natural Environment Team (DNET) prior to commencement of development and this has already received a Biodiversity Mitigation Certificate from DNET. A condition is suggested and therefore the proposal can be considered capable of delivering benefit to habitat and biodiversity in the locality.

A financial contribution towards the enhancement of the neighbouring Stalbridge Nature Reserve has also been agreed with the applicant to address the impacts of development in line with Policies 4 and 15.

Given the overall size of the site and existing vegetation, the proposals have demonstrated potential for delivery of a good range of biodiversity enhancements in the locality as required by the NPPF.

### **Impact on Trees**

The site is largely enclosed by mature hedgerow and trees. The existing trees and hedgerows contribute to the rural context of the site and visual amenity of the landscape other than the group of conifers backing onto the Hawthorns. Generally retention of all the native trees and hedgerows is important and they would be required to be incorporated into future landscaping proposals at the reserved matters stage.

The indicative proposals submitted show that the applicant intends to retain existing hedgerows and trees, incorporate additional planting into the proposals for public open space. The indicative landscape plan shows the substantial reinforcement of the existing landscaping and trees on the site to provide a broader range of planting reflecting the indigenous trees and shrubs in this pastoral landscape.

The Tree and Landscape Officer has assessed the proposals to be acceptable and raises no objection subject to landscaping conditions.

Detailed landscaping proposals, a planting schedule and maintenance plans will be required with a reserved matters application and this outline application will require conditions to ensure such landscaping would be managed and maintained via a Landscape Environment Management Plan (LEMP)

With respect to the future growth potential for existing trees and hedges on site, a full Arboricultural Method Statement should be made a condition of consent and should detail how the existing trees are

to be protected, any remediation pruning, and details of service runs, roads or other issues which may impact upon the retained trees and hedgerows. This would ensure that they may continue to give long-term benefits to the locality and would not be subjected to pressures for their removal.

The Biodiversity Mitigation Plan in conjunction with the LVIA indicates the proposed development could be delivered whilst protecting existing trees and through the reserved matters stages a robust landscaping scheme would assist in reinforcing existing landscaping on the site and soften the visual impact of development on the locality and from wider landscape views.

### **Impact on Archaeology**

The application has been submitted with an archaeological assessment required by paragraph 128 of the NPPF which identifies that there are no designated or non-designated archaeological assets present on the application site, the nearest being a scheduled Medieval cross dating from 15th Century almost 1km to the north in the town centre, that would be unaffected by development of this site.

The report indicates that the low lying nature of the clay site would not have been a likely settlement area in the past and that any archaeology would therefore have been limited to traces of cultivation and field boundaries with a low theoretical potential for previously undiscovered archaeological evidence to be present.

Dorset Country Archaeologist concurs with the findings of the report that no further archaeological investigation would be necessary in support of the application. Archaeology is no longer a constraint to development on the site and no conditions are necessary.

### **Impact on Heritage Assets**

The historic core of Stalbridge lies over 800metres from the application site which is on the rural fringe of Stalbridge. The Conservation Area demonstrates a tightly packed medieval grain, which has a tight building line along the High Street and Gold Street.

The town has developed outwards, with a modern rectangular form of suburban estates and the industrial zone on the town fringes, within field patterns and do not reflect the historic organic evolution. As such the Council's Conservation Officer has considered the impact of developing this site in its context adjacent to a modern housing development and with no heritage assets in the immediate locality.

Due to the position of the application site on the edge of town, adjacent to a modern housing estate, and given the distance of over 400 metres from the nearest part of the Conservation Area or Listed Buildings, and over 800 metres from the historic core of the town, it is not considered that this site raises any concerns in relation to impact on heritage assets. No conditions are recommended in relation to heritage assets.

The detailed design of the proposed development would need to respect the historic patterns of development within Stalbridge, not only in terms of materials, scale and form, but also critically, how those buildings relate to the public realm, streetscape and each other.

The layout and detail of the new development should seek to respond to this form and character without slavish replication. It would be expected that the prevalent building materials of forest marble, coursed stone rubble with ashlar dressing/capping, red brick surrounds to windows and slate roofs be incorporated in the development along with use of curved dry layered course stone walls and hedges to mark boundaries.

A condition is proposed to secure a design code to reflect the materials and elements of the form and scale of buildings within the Conservation Area.

In this instance it is assessed that the development will cause no harm to the significance of Heritage Assets or the Conservation Area and could be assimilated into the town will references from the historic core through the detailed site layout and material through a planning condition.

### **Impact on Neighbouring Amenity**

The application site is mostly separated from neighbouring property by trees and fencing with a conifer plantation to be retained alongside Hawthorns.

15 Larks Meadow is situated 32 metres from the boundary of the application site, including the buffer of Wessex Water land beyond its garden boundary, which is shown for retention as part of the Local Nature Reserve, along the boundary with the application site. 3 The Paddocks sits at a distance of 36 metres from the proposed site access road which will run alongside the rear garden boundary.

These distances from the nearest residential properties allow for acceptable back to back distances from new housing with space to provide landscape screening at site boundaries to prevent loss of privacy. Loss of views across Blackmore Vale are not a material planning consideration in relation to amenity.

The proposed housing development would not be likely to generate harmful levels of noise and disturbance that would significantly affect the quiet enjoyment of neighbouring residential properties.

Due to the position of the proposed development and the size of the application site, there is adequate space to ensure that a satisfactory scheme could be devised that would have no adverse impact on the amenity of adjoining occupiers by way of overshadowing, overlooking, or overbearing.

There would inevitably be some adverse impact on neighbouring occupiers by way of disturbance during the construction phase of the proposed development. To address this, a construction management plan condition could be imposed to ensure that any related disturbance is kept to a minimum. Such disturbance would be transitory and, could be regulated so as to ensure acceptable levels of amenity to neighbouring residents.

Therefore, subject to a construction management plan condition, and securing a satisfactory detailed design at the reserved matters stage, and notwithstanding local concern, the proposal is considered to have no significant adverse impact on residential amenity in compliance with Policy 25 of the LPP1.

### **Infrastructure Provision via S106**

It is necessary to assess the planning obligation requirements against the requirements of paragraph 204 of the National Planning Policy Framework and the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010. Any contribution that is required must be reasonable and necessary and of the financial contributions have to be agreed between the developer and the LPA

In order to make the development acceptable in planning terms, a wide range of on and off site infrastructure provision has been identified, through consultation with key stakeholders including Dorset County Council, Dorset Clinical Commissioning Group and Stalbridge Town Council. These seek to secure a good range of Public Benefits to the residents of the whole town, including the new development if approved, which may otherwise not have received funding.

Policies 13 (Grey Infrastructure), 14 (Social Infrastructure) and 15 (Green Infrastructure), set out the Council's approach to securing the appropriate infrastructure needed to support sustainable development.

As the Local Plan Part 1 does not identify Stalbridge for strategic growth, the methodologies for calculating the appropriate scale of provision have been established on a proportional basis for each additional dwelling. An area-specific package of contributions to satisfy green, grey and social infrastructure has been developed which includes highway improvements with public access and open space and recreation.

The applicant has agreed to meet the policy level requirement for grey and green infrastructure and community benefits, itemised as part of the final recommendation below. These include:

### Highway Improvements and public access

As part of the highway works proposed, a number of tactile crossing points on Lower Road and Jarvis Way would be provided, in order to facilitate access to Stalbridge School and to shops in the town centre. These would improve pedestrian accessibility to and from the town.

Additionally a new footpath would be provided from the site access going northwards up Lower Road to link with existing footpaths leading to the primary school and town centre and would be made subject of a planning condition.

A railway link enhancement is to be secured for improving and surfacing and enabling the extension of the railway in a northerly direction alongside Stalbridge towards Henstridge and Templecombe and in a southerly direction towards Sturminster Newton.

A contribution towards the enhancement and maintenance of public rights of way has also been agreed

This package of highway infrastructure benefits would achieve multiple sustainability benefits to the development, including improved footpath links and dropped kerbs and crossing points to improve opportunity for health and wellbeing of the whole community, in line with local and national policy.

It is considered that these benefits are all necessary as a result of the increase in vehicular and pedestrian movements generated by the development and are therefore reasonable and meet the tests of the CIL regulations

### Open Space / Recreation

The proposal includes a contribution towards the provision of destination play facilities which could include a Neighbourhood Equipped Area for Play (NEAP) and a Multi Use Games Area (MUGA) and wheeled play / skate park which is considered an appropriate provisions for a development of this size, in combination with the other two major housing applications also being considered in Stalbridge.

These play areas would be delivered within a dedicated area of public open space within Stalbridge and potentially managed by Stalbridge Town Council with appropriate maintenance contributions included. Should the Town Council not be interested in taking ownership of the open space, or equipment, the S106 agreement would ensure there is a requirement for the developer to transfer the area into a private management company which would be responsible for the maintenance of the spaces and equipment.

The provision of public open space and Locally Equipped Area of Play (LEAP) for children's play space on the site itself to be used by future residents of the development would be specified within the reserved matters application and would be made subject to a condition on this outline application.

### Allotments

Within the S106 agreement the contribution of funds to support the provision of more allotments within the town, by expanding the existing allotments to the north of the town.

### Social infrastructure benefits

These benefits are necessary as a result of the increase in population which would place a demand on existing services. Contributions have been secured in the areas of education and community infrastructure as follows:

#### Education

The applicant has agreed to make the required contribution towards education, which is set by Dorset County Council as a financial contribution per dwelling with 2 or more bedrooms.

There would be a requirement for three further classrooms at Stalbridge Primary School, if the three proposed major housing sites on this agenda proceed to be developed. Dorset County Council is

also seeking contributions towards enhancements to secondary provision to be provided Sturminster Newton Secondary School.

The contributions are calculated per dwelling so that they can be scaled down according to which developments are granted Planning Permission. This application alone is likely to generate the need for one further classroom at the Stalbridge Primary School and a contribution towards Secondary education.

The financial contribution for education is considered to meet the tests of the CIL Regulations and is necessary to make the development acceptable. It has been agreed by the applicant and is specified at the conclusion of this report.

### Health

This application site, in combination with other potential growth in Stalbridge, would place additional demands on the health service that need mitigation through a contribution towards social infrastructure.

The main funding source and lead delivery agencies for community health are NHS England (Wessex) and Dorset Clinical Commissioning Group (CCG) for healthcare.

The CCG has specified a contribution to be secured towards the provision of Primary Care Services, at a rate per dwelling, which would need to be provided for the development of up to 120 dwellings and to be allocated as the CCG sees fit in the locality.

It is possible that this could be allocated to owning or renting a consulting room in Stalbridge for healthcare services, but whether or not such spending is directed to Stalbridge is at the discretion of the CCG, acting for the healthcare of the whole NHS trust area.

The financial contribution for primary health care is considered to meet the tests of the CIL Regulations, and is necessary to make the development acceptable. It has been agreed by the applicant and is specified at the conclusion of this report.

### Community improvements

It is considered necessary and reasonable to collect financial contributions towards the delivery of community facilities in Stalbridge.

The application site itself is not large enough or located sufficiently central to the town to accommodate community facilities to offer on-site social improvements such as leisure and indoor sport facilities. Contributions are therefore proposed to be charged at a fixed rate per dwelling and will be allocated within the town following consultation with the Town Council.

The Village Hall, Sports Pavilion and the Community Hub offer opportunities to enhance and improve facilities for the existing and increasing population. The library would also receive a separate contribution as there is a current need for the roof to be repaired and heating to be improved.

The community contribution is considered appropriate, given the likely expansion of demand for existing facilities which are in need of upgrading and extending. The demonstrated need for the upgrade and extension of existing community facilities provides sufficient justification that this obligation is both reasonable and necessary to make the development acceptable.

The improvements to existing community facilities centrally located within the town will meet the social needs of the future occupants of the development.

All obligations to be included within the S106 agreement meet the relevant policy requirements and legislative tests and have been agreed by the applicant.

## **Other Planning Considerations:**

### **Public Art**

Local Plan Policy 13: Grey Infrastructure pays regard to public realm in new development. It states that "For all large-scale development proposals, and proposals on prominent sites, the Council will seek the incorporation of public art and will encourage liaison with local artists." The current proposal is considered large scale development and will have significant opportunity to provide public art in the areas of public open space that will be incorporated in the layout at reserved matters. As such, it is considered appropriate to impose a condition that requires the provision of public art within the scheme when the reserved matters application is submitted.

### **Agricultural Land**

The site is located on grade three agricultural land. The National Planning Policy Framework at paragraph 112 states that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality.

There are no brownfield sites within the Stalbridge area that could help meet the shortfall of housing supply over the plan period. Whilst the site is locally sensitive in respect of landscape character, it does not lie in an Area of Outstanding Natural Beauty, whereby great weight would be afforded to the retention of good quality agricultural land.

Furthermore, the social and economic benefits of providing additional homes are considered to outweigh the economic benefits of losing the agricultural land.

### **Other issues raised by representations**

There were 49 representations from residents of Stalbridge, Henstridge and Templecombe raising concerns about the proposed development at Lower Road. Most of the concerns raised have been addressed in the material considerations above. The other issues raised can be grouped into concerns about the impact of the increased population on the services and infrastructure within Stalbridge. These matters are considered by topic below.

#### Employment opportunities

There were concerns that there is a requirement for more jobs than are currently provided within Stalbridge and the local area, which may mean it is an unsustainable location for the number of houses proposed.

The industrial estates within the town potentially offer some employment and the site is within reasonable distance of Templecombe station for travel to work or to the nearby towns of Sturminster Newton, Gillingham, Shaftsbury and Wincanton.

In addition to the opportunities at Stalbridge's industrial areas including the notable food distribution companies of Fudges and Hunt's Foods, there are significant opportunities at Henstridge Airfield Business Park. Gibbs Marsh Trading Estate is also only about 2 miles away and in close proximity to Henstridge Airfield. Gibbs Marsh Trading Estate is located to the north east of Stalbridge and has an engineering company, fuel supplier and salvage company located on the estate.

The area is in fact well served in terms of employment opportunities for residents in the locality and for the occupiers of the proposed residential schemes proposed at Stalbridge as it is reported that businesses in the town are frequently seeking to attract staff.

#### Education Provision

Several of the objections have stated concerns regarding the pressure additional development will place on Stalbridge Primary School.

It is acknowledged that the development would result in additional children of school age living in Stalbridge placing demand on the existing school infrastructure. For the Primary School in Stalbridge

this particular application would generate a potential requirement for 30 children, or one class intake from.

It is for DCC to decide how best to meet that need, either on the site of the existing school or funding the transport for children attend primary schools in neighbouring villages. Their initial aim would be to provide for the increase on the current school site if possible and to acquire additional land if necessary to accommodate any increase.

#### Health Provision

A number of residents have expressed concern about the loss of the existing doctor's surgery in Stalbridge which is due to close in April 2018 and the likelihood that clients would be expected to travel to neighbouring surgeries for healthcare needs when this occurs.

In the absence of a project to expand the Stalbridge surgery or to create a new surgery, the planning process is unable to collect developer contributions specifically for a GP surgery.

GP surgeries are run as a private company and overseen by the NHS. Therefore the Dorset Clinical Commissioning Group (CCG) cannot require a GP surgery to meet that need in a particular location. However, the CCG is responsible for ensuring the funding secured for a development is spent on the primary healthcare of the population within its area of jurisdiction.

It should be noted that if a local surgery closes, other surgeries are required to accept new patients, they cannot be turned away. Therefore the health needs of the future population will need to be accommodated within the existing surgeries in neighbouring towns and villages such as Shaftsbury, Sturminster Newton and Marnhull. The planning process cannot insist on a surgery being based in Stalbridge

The CCG has not raised an objection to the proposed development on the basis of the above consideration. Therefore, there is no reason to suggest that the health facilities within the town would not be able to meet the requirements placed upon the health service through the development of land for housing Lower Road.

Having regard to the above, officers consider there to be no grounds that could substantiate a reasonable and defensible refusal of this application in relation to the future health requirements within the town.

### **The Planning Balance**

#### Planning Policy

The proposed development is contrary to Policy 2 (the core spatial strategy), Policy 6 (the approach to the distribution of housing) and Policy 20 (which seeks to protect the countryside) of the LPP1. This is because it is for development outside of the saved settlement boundaries of Stalbridge required by Policy 2, is of a quantity that would meet strategic and not just for local needs, as required by Policy 6; and, would be within the countryside, where market housing developments are not permitted, contrary to Policy 20.

#### Presumption in favour of sustainable development

As the council does not have a five-year supply of housing, the 'tilted balance' of the presumption in favour of sustainable development, in Paragraph 14 of the NPPF applies, so that any adverse impacts, including breaches of policy, would need to significantly and demonstrably outweigh any benefits to justify a refusal of planning permission.

#### What are the Impacts?

#### Highway Impacts are acceptable

The proposal is compliant with the requirements of the NPPF as it would not result in severe highway impacts. The NPPF states that development should only be prevented or refused on transport

grounds where the residual cumulative impacts of development are severe. The cumulative highway implications of the proposals have been fully assessed and found to be acceptable by the Highway Authority. The vehicular and pedestrian access which has been submitted for detailed consideration is deemed to be acceptable.

#### Drainage impacts are acceptable

Surface water drainage can be adequately dealt with on and off the site to prevent flooding.

#### Landscape impacts are minimal

Between low and moderate adverse visual impacts on the Blackmore Vale landscape have been identified. The impact can be minimised through mitigation in the form of design solutions and landscaping at the reserved matters stage.

#### Biodiversity enhancement and mitigation for harm are acceptable

Benefits to habitat and biodiversity will also be secured through the implementation of a Biodiversity Mitigation Plan and Landscape Environment Management Plan.

#### Heritage impact minimal

The impact of the proposed development on heritage assets would be minimal subject to detailing of scale, layout and materials at reserved matters stage.

#### Neighbouring Amenity - no demonstrable harm

No harm has been identified that could not be mitigated at reserved matters stage.

#### Agricultural land loss and siting in landscape acceptable

The application site is not of very high environmental value for agriculture, or of national significance for its landscape quality. The loss of the agricultural land immediately adjacent to an established modern housing development with proposed landscape enhancements is therefore justified and the loss of landscape is mitigated.

#### Combined harm of development is minimal

Weighing material considerations against this it has been demonstrated that cumulative transport effects are not going to generate severe harm, the drainage details can be conditioned to prevent flooding, matters of ecology trees and landscape are all offering mitigation to offset the minimal harm and there is no harm to conservation, heritage assets, or to archaeology.

#### Sustainable location

The settlement of Stalbridge is the next largest town outside the four identified for strategic growth, where development would be the next most sustainable location, above the larger villages, given the facilities available within the town. Although not well connected to neighbouring towns and positioned in a rural setting, the town is sufficiently well connected to be considered sustainable.

The proposed development could provide a sustainable housing development to meet and go beyond an acknowledged local need, such that it would also meet some of the strategic need, which is considered to be necessary in this sustainable location due to the lack of harm to material considerations to indicate otherwise.

Members may also wish to acknowledge that the level of housing provision in this application, even when combined with other housing applications proposed within Stalbridge currently, would not be so large that they would result in an oversupply of local needs housing for the district as a whole over the plan period.

#### What are the economic, social and environmental benefits?

The economic benefits of the development would provide investment and jobs during the construction process to benefit the local and national economy. New residents to the town would provide a supply of labour to local services and industries; and the extra population would help keep shops and services in the town viable.

The provision of market housing would be a social benefit. The NPPF at Paragraph 47 states that the government is seeking to boost significantly the supply of housing including affordable housing. This development proposal would meet this aim; help to ensure that the District Council meets the identified need for housing within the area; and contributes to meeting the five-year supply of housing.

The social benefits would also include the provision of affordable housing to meet local housing needs and would also contribute towards the District's supply which has to be given significant weight given the under supply of affordable housing to meet local needs.

Other social benefits to meet the needs of the community of all ages and interest groups within the town include education, health, library, and community facilities. All these necessary social benefits are considerable and should be afforded significant weight.

The environmental benefits include a range of infrastructure improvements including, local and neighbourhood play areas, allotments, outdoor gym for all ages, enhanced cycle routes, walk to school routes, railway enhancement and extension and footpath enhancements. These environmental benefits offer a significant improvement to the connectivity within the town and should be afforded great weight.

#### Combined benefits of development are substantial

In terms of the economic, social and environmental roles that comprise sustainable development, the combined benefits of the scheme to Stalbridge as a whole, as listed above are considerable in addition to boosting housing supply. In this instance, given the lack of material harm demonstrated to any one of the material considerations of the application, the development of the site is considered to be sustainable.

#### No adverse impacts significantly and demonstrably outweigh the benefits?(NPPF paragraph 14)

Although this site is not an identified area for growth due to the shortfall in the 5 year housing land supply, the need for the housing supply has been weighed together with the public benefit of necessary infrastructure contributions against the harm to the countryside and other adverse impacts to material considerations (such as highways, drainage, heritage assets, landscape and ecology).

On balance, Officers consider that there are substantial advantages to the housing alongside the package of S106 obligations that significantly and demonstrably outweigh the conflict with spatial policy and the minimal harm that has been identified by the material considerations of highways, heritage, landscape and drainage. Therefore this means for decision takers that development proposals such as this should be approved without delay, as it complies with the policies of the NPPF taken as a whole.

#### **Conclusion:**

Overall, the additional supply of housing and the provision of public benefits to Stalbridge are considered to override any material policy conflict, in the context of the tilted balance. It is the opinion of your officers, having regard to the details set out in this report, that the proposal represents a sustainable form of development, with benefits that clearly outweigh the harm, such that planning permission should be granted, subject to conditions and a S106 agreement to secure adequate mitigation.

#### **Recommendation: APPROVE**

Approve subject to the applicant entering into a Section 106 agreement within 3 months from the date of the committee resolution relating to the provision of:

40% Affordable Housing at a tenure split of 70% Affordable Rent and 30% intermediate Housing; and the following infrastructure costs:

### **Infrastructure costs per dwelling:**

Destination Play Facilities (NEAP, MUGA, Skate / Wheeled Play, Outdoor Gym) 120 dwellings \* £934.65 per dwelling = £112,158.00

Destination Play Facilities Maintenance: 120 dwellings \* £241.91 per dwelling = £29,029.20

Trailway Strategic Project: 120 dwellings \* £715.12 per dwelling = £85,814.40

Rights of Way Improvement: 120 dwellings \* £154.00 per dwelling = £18,480.00

Local Nature Reserve Mitigation: 120 dwellings \* £58.875 per dwelling = £6,945.00

Local Nature Reserve Maintenance: 120 dwellings \* £22.29 per dwelling = £2,674.80

Allotment provision: 120 dwellings \* £288.00 per dwelling = £34,560.00

Primary Care Services: 120 dwellings \* £73.39 per dwelling = £8,806.80

Community, Leisure & Sport Facilities: 120 dwellings \* £2,110.16 per dwelling = £253,219.20

Library Services Mitigation: 120 dwellings \* £75.00 per dwelling = £9,000.00

Pre-School Provision: 120 dwellings \* £190.00 per dwelling = £22,800.00

Primary & Secondary Education: 120 dwellings \* £6,094.00 per dwelling = £731,280.00

Pedestrian / Cycle Connectivity: £5,200.00 in total

On-site play and open space to be provided and maintained in perpetuity

Total Financial contributions for 120 dwellings would be £1,319,967.40

### **Conditions:**

1. The development to which this permission relates must be begun not later than whichever is the later of the following dates:
  - (i) the expiration of three years from the date of grant of outline planning permission, or
  - (ii) 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).

2. Application for approval of any reserved matters must be submitted to the Local Planning Authority not later than the expiration of two years beginning with the date of this permission and the development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved

Reason: This condition with shortened timeframe, normally imposed by Section 92 of the Town and Country Planning Act 1990 (as amended), seeks to encourage development, due to the pressing need for housing to be provided in a short timeframe, within an area where housing land supply is not currently being met.

3. Approval of the reserved matters (that is any matters in respect of which details have not been given in the application and which concern the layout, scale or appearance of the building(s) to

which this permission and the application relates or the landscaping of the site) shall be obtained from the Local Planning Authority in writing before any development is commenced, and such development shall be carried out as approved.

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

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

Location Plan Drawing No: 28962 (R01-00) Fig 2.dwg  
Proposed Junction Layout Drawing No: 4746-51-03

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

5. Masterplan to include phasing  
Should the first reserved matters application be for two or more phases of development, the application shall include a masterplan for the whole of the site, setting out details of access within the site, site layout, areas of open space / children's play, landscaping, density parameters and scale, as well as details of any proposed phasing of development. All subsequent reserved matters applications shall be in accordance with the approved masterplan unless any alteration to the masterplan is first agreed in writing by the Local Planning Authority. All development of the site shall thereafter be undertaken in accordance with the agreed phasing and timetable details (or any alternatives subsequently agreed in writing by the Local Planning Authority

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

6. Outline Estate Road Construction (adopted or private)  
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 Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed and the parking areas shall be retained as such and kept available for their intended use. No individual dwelling shall be occupied until means of access to that property has been laid out and constructed in accordance with the approved plan.

Reason: To ensure the proper and appropriate development of the site in the interests of highway safety, in accordance with Policy 13 of the North Dorset Local Plan Part 1.

7. Cycle parking scheme to be submitted  
The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities for the whole development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme must be constructed before occupation of the phase of development it relates to is first 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, in accordance with Policy 13 of the North Dorset Local Plan Part 1.

8. Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Local Planning Authority: A new 2.00m wide footway provided from the new access to link with the existing footway at the junction of Springfields to the west, a carriageway narrowing and extension of the existing street lighting, as shown on Drawing No 4746-51-03 A in Appendix 2 of the updated Transport Assessment (or similar scheme to be agreed in writing with the Local Planning Authority).

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, in accordance with Policy 13 of the North Dorset Local Plan Part 1.

9. Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Local Planning Authority: The provision of a footway on Lower Road from the junction of Springfields connecting westwards to the existing footway running east from Jarvis Way, to a specification which must be submitted to and approved in writing by the Local Planning Authority.

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, in accordance with Policy 13 of the North Dorset Local Plan Part 1.

10. Construction traffic management plan to be submitted  
Before the development hereby approved is occupied or utilised a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Local Planning Authority. The CTMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- Inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary
- Measures to control the emission of dust and dirt during construction.

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.

11. No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including confirmation of the existing drainage infrastructure & measures to manage surface water during any phased construction, 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 the increased risk of flooding, and to protect water quality, in accordance with Policy 13 of the North Dorset Local Plan Part 1.

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

other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding, in accordance with Policy 13 of the North Dorset Local Plan Part 1.

13. No development shall be commenced until a strategy for the disposal of foul water drainage has been submitted to and approved in writing by the Local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker.
- a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing
  - the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

Thereafter, no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented.

Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property, in accordance with Policy 13 of the North Dorset Local Plan Part 1.

14. Before any works commence on site a detailed Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan, shall be submitted to and approved in writing by the Local Planning Authority. These documents shall include details of how the existing trees are to be protected and managed before, during and after development and shall include information on the alignment of any services or utilities, 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.

15. No application for any Reserved Matters shall be approved until a Landscape Environment Management Plan (LEMP) has been submitted to, and agreed in writing by, the local planning authority. The LEMP shall include the following: Details of management measures to deliver the mitigation identified in the Biodiversity Mitigation Plan submitted in support of the application by Dale Cooper (FPCR Environment and Design Ltd) Version 4, Dated 8th August 2017.

Specifically:

Retained and enhanced hedgerows

Planting of fruit trees in within the areas of public open space;

Enhanced woodland

Retained grassland seeded with neutral rich species

Retained buffered pond

Bat and bird boxes

Except where addressed in other documents, the LEMP shall also include management proposals for each of these features for the lifetime of the development. Unless approved otherwise in writing by the local planning authority, development of the site shall proceed in accordance with the approved LEMP.

Reason: To ensure that the development conserves and enhance biodiversity in accordance with the objectives of the National Planning Policy Framework

16. The first reserved matters shall include full details of soft landscape proposals across the whole site including the play area and pond area and all public open spaces. These details shall include planting plans, written specifications and schedules of plants, noting species, planting sizes, proposed numbers/densities where appropriate and implementation timetables, and shall include details of the management of excess spoil arising from the development.

Reason: To ensure the provision of visual amenity afforded by appropriate landscape design throughout the site including open spaces.

17. The first reserved matters application shall show links to the rights of way and the railway to the north and north-west of the application on the site layout plan which shall then be implemented by the completion of each phase of the development they relate to.

Reason: To comply with green-infrastructure policy by improving public access routes into and around the town.

18. Before any works commence on site, a scheme indicating the positions, design, materials and type of hard landscaping and boundary treatments shall be submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority prior to implementation and the approved scheme shall be implemented and completed in accordance with the approved details.

Reason: In the interests of the amenities of the area.

19. No reserved matters application(s) shall be made until such time as a Design Code for the entirety of the site has been submitted to and agreed in writing by the Local Planning Authority. The Design Code shall substantially accord with the principles and parameters described and illustrated in the Design and Access Statement. All subsequently submitted reserved matters applications shall accord with the agreed Design Code.

Reason: To ensure provision of a high quality mixed housing development across the site in the interests of good design and to reflect the local distinctiveness of this compact country town.

20. The submission of reserved matters for housing design shall reflect a palette of materials that are prevalent in other building materials in Stalbridge such as forest marble, coursed stone rubble with ashlar dressing/capping, red brick surrounds to windows and slate roofs, along with curved dry layered course stone walls and hedges to mark boundaries.

Reason: To ensure the development reflects the local distinctiveness of this compact country town.

21. The first reserved matters application will identify a location and opportunity within the layout for the provision of public art.

Reason: In the interest of creating an attractive public realm in accordance with Policy 13 of the North Dorset Local Plan Part 1 (LP1) 2016-2031.

22. No development shall commence until a scheme for facilitating infrastructure to support superfast broadband technology to serve the development has been submitted to, and approved in writing by, the local planning authority. The scheme shall include a timetable for implementation, including triggers for a phased implementation if appropriate. Thereafter, the development shall proceed in accordance with the agreed scheme.

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

23. As part of the layout design for the first reserved matters application, a lighting and signage strategy shall be provided to satisfy transport and biodiversity requirements for the development as a whole. The approved lighting and signage strategy shall then be implemented prior to first occupation within the phase of development to which it relates, and maintained and retained thereafter.

Reason: In the interest of road safety and protection of wildlife.

### **Human Rights**

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.

### **Public Sector Equalities Duty (PSED)**

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. In reaching the above recommendation regard has been had to those with protected characteristics based on:-

- Age
- Transsexual
- Married or in civil partnerships
- Pregnant or on maternity leave (so mothers with buggies)
- Race, including colour, nationality ethnic or national origin)
- Religion or lack of religion
- Sex
- Sexual orientation

These considerations have been applied in assessing infrastructure and public benefits to the town through the provision of the following:

#### **Access**

Access arrangements have been made through the introduction of tactile paving and dropped crossings to ensure people with disabilities or mobility impairments or pushing buggies have been accommodated additionally footpath links and hardsurfacing of the trailway will increase accessibility, health and wellbeing to the whole population in all groups listed above.

#### **Health Care**

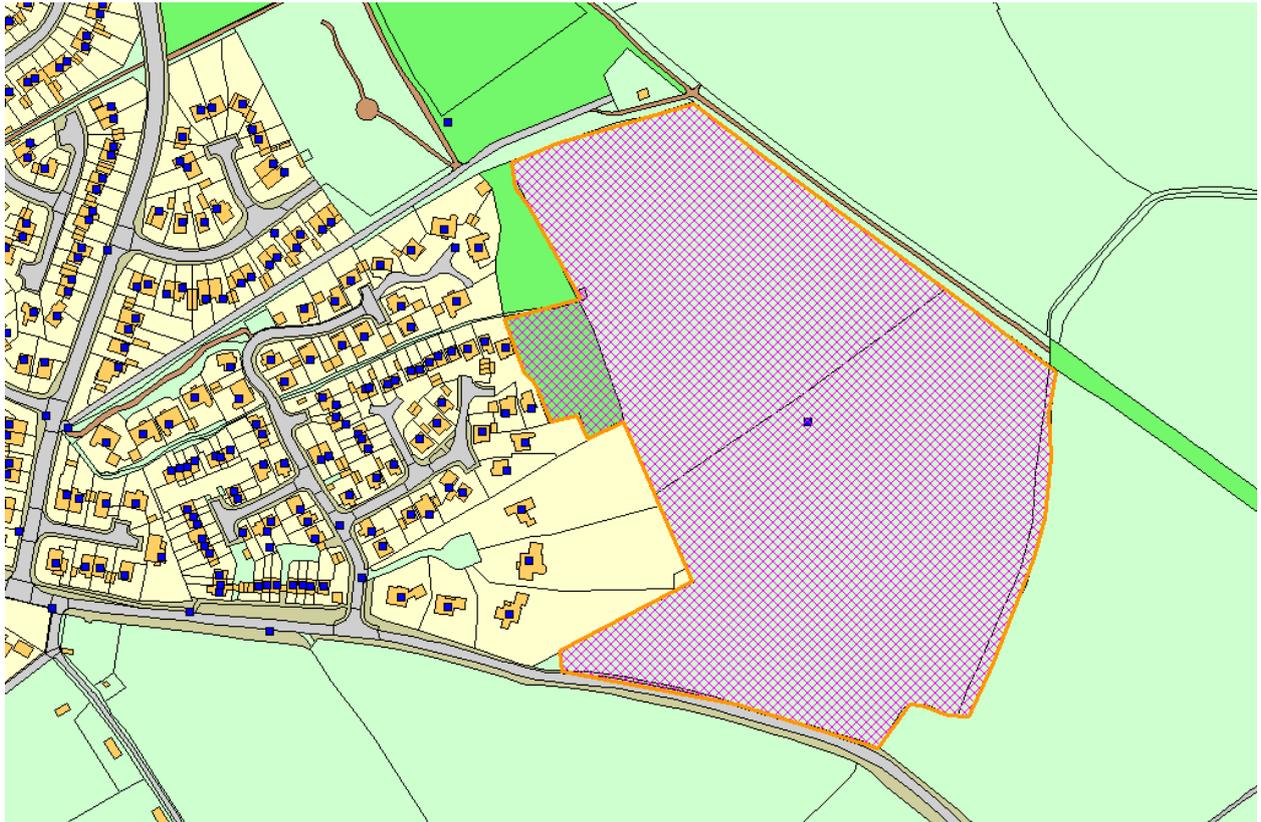
A financial contribution has been agreed which will be designated in the interests of the health and wellbeing of all the groups listed above through improved access to health care provision

#### **Affordable and Lifetime Homes**

The disadvantaged will benefit from affordable housing provision of 40% on the site and the disabled will benefit from lifetime homes.

### **DECISION:**

LOCATION PLAN 2/2017/0741/OUT



**DO NOT SCALE**

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