



PLANNING COMMITTEE

Application Address	Land North of Bearwood, Magna Road and Knighton Lane, Poole
Proposal	Hybrid planning application seeking: Full permission for the demolition of No. 94 Magna Road, construction of primary access roads, formation of multifunctional open spaces, reprofiling to allow for construction of primary surface and foul water infrastructure, installation of mains services and formation of development platform; in support of: Outline permission for the phased development of up to 695 new homes, a community hub comprising retail uses (A1/A2/A3), flexible workspace (B1), community uses (D1/D2) and a 60 bed care home
Application Number	APP/19/00237/P
Applicant	WH White Limited
Agent	Chapman Lily Planning Ltd
Date Application Valid	Tue 26 Feb 2019
Decision Due Time	12 August 2021
Extension of Time date	12 August 2021
Recommendation	Delegate to the Head of Planning to GRANT permission subject to the conditions as set out in this report at paragraph 177, with authority delegated to the Head of Planning to alter/add to these conditions provided any alteration/addition does not go to the core of the decision and the completion, signing and sealing of a Section 106 agreement to be agreed by the Head of Planning on terms consistent with those matters set out in paragraph 161 of this report.
Reason for Referral to Planning Committee	20+ Representations Former Councillor, Marion Pope called the application in while still a Councillor for the following reasons: (i) neighbour concerns, (ii) encroachment on the Green Belt (iii) harm to wildlife north of the Stour Way; and (iv) enclosure of PROW FP29.
Case Officer	Steve Dring

1. This planning application was first considered by Planning Committee on 18 March 2021. The Committee resolved to approve, subject to 106 agreement and conditions. Subsequently it became apparent that some comments from the Public Rights of Way team had not been drawn to the attention of the Committee, and in addition some further clarification in respect of the impact on the Green Belt would be appropriate to ensure that the Committee was able to take all relevant matters into account when making a decision.
2. It has been agreed therefore, in the interests of openness and transparency in the decision-making process, that the application be reconsidered by Planning Committee.
3. The report has been amended to provide further clarification to the assessment of the proposed siting of the foul water pumping station in the Green Belt to the north of the Stour Valley Way. Furthermore, the additional representations from the Public Rights of Way team have been reviewed and further detail from the Section 106 Agreement negotiations has been added. Finally, for completeness representations received from the public after the first report was published have been added to the report.

Description of Development

4. Hybrid planning application seeking:

Full permission for the demolition of No. 94 Magna Road, construction of primary access roads, formation of multifunctional open spaces, reprofiling to allow for construction of primary surface and foul water infrastructure, installation of mains services and formation of development platform; in support of:

Outline permission for the phased development of up to 695 new homes, a community hub comprising retail uses (A1/A2/A3), flexible workspace (B1), community uses (D1/D2) and a 60 bed care home.
5. The application is supported by an Environmental Impact Assessment (EIA) assessing the likely occurrence and significance of impacts on identified environmental receptors and designing in solutions or advocating mitigating measures.

Key Issues

6. The main considerations involved with this application are:
 - Policy requirements
 - Highway safety and capacity
 - Impact on the openness of the Green Belt
 - Impact on heritage assets
 - Impact on protected sites and species
 - Impact upon the Stour Valley public right of way
 - Sterilisation of a minerals resource

- Planning obligations

Planning Policies

National Planning Policy Framework (July 2021)

Poole Local Plan (2018)

PP01	Presumption in favour of sustainable development
PP02	Amount and broad location of development
PP07	Facilitating a step change in housing delivery
PP08	Type and mix of housing
PP10	Strategic urban extensions
PP11	Affordable housing
PP12	Housing for an ageing population
PP24	Green infrastructure
PP25	Open space and allotments
PP27	Design
PP30	Heritage Assets
PP32	Poole's nationally, European and internationally important sites
PP33	Biodiversity and geodiversity
PP34	Transport strategy
PP35	A safe, connected and accessible transport network
PP36	Safeguarding strategic transport schemes
PP37	Building sustainable homes and businesses
PP38	Managing flood risk
PP39	Delivering Poole's infrastructure

Bournemouth, Dorset & Poole Minerals Strategy 2014

SG1	Minerals Safeguarding
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Supplementary Planning Documents

SPD1	BCP Parking Standards
SPD2	Heritage Assets
SPD3	Dorset Heathlands Planning Framework (2020-2025)
SPD4	Affordable Housing SPD
SPD5	Poole Harbour Recreation SPD (2019-2024)
SPD6	Nitrogen Reduction in Poole Harbour
SPD7	Dorset Heathlands Air Quality Strategy (2020-2025)

Relevant Planning Applications and Appeals:

2018: Pre-app 18/00100 for development of up to 800 homes, 60 bed care home, community hub (retail, community & business incubation space) and related infrastructure, considered the nature and form of an application based on the emerging Local Plan policy, gave guidance on principles of the development and requirements for an application as well as likely planning obligations.

No 94 Magna Road

2018: Prior notification of proposed demolition of No 94 Magna Road to allow access to rear of site was approved (APP/18/01513/PA).

Former Canford Golf Course.

2016: Change of use of Canford Magna Riverside Golf Course to Suitable Alternative Natural Greenspace (SANG) was approved (16/01064/C).

Land West of Bearwood, north and south of Magna Road.

2018: Deliver 324 dwellings, with new access from Magna Road, SANG and SANG link, was approved, is under construction, with some houses occupied (17/00008/F).

Representations

7. On 11 March 2019 letters were sent to neighbouring properties and a site notice was posted outside the site. A further letter consultation was carried out on 2 July 2020 and again on 26 November 2020 following amended plans. 406 representations have been received, 53 in support of the proposals, 10 neutral and 343 raising objection. The following issues were raised:

Support:

Responses from members of the public:

- Family houses needed more than flats
- Provides work for local tradespeople
- Expansion of the SANG
- Good for the community
- Affordable houses and homes for first time buyers needed
- Mix of new family houses, local shops, community hall and play space
- Design Code seem suitable and the layout follows the character of the area
- Biodiversity gain from all the tree planting

Response from the SANG operator:

- The SANG was only flooded for 37 days over 5 months this winter
- Alternative of Stour Valley Way and SANG link that do not flood
- Overflow car park opened for daily exercise during the pandemic
- Fewer cars driving to SANG than when golf club was open

Objection:

Bearwood Action Group:

- Traffic impact - Likely to be severe congestion. Mitigation unsubstantiated. No improvements for the already congested Bear Cross roundabout and Gravel Hill/Queen Anne Drive junctions. Unclear how improved bus service could be achieved, and reliance placed on encouraging residents to use their cars less despite little opportunity for walking and cycling to facilities and main existing bus services are over 1km away. The buses paid for by the development are more likely to add to the congestion and delays at the junction

than relieve it. The EIA does not meet legal requirements as there is no chapter on transport. Unjustifiable trip assumptions regarding schools and Magna Business Park. Junction models underestimate existing queues at congested junctions, background traffic growth ignored, pedestrians assumed to have lengthy wait to cross busy junctions. Adverse impacts on junctions and on pedestrian and cycle movement.

- South East Dorset Urban Mobility Study (SEDUMS) - Flawed as the strategic model's modal choice capability has not been applied and instead, with optimistic outcomes, e.g. 2% reductions in car travel, which is unlikely, particularly as no concrete measures are identified to provide buses with significant journey time advantages over cars despite bus use being predicted to grow exponentially. Therefore, this study cannot be used to justify or support major developments such as the UE2 site.
- Air Quality - A lack of primary evidence to inform air quality modelling compounded by poor air quality modelling practice, have delivered an air quality assessment that is not-fit-for purpose. More diffusion tubes should be used to assess the air quality impact of the development.
- SANG too busy and exceeds allotted car parking spaces causing congestion which has not been assessed.
- Full geological and hydrological reports are needed due to shrink well clay on site and potential subsidence to existing properties.

Open Spaces Society (OSS):

- Legal process not followed as OSS was not consulted
- Consider relocating the 'Plant Works' to south of public right of way or use alternative means such as a tunnel to ensure users aren't inconvenienced and are kept safe
- Would like to see additional public rights of way due to increase in pressure

Responses from members of the public:

- Traffic congestion and slower journey times
- Applicant's traffic model uses old data, unrealistic assumptions on modal shift / education, employment / bus journey lengths, cumulative development in the area unaccounted for, robustness of traffic surveys
- Where is Council's strategic traffic model and evidence for Ringwood Road Corridor?
- No 94 Magna Road - Object to the demolition, lack of second footpath, reduction in proposed noise barrier to existing properties to accommodate cycle path, potential damage to property and loss of privacy / amenity to no's 92/96
- New junction at No 94 Magna Road is dangerously on a bend / hill summit, will increase queuing and congestion, stationary traffic will cause air / light / noise pollution including HGVs hill starts
- Proposed shared cycle / pedestrian path on Magna Road does not meet core design principles laid out by Department for Transport guidance
- Turning circle from driveways is not accurate and will create problems. Residents reversing onto Magna Road is more dangerous with proposed cycle lane on the footpath
- Difficulty accessing - properties on Magna Road, Wood Lane and King John Avenue
- Unclear if cycle path on Magna Road will require land owned by the residents

- Parking on verges on Magna Road currently is dangerous
- First exit off the spine road to the west is not a right-angled junction and unsafe for pedestrians
- Consider safer alternative access routes to the north and a A31 link road
- Poor quality public transport to town centres / hospitals and will not be effective without dedicated bus lanes and lengthy bus subsidy
- Sustainable transport options won't work
- Highway safety concerns over crossing points, cycle path needed along Dunyeates Road
- The speed of the road is too fast
- Safety and flow King John Avenue junction and road will become a rat run past the school
- Needs joined up thinking on roads with neighbouring authorities
- School / dentist / doctor's surgeries cannot cope – could lead to deprivation
- Some of site creeps into the Green Belt with no 'very special circumstances'
- Too many people using SANG, Stour Valley Way and surrounding countryside
- SANG does not provide adequate mitigation if flooded
- Loss of green space, trees and wildlife including roosting bats
- Biodiversity net gain unproven
- Landscape impact
- Loss of rural character of Knighton Lane and larger buffer needed to Knighton Hamlet
- Culverted stream goes against Environment Agency advice and the drainage strategy will significantly affect the flow of water in Knighton Lane and the Wood Lane streams
- Flood risk from perched water tables and surface water causing pollution of River Stour
- Road floods
- Design code – does not heed Council advice, no master-planning exercise with the local community undertaken, no design review undertaken, community hub too small, lack of bungalows and not enough parking, proposed 3 storeys highly visible from Stour Valley Way and surrounding Green Belt and inconsistent with character of surrounding area, development will be too dense and not in character with area, revisions have increased density ranges and may allow up to 892 dwellings, unclear if alignment of primary road will discourage speeding, lack of MUGA/NEAP, allotments / community orchards
- No need for the houses as ONS forecasts reduced since the local plan
- Questionable affordability of the house prices, e.g., Canford Paddock development
- Will attract commuters not people invested in the area
- Finish other homes in area first, houses opposite haven't sold, develop on south side of Magna Road up to Arrowsmith Road or develop brownfield sites first such as town centres
- EIA doesn't appraise transport impact
- Education contributions reduced and contributions for early years / SEND /post 16 gone and will not meet the needs of the development
- Concern that CIL funds ring fenced for town centre projects
- Disruption, noise, vibration, and dust during construction and after
- Sterilisation of minerals
- Shrink clay present which may lead to subsidence

- Contamination / odour risk from foul pumping station
- Access road to foul pumping station crosses a footpath which is dangerous to users
- Air quality assessment not-fit-for purpose as lack of data
- Additional impact on algae blooms in Poole Harbour from nutrients
- More cats will cause increased predation of wildlife
- Traffic impact upon Canford Heath SSSI
- Fall in house values, ruin character, antisocial behaviour, quality of life and loss of views
- Financial trigger points based on developer cash flow, not needs
- Community hall should be built earlier to develop sense of community
- Conditions should be amended to cover Natural England requirement to sign off conditions, timing of vegetation clearance ecological assessment for Knighton Stream.
- The plans do not include bat sensitive lighting.

Consultations

BCP Biodiversity: No objection. Updates to surveys and assessments will be needed. No evidence of net gain provided. Knighton stream compensation management plan should be extended to 30 years. Suggests compensation for tree loss. Recommends conditions for bat and badger surveys, lighting, management plans, ecological assessments and bird nesting season.

BCP Environmental Health: No objection. Air quality assessment indicates that the operational impact of the development will have a negligible impact on air quality. Recommends conditions to deal with construction works, electric vehicle charging points, gas boilers and travel plan.

BCP Lead Local Flood Authority: No objection. Clarification needed on what is to be offered for adoption and / or retained by the management company about highways (and thereby drainage / SuDs) and foul water pumping station. Suggest a drainage condition.

BCP Local Education Authority: No objection. Development will contribute to shortfall in secondary school places from 2022-2028. The local primary school is over-subscribed and needs additional capacity to ensure sustainable development. Seeking financial contribution of towards school capacity for primary and secondary school children.

BCP Local Highway Authority: Impact on the wider highway network is not of a level to be considered as severe and as such a refusal would not be warranted. Satisfied with highways amendments and agreed mitigation package, apart from applicant's refusal to make provision for 6 bus stops within the site rather than 2. Recommend conditions.

BCP Open Space & Natural Environment – Excluding SANG (as performs a separate function) open space provision is 1.3 hectares short of standards and dominated by the over-head power lines with little space for informal recreation such as ball sports. Therefore, other green infrastructure important with clear links and access through

the site to the Stour Valley Way. Rationalise play to 3 play parks of higher quality. Contribution for off-site playing pitch sought. Small allotments are difficult to administer. Conditions suggested.

BCP Public Rights of Way – Strongly worded concerns raised as to the location of the pumping station and additional vehicular crossings and need for applicant to demonstrate why it is literally impossible to relocate the pumping station south of the Stour Valley Public Right of Way to avoid additional vehicular crossings, even if it means a reduced number of dwellings. Subsequently recognises that applicant has set this out and also reviewed information and proposal and note that farm vehicles currently use the footpath to access the proposed development and it is anticipated that vehicular crossing movements incurred by the development would be lower than existing. Therefore, willing to accept a locked gate opening off of the public right of way to prevent unauthorised traffic crossing the footpath, and for this to be set out within a condition.

BCP Planning Policy, Urban Design and Heritage – Concerned that initial proposals did not satisfy the policy requirements. Remain concerned that amended plans do not respond positively to the urban design advice /guidance. Proposals weaken the new Green Belt boundary, layout of roads hinder positive place making and do not make effective use of space, with detrimental impact upon biodiversity, visual amenity, and local landscape character along Knighton Lane. Substantial highway engineering for new eastern access will detract from existing character of Magna Road. Insufficient buffer with Knighton hamlet and built form too close to Knighton Lane. Heritage Statement should assess impact upon setting of 44-45 Knighton Lane. Detailed comments on design code and illustrative plans.

BCP Waste – No objection. The proposed highways arrangement appropriate for the collection of underground bins which is the preferred method of collection.

Bournemouth and Christchurch NHS Trust: Seeking financial contribution of £680,589 (£994 per home) towards hospital care for impact of the development.

The Campaign to Protect Rural England (Purbeck and Poole): Objection. Over-development in a sensitive area. Infrastructure provision currently inadequate and plans for are incomplete - needs to be ready before moving in. Damage to wildlife.

Dorset Council - Minerals: Highlights extent of minerals safeguarding zone. Seeks clarification on whether the extraction of the minerals resource is viable.

Dorset Council - Archaeology: No objection. The remains of a settlement dating from the Late Iron Age and Roman period are not of sufficient quality to require preservation in situ but should be recorded. Condition recommended.

Dorset Police – Possible increase in demand on Police resources. Consider a Police Office within the Community Hub

Dorset Police – Crime prevention: Detailed comments on illustrative masterplan. Note roads are busy and traffic flow may have a negative impact on the surrounding road system. As a minimum layout should use Secured by Design.

Dorset Wildlife Trust: Welcome use of native species in planting. Unclear if adequate and appropriate mitigation, compensation, or a net gain for biodiversity have been demonstrated particularly with engineering requirements to stream and loss of trees along Knighton Lane. Ask for management plans to cover environmental issues.

Environment Agency: No objection. Recommended conditions for flood risk, groundwater protection, biodiversity, and sustainable construction.

Health and Safety Executive: No comment as not within the consultation distance of a major hazard site or major accident hazard pipeline.

Highways England: No objection subject to a condition. The proposed development is forecast to add to the A31/ A349 Merley junction approximately 29 vehicle trips in AM peak and 27 in the PM peak hour in the AM peak hour, and at the A31/ Ringwood Road (Palmersford) junction, 65 vehicle trips in AM peak hour, and 63 in PM peak hour.

Historic England: No comment. Defer to Council's conservation and archaeological advisers.

Ministry of Housing, Communities & Local Government: No comments on the EIA.

Natural England: No objection subject to proposed mitigation/avoidance measures being secured. Condition suggested for lighting.

NHS Dorset CCG: Seeks financial contribution towards capacity of doctor's surgery.

Public Health Dorset: No objection. Supports health benefits of scheme including high quality / accessible open space and accessible/adaptable homes for an ageing population. Homes should comply with space standards and prioritise walking / cycling / public transport.

Regional & City Airports – No objection. No conflict with airport safeguarding criteria.

The Society of Poole: Objection. May not provide truly affordable housing and may attract wealthier investors from elsewhere. Housing premature as infrastructure is overstretched and needs to be put in place first. Damage to wildlife. Brownfield sites first approach ignored.

Wessex Water: No objection subject to a condition seeking to agree details for foul sewage disposal as offered for adoption. Pumping station must be 15m away from the nearest dwelling with suitable access arrangements. Will work closely to implement necessary network enhancements to ensure capacity supports the rate of development. Defer to Local Lead Flood Authority over surface water drainage.

Constraints

- Parts of the north and west of the site within the South East Dorset Green Belt
- Part of north of the site is within Flood Risk Zones 2 and 3
- Part of the site is covered by the SG1 Mineral Safeguarding policy
- A gas main and 2 sets of high voltage overhead power cables traverse the site

- Stour Valley Way public right of way and a private right of way to 3rd party land cross the site
- Tree Preservation Orders at 94 Magna Road, in the back gardens of properties along Magna Road and along the east edge of the application site

Planning assessment

Site and Surroundings

8. The site is located to the north of Bearwood and Magna Road, adjacent to Knighton hamlet, close to the Council's northern administrative boundary along the River Stour. It consists of open fields largely used for grazing livestock.
9. There are two lines of overhead power lines crossing the site. Those lines also cross each other in the centre of the site, at which point the east-west set are buried. There are multiple pylons supporting those lines, across the site.
10. The southern boundary is shared with the rear gardens of properties on the north side of Magna Road, consisting largely detached houses. To the west are listed and locally listed properties along Knighton Lane and Knighton hamlet. The Stour Valley Way public right of way crosses the site following the edge of the South East Dorset Green Belt. The site extends in a narrow projection to the north towards the River Stour.
11. The site includes the southern stretch of Knighton Lane, to its junction with Magna Road. Within the site at that point is Knighton Brook, the southern part of an access road to both the Canford SANG and the permitted Football Academy. The site also includes a narrow link to the west to the SANG link and includes a single residential property at 94 Magna Road.
12. The land slopes and rolls gradually away to the River Stour in the north and Knighton Stream in the west. Trees are limited to field boundaries including a veteran Oak tree in north east.

The hybrid application

13. A hybrid application is unusual as it combines both full and outline proposals, which require different levels of detailed scrutiny. The intention of this hybrid application is to enable the developer to get on with setting up and laying out the site whilst then securing the detail of the development parcels through the Reserved Matters application process.
14. The application includes 6 development parcels where the buildings will be built. The scale, layout, appearance and landscape of each development parcel are to be agreed in principle (outline) only, with detailed plans determined through subsequent Reserved Matters applications.
15. The full elements of the proposal cover the infrastructure that services these 6 development parcels. This includes the primary access roads, drainage, open

space and strategic green infrastructure. The demolition of 94 Magna Road already has permission but is included in the description as it is yet to be demolished and forms the second point of access to the site. The only full proposals for the 6 development parcels are the re-profiling of the ground levels to create development plateaus.

16. To help determine the outline elements of the application (i.e., the design of the 6 development parcels) the applicant has set some parameters, the upper end of which has then been used to undertake technical assessments including the Environmental Impact Assessment. These outline parameters include scale of development (as set out in the description of development), land use, density and height parameters. The planning application contains an illustrative housing mix and floor areas for commercial development. The Design Code contains a series of illustrative plans to help guide the Reserved Matters, inform the technical assessment work and understand whether the scale of development can be achieved. The application is also supported by an outline Construction Environmental Management Plan (CEMP) again to help undertake technical assessment of the proposals. All these elements are illustrative at the outline stage and will not be fixed until the Reserved Matters stage.

Key issues

Planning Policy Requirements

17. The development plan is the starting point for determining planning applications. The Poole Local Plan amended the boundary of the South East Dorset Green Belt and through Policy PP10 Strategic urban extensions allocated Site UE2 North of Bearwood for a minimum of 800 homes. The application site covers around 80% of Site UE2. Part of the allocated site has been omitted from this application due to being under different ownership. The application site also extends beyond Site UE2 into the Green Belt on the western and northern boundaries. The merits of the application are assessed against each policy requirement below.

Policy PP10 states that *'Planning permission on these sites will only be granted where the scheme...'*

(a) ...delivers 40% affordable housing on-site

18. The Council had to demonstrate exceptional circumstances to alter the boundary of the Green Belt through the local plan process. One such circumstance was to significantly boost the supply of affordable housing.
19. The scheme proposes a policy compliant level of 40% affordable housing. As this is outline application for up to 695 homes the precise number of homes will be determined at Reserved Matters, but on this basis would be up to 278 homes. The type and size of these homes will be determined at Reserved Matters to reflect housing needs evidence at the time.

20. The Council has reached agreement with the applicant on a level of development contributions for infrastructure that do not threaten achieving 40% affordable housing. The applicant has not provided a viability report to demonstrate this target cannot be achieved.
21. The Section 106 Agreement will include the requirement for the Reserved Matters application(s) to deliver 40% affordable housing. The tenure mix will be in accordance with Policy PP11 affordable housing of 70% affordable rent and 30% intermediate housing.
 - (b) *provides a mix of housing types with a focus on housing suitable for families, properties that enable local residents to 'right size', specialist housing for an ageing population and provision of custom/self build plots*
22. The nature of the site will provide family houses of a mix to be determined at Reserved Matters. To ensure policy requirements are met the Section 106 includes requirements for (i) 5-10 plots for custom/self build housing in accordance with PP8 Type and mix of housing; and (ii) for a minimum of 20% of homes to include adaptable and accessible (specialist) homes for an ageing population in accordance with Policy PP12 Housing for an ageing population.
 - (c) *demonstrates that the grant of planning permission would not result in significant adverse impacts to the delivery of the town centre's major brownfield allocations.*
23. One of the five purposes of Green Belt is to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. By releasing this site from the Green Belt for housing through the local plan process the Council was satisfied that development would not undermine urban regeneration.
 - (d) *would implement mitigation measures to ensure no adverse impact upon European and internationally important sites, and includes green corridors for biodiversity*
24. This policy requirement is covered under (e) below to avoid duplication.
 - (e) *provides a SANG that connects with other parts of the Stour Valley Park concept, designed in accordance with the Dorset Heathlands SPD*
25. The Council's habitats regulations assessment (HRA) of the proposal concludes that with the necessary mitigation measures secured, there will be no adverse effect on the integrity of the Dorset Heathlands and Poole Harbour designated sites. The mitigation is secured through the Section 106 Agreement. Natural England is satisfied with the mitigation/avoidance measures and raises no objection to the proposal.
26. Dorset Heathlands – the proposal includes increasing the existing Canford Suitable Alternative Green Space (SANG) from 14.3 hectares to 30 hectares (an additional 15.7 hectares) to mitigate the impact by directing recreational pressure away from the Dorset Heathlands. The SANG has planning permission

(16/01064/C) and whilst it lies outside the application site, has common owners. The SANG has a management plan, costings for maintenance and access rights for the public, not just residents of the new housing.

27. The SANG has proven popular since its opening in 2019 and the extension will increase its attractiveness to the wider population. Most representations of support to this application have come from users of the SANG supporting its expansion. Public representations concerned that the current SANG and countryside is too busy will be resolved through the extension of the SANG to create additional capacity and improvements to the Stour Valley Way and connectivity with the development site.
28. To the west of the site is a north/ south SANG link, a landscaped route linking the SANG with the housing scheme west of Bearwood (App. No. 17/0008). A new footpath will be provided from the west of the site at Knighton Lane to the existing SANG link, providing an attractive, traffic free route from the site to the SANG.
29. In addition, the proposal will provide a financial contribution for Strategic Access Management and Monitoring (SAMM) which focusses on heathland wardening and education, secured through the Section 106 Agreement.
30. The possible impact on nightjar has been screened out of the HRA. The site is outside of 400 metres heathland buffer and so the issue of cat predation raised by a public representation is not of concern.
31. The proposed development will also pay Community Infrastructure Levy (CIL) which will be used to mitigate air pollution issues caused by additional vehicle trips alongside heathlands, including impact upon Canford Heath SSSI.
32. Poole Harbour – The site is outside of the Poole Harbour catchment but the sewage is pumped into Poole Sewage Treatment Works and thereby adds nitrogen loading to Poole Harbour SPA. The necessary offsetting mitigation will be provided through CIL and for the Care Home, which is exempt from CIL, secured through the Section 106 Agreement.
33. In terms of recreational impact upon bird disturbance, the proposal will contribute a financial payment towards SAMMs for wardening and education secured through the Section 106 Agreement.

Other Ecology Issues:

34. Bats - The proposal could cause the loss of roosting and foraging habitats for bats, largely through removal of trees, but also demolition of 94 Magna Road and during construction and lighting within the scheme. Revised surveys of the property prior to demolition are required, with appropriate mitigation secured. Construction management plans and lighting schemes can be secured to avoid significant harm during construction and operational phases of the scheme. Trees lost during construction will be compensated for through additional tree planting.

35. The Biodiversity officer noted the proposed street lighting does not make provision for bat sensitive lighting. The street lighting plans are not included in the approved plans so the required lighting will instead be secured through conditions.
36. Badgers – Badger setts on the western and northern boundaries will require 30 metre buffers, with two outlier setts in the central field and northern boundary closed under license.
37. Net gain in biodiversity - The proposed layout includes green corridors along pylon runs through the development and around the edges of the development. The applicant has not provided an assessment to demonstrate there is a net gain in biodiversity as required by Policy PP33 Biodiversity and Geodiversity.
38. Most of the site is maintained grassland, used for grazing, limiting its ecological value. 36 trees will need to be removed to enable the development, comprising 1 A-grade tree, 14 B-grade trees, 17 C grade trees and four trees in very poor condition. These will be compensated for with replanting.
39. This loss is likely to be offset by the provision of 15.7 hectares of additional SANG and strategic green infrastructure throughout the site will introduce a much more diverse range of biodiversity, supporting a wider variety of species. Around 3,000 trees have already been planted in the SANG and existing north/south SANG link.
40. To ensure that this policy requirement is fulfilled the condition requiring preparation of a Landscape and Ecological Management Plan (LEMP) prior to commencement of development includes the requirement for an assessment of net gain in accordance with Policy PP33. Further enhancement can be also secured at Reserved Matters when there is more detail of layout and design of the development parcels.
41. A representation suggested that Natural England should be involved in the discharge of conditions. It is normal practice for the Council to consult Natural England as statutory advisor on such matters.
 - (f) *Prioritises sustainable transport measures to facilitate cycling and walking for short trips within the new community, and linking with infrastructure to Poole, Bournemouth and Wimborne centres*
42. The site proposes two points of access off Magna Road; (i) from Knighton Lane to the west of the site and (ii) through the demolition of a house at no. 94 Magna Road. Both accesses include provision for cycling and walking through shared foot/cycleway either side of the carriageway. Within the site a primary road is designed to accommodate a bus route and support a 20mph speed limit with cycling / walking facilities. The route will pass through the community hub.
43. The Planning Policy, Urban Design and Heritage team is concerned that the community hub will be undermined by a vehicular route through its centre and that this road could be designed better to discourage speed rather than necessitate the clutter associated with traffic calming. Whilst this remains a point of disagreement

between officers, ultimately the assessment comes down to accommodating a bus service safely. There is no evidence that the route of the road would be unsafe and whilst the comments are understandable, there is no justifiable planning reason to refuse the scheme on this basis.

44. Off-site highway works are necessary in two locations to improve cycling and walking. These are (i) on the junction of Magna Road / Wheelers Lane for enhanced access to Bearwood Primary and Nursery School; and (ii) at the junction of Magna Road / Runnymede Avenue for enhanced access to Bearwood Local Centre, Oak Academy school and beyond. These off-site improvements will be secured through 'Grampian' style conditions.
45. The public has raised concerns with the new junction arrangement at No 94 Magna Road. The new junction arrangements for the site access from Magna Road requires the on road cycle paths to be diverted onto shared cycle/footpaths. Residents are concerned that this arrangement will be dangerous for cyclists when residents are accessing their properties by car. Some residents are unable to turn their car in their driveway so have to reverse their car out onto the highway. The Council relies upon the applicant to commission independent road safety audits for both junctions and in the reports submitted to the Council the safety issue raised by residents was not highlighted as an area of concern.
46. Concern was also raised with the initial plans as there was only a path on one side. The plans have now been amended to include a shared footway / cycle lane on both sides of the access. Residents either side have raised concerns about the proposed noise barrier. The applicant proposes using a 2.1m acoustic fence on top of a retaining wall/bund with planting between the acoustic fence and the access road to provide a natural screen alongside the road. The EIA expects this mitigation to reduce noise from the access road by 7 decibels at ground floor level. The EIA concludes that the residual effect of both noise and vibration on this junction and along Magna Road would not be significant following mitigation measures.
47. Detailed junction works will, as usual, be subject to a Section 278 Agreement and checks by the Local Highway Authority through that process. But, for the purpose of this planning application the Local Highway Authority is satisfied that the applicant has satisfactorily demonstrated that appropriate junctions can be put in place to cater for the development.

(g) Ensure the design of the scheme is capable of forming part of a sustainable transport corridor in terms of bus, cycling and walking access;

48. The primary road through the site has been designed to accommodate a future bus service. In the regard, the applicant has agreed to a financial contribution of £1,877,369 towards a bus service. A travel plan will include a voucher to encourage new households to use the new bus service. These requirements are set out in the Section 106 Agreement.

49. The Local Highways Authority have asked for 6 bus stops in 3 locations (one on each side of the road) in the site to improve accessibility. The application currently makes provision for 2 within the community hub. The applicant argues that 2 further sets of stops will only increase bus journey times for all passengers without making a material difference in the walk catchment and attractiveness of the bus for new residents. This remains a point of disagreement.

(h) In conjunction with wider strategic mitigation measures to be implemented by local authorities, provides suitable mitigation to address unacceptable impacts on the highway network

50. Traffic congestion is one of the main areas of concern highlighted in the public representations.

51. The Local Highways Authority has assessed the transport assessment. Traffic volumes, distribution throughout the network and timings have been subject to thorough analysis and review regarding the impact of the scale of development. This review and assessment includes predictions for background growth in the form of other local extant and proposed large developments (including land north of Merley), recognises existing capacity concerns around Bearcross roundabout, but also includes the impact of alterations arising from Transforming Cities Funds and support for public transport.

52. The development includes a community hub that will provide some basic services and facilities that reduces the need to travel by car. The site is within walking and cycling distance of Magna Business Park which will also reduce the need for car trips.

53. A Travel Plan will be secured through the Section 106 Agreement. This includes a minimum of 3 month bus travel voucher for each household, a Car Club scheme located close to the community hub. This will be for both residential use and community hub use. Households should be provided with free Car Club use vouchers/membership to encourage take up of the Car Club. The "Beryl" bike hire scheme will be extended into the site. Parking facilities for the scheme are to be provided along the main spine road and should also be provided within/adjacent to the community hub. As part of the Travel Plan, vouchers for use of the "Beryl" bike scheme should be provided to households.

54. The proposed development modelling shows a peak hour trip generation of up to 400 vehicles per hour through the two site accesses. Key junctions at Bear Cross and Magna Road/Queen Anne Drive are already at capacity at peak hour with no options for further expansion works. The impact of the development is expected to add 3-3.5% traffic to the Magna Road/Queen Anne Drive at peak hour, which the applicant refers to as minimal. The applicant is of the view that *'when this junction reaches capacity and journey times increase, people will begin to consider their journeys. Some people will choose to travel at different times (peak spreading) or will choose a different route, some will change their mode of transport (modal*

shift) and some may choose not to undertake the journey at all (working from home, on-line shopping)'.

55. The Local Highway Authority assesses applications in accordance with the NPPF. Para 110 requires that applications (i) promote sustainable transport modes; (ii) provide safe and suitable access for all users; and (iii) ensure any significant capacity and congestion impacts / highway safety, can be *'mitigated to an acceptable degree'*. Para 111 then states *'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*
56. The Local Highway Authority has reviewed representations from the public including expert reports on traffic impact and has scrutinised the applicant's assumptions in the modelling to ensure realistic inclusion of assumptions are used on cumulative growth, background growth, linked trips to schools and Magna Business Park. The conclusion is that the applicant's modelling is robust.
57. In line with latest transport policy, Council policy is to focus on improving non-car modes of travel rather than providing greater capacity on the local highway network. Increasing capacity in a junction may led to increased usage from previously suppressed demand with drivers changing behaviour and routes. This is evident at Magna Road / Queen Anne Drive junction now reaching capacity after recent major enhancements.
58. The Council's Transforming Travel initiative is putting significant investment into improving sustainable transport corridors. The Magna Road corridor is one such corridor that is being explored as a sustainable transport route for bus, cycling and walking. Public engagement on the proposals were considered during 2021 but no detailed plans have yet been prepared. This planning application is contributing to sustainable transport modes with improvements through the provision of a bus subsidy and junction / highway changes to prioritise cycling and walking. The proposed highway layout changes will be factored into the future sustainable transport route.
59. The Local Highways Authority concludes that provided the sustainable transport measures discussed above are implemented, the impact of the proposal on the wider highway network will not be severe. On this basis there is no reason to refuse the application on impact upon the highway network.
60. At the examination of the Poole Local Plan, the predecessor Local Highway Authorities agreed through a statement of common ground to revisit modelling of traffic growth throughout the area. The South East Dorset Urban Mobility Study (SEDUMS) strategic transport model was completed in late 2020.
61. The SEDUMS model and the model used for the applicant's transport assessment are not directly comparable as they have been built for different purposes, different scales of assessment and different levels of detail. Neither model

provides an incorrect approach. The SEDUMS model is a large scale, low resolution model of traffic flows and junction delay across South East Dorset on key links intended to identify changes in traffic flows (and bus usage) in response to Transport Strategy measures such as the closure of roads and implementation of cycle corridors in the long-term future. The Applicant's model is a small scale, high resolution model of traffic flows, junction capacity and junction delay across a small study area in the vicinity of the development to identify the highway impact of specific new traffic on a specific section of highway in the near and medium term future. Despite the different purposes of the models, differing inputs and amount of detail, the amount of variation between models does not result in the applicant's flows or methodology being unacceptable.

62. Highways England has no objection to additional traffic on the A31.

(i) makes a contribution towards the required additional school capacity

63. The Local Education Authority response demonstrates how the proposed development will create additional demand for school places, to the effect of approximately one form of entry across all year groups (a form of entry is an additional class of 30 children).
64. The closest primary school, Bearwood Primary and Nursery School, is a one form of entry school and is already oversubscribed. There are 4 alternative primary schools within a 2 mile walking distance; Christ The King Catholic Primary School, Elm Academy, Kinson Academy and Heathlands Primary Academy which have capacity to meet the demands of this development. However, this development along with other consented development in Bearwood is likely to be significant pressure on places at Bearwood Primary and Nursery School due to its popularity and highly accessible location to this development. To ensure the proposed development is sustainable, the Local Education Authority has sought mitigation to improve the capacity of Bearwood Primary and Nursery School.
65. Forecasts show a particular pressure on secondary school places throughout much of the decade. Current growth scenarios of children already in the education system indicates that the yearly intakes in September 2022 and 2023 will be full across the Council area. These two year groups will continue to put pressure on capacity until graduation in 2027 and 2028.
66. To mitigate these issues, the Local Education Authority has agreed to an education contribution of £3,038,735 secured by the Section 106 Agreement to mitigate the impact of the development. This contribution does not name a specific school as the Council will need to consider options for the best way to mitigate these demands. The expectation is that the funding would be provided before occupation of the 100th dwelling. The contribution is not enough for an extra form of entry at Bearwood Primary & Nursery School, so gap funding will need to be sourced to deliver this critical infrastructure, for example through CIL.

(j) provides space for business start-ups/incubator units

67. The proposal includes a community hub to include flexible workspace. As this element is part of the outline application the floorspace is not defined and further details will be needed at Reserved Matters. To ensure this part of the development comes forward and creates a sustainable development, a condition requires the community hub to be built before occupation of 300th dwelling.

(k) provides a contribution to upgrading a local doctor's surgery

68. Primary Care - The Dorset Clinical Commissioning Group highlight that the development will increase pressure on local practices. Separate NHS funding provides the revenue cost of doctors, but the development should mitigate its impact upon the built facilities. A new clinical room at a doctors surgery supports 1,800 patients at a capital cost of £60,000. The applicant has agreed to provide a proportional contribution of £55,600 prior to occupation of the 300th dwelling, secured through the Section 106 Agreement.
69. It is noted that the Council refused to grant planning permission for a proposed extension to the Bearwood Medical Centre in November 2020 due to the lack of car parking capacity in the local centre (APP/20/00971/F). The Clinical Commissioning Group will need to continue working with local practices to find ways to meet this additional capacity in the local area.
70. Acute Care - The Royal Bournemouth and Christchurch Hospital NHS Trust has made representations seeking financial contributions in respect of the impacts they contend arise in Accident and Emergency departments from the proposed development. These representations constitute material considerations in principle. However, such contributions may only be required if they meet all legal/policy tests relevant to seeking such contributions.
71. In order for the Council to require the applicant to enter into a Section 106 obligation to make such payments, the contributions must meet the requirements of Regulation 122 (2) of the Community Infrastructure Levy Regulations 2010 (as amended) which are also reflected in government policy in the NPPF at paragraph 57 and the NPPG. Regulation 122 (2) provides that:
- A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –*
- (a) necessary to make the development acceptable in planning terms;*
(b) directly related to the development; and
(c) fairly and reasonably related in scale and kind to the development.
72. Having carefully reviewed the consultation responses provided by the Trust, officers do not consider that information provided demonstrates that the need for the contributions has been clearly justified or evidenced as being directly related to the development or fairly and reasonably related in scale and kind to the development. It cannot be concluded that it is necessary to make the development acceptable in planning terms.

(l) provides a suitable level of play equipment and other facilities in accordance with Poole's Open Space Needs Assessment and Playing Pitch Strategy

73. There will be 6.4 hectares of open space on site and a further 15.7 hectares of additional SANG offsite but within walking distance. Central to the site will be a Neighbourhood Equipped Area of Play (NEAP) near to the community hub with two smaller Local Equipped Areas of Play (LEAPs) in the south west and north east corners of the site. To cater for youth play needs a Multi-Use Games Area (MUGA) will also be provided.
74. There is no playing pitch provision within the proposal nor a contribution towards off-site improvements. Provision on site is not necessary, so as to maximise the use of the site to meet housing needs. The applicant argues that an off-site contribution towards the strategic improvements of pitches across the council area is unnecessary as there is sufficient availability of pitches in the local area. The Council's Open Spaces team point out that these pitches are all in private ownership and require a fee to hire so cannot be used for informal play.
75. This application therefore does not accord with playing pitch strategy. However, the on-site MUGA will meet some of this need. Furthermore, considering the provision of a strategic SANG alongside this application, the overall provision of open space far exceeds the open space standards. In balancing the pros and cons, the significant public benefits of the provision of a strategic SANG is considered to outweigh the contribution towards off-site playing pitches. It is also noted that the development will pay CIL which can be used towards upgrading of existing playing pitches, whereas securing land for SANG from CIL is a far more difficult proposition that requires a willing landowner.
76. The Council has advised the applicant that allotments are not necessary and there is now no such provision. The applicant's preference is to manage the open space and SANGs through a management company using a service charge on all the new homes, rather than pass the land to the Council for adoption. Therefore, a commuted sum for maintenance is not necessary for the Section 106 Agreement.
77. Accessibility of this development to green infrastructure along the Stour Valley Way to the north of the site is a key selling point of this development. As well as the SANG link the applicant will resurface the Stour Valley Way from Knighton Lane to the Ringwood Road and improve waymarking with finger posts and maps. These aspects will be covered by the Section 106 Agreement.

(m) Incorporates structural landscaping to create a strong permanent and defensible Green Belt boundary

78. The Green Belt boundary follows Knighton Lane to the west of the development and the Stour Valley Way to the north of the site tightly hugging the extent of the allocated site. The red line of the application boundary extends beyond the allocation, across the boundary and into the South East Dorset Green Belt to include the realigned Knighton Stream / attenuation pond and SANG link to the

west of Knighton Lane and, to the north of the Stour Valley Way a pumping station and drainage channels.

79. The Planning Policy & Urban Design team and the Public Rights of Way team have suggested that the applicant consider alternative sites for the location of the foul water pumping station, such as further east of the proposed siting or to the south of the Stour Valley Way as a preference to development of in the Green Belt to the north of the Stour Valley Way.
80. In response to these concerns the applicant revised the plans and provided a Green Belt Statement demonstrating that alternative locations are not suitable for a gravity fed drainage system for the following reasons:
 - siting to the south of the Stour Valley Way would sterilise part of the development site, reducing housing numbers including affordable homes;
 - there is a lack of space outside of flood zones 2 and 3 and raising ground levels would necessitate extensive floodplain compensation;
 - it is at the lowest level of the site and that any other location would necessitate supplementary pumping stations with avoidable energy consumption; and
 - the pumping stations is proposed to be linked to a control room by telemetry with only 3 regular visits a year, bi-yearly for standard checks (small van) and annually for a wet well clean (tanker).
81. As alternatives have been considered and justified, and further detail provided on the plans / sections the initial concerns raised by the Planning Policy & Urban Design team have not pursued in subsequent responses.
82. Furthermore, the applicant has demonstrated the low frequency of visits that are required. Therefore, the location of the foul water pumping station will not have an adverse effect upon the public right of way in terms of frequency of use. The Public Rights of Way team acknowledge that; (i) the applicant has demonstrated that moving the pumping station to the south is not viable and (ii) that there will be no net increase in traffic crossing the public right of way as the development site is currently accessed by farm vehicles and will not be in future. The agreed fallback position ensures that there is a locked gate to prevent unauthorised vehicles accessing the Stour Valley Way and that the gate should open away from the footpath so as not to block access to pedestrians.
83. Concerns raised by the OSS regarding the legal process regarding a public right of way are not a consideration for the determination of a planning application.
84. Green belt policy is set out in the NPPF and Poole Local Plan Policies PP02 Amount and broad location of development and PP10 Strategic urban extensions. The NPPF in paras 137 and 138 states:

'137. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping

land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

138. *Green Belt serves five purposes:*

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*

85. Para 145 encourages the use of Green Belt for public access:

'145. Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.'

86. Paras 147 to 150 deal with proposals in the Green Belt:

'147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings)...

150. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

a) mineral extraction;

b) engineering operations;

c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.'

87. Poole Local Plan Policy PP02 Amount and broad location of development states:

'The new inner boundary of the South East Dorset Green Belt within Poole is shown on the Policies Map. The Council will carefully manage the Green Belt in accordance with national policy.'

88. As highlighted throughout this report Poole Local Plan Policy PP10 Strategic Urban Extensions provides the policy for this allocated site and states:

'Planning permission on these sites will only be granted where the scheme: ...

(m) incorporates structural landscaping to create a strong permanent and defensible Green Belt boundary;...'

89. As the proposed realigned Knighton Stream /attenuation basin to the west of Knighton Lane and pumping station / drainage channel to the north of the Stour Valley Way fall outside of the UE2 allocation and within the Green Belt, assessment against national guidance and local plan policy is necessary.

90. The case officer is of the view that the proposed realigned Knighton Stream / attenuation basin to the west of Knighton Lane are classed as engineering operations under NPPF para 150 (b).

91. In terms of the foul water pumping station to the north of the Stour Valley Way, the case officer is of the view that the 1.8m tall wire mesh fence, hardstanding,

subterranean tanks and the drainage channel that extends to the north, are also classed as engineering operations under NPPF para 150 (b).

92. The key issue is whether the above ground kiosk within the foul water pumping station is considered a building. The definition of a building in the Town and Country Planning Act 1990 (section 336) is:

“building” includes any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building’

93. Whether something is a building or not, is a matter of planning judgement by reference to the definition in the Town & Country Planning Act 1990 and the caselaw which provides that consideration should be given to:

- Whether it is permanent;
- To what extent is it attached to the land; and
- How large is it in the context of the overall position

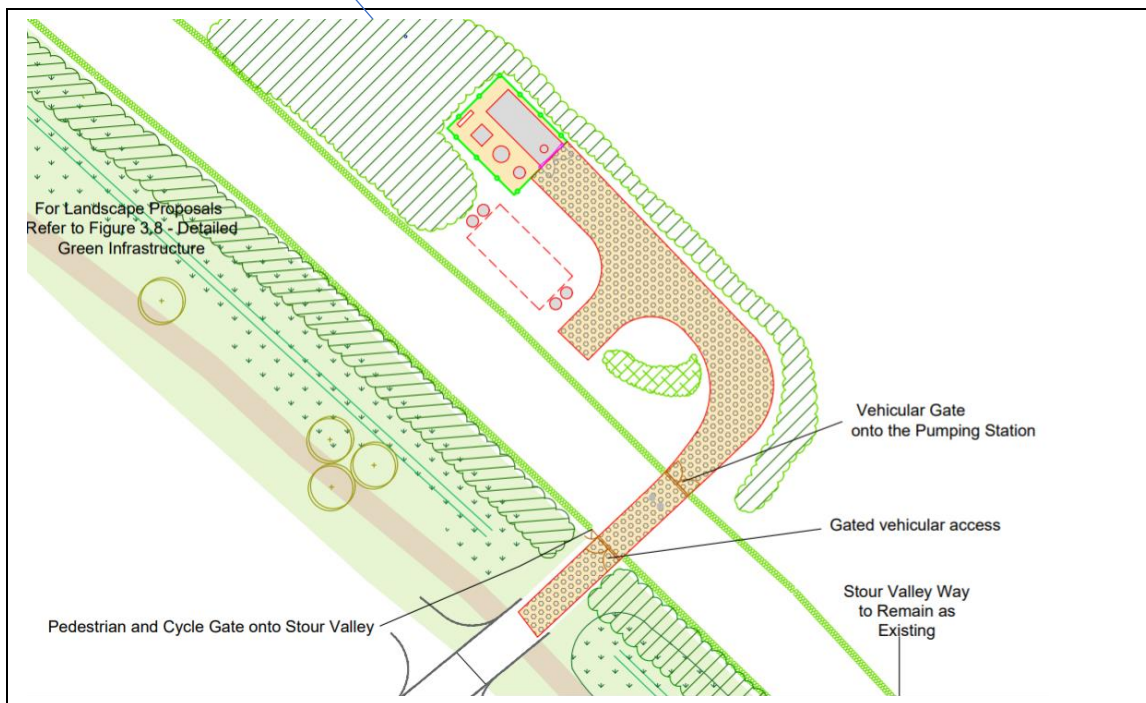
94. In considering the proposal in light of these factors the case officer is of the view that the kiosk is considered a building for the purposes of the Green Belt Assessment. It will be a permanent structure, attached to the ground and linked to utilities.

95. The size is a matter of judgement. Indicatively the proposed kiosk is expected to be around 2 metres in height, 2.5-3 metres in length and up to 1 metre in depth. It will house equipment to control the pumping station akin to a utility cabinet. To err on the side of caution, the case officer has undertaken the Green Belt assessment on the basis that the kiosk constitutes a building.

96. Whilst the applicant has not provided detailed designs of the pumping station as part of this application as this needs agreement with the future operator, as a guide, the applicant has provided some images of other examples of this type of pumping station:



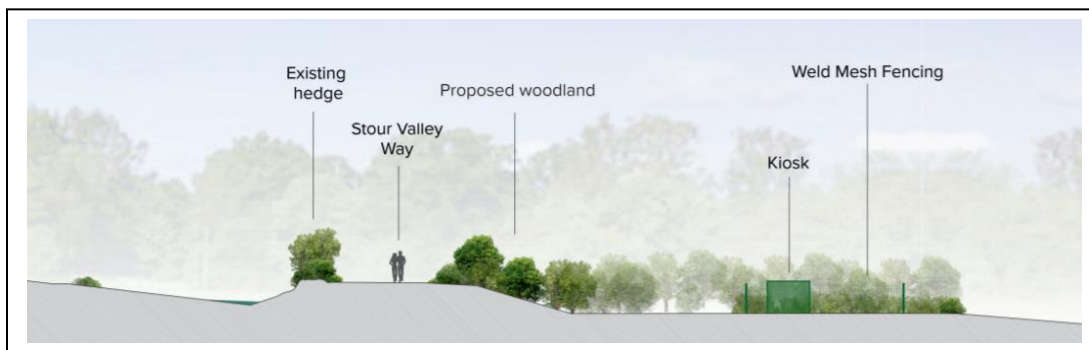
97. Note these images are representative of the type of foul water pumping station and not part of the application. However, they illustrate how the bulk of the operations are underground, with a kiosk above ground. The drainage plans for



the application are shown as follows. In the first drawing the kiosk is shown as the thin rectangle in the top left of the compound.

Pumping Station Detail (Rev.2) prepared by DLA in November 2020 (not to scale in this image).

98. The view of the kiosk from the Stour Valley Way is shown below in one of the application drawings. Views from the north or south would be less significant as only the 1 metre depth would be visible.



Pumping Station Section A prepared by DLA in May 2020 (not to scale in this image).

99. On the basis that the kiosk is considered as a building, NPPF para 149 is clear that buildings are inappropriate development in the Green Belt. The kiosk does not meet one of the exceptions under Para 149 shown above.
100. Therefore, it follows that NPPF para 147 applies, and this proposed kiosk is harmful to the Green Belt and should not be approved except in very special

circumstances. For very special circumstances to exist as set out in NPPF para 148, the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, must be clearly outweighed by other considerations.

101. The other considerations are set out in the Planning Balance section at the end of this report. These include the provision of housing, including 40% affordable housing; community facilities; shops; office space, open space and recreation facilities; an extended SANG with improved access to the countryside (and Green Belt); school investment; provision of specialist accessible housing, self/custom build housing plots and provision of a care home. In light of the lack of housing delivery and in particular affordable housing in the local area, substantial weight should be given to the provision of the housing, the affordable housing and other specialist housing.
102. It is the case officer's view that the harm caused by the erection of the kiosk in the Green Belt are clearly outweighed by these substantial benefits and therefore very special circumstances exist.
103. The second part of the test in NPPF para 150 is whether the engineering operations preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. These matters are discussed further below:
104. Pumping Station and drainage channel north of Stour Valley Way – These works require the reprofiling of land north of the Stour Valley Way. The pumping station will consist of underground tanks, hard standing and mesh boundary fence. A short access track is necessary from the development across the Stour Valley Way. Reprofiling of land is also necessary to create a surface water drainage channel to the River Stour. The amended plans reduce the area of the compound by 85% and increase the planting.
105. The hard standing, access track and mesh boundary fence will be apparent to walkers along the Stour Valley Way, although this would be in the context of the new homes to the south. The applicant proposes planting to strengthen the hedgerows along the Stour Valley Way. The drainage channel to the River Stour is not considered harmful to openness.
106. The Council's Green Belt Assessment (2020) Appendix B assesses parcel PO24 in which this development falls under the 5 purposes of Green Belt (NPPF para 138) as follows:
 - 1: Relatively strong contribution to checking the sprawl of the large built up area;
 - 2: Relatively strong contribution to preventing the merging of neighbouring towns (Poole and Merley/Canford Magna/Oakley and Ferndown & West Parley);
 - 3: Strong contribution to safeguarding the countryside from encroachment;

- 4: No contribution to the setting or special character of any historic towns; and
 - 5: All Green Belt land is considered to make an equal contribution to the recycling of derelict and other urban land.
107. There is no development in this Green Belt parcel. However, the adjacent parcel PO23 contains Knighton House and associated outbuildings and scores the same as parcel PO24. These buildings are not considered to impact upon the openness of the Green Belt parcel. The pumping station will not extend any further north than Knighton House. For this reason, this development is considered to preserve the openness of the Green Belt and not undermine the 5 purposes.
 108. Culvert, attenuation basin and SANG link west of Knighton Lane – The requirement of the Local Highway Authority to increase the width of Knighton Lane to make provision for cycling and walking on the approach to the Magna Road junction necessitates the culverting of and realignment of Knighton Stream and creation of a surface water attenuation basin. This will result in the loss of trees that form part of the green belt boundary.
 109. The Planning Policy & Urban Design team question whether there are alternative options to the removal of trees along Knighton Lane to facilitate road widening. The original highways scheme which retained the trees however did not provide footpaths on both sides of the road and was not supported by the Local Highway Authority. The resulting road widening to accommodate the footpaths necessitated the culverting of Knighton Stream and the loss of trees.
 110. The applicant justifies these engineering operations as essential within the Green Belt to enable footpath provision and the attenuation basin utilises a low point relative to the developable land above. The alternative of providing storage capacity to an area south of the Stour Valley Way is not viable as the levels of the area draining to the basin are too low to be able to drain by gravity.
 111. This shallow basin will be planted and is expected to resume a natural form. The scheme proposes to compensate for the loss of trees by compensatory planting of the attenuation basin in combination with the recently planted existing SANG link off site to the west and this will over time provide structural landscaping to the Green Belt boundary.
 112. The Council's Green Belt Assessment (2020) Appendix B assesses parcel PO22 in which this development falls under the 5 purposes of Green Belt (NPPF para 138) as follows:
 - 1: Relatively strong contribution to checking the sprawl of the large built up area;
 - 2: Moderate contribution to preventing the merging of neighbouring towns (Poole and Merley/Canford Magna/Oakley);
 - 3: Relatively strong contribution to safeguarding the countryside from encroachment;

- 4: No contribution to the setting or special character of any historic towns; and
- 5: All Green Belt land is considered to make an equal contribution to the recycling of derelict and other urban land.
113. There are already several dwellings and gardens to the west of Knighton Lane that are not considered to be large enough in scale to impact openness of the Green Belt parcel. The attenuation basin is smaller in scale than these dwellings and will not encroach further to the west. For this reason, this development is considered to preserve the openness of the Green Belt and not undermine the 5 purposes
114. The new SANG link within the site that extends from Knighton Lane to the west consists of a planted informal path which is not considered harmful to openness and provides positive benefits of access to the Green Belt in accordance with NPPF para 145.

Summary of Case Officer's Green Belt Assessment

115. Both the realignment of Knighton Stream / attenuation basin and the foul water pumping station (apart from the kiosk) / drainage channel north of the Stour Valley Way are considered engineering operations and are therefore not inappropriate development in the Green Belt.
116. The engineering operations will be supported by structural native planting to strengthen these Green Belt boundaries in accordance with Poole Local Plan Policy PP10 (m).
117. The assessment above concludes that the engineering operations will preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The one exception is the kiosk within the foul water pumping station which can be considered as inappropriate development in the Green Belt. However, in light of the size of this building, its location, the proposed planting and the substantial benefits of allowing this development to ahead, the case officer's view is that very special circumstances exist to approve the development.
118. As the size of the kiosk is crucial to the above Green Belt Assessment, a planning condition is included to ensure that the detailed drawings are restricted to the parameters set out in the drawings of a metal kiosk attached to the ground that is 2 metres in height, 3 metres in length and 1 metre in depth.
119. Furthermore, the development of this site will enable the provision of the SANG extension. This would provide public access to the Green Belt as encouraged by para 145 of the NPPF providing much wider benefits to the Green Belt as a whole.
- (n) Has been prepared through a master planning exercise with the local community to inform a design code to be agreed by the Council.*
120. The applicant undertook community engagement to inform the planning application, presented proposals to the predecessor Council's Member

Engagement Forum and undertook pre-application advice with the Council. The applicant chose not to undertake independent design review as encouraged by Local Plan Policy PP27 Design, despite the size and importance of this allocation.

121. The layout and design of the housing and streets will be part of the Reserved Matters application. However, the local plan requires the outline application to include the preparation of a design code to guide Reserved Matters applications. This would help maintain an overall design pattern were development parcels within the site to be sold to different developers.
122. The design code that accompanies the application has been subject to critique and review by officers throughout the evolution of this application and at pre-application stage. It has regard to the fixed existing and proposed utilities constraints, green infrastructure and proposed roads.
123. The design code recognises the importance of delivering development that respects the different context around the edge of the site, from the rhythm of built form along Magna Road, on the southern edge, to the open fields to the north in the Green Belt. But takes the opportunity for creating its own identity in the centre of the site. Dividing the site into 4 character areas, the design code sets parameters of design styles, building heights, layouts, boundary enclosure, materials and densities in order to define their identity and relate to their context. The 4 areas are:
 124. The Village Community Hub at the centre of the site, including the commercial development and the care home, in a local centre arranged around a public space through which the main estate road would pass in a less defined manner with surface treatment to prioritise pedestrians and reduce the predominance of the road. Primary bus stops would be in this area and uses are advocated to support community interaction and activity, such as play equipment and a community hall. Larger key landmark buildings would be appropriate to make a statement and identify the significance of the centre and use the buildings to frame the space. The highest density area would be largely flats and the tallest buildings across the development.
 125. The Central Core will wrap around the community hub and cover most of the application site. This area would have a degree of consistency in design, size and layout, of properties and street pattern. It would deliver most of the development fronting the main estate road.
 126. The Urban Edge character area extends along the south boundary adjacent to Magna Road and Wood Lane, seeks to encourage a layout to reflect the grain of those roads.
 127. The Rural Edge character area extends along the northern and western boundaries of the site with the aim of protecting the integrity of the Knighton hamlet and providing an interface between the edge of the urban area and the countryside.

128. Public representations and the Council's Planning Policy, Urban Design and Heritage team raise numerous concerns with the design code. Many remain unresolved despite numerous iterations of the design code. This is not a reason for refusal, but instead the condition of the permission is that Reserved Matters applications should '*have regard to the design code*' rather than be designed in accordance with it. The Illustrative Masterplan, Illustrative Heights Parameters, Illustrative Density and Illustrative Character Areas plans are as titled indicative and for information purposes only. The application has not been judged upon these plans, but they will be included in the design code. The illustrative masterplan was produced to demonstrate that 695 homes and other policy requirements can be achieved.

129. Policy PP10 Strategic urban extensions also includes specific requirements for Site UE2:

A minimum of 800 homes and a minimum of a 60 bed care home required to support the creation of the new community

130. This application covers about 80% of the allocated site and aims to deliver up to 695 homes and the care home. Such an arrangement is acceptable, and the scheme cannot fail on this as a matter of principle.

131. The remaining 20% is in different ownerships and may come forward in the future (should the landowners wish to develop it). This area is relatively unconstrained in terms of the utilities that cross the site and there is no reason that the balance of homes (a minimum of 105 homes) could not be achieved. However, no access to this land is offered through the full part of this planning application. This effectively landlocks the remaining allocation delaying that part of the site coming forward and enables the landowner to 'demand a ransom' for access. The applicant argues this is fair to recompense infrastructure investment, but it risks not making the most effective use of land and achieving the policy requirement for a minimum of 800 homes. To ensure that the remainder of the allocation is unlocked, the Section 106 Agreement requires the developer to provide road, cycle and pedestrian linkage by occupation of the 100th dwelling.

132. Public representations question affordability and needs based on latest forecasts or housebuilding nearby. Local Plan policies PP2 and PP7 aim to significantly boost housing supply across the Poole area to meet housing needs. Although ONS forecasts have reduced housing needs government standard methodology and housing delivery test do not take this into account. The emerging BCP Local Plan will have to find new sites to tackle meeting even higher housing need in the future, and so these existing allocations remain essential, including nearby housing under construction at Canford Paddock (site U2) and around Wimborne. With high density housing (including flats) coming forward within the BCP Council area this site provides a chance to balance that with family housing, including a proportion of houses that are affordable to local people.

A community hub that forms the heart of the community incorporating proportionate shopping and community facilities

133. The outline part of the planning application description includes a 'community hub comprising retail uses (A1/A2/A3), flexible workspace (B1), community uses (D1/D2) and a 60 bed care home'. The design code includes a specific character area for The Village Community Hub.
134. The applicant is proposing a minimum 360sqm community hall with foundations and building structure constructed to a specification capable of supporting an addition storey at a future date. A MUGA will also be located alongside the community hub.
135. The Section 106 Agreement will ensure that the community hub shall be built, occupied or made available for occupation prior to the occupation of the 300th dwelling to ensure it is delivered and provides sustainable development.

Make a contribution towards the implementation of a sustainable transport corridor between the site and Poole/Bournemouth town centres

136. The site is accessible by bus, cycling and walking and the junctions with Magna Road will link into the existing infrastructure to enhance the sustainable transport corridor. Magna Road already has cycle and footpaths and the bus service will be implemented shortly using development contributions. As discussed under (g) above the applicant has agreed to a financial contribution of £1,877,369 towards a bus service through a Section 106 Agreement. The developer of the 324 homes West of Bearwood (17/00008/F) is also contributing to the bus service.

A second vehicular access from Magna Road, to the east of Knighton Lane

137. The scheme proposes two vehicular accesses from Magna Road (i) via Knighton Lane and (ii) through the demolition of 94 Magna Road, which is east of Knighton Lane.
138. The principle of the demolition of 94 Magna Road is acceptable. The property is of limited architectural merit and its loss would not undermine the character or appearance of Magna Road. A new traffic light controlled junction with right turn lane into the site for traffic approaching from Bear Cross, cycle lanes and pedestrian crossings would preserve highway safety, largely delivered within the existing public highway. The design accommodates existing residential driveways.
139. Residents highlight concerns about the safety of accessing existing dwellings on Magna Road and moving the cycle lane onto the footpath outside the properties. The applicant has produced a Road Safety Audit which the Local Highway Authority accepts. As is normal procedure, through Section 278 and Section 38 highway agreements for the road and junction construction additional assessments will also be made, including Road Safety Audits, as part of this construction design process.

Preserves or enhances the integrity of Knighton hamlet and its heritage assets:

140. The designated heritage assets are (i) the Grade II listed buildings at 44 and 45 Knighton Lane, a pair of Lady Wimborne Cottages and;(ii) the Granary to the north west of Knighton House, an outbuilding associated with the house. The non-designated heritage assets are (i) 43 Knighton Lane and (ii) farm buildings at Knighton Farm and (iii) Knighton House.
141. The application is supported by a Heritage Statement (and revision) that assess the impact of the development upon these heritage assets. The Planning Policy, Urban Design and Heritage team point out that the impact upon the significance of the setting of 44 and 45 Knighton Lane has not been fully assessed, despite the applicant submitting a revised Heritage Statement which concludes that there is no harm to the heritage asset. Therefore, the case officer assesses the proposals as follows.
142. 44 and 45 Knighton Lane are two Lady Wimborne Cottages which are former agricultural workers dwellings preserved in a rural agricultural setting. The original rural isolation of these cottages would have originally formed part of their significance and where cottages find themselves in settings substantially unchanged from their inception, this will give added emphasis to their landscape setting.
143. The Council in considering whether to grant planning permission has a statutory duty through Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to *'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.
144. The Planning Policy, Urban Design and Heritage team points out that the proposed attenuation basin to the south of these two dwellings will change the setting from open agricultural fields to a sunken basin with planting. The works will not 'preserve' the setting of the cottages nor will they 'enhance' or better reveal the significance of the cottages and therefore should be assessed as 'less than substantial harm' to the setting of the heritage asset. There are no concerns about the assessment of the other heritage assets.
145. NPPF para 202 requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset the harm should be weighed against the public benefits of the proposal. As discussed above the attenuation basin is a shallow basin and will have a natural form from the planting. The basin will provide a sustainable drainage solution. In light of the lack of housing delivery and in particular affordable housing in the local area, substantial weight should be given to the provision of the housing, affordable housing and other specialist housing as discussed in the Planning Balance section of this report.

146. The case officer's view is that substantial weight should be given to the public benefits of the proposed development, and these public benefits outweigh the harm to the setting of the heritage asset.
147. The Planning Policy, Urban Design and Heritage team also highlight that the built form in the illustrative masterplan in the design code extends too close to the western boundary of the site with Knighton Lane and does not create the required buffer to the historic hamlet. The issue of the buffer will need further consideration through the Reserved Matters application.

Other relevant development plan policies:

148. Renewable Energy – The development will ensure that 20% of the energy requirement for each home are provided from renewable energy sources in accordance with Policy PP37: Building sustainable homes and businesses. The commitment will be secured through a planning condition.
149. Flood Risk - The application is supported by a Flood Risk Assessment. The Environment Agency and the Local Lead Flood Authority raise no objection to the proposals.
150. Only the proposed drainage channel that extends to the North East of the site and the access to the foul water pumping station are within Flood Risk Zone 2 or 3. The proposed buildings will all fall in Zone 1 and therefore pass the flood risk sequential test as set out in Policy PP38 Managing Flood Risk and the NPPF.
151. To ensure that the access to the foul water pumping station remains unaffected by flooding from the River Stour ground levels will be raised within Flood Zone 3. This will result in a small loss of floodplain volume, which will be compensated for to ensure no adverse downstream impact. The proposed compensation scheme involves recontouring of land around the foul water pumping station and will provide a net increase of 13m³ of floodplain volume.
152. The proposed upgrading of the Knighton Lane junction with Magna Road necessitates an extension to the Knighton Stream culvert that passes under Magna Road. The Environment Agency responds noting that culverts are not the preferred option but does not object to this proposal. Furthermore, there are two sections where the Knighton Stream must be diverted; (i) to facilitate the widening of Knighton Lane to form a suitable access; and (ii) to accommodate the surface water attenuation basin. Through the Section 106 Agreement the applicant has agreed to prepare a management plan for the compensation and management of Knighton Stream.
153. Current surface water flooding and groundwater flooding in the site is low. Surface water flooding along Magna Road is attributed to the existing development to the south. The site naturally drains to the north towards the River Stour and the west towards Knighton Stream. The drainage strategy proposes a gravity system with infiltration and attenuation features, finally discharging residual water at a restricted rate to the River Stour or Knighton Stream. The proposed surface water

drainage system, including the Sustainable Drainage Systems (SuDS) and foul water pumping station are expected to be offered to Wessex Water for adoption.

154. Minerals - A large swathe of the application site is within the Minerals Safeguarding Area designated under Policy SG1 of the Bournemouth, Dorset and Poole Minerals Strategy 2014. The site is a river terrace comprising sand and gravel. The policy seeks to ensure extraction of the minerals is not sterilised by non-mineral permanent development such as housing. If there is the risk of sterilisation of the mineral resource then prior extraction should be considered where practicable and where it would not leave the site incapable of non-mineral use.
155. The application is supported by a Minerals Statement. This Statement argues ground investigation indicates a high clay content in the sub soils (up to 15%) that makes mineral extraction unviable. Instead the minerals would be better used to create the levels necessary for the primary infrastructure and plateaus for the housing parcels. Exporting the minerals from the site and importing replacement materials to recreate the topography would have environmental and viability implications for the development. Lowering ground levels through extraction would undermine the gravity based drainage strategy.
156. The Council as Minerals Planning Authority accepts this justification. Extraction of the minerals and replacement with alternative materials to recreate ground levels is not sustainable and risks making this strategically important development unviable. The alternative of extraction of the minerals without replacement would leave large depressions. As there are limitations as to what can be extracted around utilities, the result would be a development much lower than the pylons and possibly an undesirable living environment. The gravity-based drainage system would also not function. Therefore, in this instance extraction of the mineral is not practical and would significantly hinder the capability of the site to be developed sustainably.
157. Public representations suggest that the presence of shrink clay may lead to subsidence of properties, highlighting this as the reason the site hasn't been developed. The applicant points to the fact that the house builder lined up to develop the site is not concerned.

Other issues raised by the public:

158. Environmental Statement - Public representations suggest the EIA is unlawful as there is no chapter covering transport. However, the EIA instead chooses to cover the impact from additional traffic during construction and operation of the proposed development through other chapters on air quality, noise and climate change.
159. Air Quality (human health) - Public representations suggest that the applicant's air quality assessment is not-fit-for purpose due to a lack of diffusion tubes in the area. Environmental Health have assessed the applicant's submissions (including

revisions). The Council has been monitoring air pollution since the planning application was submitted and during which homes at Canford Park have become occupied. This monitoring shows that annual average Nitrogen Dioxide (NO₂) concentrations are below air quality standards. Whilst these findings were not available for the applicant's assessments the monitoring compares well with the modelled data and this indicates the operational impact of the development will have a negligible impact on air quality.

Section 106 Agreement/CIL compliance

160. The amount of CIL will be determined at Reserved Matters in accordance with the rates set out in the Council's Charging Schedule, when the number of homes and mix of housing is known.
161. The following in principle development contributions will be included as conditions or requirements of the Section 106 Agreement. The triggers for when each item will be required have been negotiated with the applicant in the acknowledgement of the need for developer to maintain a cash flow in delivering the development:

Type	Description	Condition / S106	Obligation
Community / Open space	Community Hub	Condition	The retail, community space and flexible workspace within the community hub shall be built, occupied, or made available for occupation prior to the occupation of the 300th dwelling.
	Community Hall	Condition / S106	Minimum of 360 sqm community hall provided in the community hub prior to occupation the 300 th dwelling
	Multi Use Games Area (MUGA)	Condition / S106	18.5 x 37m MUGA to be provided prior to occupation the 300 th dwelling
	Play Areas	Condition/ S106	Neighbourhood Equipped Area of Play (NEAP) prior to occupation of the 300 th dwelling, and thereafter 2 Local Equipped Areas of Play (LEAP)
	Stour Valley Way	S106	Supply of the materials and a financial contribution towards the labour to make improvements to the surface of the Stour Valley Way between the Canford SANG and Ringwood Road, circa 1.6km
	Signage and Accessibility	S106	£9,000 for signage and improvements to gates to link the new development to existing residential areas and walking/cycling routes

Type	Description	Condition / S106	Obligation
Education	Education Contribution	S106	£3,038,735 to be provided prior to occupation of the 300 th dwelling or earlier subject to negotiations through the preparation of the S106 Agreement
Environment	Stream compensation	S106	Management plan for compensation of Knighton stream culverting
Habitats Regulations	Suitable Alternative Natural Greenspace (SANG)	S106	15.7 ha additional SANG to form a 30 ha SANG opened prior to occupation of first dwelling
	SANG Bond	S106	£10,000 prior to occupation of first dwelling
	Heathlands Strategic Access, Management & Monitoring Contribution (SAMM)*	S106	£397 per house £271 per flat Prior to occupation of each dwelling
	Poole Harbour Recreation Strategic Access, Management & Monitoring Contribution (SAMM)*	S106	£141 per house £97 Per flat Prior to occupation of each dwelling
	Nitrogen Reduction in Poole Harbour Contribution	S106	£573 per care home bed Prior to occupation
Health	Primary Health Care Contribution	S106	£55,600 prior to occupation of the 300 th dwelling
Housing	Affordable Housing	S106	40% of the total number of dwellings including: 70% of Affordable Rented Housing; and 30% of Shared Ownership Housing
	Accessible and adaptable dwellings	Condition / S106	At least 20% of a mix of the housing types of each development parcel to be built in accordance with Building Regulations Part M4(2)
	Custom/Self-Build plots	S106	Provide at least 5 custom / self-build plots

Type	Description	Condition / S106	Obligation
	On-site renewable energy	Condition	20% of predicted energy use of the residential development to be provided in each development parcel of development
Transport	Transport Mitigation Contribution	S106	£1,877,369 to be provided in thirds prior to occupation the 100 th , 300 th and 500 th dwellings
	Travel Plan	Condition/ S106	Travel Plan Coordinator appointed. Personal Travel Planning for each household. 3 month free bus travel voucher per household. A Car Club scheme with a minimum of 2 cars to be implemented prior to occupation of the 300th dwelling and to be available for a minimum of 3 years.
	Travel Plan Monitoring Fee	S106	£4,655 on agreement of the travel plan by the Council
	Traffic Regulation Order	S106	£10,000 to be paid within 3 months of works commencing
	Bus Infrastructure	Condition	Provision of bus stops as agreed with Local Highway Authority
	Highway Works	S106	Highway Works are to be secured via a S278 Highways agreement: Works include: Creation of new road junction at 94 Magna Road Alterations of the existing footway connection between Runnymede Avenue and Magna Road to create a shared cycle/footway Alterations of the existing Knighton Lane/Magna Road junction Alterations of the existing Knighton Lane road to create the access road Alterations/widening of the south side footway of Magna Road from Knighton Lane to Wheelers Lane to create a shared cycle footway New roads/footways/cycleways within the site shown on the approved plans to form

Type	Description	Condition / S106	Obligation
			<p>part of the S38 and to be given over for S38 adoption</p> <p>Prior to commencement of development the Owner shall submit to the Council the detailed design, methodology and programme for delivery of the Highway Works;</p> <p>Prior to commencement of the Highway Works (specifically the primary infrastructure relating to the bus route and the northern spur) the Owner shall execute a Highways Agreement;</p> <p>Prior to the occupation of the first dwelling or such other date agreed with the Council the Owner shall obtain all Highway Consents. Carry out and practically complete the Highway Works in each parcel;</p> <p>Prior to the occupation of the 300th dwelling to complete the bus route through the southern parcel(s); and</p> <p>Land to be given over for Section 38 adoption.</p> <p>Enable access to third party land included within the UE2 allocation</p>

*SAMMs will be determined at Reserved Matters when the number of homes and mix of housing is known.

Summary

162. The planning application contains two parts. The full application enables the developer to get going and open-up the site by making it serviceable covering roads, earthworks, drainage, services and open space. It also includes demolition of no. 94 Magna Road to create a second access to the site. The outline application covers the principle of building up to 695 homes, a care home and community hub within the site. The layout and design of the development parcels will be determined through Reserved Matters planning applications.
163. There are a significant number of responses from the public, largely concerned with traffic congestion and infrastructure provision. Residents around the site are also concerned about the new junction replacing No 94 Magna Road and the potential impact upon them. Residents have formed a Bearwood Action Group

and sought expert advice on traffic impact, strategic transport modelling (SEDUMS) and air quality. There is also a large amount of support for the development, mostly from users of the SANG keen to see the SANG increased in size.

164. The Council reviewed these representations and the expert evidence and has sought to respond to many of the points through this report. The Local Highway Authority do not object to the proposals and seek sustainable transport options as mitigation in line with national and Council policy. In terms of local infrastructure, the developer will provide financial contributions towards expanding school capacity and health care as well as through the provision of on and off-site infrastructure.
165. The applicant presented these proposals to a Members Engagement Forum, held community consultations that included a website to capture feedback and sought pre-application advice from the Council. During the planning application process the initial consultation was followed by two further consultations on amended plans. Most of the issues raised by consultees during the planning application process have been resolved through these amended plans. A few issues raised by consultees have not been resolved.
166. The Council's Planning Policy, Urban Design and Heritage team has several concerns with the Design Code and in particular the illustrative plans. Whilst it would have been ideal to have consensus over the Design Code, the document itself is flexible which will allow these concerns to be resolved at Reserved Matters stage. The Council's Open Space team has sought a financial contribution for improvements to public owned pitch provision but the applicant did not agree, citing the range of privately owned sports pitches in the ward and the wider open space benefits that this development is providing. Several consultees have highlighted the absence of a biodiversity appraisal to demonstrate net gain. This omission will be covered by a condition to prepare an assessment of net gain prior to commencement of the full application and again at each stage of reserved matters.
167. In terms of constraints the planning application strays beyond the allocation and into the Green Belt to enable a gravity fed drainage system with an attenuation basin and a largely subterranean foul water pumping station. The case officer's Green Belt assessment in this report concludes that the much of these works are engineering operations that preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The exception is the above-ground kiosk at the foul water pumping station which could be considered a building and thereby inappropriate development harmful to the Green Belt. However, the case officer gives substantial weight to the public benefits of the proposed development and has concluded that the harm caused by the erection of the kiosk in the Green Belt are clearly outweighed by these benefits and therefore very special circumstances exist.

168. The proximity of the attenuation basin to listed buildings on Knighton Lane falls in the category of less than substantial harm to the setting of a heritage asset. The case officer's assessment concludes that the harm to the heritage asset is clearly outweighed by the substantial public benefits of the development.
169. The Council's habitats regulations assessment (HRA) of the proposal concludes that with the necessary mitigation measures secured, there will be no adverse effect on the integrity of the Dorset Heathlands and Poole Harbour designated sites. Natural England is satisfied with the mitigation/avoidance measures and raises no objection to the proposal.

Planning balance

170. There is a presumption in favour of sustainable development in the NPPF and Poole Local Plan Policy PP01. NPPF Paragraph 11 states that where policies which are most important for determining the application are out of date, planning permission must be granted unless policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposals or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
171. Footnote 8 of Paragraph 11 provides that where the local planning authority has failed to deliver at least 75% of the housing requirement over the previous 3-year period the policies most important for determining the application are deemed to be out of date for the purposes of the application of paragraph 11. The latest Housing Delivery Test (HDT) results (January 2021) show that over a 3-year period 1,361 homes were completed in the area covered by the Poole Local Plan compared to a target of 1,860 homes. This equates to completions of 73% of the target, which is below the government threshold of 75%.
172. Given the shortfall of number of homes delivered against the Poole Local Plan target, the balance is 'tilted' towards granting planning permission except where the benefits are significantly and demonstrably outweighed by the adverse impacts or where specific policies in the NPPF provide a clear reason for refusal. It is not considered, for reasons set out in this report, that the policies in respect of heritage assets, green belt or other relevant policies in the Framework provide a clear reason for refusal such that the tilted balance would not apply. It is also considered that the adverse impacts of the development as set out in this report significantly and demonstrably outweigh the substantial benefits as set out below. It is considered that the balance is therefore tilted in favour of granting permission.
173. There are many benefits to the proposal that include:
 - Delivery of mostly family housing, helping balance the housing market where urban intensification of flatted development is prevalent;
 - Provision of 40% affordable housing to help house some of the 4,500 households on the Council's housing register in need of affordable housing;

- Provision of a wide range of housing types to enable local people to 'right size' and stay within their community including a new care home to help meet the forecast needs of an ageing population;
 - Provision of 15.7 hectares of SANG to extend the existing SANG to 30 hectares, including public access to the Green Belt;
 - Enhancements to sustainable transport in the Magna Road corridor to reduce the need to travel by car;
 - Provision of a community hub including a community centre, workspace and local retail, and 3 play areas (1 NEAPs/2 LEAPs 1 MUGA) providing new facilities to residents of Bearwood;
 - Provision of 5 self / custom build plots, which the Council has a duty to provide;
 - Post-recession employment opportunities during construction of the development; and
 - Over £5m financial contributions through Section 106 Agreement and following future Reserved Matters applications in the order of £4m CIL, as well as New Homes Bonus and Council Tax.
174. As set out in the summary, there are a few areas where policy requirements are not fulfilled. For instance, there is the absence of a contribution towards playing pitch provision as required through the Council's open space standards. On balance the provision of a strategic SANG adjacent to the site greatly exceeds the overall open space requirements and will become a key facility for the area. Combined with the provision of a MUGA these benefits are considered to outweigh the lack of a financial contribution towards the upgrading of playing pitches, which alternatively could be met through CIL paid by the development. The SANG also contributes significantly towards biodiversity net gain and public access to the Green Belt.
175. The predecessor Council decided to amend the Green Belt boundary to allocate this site for housing development through the Poole Local Plan. This site was intended to make an important contribution towards boosting the rate of housing delivery as outlined in Policy PP7. In doing so, the predecessor Council was aware of the constraints and potential issues likely to arise. The proposed scheme addresses all the policy requirements and is therefore in accordance with the development plan as a whole
176. The substantial public benefits, as detailed above, of granting planning permission for up to 695 homes of which 40% will be affordable housing and include a care home are therefore considered to outweigh any areas of concern. Therefore, the recommendation is to grant planning permission.

RECOMMENDATION

Delegate to the Head of Planning to GRANT permission subject to the conditions as set out in this report at paragraph 177, with authority delegated to the Head of Planning to alter/add to these conditions provided any alteration/addition does not go to the core of the decision and the completion, signing and sealing of a Section 106 agreement to be agreed by the Head of Planning on terms consistent with those matters set out in paragraph 161 of this report.

Conditions

177. The conditions are split into two parts, the elements of the full application and then the outline application.

The FULL components of the permission:

1. Commencement of Development

The full component of the development hereby permitted shall be commenced within 3 years of the date of this permission.

Reason: This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. Adherence to approved plans and drawings

The full component of the development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan prepared by Atkins ref: 5165297-ATK-GEN-XX-DR-1400 at scale 1:2500/1:25000@A1 as originally submitted

Earthworks:

Isopachyte comparing existing ground levels with proposed finished site levels prepared by Atkins ref: 5165297-ATK-EX-XX-DR-C-1730 at scale 1:2000@A1 as originally submitted.

Proposed finished site levels prepared by Atkins ref: 5165297-ATK-EX-XX-DR-C-1707 at scale 1:2000@A1 as originally submitted.

Proposed earthwork sections (sheet 1 of 5) prepared Atkins ref: 5165297-ATK-EX-XX-DR-C-1720 at scale 1:2000@A1 as originally submitted.

Proposed earthwork sections (sheet 2 of 5) prepared Atkins ref: 5165297-ATK-EX-XX-DR-C-1721 at scale 1:500@A1 as originally submitted.

Proposed earthwork sections (sheet 3 of 5) prepared Atkins ref: 5165297-ATK-EX-XX-DR-C-1722 at scale 1:500@A1 as originally submitted.

Proposed earthwork sections (sheet 4 of 5) prepared Atkins ref: 5165297-ATK-EX-XX-DR-C-1723 at scale 1:500@A1 as originally submitted.

Proposed earthwork sections (sheet 5 of 5) prepared Atkins ref: 5165297-ATK-EX-XX-DR-C-1724 at scale 1:500@A1 as originally submitted.

Access

General arrangement of proposed improvements to Knighton Lane / Magna Road junction and Access Road prepared by Vectos ref: 151641-A6-01 Rev.A at scale 1:200@A0 as submitted January 2021.

General arrangement of proposed junction and Knighton Lane / Magna Road improvements prepared by Vectos ref: 151641-A06-02 Rev.B at scale 1:500@A1 as submitted November 2020.

Swept path analysis for a bus entering / exiting Knighton Lane / Magna Road junction prepared by Vectos ref: 151641 A06-AT01 at scale 1:500@A3 as submitted May 2020.

Swept path analysis for an HGV entering / exiting Knighton Lane / Magna Road junction prepared by Vectos ref: 151641 A06-AT02 at scale 1:500@A3 as submitted May 2020.

Swept path analysis for large refuse vehicle for proposed reconfigured Knighton Lane access prepared by Vectos ref: 151641 A06-AT03 at scale 1:500@A3 as submitted May 2020.

Swept path analysis for two busses passing along proposed reconfigured Knighton Lane access prepared by Vectos ref: 151641 A06-AT04 at scale 1:500@A3 as submitted May 2020.

General arrangement of proposed site access at No.94 Magna Road prepared by Vectos ref: 51641-A07 Rev.C at scale 1:500@A2 as submitted November 2020 as submitted January 2021.

Aerial overplay plan identifying existing private driveways at proposed No.94 Magna Road junction prepared by Vectos ref: 151641-A07-01 at scale 1:500@A3 as submitted May 2020.

Swept path analysis for a bus entering / exiting proposed No.94 Magna Road junction prepared by Vectos ref: 151641 A07 AT01 at scale 1:500@A3 as submitted May 2020.

Swept path analysis for large refuse vehicle for proposed No.94 Magna Road junction prepared by Vectos ref: 151641 A07 AT02 at scale 1:500@A3 as submitted May 2020.

Swept path analysis for large car of existing private drive at 81 Magna Road in relation to proposed No.94 Magna Road junction prepared by Vectos ref: 151641 A07 AT03 at scale 1:250@A3 as submitted May 2020.

Swept path analysis for large car of existing private drive at 83 and 92 Magna Road in relation to proposed No.94 Magna Road junction prepared by Vectos ref: 151641 A07 AT04 at scale 1:500@A3 as submitted May 2020.

Swept path analysis for large car of existing private drive at 85 Magna Road in relation to proposed No.94 Magna Road junction prepared by Vectos ref: 151641 A07 AT05 at scale 1:250@A3 as submitted May 2020.

Swept path analysis for large car of existing private drive at 96 Magna Road in relation to proposed No.94 Magna Road junction prepared by Vectos ref: 151641 A07 AT06 at scale 1:250@A3 as submitted May 2020.

Magna Road entrance tree removal plan (fig 3.10) prepared by DLA at scale 1:500@A3 as originally submitted.

Magna Road entrance detail (fig 3.3 Rev.A) prepared by DLA at scale 1:250@A2 submitted in December 2020.

Highway arrangement

Proposed highways general arrangement (sheet 1 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1420 Rev.P9 at scale 1:2000@A1 as submitted December 2020.

Proposed highways general arrangement (sheet 2 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1421 Rev.P4 at scale 1:500@A1 as submitted May 2020.

Proposed highways general arrangement (sheet 3 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1422 Rev.P7 at scale 1:500@A1 as submitted November 2020.

Proposed highways general arrangement (sheet 4 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1423 Rev.P8 at scale 1:500@A1 as submitted December 2020.

Proposed highways general arrangement (sheet 5 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1424 Rev.P7 at scale 1:500@A1 as submitted December 2020.

Proposed highways general arrangement (sheet 6 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1425 Rev.P7 at scale 1:500@A1 as submitted December 2020.

Proposed highways general arrangement (sheet 7 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1426 Rev.P8 at scale 1:500@A1 as submitted December 2020.

Proposed highways contour plan (sheet 1 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1430 Rev.P5 at scale 1:500@A1 as submitted November 2020.

Proposed highways contour plan (sheet 2 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1431 Rev.P4 at scale 1:500@A1 as submitted May 2020.

Proposed highways contour plan (sheet 3 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1432 Rev.P5 at scale 1:500@A1 as submitted November 2020.

Proposed highways contour plan (sheet 4 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1433 Rev.P5 at scale 1:500@A1 as submitted November 2020.

Proposed highways contour plan (sheet 5 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1434 Rev.P4 at scale 1:500@A1 as submitted November 2020.

Proposed highways contour plan (sheet 6 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1435 Rev.P4 at scale 1:500@A1 as submitted November 2020.

Proposed highways contour plan (sheet 7 of 7) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1436 Rev.P5 at scale 1:500@A1 as submitted November 2020.

Proposed highway long sections (sheet 1 of 3) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1440 Rev.P3 at scale 1:500@A1 as submitted May 2020.

Proposed highway long sections (sheet 2 of 3) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1441 Rev.P3 at scale 1:500@A1 as submitted May 2020.

Proposed highway long sections (sheet 3 of 3) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1442 Rev.P3 at scale 1:500@A1 as submitted May 2020.

Typical proposed highway cross sections prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1450 Rev.P5 at scale 1:50@A1 as submitted November 2020.

Swept path analysis bus tracking (sheet 1 of 10) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1460 Rev.P6 at scale 1:500@A1 as submitted November 2020.

Swept path analysis bus tracking (sheet 2 of 10) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1461 Rev.P6 at scale 1:500@A1 as submitted November 2020.

Tanker swept path analysis (sheet 3 of 10) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1462 Rev.P6 at scale 1:500@A1 as submitted November 2020.

Tanker swept path analysis (sheet 4 of 10) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1463 Rev.P4 at scale 1:500@A1 as submitted November 2020.

Tanker swept path analysis (sheet 5 of 10) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1464 Rev.P5 at scale 1:500@A1 as submitted November 2020.

Tanker swept path analysis (sheet 6 of 10) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1465 Rev.P6 at scale 1:500@A1 submitted in November 2020.

Refuse vehicle swept path analysis (sheet 7 of 10) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1466 Rev.P6 at scale 1:500@A1 submitted in November 2020.

Refuse vehicle swept path analysis (sheet 8 of 10) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1467 Rev.P6 at scale 1:500@A1 submitted in November 2020.

Refuse vehicle swept path analysis (sheet 9 of 10) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1468 Rev.P4 at scale 1:500@A1 submitted in November 2020.

Refuse vehicle swept path analysis (sheet 10 of 10) prepared by Atkins ref: 5165297-ATK-HW-XX-DR-D-1469 Rev.P5 at scale 1:500@A1 submitted in November 2020.

Hard landscape proposals (fig 3.9) prepared by DLA at scale of 1:2000/1:250@A1 as originally submitted.

Green infrastructure:

Green infrastructure plan ref: DLA.1973 fig 3.8 Rev.G – Landscape North prepared by DLA at scale 1:1000@A1 submitted in February 2021.

Green infrastructure plan ref: DLA.1973 fig 3.8 Rev.G – Landscape South prepared by DLA at scale 1:1000@A1 submitted in February 2021.

Drainage general arrangement:

Proposed drainage general arrangement (sheet 1 of 8) prepared by Atkins ref: 5165297-ATK- DR-XX-DR-D-1250 Rev.P2 at scale 1:2000@A1 as submitted May 2020.

Proposed drainage general arrangement (sheet 2 of 8) prepared by Atkins ref: 5165297-ATK- DR-XX-DR-D-1251 Rev.P2 at scale 1:500/1:200@A1 as submitted May 2020.

Proposed drainage general arrangement (sheet 3 of 8) prepared by Atkins ref:5165297-ATK-DR-XX-DR-D-1252 at scale 1:500/1:200@A1 as originally submitted.

Proposed drainage general arrangement (sheet 4 of 8) prepared by Atkins ref: 5165297-ATK- DR-XX-DR-D-1253 Rev.P2 at scale 1:500/1:200@A1 as submitted May 2020.

Proposed drainage general arrangement (sheet 5 of 8) prepared by Atkins ref: 5165297-ATK-DR-XX-DR-D-1254 at scale 1:500/1:200@A1 as originally submitted.

Proposed drainage general arrangement (sheet 6 of 8) prepared by Atkins ref: 5165297-ATK-DR-XX-DR-D-1255 at scale 1:500/1:200@A1 as originally submitted.

Proposed drainage general arrangement (sheet 7 of 8) prepared by Atkins ref: 5165297-ATK- DR-XX-DR-D-1256 Rev.P3 at scale 1:500/1:200@A1 as submitted May 2020.

Proposed drainage general arrangement (sheet 8 of 8) prepared by Atkins ref: 5165297-ATK-DR-XX-DR-D-1257 at scale 1:500/1:200@A1 as originally submitted.

Proposed watercourse diversion prepared by Atkins ref: 5165297-ATK-DR-XX-DR-D-1260 Rev.P2 at scale 1:2000@A1 as submitted May 2020.

Utilities:

Pumping Station Detail (Rev.2) prepared by DLA at scale 1:500/20@A3 submitted in November 2020.

Pumping Station Sections A and B (fig 3.13) prepared by DLA at scale 1:500/20@A3 submitted in May 2020.

Proposed Substation plans and elevations prepared by Thrive @A3 submitted in May 2020.

Proposed utilities corridor locations (sheet 1 of 7) prepared by Atkins ref: 5165297-ATK-UT-XX-DR-E-1650 Rev.P6 at scale 1:2000@A1 submitted in November 2020.

Proposed utilities corridor locations (sheet 2 of 7) prepared by Atkins ref: 5165297-ATK-UT-XX-DR-E-1651 P6 at scale 1:500@A1 submitted in November 2020.

Proposed utilities corridor locations (sheet 3 of 7) prepared by Atkins ref: 5165297-ATK-UT-XX-DR-E-1652 Rev.P6 at scale 1:500@A1 submitted in November 2020,

Proposed utilities corridor locations (sheet 4 of 7) prepared by Atkins ref: 5165297-ATK-UT-XX-DR-E-1653 Rev.P6 at scale 1:500@A1 submitted in November 2020.

Proposed utilities corridor locations (sheet 5 of 7) prepared by Atkins ref: 5165297-ATK-UT-XX-DR-E-1654 Rev.P4 at scale 1:500@A1 submitted in November 2020,

Proposed utilities corridor locations (sheet 6 of 7) prepared by Atkins ref: 5165297-ATK-UT-XX-DR-E-1655 Rev.P4 at scale 1:500@A1 submitted in November 2020.

Proposed utilities corridor locations (sheet 7 of 7) prepared by Atkins ref: 5165297-ATK-UT-XX-DR-E-1656 Rev.P4 at scale 1:500@A1 submitted in November 2020.

Proposed utilities corridor locations (sheet 5 of 7) prepared by Atkins ref: 5165297-ATK-UT-XX-DR-E-1654 Rev.P4 at scale 1:500@A1 submitted in November 2020.

Proposed utilities corridor locations (sheet 6 of 7) prepared by Atkins ref: 5165297-ATK-UT-XX-DR-E-1655 Rev.P4 at scale 1:500@A1 submitted in November 2020.

Proposed utilities corridor locations (sheet 7 of 7) prepared by Atkins ref: 5165297-ATK-UT-XX-DR-E-1656 Rev.P4 at scale 1:500@A1 submitted in November 2020.

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

178. The following are the pre-commencement conditions of the FULL components of the permission:

3. Phasing

No development (excluding initial opening-up works, instatement of tree protection measures, demolition of existing buildings and structures, works pursuant to the junctions and access with / along Magna Road / Knighton Lane and associated drainage) shall take place pursuant to the full component of this permission until a scheme for the phasing of the full component has been submitted to, and approved in writing by, the Local Planning Authority. For the avoidance of doubt this shall include road construction, reprofiling, tree protection measures and landscaping.

Reason: To secure the proper development of the site.

4. Construction Environmental Management Plan (CEMP)

A Construction Environmental Management Plan shall be submitted to, and approved by, the Local Planning Authority prior to commencement of the works described within the full component. It shall follow the outline CEMP set out in appendix 3 of the Environmental Statement, and subsequent addendums, submitted with the application. It shall cover HGV delivery route management, facilities for deliveries, the layout and siting of equipment and material storage, operatives parking, site compound, welfare facilities, and the relevant recommendations of Chapter 7 of the Environmental Statement and subsequent addendums.

Thereafter it shall be updated and maintained by the project manager throughout the course of the development.

Reason: Due to the size of the development and scale of such construction related elements, to preserve highway safety and minimise the potential for congestion and the impact on residential amenity.

5. Tree protection

The measures set out in the arboricultural impact assessment and tree protection plan prepared by Boskey Trees dated 14th May 2020 shall be observed and any tree protection measures instated prior to the commencement of that phase (to be approved through a scheme submitted pursuant to condition 3 of this permission). Thereafter the tree protection measures shall be retained until the completion of the relevant phase.

Reason: To safeguard biodiversity and amenity interest of trees in accordance with Policies PP24, PP31 and PP33 of the Poole Local Plan (2018).

6. Archaeology

No works (excluding initial opening-up works, instatement of tree protection measures, demolition of existing buildings and structures, works pursuant to the junctions and access with / along Magna Road / Knighton Lane and associated drainage) shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to, and approved by the Local Planning Authority. This scheme shall cover archaeological fieldwork together with post-excavation work and publication of the results.

Reason: To ensure that any remnants of archaeological importance on the site are identified and recorded and in accordance with Policy PP30 of the Poole Local Plan (2018).

7. Biodiversity

The development hereby permitted shall accord with the on-site bat mitigation measures (except for lighting covered under Condition 10) and badger mitigation measures set out within Chapter 7 of the Environmental Statement and subsequent addendums. Vegetation clearance should avoid the bird nesting season from March to August.

Reason: To safeguard biodiversity and protected species in accordance with Policy PP33 of the Poole Local Plan (2018) and ensure that the development maintains and enhances the landscape and wildlife features at the site which include species protected by Schedule 5 of the Wildlife and Countryside Act 1981, Section 41 of the Natural Environmental and Rural Communities Act 2006 and Part 3 of the Conservation of Natural Habitats and Species Regulations 2010 and by European and International Law.

8. Landscape and Ecological Management Plan (LEMP)

No development (excluding initial opening-up works, instatement of tree protection measures, demolition of existing buildings and structures, works pursuant to the junctions and access with / along Magna Road / Knighton Lane and associated drainage) shall take place until a Landscape and Ecological Management Plan [LEMP] for Green Infrastructure, including a timed schedule of works, to include a requirement for timing and programming of hedgerow planting, and details of onsite biodiversity and landscape enhancement measures including an assessment of net gain in biodiversity has been submitted to and approved in writing by the Local Planning Authority. The approved planting and ecological provisions shall be carried out in accordance with the approved details unless otherwise first agreed with the Local Planning Authority in writing.

Reason: To optimise planting, health, biodiversity benefits and protected species in accordance with Policies PP24, PP25, PP26, PP32 and PP33 of the Poole Local Plan (2018) and to ensure that the development maintains and enhances the landscape and wildlife features at the site which include species protected by Schedule 5 of the Wildlife and Countryside Act 1981, Section 41 of the Natural Environmental and Rural Communities Act 2006 and Part 3 of the Conservation of Natural Habitats and Species Regulations 2010 and by International Law.

9. Access boundary treatment

No development (excluding initial opening-up works, instatement of tree protection measures, demolition of existing buildings and structures, works pursuant to the junctions and access with / along Magna Road / Knighton Lane and associated drainage) shall take place until details of boundary treatment adjacent to proposed access road alongside 92 and 96 Magna Road, together with its associated acoustic attenuation properties have been submitted to, and approved by, the Local Planning Authority and thereafter instated prior to the access road being brought into first operation.

Reason: Amenity of adjoining occupiers in accordance with PP27 of the Poole Local Plan (2018).

179. The following conditions are required prior to installation of FULL components of the permission:

10. Lighting strategy

Prior to installation a specification for street lighting shall be submitted to, and agreed in writing, by the Local Planning Authority. The specification will have regard to the relevant recommendations of Chapter 7 of the Environmental Statement and subsequent addendums.

The specification will be expected to include wildlife sensitive in accordance with 'Bats and artificial lighting in the UK' by Institution of Lighting Professionals with BCT, Guidance Note 8, 2018 to use lights with colour temperature less than 2700K or 3000K if lower not currently practicable.

The lighting strategy shall thereafter be carried out in accordance with the approved phasing scheme and retained unless any subsequent variation is agreed in writing by the Local Planning Authority.

Reason: Protection of biodiversity in accordance with Policy PP33 of the Poole Local Plan (2018) and ensure sufficient light to provide safe passage on foot, cycle in accordance with Policies PP27 and PP35 of the Poole Local Plan (2018).

11. Foul water pumping station

Details of the gates at the intersection of the access track to the pumping station and Stour Valley Way shall be submitted and approved prior to installation. The gates shall open outwards away from the Stour Valley Way. The vehicular access shall be kept locked other for the purpose of gaining access to the pumping station or inspecting the surface water drainage infrastructure.

The development shall thereafter be carried out in accordance with the approved details and retained unless any subsequent variation is agreed in writing by the Local Planning Authority. The above ground kiosk should not be greater than 2 metres in height, 3 metres in length and 1 metre in depth as shown on the approved plans and drawings.

Reason: In the interests of visual amenity, pedestrian permeability and to avoid impeding access along the Stour Valley Way in accordance with Policies PP27, PP31 and PP35 of the

Poole Local Plan (2018). And to ensure the development meets the very special circumstances test for development in the Green Belt in accordance with the NPPF.

12. Planting

Planting shall be carried out in accordance with the approved green infrastructure plans, the phasing on which shall be in accordance with the scheme secured under condition 3 of this permission.

The approved relevant phased scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following the completion of the road, or in accordance with a timetable to be agreed in writing with the Local Planning Authority.

All planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting. The scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

The whole planting scheme shall thereafter retained.

Reason: In the interests of visual amenity, to ensure that the approved planting scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants in accordance with Policies PP27 and PP31 of the Poole Local Plan (2018).

13. Unexpected Contamination

If, during preliminary works or works thereafter, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 179 of the 2019 National Planning Policy Framework.

180. The OUTLINE components of the permission:

14. Submission of Reserved Matters

Other than the works covered by the full component of this permission, no development shall commence on site until details of the appearance, landscaping, access and layout, in respect of which approval is expressly reserved and are hereinafter called "the reserved matters", have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Part 3 of the Town and Country Planning (General Development Procedure) Order 2015.

15. Timing of Reserved Matters Submission

Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of 2 years from the date of this permission and the development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved whichever is the later.

All other Reserved Matters to be submitted within 6 years

Reason - This condition is required to be imposed by the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2010 and Section 92 of the Town and Country Planning Act 1990.

16. Development limits

No more than 695 dwellings and approx. but not more than 335 sqm of gross internal retail floorspace and 285 sqm of gross internal employment floorspace shall be constructed under this outline permission.

Reason: The assessment of the impacts of the scheme are based on these development limits.

17. Phasing

Other than the works covered by the full component of this permission, no development shall take place until a scheme for the phasing of the 6 development parcels described in the Environmental Statement has been submitted to, and approved in writing by, the Local Planning Authority. The Phasing Plan shall refer to the requirements set out in the Section 106 Agreement and make provision for:

- Delivery of the care home
- Delivery of the community hub including retail units, community hall, MUGA and flexible workspace including suitable public space and delivery arrangements; and
- Provision of the NEAP and LEAPs;

The development shall thereafter be carried out in accordance with the approved phasing scheme unless any subsequent variation is agreed in writing by the Local Planning Authority.

Reason: To secure the proper development of the site in accordance with Policy PP10 of the Poole Local Plan (2018)

18. Adherence to approved parameter plans and drawings

The Reserved Matters shall have regard to the Design Code submitted with the application.

Reason: To ensure the satisfactory development of the site.

181. The following are the pre-commencement conditions of the OUTLINE components of the permission:

19. Construction Environmental Management Plan (CEMP)

An updated CEMP shall be submitted to, and approved by, the Local Planning Authority prior to commencement of each development parcel (to be approved through a scheme submitted pursuant to condition 17 of this permission). It shall follow the outline CEMP set out in appendix 3 of the Environmental Statement submitted with the application and cover HGV delivery route management, facilities for deliveries, the layout and siting of equipment and material storage, operatives parking, site compound, welfare facilities, and the relevant recommendations of Chapter 7 of the Environmental Statement and subsequent addendums.

Thereafter it shall be updated and maintained by the project manager throughout the course of the development.

Reason: Due to the size of the development and scale of such construction related elements, to preserve highway safety and minimise the potential for congestion and the impact on residential amenity.

20. Open space and amenity land

Other than the works covered by the full component of this permission, no development shall take place within any development parcel (to be approved through a scheme submitted pursuant to condition 17 of this permission) until full details of both hard and soft landscaping for the area have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

- Soft landscape plans including planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants, noting species, plant sizes and proposed numbers/densities and implementation programme;
- Hard landscaping plans including details of surfacing and materials;
- Proposed finished levels or contours;
- Details of the north east corner;
- Vehicles and pedestrian access and circulation areas;
- Details of site furniture and infrastructure (e.g. benches, refuse or other storage units, signs, lighting etc.) including detail on predicted lifespan and replacement plans; and
- Management and maintenance plan.

Reason: To ensure satisfactory appearance and functionality of open space provision in accordance with Policies PP24, PP25, PP26 of the Poole Local Plan (2018).

21. Highway details

Other than the works covered by the full component of this permission, no development shall take place in each development parcel (to be approved through a scheme submitted pursuant to condition 17 of this permission) until the details, specification and layout of the

construction, surface treatment and lighting of pedestrian and cycleways for each development parcel have been submitted to, and approved in writing, by the Local Planning Authority. The approved details shall then be implemented in accordance with the approved details.

The widening of the footpath link between Magna Road and Runnymede Avenue to create a shared cycle footway to enhance cycle links, which shall include any associated cycleway markings, signage, features to prevent vehicle access, Traffic Regulation Orders and a new lowered kerb at the Runnymede Avenue carriageway, will need to be agreed in writing with the Local Planning Authority and completed prior to opening up of the new Magna Road junction to pedestrian or cyclist use.

Reason: In the interests of providing appropriate safe routes for pedestrians and cyclists, minimise the impact on night time ecology and in accordance with Policies PP27, PP34, PP35 of the Poole Local Plan (2018).

22. Surface water drainage strategy

Other than the works covered by the full component of this permission, no development shall take place in each development parcel (to be approved through a scheme submitted pursuant to condition 17 of this permission) until the detailed drainage design for that development parcel following the overarching strategy set out in the Flood Risk Assessment forming Appendix 12 of the Environmental Statement and subsequent addendums have been submitted to and approved by the Local Planning Authority. The design shall subsequently be implemented in accordance with the approved details before the development parcel is completed.

Reason: To prevent the increased risk of flooding in compliance with Policy PP38 of the Poole Local Plan (2018).

23. Foul water drainage

Other than the works covered by the full component of this permission, no development shall take place within each development parcel (to be approved through a scheme submitted pursuant to condition 17 of this permission) until a foul water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall:

- Include appropriate arrangements for the agreed points of connection to the main sewer and the capacity improvements required to serve the proposed development parcel, and
- Be completed in accordance with the approved details and to a timetable agreed with the Local Planning Authority.

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 properties.

24. Ground and finished floor levels

The Reserved Matters for each development parcel shall be accompanied by a plan showing details of proposed finished ground and floor levels (in relation to a fixed datum point) for that

development parcel and its relationship with adjoining buildings, including indicative floor levels of adjoining properties within any future development parcel. Thereafter the development shall be carried out in accordance with the approved finished floor and ground levels.

Reason: To control matters which will impact on neighbouring amenity, views within the site and the visual impact of the development in accordance with Policy PP27 of the Poole Local Plan (2018).

25. Parking and bike stores

The parking provision for residents, visitors and non-residential uses within the Reserved Matters application for each development parcel shall accord with the BCP Council Parking Standards SPD (January 2021) unless otherwise agreed in writing with the LPA. Full details of the location, layout and allocation of; vehicle parking, bicycle parking and bicycle storage, Electric Vehicle Charging (EVC) parking facilities and associated EVC infrastructure shall be submitted for written approval with the Reserved Matters application for each development parcel. The approved details shall be made available prior to the occupation or coming into use of the residential unit or non-residential use with which those details are associated and shall always remain available for their associated use thereafter.

Reason: In the interests of highway safety and promoting sustainable development including sustainable forms of transport in accordance with Policy PP35 of the Poole Local Plan (2018)

26. Bin stores

The Reserved Matters for each development parcel shall be accompanied by a plan showing the location and type of bin store / collection point.

Reason: In the interests of the appearance of the site, residential amenity and highway safety.

27. Waste

The Reserved Matters for each development parcel shall be accompanied by a refuse strategy for:

- Residential uses; and
- Non-residential uses.

It shall set out:

- The frequency of collections;
- Suitable location(s) for the refuse vehicles to park / wait when making collections; and
- In the event that receptacles are stored beyond the recommended distance of 25 metres from the refuse vehicle parking / waiting area(s), details of the arrangements that will be put in place by the site management to ensure that receptacles are transported on the day of collection to a satisfactory temporary holding area or areas within 25 metres from the refuse vehicle parking / waiting area(s), including details of the temporary holding area(s).

The approved facilities shall be completed and the waste strategy shall be brought into effect at the time of first occupation of the respective residential and / or non-residential units in each development parcel and shall be maintained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure suitable arrangements are in place for the removal of waste from the site and in accordance with Policy PP27 of the Poole Local Plan.

28. Lighting

Other than the works covered by the full component of this permission, no development within each development parcel (to be approved through a scheme submitted pursuant to condition 17 of this permission) shall take place until a lighting strategy for each development parcel has been submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall thereafter be carried out in accordance with the approved scheme.

Reason: To ensure that the lighting is appropriate in its context so as to avoid harm to existing priority habitats and species and contribute to public safety in accordance with Policies PP27, PP32, PP33 PP35, PP36 of the Poole Local Plan (2018).

182. The following conditions will be based upon occupation triggers of the OUTLINE components of the permission

29. Delivery of suitable site access

No dwelling shall be occupied prior to the completion of either the Knighton Lane access or Magna Road access as shown on the approved plans and drawings listed in condition 2. In any event, both access points as well as the primary access road linking the two shall be completed prior to the occupation of the 300th dwelling.

The widening of the footway on the south side of Magna Road to enhance cycle links from the Knighton Lane junction to Wheelers Lane, which shall include any associated cycleway markings and signage, and will need to be agreed in writing with the Local Planning Authority and completed within 6 months of occupation of the first dwelling.

Reason: In the interests of highway safety.

30. Bus infrastructure

Prior to first occupation of the 300th dwelling hereby granted, details, dimensions and specification of bus stops, their street furniture and a timetable for their delivery shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall then be implemented and thereafter maintained and retained for those purposes.

Reason: In order to ensure appropriate infrastructure for buses and in the interests of highway safety and in accordance with Policies PP34, PP35 and PP36 of the Poole Local Plan (2018).

31. Travel Plan

No dwelling shall be occupied until a comprehensive Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan should follow the interim

travel plan set out at appendix H of the Transport Assessment alongside the application, and updated in line with prevailing policy and best practice and shall include as a minimum:

- The identification of targets for trip reduction and modal shift reflecting the targets contained within the adopted Poole Local Plan Transport Mitigation Plan dated November 2017;
- The measures to be implemented to meet these targets including provision of improved walking and cycling links and bus service enhancements;
- The timetable/ phasing of the implementation of the Travel Plan measures and its operation thereafter;
- The mechanisms for monitoring and review;
- The mechanisms for reporting;
- The remedial measures to be applied in the event that targets are not met; and
- Mechanisms to secure variations to the Travel Plan following monitoring and reviews.

Reason: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site and in the interests of highway safety in accordance with Policy PP34 and PP35 of the Poole Local Plan.

32. Community hub

Approximately 335 square metres gross internal retail floor space, 285 square metres gross internal flexible workspace (B1a) and the community hall within the community hub shall be built, occupied or made available for occupation prior to the occupation of the 300th dwelling.

Reason: To ensure that appropriate facilities are available in accordance with Policy PP10.

33. Play equipment

The details, specification and layout of play equipment for the 'play space' shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority and the LEAPs completed thereafter with the NEAP completed prior to occupation of the 300th dwelling,.

Reason: To provide an appropriate range of facilities to meet the amenity and play needs of residents and in accordance with Policies PP25 and PP26 of the Poole Local Plan (2018).

34. Custom / Self-build

Prior to the occupation of the 300th dwelling, a minimum of 5 custom / self-build plots shall be identified on a plan submitted to, and approved by, the Local Planning Authority. The plots shall thereafter be laid out with access and services and marketed to the satisfaction of the Local Planning Authority for the purpose of custom / self-build.

Reason: To accord with Policies PP8 and PP10 of the Poole Local Plan (2018).

35. Biodiversity

Prior to the commencement of the development of each development parcel (to be approved through a scheme submitted pursuant to condition 17 of this permission), a biodiversity appraisal for that development parcel based on up-to-date ecological survey work which is

not more than 2 years old at the time of the submission of the appraisal including an assessment of net gain shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless any subsequent variation is agreed in writing by the Local Planning Authority.

Reason: To enhance the ecological value of the site and demonstrate net gain in accordance with Policy PP33 of the Poole Local Plan (2018).

36. Flood risk

The mitigation measures set out in Chapter 12 of the Environmental Statement and addendums and the Flood Risk Statement in Appendix 12 shall be fully implemented prior to the occupation of each plot and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

As set out in the Environmental Statement the Reserved Matters planning applications will need to ensure:

- 600mm of freeboard above the designed flood level;
- 13m³ of compensatory flood plain storage is provided; and
- no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.

Reason: To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided. To prevent obstruction to the flow and storage of flood water, with a consequent increased risk of flooding. In accordance with PP38 of the Poole Local Plan (2018).

37. Surface water drainage maintenance

No dwelling shall be occupied until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding, ensure future maintenance of the surface water drainage system and comply with Policy PP38 of the Poole Local Plan (2018).

38. Suitable Alternative Natural Greenspace (SANG)

Prior to occupation of the first dwelling a further 15.7 hectares of the Riverside SANG shall be released, such that a minimum of 30ha is open to public access. Thereafter the SANG will be managed and monitored in accordance with the Riverside SANG Management Plan 2018 forming appendix 7.6 of the Environmental Statement. The pedestrian link between Knighton Lane and the existing SANG link shall also be implemented prior to the occupation of the first dwelling.

Reason: In the interests of mitigating potential harm to the integrity of Dorset Heathlands in accordance with PP32 of the Poole Local Plan (2018).

39. Care home

The care home (Use Class C2) shall provide a minimum of 60 bed-spaces.

Reason: To ensure flexibility to meet the evolving needs of the community in accordance with Policy PP10 of the Poole Local Plan (2018).

40. Community Hall

Reason: To ensure flexibility to meet the evolving needs of the community in accordance with Policy PP10 of the Poole Local Plan (2018).

41. Adaptable and Accessible Homes

Prior to first occupation of the building(s) hereby permitted, details of measures to provide a minimum of 20% of a mix of housing types built to Building Regulations standard Part M4(2) shall be submitted to and approved in writing by the Local Planning Authority. A plan identifying which dwellings accord with Part M4(2) standards together with statement setting out the provision to be made by that development parcel shall accompany the Reserved Matters.

Reason: In accordance with Policy PP12 of the Poole Local Plan (2018).

42. Renewable Energy (Residential)

Prior to first occupation of the building(s) hereby permitted, details of measures to provide 20% of the predicted future energy use of each dwelling from on-site renewable sources, shall be submitted to and approved in writing by the Local Planning Authority. These measures must then be implemented before any residential occupation is brought into use and maintained thereafter.

Reason: In the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply, and in accordance with Policy PP37 of the Poole Local Plan (2018).

43. BREEAM

Unless otherwise agreed in writing with the Local Planning Authority, the non-residential floorspace hereby permitted shall achieve a minimum BREEAM very good rating (or equivalent standard).

Prior to the development of the community hub a Design Stage Certificate under BREEAM (or equivalent standard) shall be submitted to and agreed in writing by the Local Planning Authority.

Prior to first occupation of the non-residential floorspace, the Post-Construction Review Certificate shall be submitted to the Local Planning Authority verifying that the standards referred to in the Design Stage Certificate have been met.

Reason - In the interests of delivering a sustainable and energy efficient scheme and in accordance with Policy PP37.

44. Contamination

If, during preliminary works, or works thereafter, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

Informative Notes

1. IN72 (Working with applicants: Approval) In accordance with the provisions of paragraphs 38 of the NPPF the Local Planning Authority (LPA) takes a positive and creative approach to development proposals focused on solutions. The LPA work with applicants/agents in a positive and proactive manner by; - offering a pre-application advice service, and - advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions. - in this case the applicant was advised of issues after the initial site visit - in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified - the application was considered and approved without delay

2. IN43 (Section 106 Agreement) The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990. 4. IN84 (AA passed) This application is subject to a project level Appropriate Assessment in accordance with the Conservation of Habitats and Species Regulations 2017, concluding that the likely significant effects arising from the development can be mitigated and have been mitigated ensuring there would not be an adverse effect on the identified designated sites of Nature Conservation Interest.

3. Surface water is to be disposed of in part through infiltration to ground using SUDS although the final layout will ultimately be confirmed through Reserved Matters applications. Refer to position statements G12 and G13 in The Environment Agency's Approach to Groundwater Protection available on the gov.uk website.

Case Officer: Steve Dring

Note - A selection of relevant plans are included with this report below. For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.