



Planning Committee

Application Address	UE1 North of Merley, Land North of Oakley Lane, Poole
Proposal	Outline planning application for the phased development of up to 550 dwellings (C3 Use Class) and up to a 62 bedroom care home with the formation of access points to the site, public open space, allotments, play areas, attenuation basins, associated services, infrastructure and highway works, suitable alternative natural greenspace (SANG), car parks and associated works. (This application includes an Environmental Impact Assessment)
Application Number	APP/19/00955/P
Applicant	Richborough Estates Ltd
Agent	Savills
Ward and Ward Member(s)	Bearwood and Merley; Councillor Richard Burton, Councillor Marcus Andrews and Councillor David Brown
Summary of Recommendation	<b>Delegate to the Head of Planning to GRANT permission subject to the conditions as set out in this report, with authority to the Head of Planning to alter/add to these conditions provided any alteration/addition does not go beyond 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 this report.</b>
Reason for Referral to Planning Committee	This application is brought before committee as the Head of Planning does not consider it prudent to exercise delegated powers due to the significance of the proposal and the fact that 20+ representations have been received that are contrary to the recommendation.
Case Officer	Steve Llewellyn

**Description of Proposal**

1. The application seeks outline planning permission for the phased development of up to 550 dwellings (C3 Use Class) and up to a 62-bedroom care home with the formation of access points to the site, public open space, allotments, play areas, attenuation basins, associated services, infrastructure and highway works, Suitable Alternative Natural Greenspace (SANG), car parks and associated works.
2. The application seeks outline planning permission for the principle of the development including the detailed matter of access in so far as it relates to the formation of access

points and junctions into the application site from Oakley Lane although all other aspects of access are reserved for later determination at the reserved matters stage. The detailed matters of appearance, landscaping, layout and scale are also reserved for determination at the reserved matters stage.

3. The application has been supported by a set of Parameter Plans, a Regulating Plan and a Design Code. The Parameter Plans and Regulating Plan set the parameters within which the future detailed design proposals would have to adhere and relate to matters including land use, identity areas, building heights, densities, movement strategy (access and circulation), and Landscape strategy (open space and green infrastructure). In addition, the Design Code is intended to provide a clear site wide design framework to establish the strategic design principles and setting out the key characteristics and design criteria for each of the proposed character areas within the overall development that will inform the detailed proposals and provide a benchmark against which the subsequent reserved matters applications will be assessed.
4. Furthermore, the application has also been supported by the submission of an Illustrative Masterplan, which although submitted for illustrative purposes only, nevertheless assists in providing an understanding how the proposed development could be delivered and whether the proposed quantum of development can be successfully accommodated within the site in a manner that would comply with the policies of the Development Plan, the Parameter Plans, Regulating Plan and the Design Code.
5. The application includes the submission of an Environmental Statement (ES). The aim of an Environmental Impact Assessment (EIA) is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects. The submitted ES considers those aspects of the proposed development during both the construction and operational aspects of the proposed development that may have significant effects on the environment and assesses the likely occurrence and significance of effects upon identified environmental receptors and designs in solutions or proposes measures to mitigate the identified adverse effects.
6. The proposed development has been amended during the course of the assessment of the planning application. The principal amendment relates to the reduction to the proposed number of dwellings from up to 600 dwellings to up to 550 dwellings. The application has also been revised during the course of the planning assessment through amendments to the submitted Parameter Plans, Regulating Plan, Illustrative Masterplan, Design Code, Design and Access Statement and through the submission of amended/additional plans and documents in relation to various planning issues. These amendments to the planning application have been subject to periods of re-consultation with statutory consultees and renotification with the public.

### **Description of Site and Surroundings**

7. The site is located on the northern edge of Poole and to the north of the existing Merley housing estate and to the east of the housing development at Oakley, with the northern extremities of the application site adjoining the Council's northern authoritative boundary along the River Stour.
8. The application site itself consists of approximately 45 hectares of land that primarily comprises of agricultural land that is currently in use for grazing associated with Crupton Farm, and areas of grassland and meadow that lie adjacent to the River Stour and that form

part of the floodplain. The application site is bound to the south and west by the residential developments of Merley and Oakley respectively. To the west, the residential development at Oakley along Oakley Hill (B3073), Merley Ways and Oakley Road consists of inter-war and post-war suburban residential housing, whilst the residential area of Merley to the south is a typical example of 1960's/70's estate housing that faces inwards with the rear gardens of houses backing onto Oakley Lane that runs along the southern edge of the application site.

9. Beyond the River Stour to the north of the site lies the southern extent of Wimborne comprising the recently constructed Riverside housing development, the Wimborne sewage treatment plant and the Brook Road Trading Estate. On the opposite side of the River Stour from the eastern end of the application site is open meadows/grassland which is proposed to become Suitable Alternative Natural Greenspace (SANG) in association with a housing development to the east of Wimborne.
10. To the eastern end of the application site is an area of green open space that is separated from the application site by a hedgerow, beyond which is a vehicular access road leading to Canford School and its associated buildings and grounds (Canford Park) and the Canford Magna Parish Church. The main Canford School building was the former Canford Manor House and is a Grade I listed building, whilst the majority of the application site originally formed part of the wider Canford Park estate.
11. The site is bisected by two transport routes, firstly by the A31 trunk road that runs on a north east to south west axis across the site towards its western end and secondly by Footpath 92 that runs across the site from Oakley Hill to the west to Canford School to the east and that largely follows the alignment of the Carriage Drive to the former Canford Manor House. A former railway embankment and Oakley Hill also dissect the northern section of the site towards its western end. The Lady Wimborne Bridge, a former railway bridge which is Grade II listed, is located along the Carriage Drive.
12. The land within the application site that is located to the southern side of the Carriage Drive, to the east of the A31 and to the north of Oakley Lane forms the land that has been allocated for development as a strategic urban extension (UE1) under Policy PP10 of the Poole Local Plan. It is this part of the application site that is proposed to accommodate the built development. The overall allocation site for UE1 also includes the farm buildings and farm yard to Cruyton Farm, but this is excluded from the current application site.
13. This part of the site comprises of the agricultural grazing land that is currently in use in association with the adjacent Cruyton Farm. The land is largely open with some small remnant sections of hedgerow and free standing mature/veteran Oak trees. There is, however, an intact and high mature hedgerow that defines and extends along the entire length of the southern edge of the agricultural land adjacent to Oakley Lane that is interspersed with hedgerow trees towards its eastern end. A lower and clipped Beech hedge encloses the eastern boundary of this part of the site.
14. The topography of this part of the site is such that the land slopes from the highest point in the south west and along the Oakley Lane frontage down towards the Carriage Drive and the River Stour to the north. A gentle valley runs through the centre of this southern parcel of the application site in a south west to north east direction with a main water distribution pipe running through the site following this alignment.
15. The western end of this southern parcel of the application site adjoins the residential housing located within Silverwood Close on its western edge and the residential and

commercial properties fronting onto Oakley Lane, as well as the Cruyton farm buildings and farm yard, on its southern edge. This south western corner of the application site adjoins the Oakley Lane Conservation Area that also extends further to the west and to parts of the southern side of Oakley Lane and which contains a number of listed and locally listed buildings, including several Lady Wimborne Cottages.

16. The application site also adjoins the Canford Magna Conservation Area at its eastern end which includes the Grade I listed Canford School building and Canford Park (the grounds to Canford School). This Conservation Area also extends along Canford Magna to the south and includes the properties to either side of it that lie within Canford Magna Village, many of which are also listed or locally listed buildings and have connections to the former Manor. It also includes the residential housing that is located on the southern side of Oakley Lane at its western end opposite the application site.
17. That part of the application site that is located to the northern side of the Carriage Drive and to the north of the A31, which lies outside of the site allocation under Policy PP10 of the Poole Local Plan and that does not form part of the proposed developable area, primarily comprises of the grassland areas that form part of the floodplain associated with the River Stour that runs along the northern boundary of the application site. These areas of the application site are located within the South East Dorset Green Belt and are proposed to provide approximately 16 hectares of SANG. In contrast to the sloping and more elevated land to the south of the Carriage Drive that forms the lower valley sides, the land to the north of the Carriage Drive has a generally flat level topography.
18. The Carriage Drive (Footpath 92) is lined along its length by a row of mature trees and dense understorey vegetation to either side, whilst there is also dense tree cover and low level vegetation to the former railway embankment. There are also trees and hedgerow to the boundary of the site to either side of the A31, whilst there are also small groups of trees located adjacent to the western boundary of the site with residential properties in Silverwood Close and to the southern edge of the site in and around the Cruyton Farm buildings. The site is subject to several Tree Preservation Orders (TPOs).

### **Relevant Planning History:**

19. There are no previous planning applications relating to the application site. The following pre-application submission has been considered by the local planning authority:
  - 2018: PREA/18/00125 for the erection of approximately 650 dwellings, a 60-bed care home, vehicular and pedestrian access, public open space, play area, allotments, SANG and SANG car parks.
20. Through the above pre-application submission, the applicant carried out extensive pre-application discussions with the Local Planning Authority through a series of pre-application meetings. Pre-application meetings have taken place with the Planning Case Officer, consultees from within the Council as well as Statutory Consultees and key stakeholders. The meetings focussed upon the development of a set of Parameter Plans, a detailed Design Code and a Regulating Plan to guide the future development of the site, as well as the development layout on the Illustrative Masterplan. Advice was also given in relation to the principles of development and various planning issues, the planning obligations likely to be necessary, and the content of the planning application and submission process.

## **Constraints**

21. The application site forms part of an allocated strategic urban extension site (UE1) under Policy PP10 of the Poole Local Plan that has been released from the Green Belt to meet some of the Council's housing need that cannot be met through the redevelopment of the brownfield sites within the Twin Sails Regeneration Area, the Town Centre and the urban allocations outside of the Town Centre.
22. The western end of the application site is located adjacent to, but not within, the Oakley Lane Conservation Area which contains a number of listed and locally listed buildings.
23. The eastern end of the application site is located adjacent to, but not within, the Canford Magna Conservation Area which contains the Canford School (former Canford Manor) which is Grade I listed and the school grounds (Canford Park), as well as a number of listed and locally buildings that have connections to the former Canford Manor.
24. The majority of the application site originally formed part of the wider Canford Park estate and continues to form part of the setting to the Grade I Canford School (former Canford Manor) that is located to the east of the site.
25. Footpath 92, a public right of way, crosses the site on an east to west alignment. This footpath follows the alignment of the Carriage Drive to the former Canford Manor and as such constitutes a non-designated heritage asset.
26. The Lady Wimborne Bridge, a former railway bridge that spans over the Carriage Drive (Footpath 92), dates from 1853 and is Grade II listed.
27. There are a large number of trees within the application as identified in the site description above and the site is subject to several Tree Preservation Orders (TPOs). The TPOs present on the site include:
  - TPO Ref. 91 with area A1 centred on Canford Park and covering the eastern portion of the site (encompassing surveyed trees G1, G2, G3 (partially), T1, T2, T3, T4, T5, T6);
  - Trees adjoining the site to the south west which are also subject to Area TPOs, specifically TPO Ref. 161, Areas A1 and A2 (encompassing surveyed trees G7 and G9);
  - Trees adjoining the site to the north-west are covered by TPO Ref. 71/2000, specifically group G1, T2, and woodland W1 (partially covering surveyed trees G19 and G22); and
  - TPOs are also present within the site including T9 (ref. 18/00005 T1), T12 (ref. 18/00005 T2), T22 (ref. 18/00005 T5), T26 (ref. 18/00005 T3) and T27 (ref. 18/00005 T4).
28. Those parts of the site that are located to the north of the Carriage Drive and to the north west of the A31 are located within the South East Dorset Green Belt.
29. The section of the application site that is located to the north of the Carriage Drive is located within Flood Zones 2 and 3 and being located immediately adjacent to the River Stour forms part of its floodplain.
30. A small part of the site is identified by the Environment Agency as being susceptible to surface water flooding in a 1 in 100 year return period. This seems to be associated with the valley that runs through the southern portion of the site in a south west to north east direction and that coincides with the alignment of a main water distribution pipe that runs across the site. There are also public foul and surface water sewers crossing the site.

31. Part of the site located to both the southern and northern sides of the Carriage Drive are located within the Mineral Safeguarding Area designated by Policy SG1 of the Bournemouth, Dorset and Poole Minerals Strategy 2014.
32. In considering whether to grant planning permission or permission in principle for development which affects a listed building special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest - section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72 provides similar duties albeit in respect of Conservation Areas.

### **Public Sector Equalities Duty**

33. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to:
  - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **Other Relevant Duties**

34. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.
35. For the purposes of this application, in accordance with section 2 Self-build and Custom Housebuilding Act 2015, regard has been had to the register that the Council maintains of individuals and associations of individuals who are seeking to acquire serviced plots in the Council's area for their own self-build and custom housebuilding.
36. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

### **Consultations**

37. Internal and external consultation exercises were carried out on 19<sup>th</sup> August 2019, 8<sup>th</sup> June 2021, 22<sup>nd</sup> December 2021 and 16<sup>th</sup> March 2022. The summarised consultee responses below only include the latest response received. The comments received from each round of consultation carried out are available to view on the Council's public website.
38. BCP Arboricultural Officer: No objection. At this outline stage the tree officer is broadly content with the details within the landscape proposals. Further scrutiny will be required at the Reserved Matters stage.
39. BCP Conservation Officer: *"Given the harm to their setting, it is considered the development will result in less than substantial harm to the significance of the Canford Manor House and*

*Parish Church though the NPPF (193) makes it clear that great weight should be given to the asset's conservation and the more important the asset the greater weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The harm to the significance of Canford Manor House, John of Gaunt's Kitchen and Canford Parish Church from development with their settings must be weighed accordingly, as NPPF 194 states that any harm must be given clear and convincing justification and be exceptional in substance and provision of public or other benefits. This is because these heritage assets are exceptional Grade I listed buildings. The setting of the listed buildings and Canford Magna and Oakley Lane Conservation Areas could be preserved more successfully and detrimental impacts lessened by reducing the number of dwellings. Revisions demonstrating how the number of dwellings of up to 600, given in the description of development, could be reduced to minimise the harm their layout will cause on the landscape and wider area have not been offered and justification for the harm clarified or justified."* The Conservation Officer suggest that to reduce the level of harm there should be a reduction of the Stour Valley Edge Character Area by at least 16 units, a greater reduction in housing numbers would be more beneficial. Relocation of some of the dwellings in the D shaped block west of Stour Valley edge to the care homes site and reposition the care home to the D-shaped block would lessen impacts on Oakley Lane Conservation Area.

40. BCP Education: No objection subject to financial contribution.
41. BCP Environment Services (Air Quality and Contamination): No objection subject to conditions.
- Air Quality – “The air quality assessment overall adheres to a methodology expected for appraisal of air quality impacts from a development of this type. Ideally all model inputs should have been from the same year to reduce uncertainty. Ideally, the applicant should have undertaken a period of monitoring to support the air quality assessment or extended the study area to include existing monitoring points and enable formal verification. However, the model was not capable of being formally verified and an adjustment factor from the Borough of Poole LAQM reporting was used to verify the model. The use of the stated adjustment factor used has been supported by verification work undertaken in respect of the HRA work undertaken by the applicant for this development. A sensitivity test”.
  - Electric Vehicle Charging – Electric Vehicle Charging infrastructure should be provided in line with the Parking Standards SPD (adopted 5 January 2021).
  - Heating options – No information has been submitted regarding the proposed heating for the properties. Boiler NOx emissions from building heating systems contribute to background NOx concentrations. A condition is recommended if gas boilers are proposed to be installed within residential properties within the development.
  - Travel Plan – “A Travel Plan will be required to ensure that any proposed sustainable transport measures with a beneficial impact on air quality will be implemented prior to the occupation of the proposed development and subsequently monitored and reviewed. This could be dealt with by way of a suitably worded condition”
  - Contaminated Land- “The application includes a Desk Study Report (ASL, Report Number 415-17-087-11, dated Jan 2018). The report recommends an intrusive investigation prior to development commencing to assess the status of actual ground contamination and the gas regime.” This can be secured through conditions.
42. BCP Environmental Services (Biodiversity and Ecology): No Objection. Chironomid are weak flyers, do not normally stray far from the waterbody they emerged from and given the River Stour and SANG intervene between the treatment works and development area it is unlikely they pose an issue for this development. Concern with biodiversity calculator use/hedgerow

(resolved through later comments). Welcomes the biodiversity mitigation and enhancement measures but further details will be needed. Conditions and S106 clauses recommended.

43. BCP Environmental Services (Open Space and Natural Environment): No objection. Welcomes the amended plans which remove any double counting and reflect the typology and use of open space fairly. Accepts the inclusion of attenuation basins within typology calculations as inherent parts of open space. Public car park near the NEAP is better located and screened.
44. Open Space - No objections. Subject to a number of conditions and contributions secured through the S106 agreement.
45. BCP Environmental Services (Waste Collection Authority): No objection. General waste and recycling provisions across the development are suitable. On street collection points for individual dwellings should be adjacent to the highway boundary where possible, 10m offset is required for larger communal bins only. External communal bin stores should be at least 2.3m in height.
46. BCP Highway Authority: *"The proposed development is delivering a significant amount of highway improvement works and measures to improve sustainable travel links associated with likely routes to and from the development ... For example, improved pedestrian links are to be provided to Merley First School with the provision of a new pedestrian crossing outside of the school, widened footways and speed reducing measures on Oakley Straight plus the provision of a new signalised crossing on Oakley Hill provides a link to Harrier Drive (which is a pedestrian route to the school). The proposal is also delivering improvements to the highway network with alterations to the Oakley Lane/Oakley Hill junction (Willett Arms junction) and improvements on the Oakley Hill approach to the A349 roundabout with extension of the two lane approach. The part of Oakley Lane passing the site currently has a 40mph speed limit but the addition of the significant amount of speed reducing measures proposed on Oakley Lane will significantly reduce vehicle speeds along this route and should dissuade some drivers from using this route linking through to Canford Magna. Improvements to bus infrastructure are proposed and the proposal is to contribute a significant financial contribution which will be used to improve bus services. The improvements ... will not only provide measures to mitigate impact of the development but they will provide a significant benefit to the existing wider area in the vicinity of the site. Improved bus services will benefit the existing community as well as new residents of the development. The Council are implementing "wider strategic measures" across the conurbation with significant investment in infrastructure to encourage the take up of sustainable modes of travel as an alternative to car use. The Transforming Cities Fund (TCF) schemes, which are occurring on routes linking the U1 site to major conurbation centres such as Poole, Bournemouth and Christchurch are an example of this. An improvement in cycle or bus infrastructure can occur some distance from a development site but if it is on a route from that site to a destination then an improvement in the sustainable travel mode journey time will make that mode more attractive. It is noted the Highway Agency is in support of the UE1 proposal subject to the development delivering measures to encourage sustainable modes of transport further emphasising the need for sustainable travel measures to be the key mitigation for the development's transport impact. This switch to sustainable modes of transport is seen as a key way forward to mitigate the transport impacts of future housing growth across the conurbation. When assessed against the specific criteria within the PP10 policy it is the Highway Authority's view that the proposal is delivering appropriate mitigation in line with that Policy. This mitigation will also provide benefits to the wider community. The Highway Authority therefore offers support to the proposal subject to conditions and S106 agreement ...".* Street hierarchy and access into parking areas are considered acceptable.

Planning conditions required to secure parking provision which would include electric vehicle charging infrastructure

47. BCP Housing: 40% affordable housing split between 70% rented and 30% intermediate. Preferred unit sizes should be 2 bed and 3 bed units.
48. Lead Local Flood Risk Authority: The principles set out in the submitted information are acceptable and the design is sufficiently advanced to demonstrate a working solution is both achievable and realistic. This will need to be refined at a later stage.
49. BCP Urban Design Officer: The Urban Design Officer considers that overall, the Parameter Plans, Regulating Plan and Design Code provide a basis for achieving high quality design at this outline stage. Specific areas of detail will need to be discussed in future Reserved Matters applications. Condition recommended to ensure future Reserved Matters applications are in broad accordance with the submitted Design Code.
50. Amphibian and Reptile Conservation: No objection raised. Welcome the measures set out in the ecological information prepared by Tyler Grange set out in Chapter 9 of the Environmental Statement.
51. Ancient Monument Society: No comments received.
52. Bournemouth Airport: No safeguarding objections.
53. Dorset County Council: No comments received.
54. Dorset Council (Minerals and Waste Planning Authority): Minerals safeguarded within the SANG land is protected, with removal in advance not being justified. Conditions to ensure minerals encountered in development areas are re-used on site.
55. Dorset Council (Senior Archaeologist): No objection. The presence of archaeological remains on this site are not a reason for refusal, but it is important that those remains that would be destroyed by the development are recorded to an appropriate professional standard. This will be secured by a condition.
56. Dorset CPRE: Objection. Concern with impact upon Poole Harbour, misrepresentation of housing need, brownfield land should be developed prior to green field sites, climate change impacts, traffic congestion, air quality, impacts upon essential services. Application should be refused. Endorse and support objection by The Society for Poole. Respect for hedgerows is missing.
57. Dorset Police: No objection. The development should meet the standards laid out in Secure By Design homes 2019. The development should not provide too many duplicate or segregated footpaths, where these are unavoidable, they should be straight, well lit, maintained, wide, devoid of hiding spaces and overlooked. Communal areas and play space should be located where natural surveillance is possible but not abutting dwellings. Rear parking courtyards are not encouraged. Garden gates (especially rear ones) should be capable of being locked.
58. Dorset Wildlife Trust: Concern was raised that the information submitted does not provide confidence the site would achieve 10% biodiversity net gain. Based on updated information submitted, satisfied that these concerns have been addressed.

59. Dorset & Wiltshire Fire & Rescue Service: *“At this stage of the planning application Dorset & Wiltshire Fire and Rescue Service is required to make comment relating to section B5 of Approved Document B. Essentially, this relates to the provision of reasonable facilities to assist fire fighters within the building and to enable fire appliances to gain access to the building. Complying with these requirements, in advance of the formal Building Regulations consultation process, will assist during that process and are made without prejudice to it”*
60. Environment Agency: No objection subject to conditions relating to water efficiency, and landscape management plans. No concerns regarding flood risk following revised FRA.
61. Historic England: Concern with the application on heritage grounds. Note the changes to the housing flanking the southern edge of the Carriage Drive. Disappointed to note that housing closest to the Carriage Drive was not omitted which would give a greater sense of openness. Acknowledged that Carriage Drive is overgrown and would benefit from improved management but maintain that it continues to make an important contribution to the setting of Canford’s Grade I listed building. Maintain that while the improvements to the Carriage Drive and Lady Wimbourne Arch are beneficial, they do not outweigh the harm construction alongside the Carriage Drive would cause to the setting of the Grade I listed building. It is noted that there may be wider public benefits which weigh in favour of the proposal, but Historic England can only comment on matters pertaining to heritage. Concern expressed regarding the use of the Lady Wimbourne style along the entire Stour Valley edge character area, rather than just in the Canford Magna Interface as traditionally the Lady Wimbourne Cottages are designed in small groups. Position remains that the quantum of development should be reduced (removal of the Stour Valley Edge Character Area) thus reducing to the minimum level set out in the UE1 allocation (500 units). In summary Historic England conclude *“The harm is, in the language of the National Planning Policy Framework (NPPF), less than substantial. But the NPPF also advises (under paragraph 199) that all harm requires clear and convincing justification, and the more important the asset the greater the weight that should be given to its conservation. Your authority will need to consider very carefully whether the proposals offer wider public benefits of such substance that justifies the harm to the setting of Canford Manor, a Grade I listed building and a heritage asset of the highest significance”*.
62. National Highways (formerly Highways England): Recommend conditions. *“The development has been the subject of pre-application discussions and it has previously been agreed that a balanced approach of junction improvements and contributions to delivering sustainable travel improvements between Wimborne and Poole would be appropriate but would need to be supported through travel plan measures. We have agreed the criteria of the VISSIM model used to assess the impact of the proposed development on the highway network which forms the basis of the TA. We are broadly in agreement with the findings of the assessment, in that the road network is predicted to operate significantly over capacity but this is generally attributable to background traffic growth. Whilst the development will have an impact on the SRN in terms of extended queueing on the approaches to the at grade Merley A31/A349 junction it can be mitigated by the introduction of measures consistent with the Borough of Poole Transport Mitigation Plan for the Wimborne/Merley/Poole Corridor.”* These measures will need to be secured through the Section 106 agreement. Conditions would be needed to secure the provision of a Travel Plan and acoustic mitigation measures for the boundaries of the A31.
63. Natural England: No objection. *“Natural England advises that the applicant has provided sufficient information, of a suitable level of detail that, subject to securing the S106 and any other relevant matters which are being conditioned Natural England can confirm that we have no remaining objection to the authority determining the application. If minded to approve the*

*application Natural England can confirm that the draft Appropriate Assessment is correct in reaching a conclusion of no adverse effect on the integrity of the designated habitats sites under consideration.”*

- Heathland mitigation measures – agree provision of SANG land identified (16.048Ha) is suitable. SANG management plan and access arrangements to be secured through S106 as well as to secure SANG availability prior to first occupation. SAMM contributions agreed in principle and to be secured through S106 agreement.
  - Air Quality effects on Dorset Heathlands – Secured through CIL contribution.
  - Poole Harbour SPA, Ramsar – SAMM payments secured through S106 agreement. The proposal does not need to secure nutrient neutrality as waste water is not going to the Poole Harbour SPA, Ramsar and SSSI catchment.
  - Biodiversity mitigation - Conditions to secure implementation of the CEMP, including measures to avoid effects to the River Stour, retained habitats, and protected and priority species; detailed design of green infrastructure, including habitat creation; lighting design; and production of a detailed LEMP for the site as a whole, to include the LEMP for the SANG. Conditions to secure provision of a lighting strategy, updated ecological information, provision of hedgehog gates.
64. Natural England agrees with the conclusions as set out and the indicated net gain which has been calculated within the Biodiversity Net Gain report dated 20/12/2021 (10436\_R24).
65. The SANG Landscape and Ecological Management Plan (updated December 2021) report (10436\_R17d) submitted is at a high level but is comprehensive in its coverage. Natural England advises that as a result of the revisions of open space/SANG boundaries the masterplan and references are not fully consistent. However as a more detailed delivery document will be required through a S106 Natural England advises that this report provides sufficient information for the authority to make an assessment of the proposed mitigation and its security.
66. It would be appropriate for the authority to require a specific SANG Management Plan as well as a specific LEMP for the remaining areas.
67. NHS Dorset Clinical Commissioning Group: Financial contribution of £140,000.00 sought to provide expansion of primary care facilities.
68. Open Space Society: No comments received.
69. Planning Casework Unit: Acknowledge the receipt of the environmental statement. No comments to make.
70. Royal Bournemouth and Christchurch NHS Foundation Trust: No comments received.
71. RSPB Conservation Officer: No comments received.
72. Society for Poole: Objection. Wish to see protection for ancient hedgerows. Adverse impacts upon health and wellbeing from increased traffic. Proposal represents a premature development of greener land for housing as opposed to recycling of brownfield land. Impact upon protected species such a nightjar.
73. Society for Protection of Ancient Buildings: No comments received.
74. Southern Gas Networks: No comments received.

75. The Council for British Archaeology: No comments received.
76. The Garden Trust: Neither comment in support nor against the proposal.
77. The Georgian Group: No comments received.
78. The Twentieth Century Society: No comments received.
79. The Victorian Society: No comments received.
80. Wessex Water: No objection. Concern regarding Chironomid fly and odour from sewage treatment works. No sensitive receptors should be within 250m of the boundary of the sewage treatment works, however site layout appears to show development would not adhere to this. The layout should be reviewed and amended to ensure the amenity of future residents is not impeded.
81. Wimbourne Minster Town Council: Objection. Concern expressed relating to traffic and highways impacts, air pollution issues from idling traffic. Traffic impacts should be considered cumulatively and cross boundary. Necessary infrastructure and services should be provided for the development so as not to impact upon Wimborne Minster facilities and services. Impacts upon people's lives and business should be considered. Wimbourne Minster should remain a rural market town.

## **Representations**

82. Four rounds of public consultations have been carried out during the lifetime of this application as a result of changes to the proposed development following negotiations between council officers and the agent/applicant.
83. Notification letters were sent to neighbouring properties, site notices posted in close to the application site and a press advert was published on 30<sup>th</sup> September 2019. In total 369 representations have been received 356 raising objection, 11 neutral comments and 2 in support of the proposal. All representations received have been reviewed and summarised below.

### Support

- Housing will meet local demand for new homes
- Plenty of open green space nearby
- Pressures on traffic and loss of visual amenity outweighed by the provision of new homes
- Good design of the different phases of the development
- The provision of an open space buffer at the western end of the site is welcomed

### Neutral

- Will there be the provision of playing pitches at the site
- How will the noise mitigation work?
- What will the landmark buildings look like?
- What does 'productive landscape' mean?
- What percentage of the new housing will be affordable?
- Which part of the UE1 development is the area allocated for self-build and custom plots?
- How will the dust levels be managed and mitigated during the construction?

- Cruxton Farm would be a more appropriate location for the Care Home
- Solution to the Oakley Lane/Gravel hill junction that becomes grid-locked and the road through Canford Magna village would be connecting to the existing Wimborne BP [upgraded to dual carriageway] and thence to a new north/ south BP to the W of Wimborne.
- A new site for worship is needed
- The importance of infrastructure can't be overlooked, build all infrastructure first and then the development
- How are the potential extra residents going to be catered for when they need to evacuate their homes in severe weather conditions due to climate change?
- The Council to ensure that affordable housing at 40% will be delivered
- Who will support the bus contribution if the sales office closes before 5 years?
- Will there be bus services to Bear Cross onward to Bournemouth and beyond?
- The work already undertaken on the SANG across the river has improved the amenity of the community already quite significantly
- If the SANG on the south side of the river can be similarly developed sensitively with the housing and existing environment it will be a pleasant place to live and relax
- Significant effort has been put in to giving the Canford Magna end a 'village' feel
- Dedicated bus lanes would improve the efficiency of the service
- Due to convenient geographic location, Merley First School could be expanded

### Objection

- Transport/highways operation and safety concerns including: impacts on air quality; inadequate sustainable transport methods provided for; poor bus system/public transport; creation of 'rat-runs'; need for effective traffic management/mitigation; impacts upon conservation areas/historic environment; increased journey times; and cost of public transport is high.
- Loss of/change to character of the area.
- Pressure on local amenities including: shops; doctors; schools/nurseries; and other amenities/services.
- Harmful impact to historic environment.
- Loss of Green Belt.
- No additional new homes needed in this area.
- Noise impacts.
- Environmental impacts and damage/Contributing to climate change
- Biodiversity/Ecological/Wildlife impacts.
- Flood risk issues/area is prone to flooding/ Lack of detail for SUDS/Drainage; ground water issues.
- Scale of development too large.
- Lack of employment opportunities in the area/financial contribution towards employment not mentioned.
- Open space/play space provision not adequate.
- SANG not suitable, is prone to flooding and too close to main road.
- Development will impact existing residents quality of life/well-being.
- No plan for dog walkers.
- Unclear communication with residents/public.
- Housing not affordable; does not provide good or adequate housing mix;
- Queries over extent of red line boundary.
- Negative residential amenity impacts upon neighbouring dwellings from care home.
- Concern over capacity of existing utilities/infrastructure.

- Proposal does not meet the requirements of policy PP10.
- Impacts from construction/construction traffic.
- Modelling data used has mathematical and scientific flaws.
- Housing should be zero-carbon standards.
- Impacts to neighbouring sustainable drainage systems.

84. A second round of consultation was carried out with Notification Letters were sent to neighbouring properties on 8<sup>th</sup> June 2021, Site Notices posted in close to the application site on 2<sup>nd</sup> July 2021 and a Press Advert was published on 18<sup>th</sup> June 2021. In total 73 representations have been received 71 raising objection, 2 neutral comments and 0 in support of the proposal. The representations received have been reviewed and in addition to the comments set out above in the first round of consultation these additional comments have been received.

#### Support

- No additional commented received

#### Neutral

- Will there be the provision of playing pitches at the site
- The part of the SANG, more generally as shown on the previous Wimborne and District Angling Club submission in December 2019 could readily continue to accommodate angling activity by WDAC which will not conflict with other users and be a positive benefit to the future managers of the SANG and the wider community
- Perform significant safety works and not just works to the steps at existing railway bridge known as the Lady Wimborne Bridge/Arch
- If the infiltration basins are not available with 'open-access', should the basins be categorised as Public Open Space?

#### Objection

- Brownfield sites should be used first not green field.
- The footpath is too narrow or non-existent in many places with no land to make it wider.
- Transport Assessment is inadequate; TA is based on predictions only.
- Wimborne and District Angling Club's existing fishing rights still excluded; Area of land shown on the submitted plan for Wimborne and District Angling Club is not deliverable as it remains in Christchurch Angling Club's control.
- Lack of parking spaces will lead to cars parking on pavements.
- Inadequate sewerage capacity.
- Increased littering in the area.
- Unknown if affordable housing will be integrated with market housing.
- There is a lack of youth services and places for youths to go locally.
- Lack of clarity around the availability of self-built plots.
- UE1 is a strategic site, not a town centre.
- Environmental Comments selectively quote from PP25 regarding open space requirements in strategic sites.
- Bus shelters are in inconvenient places.
- Incorrect values regarding cumulative elapsed time in Ground Investigation report.
- The proposed locations of the infiltration basins might not be suitable.

85. A third round of consultation was carried out with Notification Letters were sent to neighbouring properties on 22<sup>nd</sup> December 2021, no Site Notices were posted and a Press Advert was not published for this re-consultation exercise. In total 47 representations have been received 47 raising objection, 0 neutral comments and 0 in support of the proposal. The representations received have been reviewed and in addition to the comments set out above under the first and second round of consultation these additional comments have been received.

#### Support

- No additional commented received

#### Neutral

- No additional commented received

#### Objection

- Why is there as yet no outline application for Cruyton Farm?
- Support for all Railton reports
- The proposals are not accompanied by a revised CIL additional information requirement form to take account of the reduced number of proposed dwellings
- Draft Section 106 Agreement relating the development should be out for consultation
- Concern regarding crime/antisocial behaviour etc.
- Geographically not the best location for this development.
- No mention of the length of time when funding will be provided to support sustainable transport costs.
- Illustrative layout drawings latterly submitted to the council reach two differing conclusions (Design and Access Statement)
- SANG car park insufficient.
- No provision for people between 16-66 age group.
- Water pollution from surface water runoff.
- More time is needed for consultation to review all documents.

86. A fourth round of consultation was carried out with Notification Letters were sent to neighbouring properties on 16<sup>th</sup> March 2022, no Site Notices were posted and a Press Advert was not published for this reconsultation exercise. In total 74 representations have been received 74 raising objection, 0 neutral comments and 0 in support of the proposal. The representations received have been reviewed and in addition to the comments set out above under the first, second and third rounds of consultation these additional comments have been received.

#### Support

- No additional commented received

#### Neutral

- No additional commented received

#### Objection

- The re-submission makes no positive progress with this application.
- Vibration damage from lorries passing to listed cottage.
- The number of homes should be fewer.
- Rate of change too much for the town.
- Even with a reduction in density, Oakley Lane will be inadequate to cope with traffic arising from the new development
- Imbalance of housing types and affordable accommodation for purchase and rent
- Negative impact of an increase in traffic on the Conservation Area of Canford Magna
- The land acts as a flood plain for a significant proportion every year
- The full impact of other major local developments that have already been approved is unknown
- Proposed dwellings will be unaffordable to most.
- Loss of farm land/impact upon food production.
- Probity concerns with regard to contract with Forum Heritage Services.
- Quantum of development is fundamental sticking point.
- Heritage impacts including on important listed buildings/conservation areas.
- Contrary to Local Plan policy and advice of Historic England.
- Conflict between provision of SANG and EA comments.
- Insufficient parking for SANG users.
- Site should be redesigned at lower quantum.
- Concern with Stour Valley Edge character area.

87. A number of representations have also been received from the Save Land North of Merley (SLNM) Action Group throughout the lifetime of the application which are summarised separately

- The re-submission makes no positive progress with this application.
- Unresolved issues still outstanding concerning the buffer zone, lack of youth facilities, siting of play facilities, information of the re-siting of the footpath and early years education.
- Why the January Urban Design Consultation Response was not made available for public scrutiny earlier?
- Why the Urban Design Officer appears not to have considered the advice of the BCP Conservation Officer?
- Proposed cycle route and footpath is not optimal.
- Seeking clarification on version numbers and on dates of publication of accompanying and supporting documents.
- The development will have a negative affect on the nearby Conservation Areas and other heritage assets.
- The buffer between heritage assets the development is not the size that Historic England has called for.
- Given the CIRIA guidelines, the proposed does not appear to be a sustainable drainage solution, it is more like a recipe for creating another public open space which is highly unlikely to be capable of adequate draining, and this needs to be investigated further.
- SANG Route L to T is too close to the river which and it is under water when the river floods.
- SANG Point E is close to the A31.

- SANG Route AB is boggy throughout the year.
- SANG area 5 is wetland and would be inaccessible most of the year.
- The consultation on the development was inadequate and poor.
- Lack of consultation with Historic England.
- Policy contradiction regarding 'presumption in favour'.
- Reminder about legal issues and cases.
- Affordable housing will still be unaffordable.
- There is no indication that 'Affordable' will be integrated with 'Market' housing.
- No "agreed number" is mentioned for self-built plots.
- Large areas of water and boggy land are not useable by the public and should not be counted as contributing to public open space.
- The proposed paths, boardwalks and other hard landscape measures which the applicant's consultants have in the past proposed for the SANG area have not been approved by the Environment Agency.
- Sufficient evidence needed to prove POS1 and POS2 are meet size requirements.
- Uncertainty around sufficient space availability on Oakley Lane for all transport types.
- No attempt has been made by the developer to provide youth facilities.
- Increasing delays, journey times and reducing average vehicle speeds are problematic.
- The development of UE1 will lead to a severe residual cumulative highways impact.
- Residents are expected/required to walk and/or cycle to services and amenities is unrealistic, behavioural change will be slow, elderly people will use cars.
- applicant's proposals demonstrably do not meet the criteria for sustainable transport measures to facilitate cycling and walking.
- Plans to mitigate transport impacts of the UE1 proposal by putting a suitable bus service in place will depend on the actual level of bus usage in the future.
- Car travel has been steadily increasing in recent years while bus travel has been in decline.
- A bus service which uses the same congested roads as the car will not persuade residents to commit to a modal shift.
- Uncertainty around construction traffic management.
- The application is not putting enough weight on heritage conservation.
- The applicant's amendments to the SANG proposals still contains some issues.
- With SANGs each side of the river, the footfall and disturbance to wildlife will be considerable.
- The close proximity of the development and of residents' pets to the fragile river environment is a concern.
- Issues around SNAG car park availability.
- Issues around community car park.
- The applicant has ignored Wimborne and District Angling Club's representations on fishing rights.
- No figures and statistics can represent the real level of disturbance and interference to the habitats caused by the development.
- The fields of UE1 are already regularly waterlogged during the winter, and water pours off them and across the Carriage Drive.
- Misleading Information supplied regarding flood risk.

- No evidence that the infiltration basins proposed for UE1 will be offered for adoption which means that maintenance costs may be passed on to the householders.
- The two metre high walls of the infiltration basins will impinge on the buffer and will diminish the social amenity of the heritage setting at Carriage Drive.
- Infiltration basins modified to use as ponds for dogs might not be suitable.
- The proposed development may affect the landscape given the very real risk of an overloaded sewerage system.
- What is the justification for a quantum of 600+ houses at high density needed on a small site served by an inadequate road?
- Uncertainty around housing mix.
- There is no strategic park detailed on the site's Land Use Budget (Document 2520721) which shows the various areas within the site and their designated use and size in hectares
- Allotments are far from the development.
- Lack of provision of business start-up and incubator units.
- Lack of consultation and clarity on future school place availability.
- GP practice expansion to take place on the green space south of the surgery.
- In many instances the Poole Local Plan Sustainability Appraisal criteria have not been satisfied.
- UE1 is a strategic site, not a town centre.
- Environmental Comments selectively quote from PP25 regarding open space requirements in strategic sites/Mr Whitchurch to resubmit his Environment Comments with the full and accurate quotation of PP25.
- There is no consideration from the applicant regarding the effects of future rising water tables.
- Placing the infiltration beds too close to groundwater level could result in unwanted pollution from the beds.
- Further assessments regarding concentrations of lead and zinc in the soil suggested by the Ground Investigation report is yet to take place.
- There should be an 8 meter buffer between SANG and the River Stour.
- The Care Home is concerningly close to the Oakley Conservation Area.
- Historic England's recommendation of a buffer between heritage assets and the development has been ignored by the applicant.
- HE recommends reducing the quantum of development to increase the buffer between the carriage drive and the proposed new homes.
- A hydrological risk assessment must be undertaken to examine if there is a risk of inadequate infiltration causing pollution of the groundwater
- There is a lack of serious and practical commitment to modal shift.
- Affordable housing within UE1 will still be unaffordable.
- Employment space at Cruxton Farm might not come forward.
- The standards for provision of open space and recreation facilities as set out in Poole's Open Space Needs Assessment are not met.
- Financial contribution reduction towards early year places would be at odds with the provisions of Policy PP20 of the Local Plan.
- The application is not in accord with the current development plan.

### **Key Issues**

88. The key issues involved with the assessment of this application are:

- Presumption In Favour Of Sustainable Development
- Principle of Development
- Quantum of Housing and Housing Mix
- Affordable Housing
- Implications on Delivery of the Town Centre's Major Brownfield Allocations
- Masterplanning and Community Engagement
- Heritage
- Archaeology
- Transport
- Employment
- Education
- Green Belt
- Landscape and Visual Effects
- Green Infrastructure and Provision of SANG
- Trees
- Public Open Space and Play Provision
- Ecology
- Flood Risk and Drainage
- Renewable Energy
- Air Quality and Odour
- Contaminated Land
- Minerals
- Healthcare Provision
- Waste / Refuse
- Planning Obligations – Section 106 Agreement / CIL Compliance

89. These issues will be considered along with other matters relevant to this proposal in the paragraphs below.

### **Policy Context**

90. The following policies are listed as applying to this application.

### **Local Policy Context**

#### Poole Local Plan (Adopted November 2018)

PP1	Presumption in Favour of Sustainable Development
PP2	Amount and Broad Location of Development
PP7	Facilitating a Step Change in Housing Delivery
PP8	Type and Mix of Housing
PP10	Strategic Urban Extensions
PP11	Affordable Housing
PP12	Housing for an Ageing Population
PP20	Investment in Education
PP24	Green Infrastructure
PP25	Open Space and Allotments
PP27	Design
PP30	Heritage Assets
PP31	Poole's Coast and Countryside
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

#### Supplementary Planning Document (SPD)

- Parking Standards (Adopted January 2021)
- The Dorset Heathlands Planning Framework 2020-2025 (Adopted March 2020)
- Poole Harbour Recreation 2019-2024 (Adopted February 2020)
- Nitrogen Reduction in Poole Harbour (Adopted February 2017)
- Dorset Heathlands Interim Air Quality Strategy 2020-2025 (Adopted February 2021)
- Heritage Assets (Adopted April 2013)
- Affordable Housing (Adopted November 2011)
- Our Streets and Spaces (Adopted July 2012)

#### Supplementary Planning Guidance (SPG)

- Travel Plans (Adopted April 2003)
- Sustainable Drainage Systems (SuDS) (Adopted June 2002)
- A Design Code (Adopted August 2001)
- Landscape and Natural Environment Design Code (Adopted September 2001)

#### Guidance Documents

- Storage and Collection of Waste in New Developments (2019)

#### Bournemouth, Dorset and Poole Minerals Strategy (Adopted May 2014)

- SS1 Presumption in Favour of Sustainable Development
- SG1 Mineral Safeguarding Area
- SG2 Mineral Consultation Area

#### 91. National Policy Context:

National Planning Policy Framework (NPPF / Framework) (July 2021):

#### Section 2 – Achieving sustainable development

Paragraph 11 sets out the presumption in favour of sustainable development and states: "Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole”.

Paragraph 12 – “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making”.

The following chapters of the NPPF are also relevant to the determination of the proposed development:

Section 4 – Decision-making

Section 5 – Delivering a sufficient supply of homes

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Section 17 – Facilitating the sustainable use of minerals

National Planning Practice Guidance (NPPG)

## **Planning Assessment**

### **Presumption in Favour of Sustainable Development**

92. At the heart of the NPPF as set out in paragraph 11 is the presumption in favour of sustainable development, reiterated in Policy PP1 of the Poole Local Plan.
93. NPPF Paragraph 11 states that in the case of decision making, the presumption in favour of sustainable development means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should 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.
94. Footnote 8 of paragraph 11 provides that in the case of applications involving the provision of housing, relevant policies are out of date if the local planning authority is (i) unable to demonstrate a five-year supply of deliverable housing sites or (ii) where the Housing Delivery Test (HDT) result is less than 75% of the housing requirement over the previous three years.

95. The 5-year housing supply and HDT results continue to be applied to each local plan area separately until replaced by a BCP wide Local Plan. In the Poole area there is a 4.1 year housing land supply with a 20% buffer (a shortfall of 423 homes) and a 2021 HDT result of 78%. For the purposes of paragraph 11 of the NPPF, it is therefore appropriate to regard policies relevant to housing supply as out of date as the local planning authority is unable to demonstrate a five-year supply of homes. The presumption in favour of sustainable development applies. For this planning application the benefits provided from the supply of new homes are considered to carry significant weight and a 'tilted balance' in favour of the grant of planning permission.
96. The Council also has a significant shortfall in its provision of affordable housing in the area. In this regard, the Poole Local Plan identifies that there are acute affordability issues of housing in Poole and as such there is a demonstrable need to provide affordable housing. At paragraph 3.21 of the Poole Local Plan, it is identified that 651 affordable homes were delivered between 2006 and 2018 that was significantly below the Core Strategy target of 2,450 affordable homes over the same period. Paragraph 3.22 of the Poole Local Plan therefore states that the Eastern Dorset Strategic Housing Market Assessment (SHMA) 2015 identifies that there is now a need to provide 660 affordable dwellings per annum in Poole. However, it is evident that in 2019/20 only 128 affordable homes were completed in Poole, while there were only 47 affordable homes completed in 2020/21, which is significantly below the identified need. This also compares to the figures of the number of households on the affordable housing register for the BCP area which is currently 1,221 households. The provision of affordable housing as part of this scheme is therefore also considered to carry significant weight.

### **Principle of Development**

97. The development plan is the starting point for determining planning applications. With the adoption of the Poole Local Plan in 2018 the boundary of the South East Dorset Green Belt was amended and the application site was removed from it and formally allocated for residential development to provide a minimum of 500 houses including 40% affordable housing on-site, a minimum of a 60 bed care home, and the provision of SANG. The site is one of two Strategic Urban Extensions (SUE) identified in the Poole Local Plan which together are allocated to provide a minimum of 1,300 homes which is a significant contribution towards the Council's housing delivery strategy.
98. Policy PP10 of the Poole Local Plan sets out full details of the requirements of the site allocation. Criteria (a) - (n) are requirements relating to both SUE allocations, whilst individual policy requirements for the site allocation at UE1 (the application site) are set out separately. It is worth noting that a hybrid planning application for the development of up to 695 homes, a community hub comprising retail units, flexible workspace and community uses and a 60-bed care home together with associated access roads and infrastructure on part of the allocation site at UE2 was approved in September 2021.
99. Policy PP10 of the Poole Local Plan states that planning permission on the SUEs will only be granted where the scheme complies with the specified policy criteria which comprise the following:
- (a) delivers 40% affordable housing on-site;
  - (b) provides a mix of housing types with a focus on housing suitable for families, properties that enable local residents to 'rightsize', specialist housing for an ageing population and provision of custom/self build plots;

- (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;
- (d) would implement mitigation measures to ensure no adverse impact upon European and internationally important sites, and includes green corridors for biodiversity;
- (e) provides a SANG\* that connects with other parts of the Stour Valley Park concept, designed in accordance with the Dorset Heathlands SPD;
- (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;
- (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;
- (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;
- (i) makes a contribution towards the required additional school capacity;
- (i) provides space for business start-ups/incubator units;
- (k) provides a contribution to upgrading a local doctor's surgery;
- (l) provides a suitable level of play equipment and other facilities in accordance with Poole's Open Space Needs Assessment and Playing Pitch Strategy;
- (m) incorporates structural landscaping to create a strong permanent and defensible Green Belt boundary; and
- (n) has been prepared through a master planning exercise with the local community.

100. Policy PP10 goes on to set out site specific policy requirements relating to UE1 which include:

- A minimum of 500 homes and a minimum of a 60 bed care home
- Small scale incubator/business-start ups in and around the farm buildings that preserves or enhances the Oakley Lane Conservation Area
- Preserves or enhances the setting of the Canford Magna and Oakley Lane Conservation Areas and the listed buildings therein, including enhancement of the Carriage Drive and its heritage assets
- Make a contribution towards the implementation of a sustainable transport corridor between the site and Poole and Wimborne
- Highway improvements to Oakley Lane, including the junction with the B3073 at the Willett Arms Public House and the junction with Magna Road
- A public car park to service local community facilities at Canford Magna and the SANG

101. The merits of the proposed development (the benefits and the impacts of the proposal) assessed against the above policy requirements will be discussed and considered below in this report. Given the allocation of the application site as set out in Policy PP10 of the Poole Local Plan, the principle of a mixed use residential, care home and employment development on this site is established. The impact of the removal of the UE1 allocation site from the Green Belt has already been considered during the plan making process and as such this matter does not need to be revisited in this application. In this regard, in considering this issue the Local Plan Inspector concluded in the Report on the Examination of the Poole Local Plan that:

*“contrary to the assertions of some, the Green Belt is not sacrosanct and national policy allows for alterations to its boundary in exceptional circumstances. Overall, having regard to the significant housing (including affordable and family homes), community, leisure and economic growth benefits which would result from sites UE1*

*and UE2, the absence of non-Green Belt land on which to accommodate the necessary development and the limited harm which would be caused to the Green Belt, I conclude that the Council's judgement that exceptional circumstances exist to alter the Green Belt boundary in connection with these sites is a sound one".*

## **Quantum of Housing and Housing Mix**

### Quantum of Housing

102. Policy PP10 sets out that the site is capable of a delivery of a minimum of 500 homes and a minimum 60-bed care home in order to make the most efficient use of the land following its release from the Green Belt. The applicant originally proposed a development of up to 600 homes with a 62-bed extra care facility. However, during the application process as a result of negotiations between the case officer, consultees and the applicant this number has been revised down, due to site constraints and concerns relating to the cramped nature of elements of the proposed layout indicated on the originally submitted Illustrative Masterplan, to a development of up to 550 homes and a 62-bed extra care facility. The Illustrative Masterplan has been made amended accordingly to reflect this reduction in the overall quantum of development being proposed.
103. Parameter plans have been submitted which set out guiding principles and parameters for the development. The Density Parameter Plan in particular is intended to ensure that an appropriate range of densities are delivered to support the creation of identifiable character areas across the development that have variety and distinctiveness and to ensure that the proposed quantum of development can be accommodated within the application site in an acceptable layout. The Illustrative Masterplan is drawn towards the lower end of the density range that had been proposed in all of the character areas across the development and as stated negotiations have reduced the upper limit on the number of homes that are proposed to reach this position and for the Local Planning Authority to be convinced that the indicative layout shown on the Illustrative Masterplan demonstrates that the proposed quantum of development can be successfully achieved. Whilst it is accepted that there is a need for some flexibility in the density range, there were concerns that the extent of the range between the lower to the upper ends of the density ranges was too significant in some areas and whether the upper ends of the proposed density range could be achieved, both in terms of the layout of the development but also the resultant number of dwellings exceeding the 550 homes considered as being a suitable maximum for the site. As a result, the density ranges shown on the Density Parameter Plan have also been reduced in respect of some of the character areas to ensure a consistent approach to the densities, the indicative layout of the Illustrative Masterplan and the maximum number of homes considered to be acceptable within the site.

### Housing Mix – Focus on Housing Suitable for Families and ‘Right-Sizing’

104. Policy PP10 of the Poole Local Plan also requires under sub-section (b) that the proposed development 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. It is identified at paragraph 6.18 of the Poole Local Plan that with 70% of all open market housing need being for houses rather than flats, the SUE will make an important contribution to the supply of family housing and is one of the justifications for releasing the site from the Green Belt. It is therefore important that the proposed development does provide family housing.

105. The applicant has stated they will provide a mix of house sizes and types with a focus on family housing in accordance with Policy PP10 (b). In support of this, the applicant has provided an indicative breakdown of the open market housing mix (affordable housing mix is discussed below to avoid duplication) as shown in the table below. This indicative open market housing mix reflects an emphasis on family sized dwellings whilst also providing opportunities for existing residents within the surrounding area to move into more suitable homes (right-size) whilst remaining living within their community thereby freeing up larger family homes.

Indictive Open Market Housing Mix		
Unit size	% Market	Number of dwellings
1 bed	0%	0
2 bed	15%	50
3 bed	42%	138
4 bed	37%	122
5 bed	6%	20
<b>Total %</b>	100%	
<b>Total number of dwellings</b>		330

106. However, given the scale of the development and the likelihood of it being built out in phases over a period of time, a degree of flexibility is required to ensure that the open market housing mix remains relevant to current housing need. The type and size of the open market homes will therefore be determined at the Reserved Matters stage to reflect housing needs evidence at that time.

Housing Mix – Specialist Housing for an Ageing Population

107. Policy PP10 (b) states that the proposed housing mix should provide specialist housing for an ageing population, whilst the site-specific criteria for the UE1 allocation also includes a requirement that the development of the site provides a minimum of a 60-bed care home. These requirements of Policy PP10 accord with the objectives of Policy PP12 that seeks to meet the housing needs of the ageing population through the provision of high quality, well designed care homes and other forms of specialist housing.
108. With regards to care home provision, the supporting paragraphs to Policy PP12 set out the future estimated need for care home accommodation with an identified need for an additional 816 care home bed spaces over the Plan period (323 residential care and 493 nursing home bed spaces) of which around half of this target are to be delivered by the allocated sites including UE1. Therefore, of particular relevance to this application, Policy PP12 (2) states that the Council will meet the need for care homes bed spaces by, inter alia, bringing forward the allocated sites identified in Policies PP9 and PP10 (sub-section (a) to Policy PP12 (2)). In this instance, the proposed development includes the provision of up to a 62-bed care home facility within the application site that would make a positive contribution towards meeting the identified need for additional care home bed spaces. The type of facility is not specified nor is it required that this is known at this stage. Additional details are expected to come forward at the appropriate Reserved Matters stage.
109. The supporting paragraphs to Policy PP12 also identify that at both the national and local levels, the policy focus in relation to the ageing population has centred on promoting independence and well-being; providing increased levels of care and support within the home; and increasing housing choice and flexibility. The suitability of housing is therefore an important factor in helping older people to continue living independently within their community. Policy PP12 (3) therefore requires that major schemes must provide at least

20% of a mix of the housing types on site to comply with Part M4(2) of the Building Regulations to deliver adaptable and accessible homes.

110. In order to ensure that a proportion of the homes delivered are accessible and adaptable to meet the changing needs of occupants, a Section 106 Agreement will ensure that the Reserved Matters applications for each phase of development shall be accompanied by a scheme to demonstrate a minimum of 20% of the dwellings will be built in accordance with the relevant specifications outlined in the Building Regulations standard Part M4(2) for adaptable and accessible homes. On the basis of a development of up to 550 homes this would provide up to 110 new adaptable and accessible homes that would contribute towards meeting the target of delivering 3,425 specialist homes during the Plan period. The proposal would therefore be compliant with the requirements of Policies PP10 and PP12 (2) (a) and (3) of the Poole Local Plan.

#### Housing Mix – Provision of Custom and Self-Build Plots

111. In terms of the provision of custom/self-build plots, as required by Policy PP10 (b), Policy PP8 of the Poole Local Plan requires that development proposals provide a mix of housing type and tenure including the provision of custom-build and self-build housing. Whilst full details of the type and tenure will come forward with each Reserved Matters application for each phase of development the applicant has agreed to provide 4no. custom/self-build plots which would equate to a 0.73% provision of the maximum number of homes for which permission is being sought. This would equate to an equivalent percentage of the overall number of homes being proposed that was secured in relation to the approved development of the UE2 site allocation. The provision of custom/self-build plots can be secured through a s.106 Agreement.
112. Having regard to the above considerations, it is evident that the proposed development would provide a housing mix that is compliant with the requirements of Policy PP10 (b) and the relevant sections of Policies PP8 and PP12 of the Poole Local Plan.

#### **Affordable Housing**

113. As with the allocation of UE2 (North of Bearwood), the Council had to demonstrate exceptional circumstances to alter the boundary of the South East Dorset Green Belt through the local plan process. One such circumstance was to significantly boost the supply of affordable housing.
114. As stated above, criterion (a) of Policy PP10 requires that the proposed development delivers 40% affordable housing on-site which is in line with the policy requirement set out in Policy PP11 which relates specifically to affordable housing. Amongst other criteria, this latter policy identifies the qualifying criteria for developments that will be expected to provide affordable housing, the different affordable housing targets for different parts of Poole, how such provision should be met (on-site provision or commuted sum payment for off-site provision) depending upon the scale of the proposed development, and the expected tenure mix of the affordable housing provision.
115. In line with the requirements of Policy PP10 (a) and Policy PP11, the application proposes the provision of a policy compliant level of 40% affordable housing and the Local Planning Authority has reached agreement with the applicant on a level of development contributions that do not threaten achieving the provision of 40% affordable housing. In addition, the applicant has not provided a viability report to demonstrate this target cannot be achieved.

116. As the application is in outline for up to 550 homes the precise number of homes will be determined at the Reserved Matters, but on this basis the proposed development would deliver up to 220 affordable homes.
117. The applicant has submitted a proposed affordable housing mix and this has been agreed with the Council's Housing Enabling Manager. The Section 106 Agreement will therefore secure the proposed affordable housing mix as set out in the table below.

Proposed Affordable Housing Mix		
Unit size	% Affordable	Number of dwellings
1 bed apartment	0.5%	1
1 bed maisonette/walk up unit	1%	2
2 bed apartment	15%	33
2 bed house	43%	95
3 bed house	34.5%	76
4 bed house	6%	13
5 bed house	0	0
<b>Total %</b>	100%	
<b>Total number of dwellings</b>		220

118. The Section 106 Agreement will also include the requirement for the Reserved Matters application(s) to deliver 40% affordable housing and that the tenure mix will be in accordance with the requirements of Policy PP11, comprising 70% affordable rent and 30% intermediate housing. In addition, the Section 106 Agreement will also ensure that the affordable housing units are interspersed/pepper-potted throughout the development to encourage a mixed and sustainable community. The detailed design and layout of the affordable housing units will be determined through the Reserved Matters application(s), as will be the case with the open market housing, but will be controlled to ensure that they are indistinguishable from the open market housing to help achieve good place-making.
119. As identified above (see Presumption in Favour of Sustainable Development section of the report), the Council currently has a significant under supply in its provision of affordable housing. Therefore, it is considered that the delivery of 40% affordable housing on a significant site such as UE1, whilst being a policy compliant position, is a significant public benefit of the proposal.
120. In light of the above assessment, it is evident that the proposed development would accord with criterion (a) of Policy PP10 and the requirements of Policy PP11 subject to the completion of a Section 106 Agreement and appropriate assessment and control of the detailed matters of design and layout of the affordable housing units through the future Reserved Matters application(s).

### **Implications on Delivery of the Town Centre's Major Brownfield Allocations**

121. Policy PP10 (c) sets out a requirement that planning permission would only be granted for the development of the SUE sites where it is demonstrated that it would not result in significant adverse impacts to the delivery of the town centre's major brownfield allocations.
122. In support of the application, the applicant has provided a response to this specific policy requirement in the submitted Planning Statement and subsequent Planning Statement Addendum Note. The applicant highlights that the major brownfield regeneration and allocation sites within Poole have experienced challenging delivery conditions in the past due to complex site constraints and infrastructure requirements alongside the impact on

viability of providing affordable housing and CIL contributions. As a result, it is stated that there is now a need for the delivery of both the greenfield allocations and the town centre brownfield regeneration and allocation sites to meet a clear need for housing and stepped change in delivery due to the low delivery rates in the past.

123. The applicant argues that the impact on the delivery of the town centre's major brownfield sites from the approval of other planning permissions is likely to be influenced by the types of dwellings provided and the location of the site. In response to the requirements of Policy PP10 (c), the applicant states that the town centre brownfield allocation and regeneration sites have high residential allocation targets in relation to the site area that can only reasonably be met through high density, flatted development schemes. In contrast, the applicant highlights that there is a specific policy requirement in relation to the development of the UE1 allocation site that requires the proposed housing mix to provide a focus on the provision of housing suitable for families. It is clear that this type of housing would require a form of development that would not be achievable on the major town centre brownfield allocation sites whilst meeting the number of housing units for which those sites have been allocated. As such, the applicant has argued that the proposed development of the application site would deliver an entirely different housing product and offer that would appeal to an entirely different sub-sector of the residential market than the flatted development schemes to be delivered on the brownfield regeneration sites.
124. In support of this latter argument, the applicant has also submitted a research report, 'Demand for Different Housing Types in Poole', that was undertaken for them of the Poole housing market, the demand for family housing in the area and the different demographic that flats and houses serve. It is stated that this research essentially indicates that houses and flats serve different demographic groups with over 50% of flats being occupied by single households whilst over two thirds of houses are occupied by couples or families. The applicant argues that this serves to demonstrate that the development of application site with family homes will serve a different market demographic than the flatted development that dominates the brownfield town centre and regeneration sites. As such, the applicant states that bringing forward development at UE1 would therefore not significantly impact delivery of the town centre major brownfield allocations as they serve different demographics in the marketplace.
125. Having regard to the applicant's arguments, whilst the development at Carter's Quay (former Pilkington's site) does include the provision of some family housing, it is evident that the previously approved and current planning applications for the redevelopment of the brownfield allocation sites within both the Town Centre and the Regeneration Areas (Town Centre North and Twin Sails regeneration areas) all comprise of high density, flatted development schemes. This includes the development schemes currently proposed or previously approved at St Johns House, the former Nat West site, West Quay Marina, Land Between the Bridges, Quay Thistle and the former Poole Pottery. In principle, it is therefore accepted that the proposed development of the UE1 allocation site would deliver a different housing offer. This is, of course, subject to the proposed development providing a suitable type of housing.
126. Whilst the application is in outline and as such full detail of the open market housing mix will be secured at the appropriate Reserved Matters stage, as stated above the applicant has provided an indicative housing mix that demonstrates a focus on family sized housing units. However, unlike earlier iterations of the proposed housing mix, the latest proposal does not provide a percentage split between the apartments and houses that are to be provided on the site. This information would be beneficial in ensuring that the proposed development fulfils the requirement of criterion (c) of Policy PP10 and would not include an over-provision

of apartments that could undermine the delivery of the major brownfield allocation sites. The applicant, however, has stated that they do not consider it necessary to confirm this information at this stage and that it will come through the detail submitted with the future Reserved Matters application(s), while the Illustrative Masterplan also caters for a mix of house types.

127. While the Illustrative Masterplan shows buildings that are predominantly houses, rather than apartments, it is submitted only for illustrative purposes and is not proposed to be approved as part of this outline planning application. Therefore, whilst it indicates family housing would predominate given its status it cannot be used to demonstrate compliance with this aspect of the policy. The Parameter Plans which would form part of any approval, however, include a Density Plan and a Building Heights Plan. Whilst the densities could in theory be manifested in different ways, the Density Plan would be used in conjunction with the Building Heights Plan to manage development. The Parameter Plans relating to access and circulation, open space and land use will also shape the way any future development would manifest itself on the site and it is inevitable that any development that would be compliant with these plans would necessitate the provision of a large proportion of family sized homes rather than apartments.
128. In addition, the Design Code would be conditioned as part of the application and while this does not specify a percentage of apartments to houses it provides guidance with regard to building typologies. In this regard, it identifies that there are only two character areas where the apartment typology is proposed and sets out where they can be suitably used within those character areas with the other housing typologies such as detached, semi-detached and terraced dwellings being suitable within all other areas of the development.
129. Having regard to the Parameter Plans in conjunction with design principles and criteria established within the Design Code, that will inform the detailed proposals and provide a benchmark against which they will be assessed, it is apparent that the Reserved Matters application(s) would inevitably have to include a large proportion of family sized homes to meet the various parameters and requirements set out on and within these plans and documents. Additionally, at the Reserved Matters stage, the policy requirement at sub-section (c) of Policy PP10 requiring a housing mix with a focus on housing suitable for families would still apply and therefore any proposal for a large number of apartments at that stage could be resisted. Furthermore, any such proposal would almost inevitably be contrary to the Parameter Plans and Design Code.
130. Notwithstanding the above, it would be preferable for the applicant to have committed to a percentage split between the apartments and houses that are to be provided on the site. Having regard to the previous versions of the proposed housing mix, it is evident that the originally submitted housing mix proposed that 87% of the overall homes to be provided would be houses and 13% would be apartments. Subsequent versions of the proposed housing mix that have included a percentage split between apartments and houses have proposed 89% houses and 11% apartments. Those proportions would satisfy the policy requirement to focus on the provision of housing suitable for families and not to cause a significant adverse impact to the delivery of the town centre's major brownfield sites. On this basis, to ensure that the proposed development comprises an acceptable balance between the provision houses and apartments that would not result in significant adverse it is considered that it would be reasonable to impose a condition requiring the delivery of a minimum of 85% of the overall number of homes to be provided as houses.
131. Taking account of the above considerations, it is considered that subject to the imposition of the condition referred to above that it can be reasonably concluded that the proposed

development would not result in significant adverse impacts to the delivery of the town centre's major brownfield allocations and therefore would be in accordance with the requirements of criterion (c) of Policy PP10 of the Poole Local Plan.

### **Masterplanning and community engagement**

132. Policy PP10 (n) requires the application to have been prepared through a master planning exercise with the local community to inform a design code to be agreed by the Council.
133. Policy PP27 Design sets out the overarching design framework and requires all development to be of a good standard of design. PP27 (1) states that development will be permitted where it reflects or enhances local patterns of development and neighbouring buildings in terms of layout, siting, building line, built site coverage, height, scale, bulk, massing, materials, detailing, landscaping and visual impact. PP27 (c) requires development to be compatible with surrounding uses and not result in a harmful impact upon amenity for local residents and future occupiers. PP27 (3) requires where appropriate, independent design review of major schemes that potentially have significant impacts.
134. In response to the Policy requirements, 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 also took part in an independent design review as encouraged by Local Plan Policy PP27 Design (3), the outcome of which helped to shape the submission.
135. The application is submitted in outline apart from access meaning the detailed design will be a matter for reserved matters. The application, however, is supported by a regulating plan, density plan and design code that are intended to provide sufficient information at the outline stage to ensure a successful development in design terms will be achieved as the reserved matters come forward in the future. The submission of the design code that has been informed through community engagement accords with the requirement of Policy PP10 (n) and will be used to guide the reserved matters stages to ensure the detailed aspects of PP27 are met going forward. The design code will also help maintain an overall design pattern across the site were development parcels within the site to be sold to different developers.
136. The design code that accompanies the application has been subject to critique and review by officers throughout the evolution of this application and has been updated and amended through the course of assessment. The applicant submitted the final version of the design code that seeks to address the comments received to date in March 2022. The design code has regard to the fixed existing and proposed utilities constraints, green infrastructure and proposed roads. The design code recognises the importance of delivering development that respects the different context around the edge of the site but takes the opportunity for creating its own identity as well. The site is divided 4 identity areas, which are referred to as character areas in the design code. The, design code sets parameters of design styles, building heights, layouts, boundary enclosure, materials and densities across the character areas in order to define their identity and relate to their context.
137. The 4 character areas are defined in the design code as follows:

#### *Cruxton Mead*

138. This character area is described as providing a gateway into the site with a character inspired by local Dorset vernacular. The density plan identifies that Cruxton Mead will have

a density range of between 35 and 38 dwellings per hectare (dph), which is one of the higher density areas across the site. Cruxton Mead would include a greater number of semi-detached and terraced homes than the lower density character areas. The Design Code describes the aspiration for development here to be laid out in a permeable grid with open spaces created around the existing trees on the site.

#### Oakley Lane Formal

139. This character area is described as being inspired by Georgian and Victorian development with a formal character. More regimented than the Cruxton Mead area, Oakley Lane formal is described as having linear streets and a more uniform appearance created through a consistent roofscape and the positioning of buildings in larger groups. Density across Oakley Lane Formal will be 30 to 35 dph.

#### Stour Valley Edge

140. This character area is described as lower density residential area focused on the interface with the Carriage Drive and the River Stour valley, split into three distinct parts. The density range within Stour Valley Edge is 20 to 25 dph. The first component overlooks the wooded linear green space to the south. The second elements are the north/south green mews streets and the third, the northern edge overlooking a new parkland edge and the Carriage Drive. All frontages would be defined by a group of Lady Wimborne Cottage style houses which seek to reflect the heritage of the Canford Park estate and harmonise with the Canford Magna Interface character area to the east.

#### Canford Magna Interface

141. This character area is proposed to be lower density with a range between 20 and 25 dph. Canford Magna Interface is proposed to comprise a cluster of Lady Wimborne style dwellings in larger plots linked with a traditional Dorset style vernacular in the Western edge of the character area. The Design Code emphasises the verdant setting and character of this area.
142. Public representations and the Council's Planning Policy, Urban Design and Heritage team have raised numerous concerns with the design code through the course of the application.
143. The Design Code has been an iterative process throughout the application. Initial comments were made by the Urban Design Officer in October 2021. Amendments were received in December 2021 and comments on the outstanding matters where amendments were sought were prepared in January 2022. Further amendments were submitted in February 2022. The Urban Design Officer is now content that the vast majority of the amendments requested have been actioned. This has further enhanced the parameter plans and Design Code creating more consistency and a robust starting point for the consideration of any future reserved matters applications.
144. Despite some minor issues being highlighted in the Urban Design Officers latest comments, these are of a very minor nature and capable of being dealt with at the appropriate Reserved Matters stage. In view of this, it is concluded that the Design Code together with the parameter plans will provide a robust framework to guide the design of the development and achieve a high-quality scheme that responds appropriately to its context.
145. In summary, it is considered that design code has been developed following community engagement at pre-application stage and evolved further through the course of the

application in compliance with PP10 (n). Policy PP27 of the Poole Local Plan requires a good standard of design to be achieved in all new developments. It is considered that the parameter plans and Design Code provide the basis for achieving a high-quality design solution for the site. The Urban Design Officer is content with the information now submitted subject to a condition to ensure future Reserved Matters proposals are in broad accordance with the submitted Design Code. This condition is included in the list contained within this report. In view of this, it is concluded that the proposals are in accordance with Policy PP27 of the Poole Local Plan that requires a good standard of design is achieved in all new developments.

## Heritage

146. The application site does not contain any listed buildings, nor does it encompass any Conservation Areas. However, there are a number of listed buildings and Conservation Areas within close enough proximity to the site that requires the impact upon their setting to be considered. These designated heritage assets include:

- Canford Manor (Listed Grade I);
- Canford Church (Listed Grade I);
- John of Gaunt's Kitchen (Listed Grade I);
- Canford Manor Lodge (Listed Grade II);
- Nos. 2-12 South side Oakley Lane (Listed Grade II);
- No. 11 Oakley Lane (Listed Grade II);
- Nos. 17-19 Oakley Lane (Dairy House, Crupton Farmhouse and Cottages);
- Oakley Hill; Lady Wimborne's Railway Bridge (Listed Grade II);
- Canford Magna Conservation Area; and
- Oakley Lane Conservation Area.

Non-designated heritage assets include:

- Lady Wimborne Carriage Drive (Northern edge of site running roughly east to west);
- 22-28 Oakley Lane;
- 23-25 Oakley Lane.

147. 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'.

148. Section 72 of the (Listed Buildings and Conservations Areas) Act 1990 places a general statutory duty for conservation areas in the exercise of planning functions. Section 72 (1) specifically requires special attention to be paid in the exercise of planning functions to the desirability of preserving the character or appearance of conservation areas.

149. Before considering the significance of heritage assets and how the proposal might affect them, it is necessary to consider the relevant Development Plan Policy and material considerations as set out in the NPPF in respect of heritage matters.

150. In terms of relevant Planning Policy, PP10 requires the development at the UE1 site to meet the following in respect of heritage matters:

- Small scale incubator / business start ups in and around the farm buildings that preserves or enhances the Oakley Lane Conservation Area. As discussed in the employment section, the application does not include on-site provision for small scale incubator / business start ups with the farm buildings element expected to come forward at a later stage. In this regard, this part of the policy is not applicable to this application.
  - Preserves or enhances the setting of the Canford Magna and Oakley Lane Conservation Area and the listed buildings therein, including enhancement of the Carriage Drive and its heritage assets.
151. Policy PP30 of the Poole Local Plan sets out the overarching policy for heritage assets for the Poole Development Plan area. PP30 (1) states that the Council will expect new development to preserve or enhance Poole's heritage assets.
152. PP30 (1) (a) then states that new development proposals will be supported where they preserve or enhance the historic, architectural and archaeological significance of heritage assets and their settings in a manner that is appropriate with their significance by (i) assessing the impact of a development on designated and non-designated heritage assets and justify any harm or loss affecting the asset early in the application process (ii) ensuring public realm, highways, bridge and street lighting works are sensitive to the historic environment and (iii) and ensuring records on the historic environment acquired and generated through plan making and development are publicly accessible as evidence of Poole's past.
153. PP30 (b) provides policy requirements for developments within conservation areas and / or affecting listed / locally listed buildings. Of relevance to this outline application, Criterion (i) requires development to enhance or better reveal the significant and value of the site within the street scene and wider setting. Criterion (ii) does not apply as there are no buildings being lost because of the development, (iii) is a detailed design matter not before the Council at this stage as the application is in outline apart from access and (iv) and (v) not applicable to this application.
154. In addition to the relevant Development Plan policy, Chapter 16 of the NPPF sets out the national policy for conserving and enhancing the historic environment. The relevant paragraphs in the NPPF are identified as follows.
155. Paragraph 194 of the NPPF requires in the determination of applications, applicants to describe the significance of any heritage assets affected by development proposals. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
156. Paragraph 195 of the NPPF requires that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. LPAs should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
157. Paragraph 197 sets out what LPAs should take account of when determining applications including a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (b) the positive

contribution of heritage assets can make to sustainable communities including their economic vitality and (c) the desirability of new development making a positive contribution to local character and distinctiveness.

158. Paragraph 199 of the NPPF confirms that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.
159. Paragraph 200 of the NPPF states that *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration, or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of (a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; (b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional”*
160. Paragraph 201 of the NPPF states that *“Where a proposed development will lead to substantial harm (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss”* or that a series of prescribed exceptions are met.
161. Paragraph 202 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*.
162. Paragraph 203 of the NPPF states that *“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset”*.

#### Assessment of significance of heritage assets

163. The application is supported by a Heritage Statement, which has been updated a number of times as a result of dialogue with officers and consultees and submission of amended plans throughout the course of the application. The Environmental Statement also includes a relevant chapter on heritage assessment and impacts.
164. The Heritage Statement identifies the heritage assets likely to be affected by the proposals and assesses the impact of the development upon them. The Heritage Statements have been prepared with regard to the Historic Environment Record in accordance with Para 194 of the NPPF. The Council’s Conservation Officer confirms that the Heritage Statement work submitted by the applicant adequately identifies and describes the significance of the relevant heritage assets.
165. As described in the application supporting information, the Oakley Conservation Area and the ancient manor of Canford Magna Conservation Area have important historical, social and architectural significance as they provided a setting for the historic town of Poole and the farms sustained the town’s residents with food and heathland produce from medieval

times along with other open lands north and south of Magna Road near the Stour River. Both Conservation Areas include a number of Listed Buildings of significance.

166. The farm buildings and farmland that comprise Cruyton Farm itself and the subject site was until 1923 the western estate farm for the manor of Canford Magna.
167. Canford Magna was originally designated as a Conservation Area as it contains the nationally significant Grade I Listed Buildings of Canford Manor and the Parish Church within a riverside terrace and historic park landscape.
168. Within the Canford Magna Conservation Area, the architecture of the church, the surviving medieval building known as John of Gaunt's kitchen within Canford School and the Victorian alterations by Charles Barry all provide visual reminders of the important history of the area. The Lady Wimborne cottage style of housing for estate workers evident within the Conservation Areas was adopted by builders throughout the Poole area though the best group of semi-detached, listed cottages of this style remain in Oakley Lane Conservation Area and in terrace form, in Canford Magna Conservation Area.
169. Oakley Lane is the northern edge of a late 20th Century suburban development to the south though it has Lady Wimborne Cottages at either end distinguishing the lane as the 19th Century approach to the manor house from the west after the access was moved from the south to the west with the addition of the Charles Barry gatehouse. At the same time Oakley Farm took the form of a more formal designed landscape with a lodge off Oakley Hill, decorative railway bridge and carriageway lined with trees planted to provide a marked approach to the manor house from the Wimborne railway station. When auctioned in 1923 Oakley Farm (now Cruyton) was sold as an "Important and Valuable Dairying and Stock Raising Farm" with arable, riverside pasture and grassland and a number of buildings. After the manor and estate became Canford School the school maintained an interest and historical connection with the Oakley Lane Conservation Area and it provides a setting to both the Grade I Listed Canford Magna Church and manor house.
170. The Cruyton farm building complex has a pair of listed cottages fronting Oakley Lane, at the entrance, separated with a narrow drive leading to a barn, stable, walled garden/ orchard and other outbuildings and though it has had modern changes it is an important complex with potential for restoration as an important vestige of the rural character of this part of North Poole. The southern and western edge of the Oakley Lane Conservation Area to the Willett Arms will not be as fully affected by the built form of the new housing.
171. The Carriage Drive to the north of the development area is a non-designated asset that historically provided access to Canford Manor. The Carriage Drive also leads to the Grade II Listed railway bridge to the west. The Carriage Drive whilst being a non-designated heritage asset is evidently within the setting of the Grade I Manor House meaning the two retain a relationship in planning terms in respect of impact from development.
172. The application site, whilst not within a Conservation Area or comprising any Listed Buildings, is part of the setting of the identified designated and non-designated heritage assets. In particular, the site is presently open fields connected to the Cruyton Farm buildings. The site is bookended by the Oakley Lane Conservation Area to the west and the Canford Magna Conservation Area to the east. To the north of the site is the Carriage Drive. Further east to the site is the Canford School site, which includes a number of listed buildings including the Grade I Canford Manor House. The Carriage Drive is used for cycling and walking connecting to nearby riverside walks. The landscape character of the site therefore forms an important part of the setting of the identified heritage assets. The

Grade I listed buildings nearby, including the Manor House, are clearly significant heritage assets. The heritage assets therefore form an important context for site and design response within the application.

#### Assessment of Impacts on Designated and Non-Designated Heritage Assets

173. The heritage implications of the proposed development have been considered by the planning officer, urban designer, conservation officer and Historic England throughout the course of the application. Representations from residents have also commented on heritage aspects and potential impacts from the development. In response, the applicant has evolved the design response through the course of the application to address heritage impacts where practicable to do so. The applicant has submitted updated versions of the Density and other Parameter Plans supported by an updated Design Code that set out the design response to a range of comments including heritage impacts. These are discussed as follows:

#### Western edge and Oakley Lane Conservation Area

174. The site is currently experienced as tranquil open space that help form the character and setting of both Conservation Area. In order to preserve the character of the Conservation Area the masterplan work has sought to keep the site as open as possible around the Conservation Area boundary; the result of this is the inclusion of an undeveloped buffer that will be used as an allotment / community orchard. The proposed buffer will therefore secure separation between the main built form of the proposal and the Oakley Lane Conservation Area. The applicant considers the buffer to be sufficient to preserve the setting of the Oakley Lane conservation area and listed buildings within. The Council's conservation officer, however, considers that the buffer is not sufficient for there to be no harm arising from the development as proposed.
175. In planning terms, it is accepted, however, that the buffer along with the design approach set out in the Design Code is considered to be sufficient to minimise the extent of any harm to less substantial. The Conservation Officer also agrees that the harm to heritage assets as a result of the proposal will be less than substantial.
176. Concern has also been raised by the Conservation Officer in respect of the scale and location of the Care Home in terms of impact on the setting of the Oakley Lane Conservation Area. It should be noted, however, that as this application is in outline the detail and final location of the Care Home is not under consideration and will be a matter for reserved matters to address in terms of impact on the Conservation Area. It is noted that Historic England and Council Urban Designer do not raise any specific concern with this element of the proposal and impact on Oakley Lane Conservation Area. At this outline stage, the proposals for the Care Home are considered to be acceptable and not considered to lead to harm to the Conservation Area. This is due to the Care Home being separated from the Oakley Lane Conservation Area and will be viewed in the context of the built development around it.

#### Eastern edge and Canford Magna Conservation Area

177. To the east, a buffer of circa 100m will be established between the built development and the Canford Magna Conservation Area. The proposal is supported by the Canford Magna interface character area as set out in the Design Code. This character area will be lower density / lower height and will comprise a cluster of Lady Wimborne style dwellings in larger

plots linked with a traditional Dorset style vernacular within this western edge of the character area.

178. The Design Code emphasises the verdant setting and character of this area. The Council's Conservation Officer, however, has some concerns with the relationship between the eastern edge of the development and the Canford Magna Conservation Area and considers that both a larger buffer and resultant reduction in units is required to ensure there would be no harm.
179. In planning terms, the proposed buffer at 100 metres is considered to be sufficient to provide the required set back between the proposed development and ensure the harm to the Canford Magna Conservation Area is minimised. The sensitive approach to design and density in the Canford Magna interface character area is also considered to be appropriate to the context and relationship with the Canford Magna Conservation Area. Both the Council's Conservation Officer and Historic England confirm that any harm arising from the proposals to Canford Magna Conservation Area heritage assets will be less than substantial.

#### Northern Edge and Carriage Drive

180. The northern part of the site is adjacent to the non-designated Carriage Drive heritage asset. The applicant's design response is to include a buffer zone between the Stour Valley Edge character area and the carriage drive. The Design Code sets out that the Stour Valley Edge character area will comprise lower density residential development focused on the interface with the carriage drive and River Stour valley, split into three distinct parts. The first component overlooks the wooded linear green space to the south. The second elements are the north/south green mews streets and the third, the northern edge overlooking a new parkland edge and the Carriage Drive. All frontages would be defined by a group of Lady Wimborne Cottage style houses which seek to reflect the heritage of the Canford Park estate and harmonise with the Canford Magna Interface character area to the east.
181. Historic England are concerned with the extent of the buffer zone and the Stour Valley Edge character area. Whilst Historic England consider the Lady Wimborne style is appropriate in the Canford Magna interface character area, it is their view that replicating this approach in the Stour Valley Edge character area would result in a more ribbon-like form of development which would not be common for Lady Wimborne cottages which are commonly arranged in small clusters. Historic England's view is that the extent of the buffer zone is not sufficient and an adverse impact on the setting and experience of users of the Carriage Drive will result.
182. Historic England also consider that the Carriage Drive forms part of the setting of the Grade I listed Manor House. The Carriage Drive originally would have had a functional relationship with the Manor House as a means of access and retains a historical relationship albeit no longer actively operating as a means of access given the private nature of the School grounds that exist today. Historic England, however, consider that the identified harm to the Carriage Drive by virtue of the extent of the buffer, proximity of the development and proposed design approach will impact on the existing open, tranquil character of the Carriage Drive. In view of this change, Historic England consider there will harm to the experience of the Carriage Drive, which in turn will lead to harm to the setting of the Grade I Listed Manor House.

183. It is acknowledged that the applicant has sought to address the concerns raised along the northern edge and relationship with the non-designated Carriage Drive through the low-density design approach to the scheme, landscaping strategy and supporting Design Code. However, Historic England have continued to raise a concern with this aspect of the scheme in view of the resultant impact on the setting of the Grade I Listed Manor House within the adjacent Canford School site.
184. Historic England have advised that to reduce the harm from this part of the scheme the character area would need to be removed, which is likely to result in the loss of around 50 units from the development. The applicant has not removed the character area from the proposals and instead sought to protect and enhance the Carriage Drive as far as possible through landscaping and resurfacing improvements. Both the resurfacing improvements along the Carriage Drive and Landscape Mitigation / Improvement works to the Setting of the Carriage Drive are proposed to be secured within the Section 106 agreement. However, notwithstanding the mitigation secured Historic England consider that even if the Stour Valley Edge character area were removed from the proposal in its entirety, the rest of the development would still result in less than substantial harm to heritage assets. In view of the comments raised and the retention of the Stour Valley Edge Character Area within the application, it is agreed that there will be a degree of harm to both the non-designated and designated heritage asset along the northern edge of the development site. It is considered, in agreement with Historic England, this impact amounts to less than substantial harm.

#### Conclusions on heritage

185. The applicant has sought to address the concerns raised on impacts to heritage assets through the application by amending the density ranges, improving the design approach to the parts of the development closest to adjacent heritage assets, increasing use of landscaping to screen the development when viewed from heritage assets and reducing the number of dwellings from up to 600 to a maximum of 550. In respect of the impacts associated with the Carriage Drive specific mitigation has been secured in the Section 106 with both a resurfacing and landscaping scheme to be provided by the development.
186. Both the Conservation Officer and Historic England acknowledge that enhancements have been made through the application although still advise the proposal overall will result in less than substantial harm to heritage assets. In order to further alleviate their concerns both advise that a further reduction of dwellings would be required. However, even with a further reduction of dwellings, Historic England are unlikely to ever conclude there still won't be less than substantial harm in view of the site developing what is currently an open field that forms the part of the setting of a number of heritage assets. In this context the applicant considers the proposed development at 550 homes is acceptable in heritage policy terms when considering the public benefits that exist, and therefore do not consider there is a need for a further reduction in dwellings.
187. In view of this, Paragraph 200 does not apply to this application as substantial harm has not been identified. However, it is evident that the proposals will lead to less than substantial harm to which great weight must still be attributed when making the decision on this application. The identification of less than substantial harm also means that there is some conflict with part of Policy PP10 (third bullet of the specific UE1 requirements) and PP30 that seek to ensure proposals preserve or enhance heritage assets.
188. In this scenario, it is relevant to consider NPPF Paragraph 202 as a material consideration to the determination of this application. Paragraph 202 confirms that where a development

proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

189. Paragraph 203 of the NPPF is also relevant given the harm identified to the non-designated Carriage Drive heritage asset. Paragraph 203 requires a balanced judgment to be made having regard to the scale of any harm or loss and the significance of the heritage asset.

190. The public benefits that are considered to exist in this case are as follows:

- Delivery of 550 new homes, comprising mostly family housing, meeting the site-specific requirement of PP10, helping balance the housing market where urban intensification of flatted development is prevalent, and helping to counteract the shortfall identified in Council area's housing land supply;
- 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 people to 'right size' and stay within their community including self-build plots and a new care home to help meet the forecast needs of an ageing population;
- Provision of 16.048 hectares of SANG and providing enhanced public access to the Green Belt
- Overprovision of public open space including 3 play areas providing new facilities to future and existing nearby residents, community allotments and orchard;
- Enhancements to sustainable transport, prioritising walking, cycling and use of public transport as well as supporting improvements to the Poole and Wimborne transport corridor;
- Planting and landscaping, including a significant amount of new tree planting across the site that will have visual and biodiversity benefits to assist in carbon sequestration and improvements to air quality;
- A range of financial contributions towards new infrastructure including helping deliver the expansion of Merley First School;
- Delivery of SANG to support the development as well as help connect with other land as part of the Stour Valley Park concept. These connections will provide benefits to the health and wellbeing of residents with greater access to greenspace and nature;
- A new access road to the Cruyton Farm buildings that will help enable the future delivery of employment units and full requirements of the PP10 allocation;
- New network of linkages through the site for walking and cycling opportunities to Wimborne town centre and facilities within. These linkages will benefit both existing and future residents of the site and surrounding area;
- Mitigation secured for the resurfacing of the Carriage Drive and a landscape mitigation scheme;
- Range of transport improvements including provision for sustainable transport enhancements including additional bus services;
- A Community Infrastructure Levy (CIL) payment of almost £4m. This will assist with delivering strategic infrastructure as well as see a significant amount being available as Neighbourhood Portion monies to support local infrastructure improvements.

191. It is important to consider that the site is a key strategic allocation in the Local Plan that requires a minimum of 500 homes to be provided meaning the principle of development is established. The design response is considered to have kept the impact on heritage assets to a level that is clearly within the category of less than substantial harm, and is a matter of changes to setting as opposed to directly affecting integrity of Conservation Areas and Listed Buildings. The allocation of the site has already established that there would change

to these settings by virtue of accepting the development of an open field. Whilst some harm has been identified, the design response will deliver a high quality and sensitive development that broadly respects key features of the existing built and landscaped environment.

192. The level of harm identified is not considered to be so significant that planning permission should reasonably be refused on heritage grounds without due consideration of the public benefits. In this regard, the public benefits identified are considered to be significant and sufficient, on this occasion, to outweigh the less than substantial harm identified and support the granting of outline planning permission in respect of heritage matters.

### **Archaeology**

193. Policy PP30 seeks to confer protection upon heritage assets which include sites of archaeological significance. An archaeological assessment has been submitted with the proposal which has been assessed by the Senior Archaeologist for Dorset Council. BCP Council have a Service Level Agreement with Dorset Council to provide planning advice for the Council on matters relating to archaeology.
194. Wessex Archaeology's geophysical survey and trial trenching identified significant archaeological remains from several periods within prehistory, located mainly but not exclusively in the southern part of the site. The Senior Archaeologist does not consider that the presence of these archaeological remains on this site would justify as a reason for refusal but notes that those remains that would be destroyed by the development should be recorded to an appropriate professional standard. The Senior Archaeologist suggests a suitably worked condition can be used to secure this activity.
195. Based on the assessment of the information and comments by the Senior Archaeologist, it is considered that the proposal is acceptable in respect of archaeology in accordance with Policy PP30.

### **Transport**

196. Policy PP10 criteria (f), (g) and (h) set out requirement for Strategic Urban Extensions to achieve the following transport related measures:
- (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;*
- (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; and*
- (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.*
197. Policy 34 sets out the development plan's Transport Strategy. PP34 states that the Council will work with developers and partners to deliver a safe, connected and accessible transport network across southeast Dorset. In particular, PP34 (a) and (b) will manage growth by directing new development to the most accessible locations, reduce the need to travel, reduce emission and benefit air quality, explore innovative approaches to travel demand management.

198. PP34 (c) confirms that the Council will manage the delivery of strategic sites to ensure the transport network operates within capacity.
199. PP34 (d) states that the Council will improve safety, appearance and convenience of travel, including improved access to local services and facilities by foot, cycle and public transport.
200. PP34 (f) states that the Council will support continued improvements in public transport services as a means of reducing the proportion of journeys made by private cars.
201. Policy PP35 relates to a safe, connected and accessible transport network. PP35 (1) sets out policy for new development and requires proposals for new development to
- (a) maximise the use of sustainable forms of travel;*
  - (b) provide safe access to the highway;*
  - (c) contribute positively to the retention and creation of:*
    - (i) attractive, safe and accessible place; and*
    - (ii) safe, convenient pedestrian and cycling routes*
  - (d) improve safety and convenience of travel, including improved access to local services and facilities by foot, cycle and public transport;*
  - (e) accord with the Parking & Layout in New Development SPD (n.b. this has been replaced by the BCP Parking SPD); and*
  - (f) Identify opportunities for the provision of new accessing / servicing rear of commercial premises, particularly where commercial premises are located in pedestrianised areas or along classified roads. New development should seek to retain and, wherever practicable, improve any existing rear servicing provision to commercial premises.*
202. PP35 (2) relates to mitigating significant transport impacts and requires proposals that are likely to generate significant transport impacts to be supported by a Transport Assessment and where requested by the Council, a Travel Plan to include a range of measures to facilitate increased uptake of walking, cycling, public transport, car sharing or low emission vehicles. These measures should ensure switching between modes is simple and convenient for all. PP35 also states that Transport Assessments and Travel Plans should take account of the range of transport proposals set out in the Local Transport Plan and Poole's Infrastructure Plan.
203. PP35 (2) states that the Council will expect developers of sites with significant transport impact to incorporate all sustainable transport measures to mitigate impacts on the wider transport network including where appropriate (a) reducing the need to travel (broadband, business hubs), (b) walking and cycling infrastructure that enables active travel, (c) public transport infrastructure, (d) road infrastructure and (b) any site specific mitigation measures outlined in the Local Plan Transport Mitigation Plan.
204. PP35 (3) relates to air quality and requires submission of an air quality assessment where there is likely to be an adverse impact in this regard. Mitigation for adverse impacts on air quality are identified within PP35 (3) as inclusion of walking, cycling and public transport measures to reduce emissions and any other measures required to prevent adverse effects, either alone or in combination on European and internationally important sites.

205. The NPPF at Chapter 9 sets out the national policy approach to promoting sustainable travel. Paragraph 104 of the NPPF confirms that transport issues should be considered at the earliest stages of plan-making and development proposals so that:
- “ a) the potential impacts of development on transport networks can be addressed;  
b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;  
c) opportunities to promote walking, cycling and public transport use are identified and pursued;  
d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and  
e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.”*
206. Paragraph 110 of the NPPF states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- “a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;  
b) safe and suitable access to the site can be achieved for all users;  
c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and  
d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*
207. Paragraph 111 of the NPPF states that “Development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
208. Paragraph 113 of the NPPF repeats the requirement in PP35 for developments that generate significant amounts of movement to provide a Travel Plan and supported by a Transport Statement or Transport Assessment so that the likely impact of the proposal can be assessed.
209. In accordance with Policy PP35 and the NPPF, a Transport Assessment (TA), Framework Travel Plan and a Traffic and Transport chapter of the Environmental Statement have been prepared and submitted by the applicant team in support of the application. An Air Quality Assessment has also been submitted and included within the Environmental Statement.
210. The applicant has engaged in discussions from an early stage with internal and external consultees including Highways England (now National Highways) and the BCP Highways department. Through this process a number of highway works have been identified that are consistent with the requirements envisaged in the Poole Infrastructure Plan to improve pedestrians and cyclist facilities along with works to enhance capacity of nearby junctions to accommodate development traffic that has been forecast through a transport assessment.
211. These improvements include:

- Reconfiguration of the existing Oakley Hill two-lane approach to the A349 / B3073 Merley Roundabout which would be extended from 42 metres to approximately 105 metres.
- Reconfiguration of Oakley Lane/B3073 Oakley Hill ('Willet Arms') junction to increase the capacity of the junction and improve crossing facilities for cyclists and pedestrians, including a toucan crossing.
- A mitigation scheme at Oakley Lane/Oakley Straight junction to create more space for pedestrians and cyclists. Upgrading the existing crossing point outside the Merley First School to a zebra crossing.
- Traffic calming measures along Oakley Lane and reduce the speed limit from 40 mph to 30 mph, with a signalised pedestrian crossing approximately 30 metres east of the junction with Oakley Straight.
- Pedestrian/cycle road crossing points linking with the two existing paths into Merley.
- Reconfiguration of A341 Magna Road/ Canford Magna junction to provide two entry lanes on Canford Magna on the approach to the junction, and a right turn shelter for vehicles on the A341 Magna Road.

212. These off-site improvements will be secured through 'Grampian' style conditions and the S106 agreement. Five vehicular access points would be created off Oakley Lane, which would also provide pedestrian links as well. Detailed junction works will be subject to a Section 278 Agreement and checks by the Local Highway Authority through that process. 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.
213. With regard to noise arising from traffic, the assessments carried out indicate that the change in noise at nearby dwellings arising from road traffic would be negligible during the daytime and during the night time. Noise within the proposed development area arising from either proximity of the A31 or Oakley Lane can be dealt with appropriately through enhanced glazing and acoustic vents which can be secured at the appropriate Reserved Matters Stage.
214. With regard to sustainable transport, the applicant has submitted a Framework Travel Plan which includes promotion of smarter travel choices which will be supported by the developer for a 7 year period from first occupation of the new homes. The Travel Plan and a monitoring fee of £7,350.00 will be secured through the S106 agreement.
215. A financial contribution of £1,982,000.00 secured through the S106 agreement will be made to deliver bus service improvements which will benefit both existing residential within Merley and future residents of the development. The Access and circulation plan includes the provision of four new bus stops along Oakley Lane. New residents will be offered financial incentives to encourage the uptake of bus services through the provision of a bus permit for a three-month period upon occupation.
216. Traffic congestion is one of the main areas of concern highlighted in the public representations. The Local Highways Authority has assessed the TA, with traffic volumes, distribution throughout the network and timings subject to an in-depth analysis and review regarding the impact of the scale of development.
217. As set out in the BCP highways authority response, the Council are implementing wider strategic measures across the conurbation with significant investment in infrastructure to encourage the take up of sustainable modes of travel as an alternative to car use. The Transforming Cities Fund (TCF) schemes, which are occurring on routes linking the UE1

site to major conurbation centres such as Poole, Bournemouth and Christchurch are an example of this. An improvement in cycle or bus infrastructure can occur some distance from a development site but if it is on a route from that site to a destination then an improvement in the sustainable travel mode journey time will make that mode more attractive.

218. It is viewed that switching to sustainable modes of transport is seen as a key way forward to mitigate the transport impacts of future housing growth across the conurbation. 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 and when assessed against the specific criteria of policy PP10 policy the proposal would be delivering appropriate mitigation in line with that policy. This mitigation will also provide benefits to the wider community. The Highway Authority therefore has offered support to the proposal subject to conditions and S106 agreement clauses to secure this mitigation and improvement work. On this basis there is no reason to refuse the application on impact upon the highway network.
219. At the time of the adoption of the Local Plan which establishes the strategic allocations UE1 and UE2, 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.
220. As with the application for the UE2 allocation 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.
221. Existing Traffic Regulation Orders (TRO) would need to be altered to facilitate the introduction of the various proposed highway improvements including temporary alterations as part of the construction management. New orders would need to be created within some areas of the internal site layout. It is considered appropriate to secure a contribution of £20,000 through the S106 agreement towards the processing of those orders.
222. Highways England has no objection and raises no concern relating to capacity or highway safety to additional traffic on the A31.
223. The site would also provide a community car park at the eastern end of the development with access from Oakley Lane to service local community facilities at Canford Magna and the SANG. This would comply with one of the UE1 site specific criteria of Policy PP10.
224. Taking the above into account it is considered the proposal would comply with criteria (f), (g) and (h) of policy PP10 and Policy PP34 and PP35 and the relevant provisions within the NPPF.

## Employment

225. As set out in policy PP10 (j) planning permission will only be granted where the scheme provides space for business start-ups/incubator units. The policy goes on to detail that within allocation UE1 these small scale incubator/business start-ups should be provided in and around the Cruyton farm buildings. Policy PP35 also requires all new development to secure safe access, which would apply to any development at the Cruyton Farm buildings.
226. The red line of the application excludes the existing farm buildings. The applicant decided not to include the farm buildings in this application as they are not within their control at the current time. As a result, the proposal subject of the application does not include provision for business start-up/incubator units. However, as identified on the illustrative masterplan the applicant has sought to ensure access will be available to the farm buildings complex to help enable the future delivery of employment space required by the policy. The local highway authority has not raised any objections to the proposed access shown within the application and it is therefore considered to accord in principle with the requirements of PP35. As such, there is sufficient accessible land within the allocation to able to deliver employment units, albeit without certainty when this would be forthcoming in the future.
227. The employment space was proposed as part of the allocation to assist with the provision of good placemaking and to potentially reduce some car trips by placing business space within easy reach of the community. It is important to note, however, that sufficient employment land supply exists elsewhere in Poole to meet the identified employment needs in the Local Plan. Additionally, the transport assessment does not rely on the provision of any employment space as part of the scheme to reduce trip rates and the transportation aspects of the scheme, which are discussed in greater detail in the relevant section of this report, have been found to be acceptable by the Highway Authority.
228. It does however remain the aspiration of the Policy to deliver good placemaking outcomes through the provision of employment space on site. As stated above, while the land remains available to deliver the employment units within the allocation, the timing of when it will come forward is currently uncertain. It is also recognised that as it will now need to come forward separately, it also may not have the opportunity to be cross subsidised by the residential development subject of the current application; this may in turn affect the viability of it being delivered.
229. As a safeguard to this situation, the applicant has, in addition to incorporating the access to the adjacent land in the development of this application site, agreed to make a financial contribution towards the provision of employment space off-site. The Council's Economic Development team has confirmed that this contribution is sufficient and could be spent to support business start-up units in line with the Economic Strategy. The off-site provision would not directly secure the placemaking outcomes originally sought in creating a more mixed community unless it is used for the development in and around the Cruyton farm buildings. It would, however, meet a specific need for start-up space set out in the Economic Strategy and is considered to be an acceptable obligation to secure at this outline stage.
230. In summary, employment space is not provided within this application. The application does, however, provide access to the adjacent farm buildings that will enable the employment space to be brought forward at a later date. The employment space required by PP10 can therefore still be delivered across the wider allocation should this current application be approved. In recognition, however, that it is uncertain when the employment

space on the adjacent land will be delivered, the applicant has agreed an off-site contribution towards employment space that can be used to deliver the wider aims of the Economic Strategy should the farm buildings not come forward by the time the residential development has been completed. As a result, and in view of this position, the proposals are concluded to not be in conflict with PP10 (j).

## **Education**

231. Policy PP10 (i) requires that the development makes a contribution towards the required additional school capacity that might be generated from the delivery of the allocation.
232. Policy PP39 relates to delivering Poole's infrastructure and states that the Council will work with infrastructure providers and use tools such as Section 106 and Community Infrastructure Levy (CIL) to provide infrastructure in a timely manner to facilitate growth.
233. The Local Education Authority (LEA) has assessed the development's impact on school place provision within the local school catchments that serve the site. The LEA's response sets out that the development will generate additional school aged children that will need school places being available to ensure the proposals can be accommodated successfully. The LEA have also assessed whether any capacity exists within the catchments to accommodate the identified numbers of school aged children that are likely to be generated.
234. Following this assessment, the LEA has identified that the development is within a school catchment area that operates a three-tier system (first school years Reception to Year 4, Middle School Years 5 to 8 and Secondary Years 9 to 11). In addition to this, there will be pre-school places and further education needs beyond Year 11 to consider.
235. The LEA's assessment of capacity across these tiers identifies that there is a need to add 102 places at First School level and then 36 places at Middle School level. There is sufficient existing capacity in the system to not require any additional schools places from Year 9 onwards.
236. At First School level, the LEA has identified that Merley First School needs to be expanded by 1 form of entry across each age group to accommodate the identified 102 places being generated by the development. The expansion of Merley First School by one form of entry will also include nurse / pre school accommodation within the new school building works thereby addressing the demands on early years arising from this development. The LEA have undertaken feasibility work that identifies the cost of adding a form of entry to Merley First School is £5,296,800.
237. The middle school requirement of 36 additional places doesn't require any one school to have a form of entry added at the present time, so the approach proposed by the LEA is to add places at existing middle school catchment options using a financial contribution secured from this development. Using the national cost per place multipliers, the LEA have identified that the cost of providing 36 places at middle school level totals £782,400.
238. The total cost of providing 1 form of entry at Merley First School and the required middle school places is £6,079,200. Having regard to the statutory tests for planning obligations, the LPA can only lawfully require a contribution to be provided from a development that is necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

239. Providing a full new form of entry at Merley First School will include capacity over and above the specific impact of the development. The specific impact that is directly related to this development is 102 places, which is 68% of a full form of entry. In order to accord with the statutory tests for planning obligations it is considered that it would be reasonable in planning terms to secure 68% of the cost of the Merley First School expansion as a planning obligation, which equates to £3,601,824. This is considered to be consistent with the policy requirement for the development to make a contribution to the education mitigation and proposals identified, and in accordance with the statutory tests for planning obligations.
240. This amounts to the following financial contributions that will be required to be secured in the Section 106 agreement:
- Merley First School expansion - £3,601,824. This represents 68% of the total cost of the project based on 102 places being 68% of the 150 places required for a full 1FE expansion.
  - Middle School contribution - £782,400
241. The total contribution required through Section 106 is £4,384,400. The applicant has confirmed agreement to these contributions to be included within the Section 106 agreement.
242. It is acknowledged that the additional capacity that will be delivered over and above the development's specific impact at Merley First School (through delivery of the full form of entry) will still need to be funded for the total project to be delivered. In this regard, the development will also contribute just under £4m of Community Infrastructure Levy, which is more than sufficient to cover the gap between the Section 106 contribution and full cost of the Merley First School expansion. This provides assurance that the full cost of delivering the mitigation will be secured from the development.
243. The timing of providing the mitigation is also an important consideration. In this regard it is proposed to secure payment of the full contribution for the First school places at an appropriate point in the development build out. The suggested trigger proposed is to require payment of the First school contribution before the occupation of the 50th dwelling. The Council has ability to forward fund infrastructure through use of provisions such as the Futures Fund that give assurance that the mitigation will be delivered at the point it will be needed on the ground. The proposed trigger is also considered to be appropriate to recognise that new residents who move into the development initially are likely to have their children in existing schools. This means that the full impact of the development on school places will take time to arrive. The proposed trigger is considered to be sufficiently early enough to secure the monies as well as will ensure the Council has adequate time to secure permissions and forward funding provisions for the required project. The final trigger detail will be secured in the Section 106 Agreement that is being discussed with the applicant.
244. The S106 agreement will also not name a specific school to which the monies will be directed as the Council will need some flexibility to consider options for the best way to mitigate these demands and to respond to demographic changes that might impact on existing capacity over the delivery of the development, which is expected to happen over a number of years.

245. Considering the above, Section 106 contribution secured and timing provisions identified, it is considered the proposal complies with criterion (i) of policy PP10 and Policy PP39.

### **Green Belt**

246. Policy PP2 (6) confirms that the Council will carefully manage the Green Belt in accordance with national policy. Green Belt policy is set out in Chapter 13 of the NPPF. 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.”*

247. 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.”*

248. 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.”*

249. In this case, the development area within the application is on land outside of the Green Belt. The part of the site that is within the Green Belt is the land where the proposed SANG will be located. The provision of SANG will result in a change of use of the land supported with additional features required to establish its operation. The character of the land will remain open and absent of any built form. In this regard, the SANG proposed within the Green Belt is considered to be appropriate development in the Green Belt in accordance with the provisions of the NPPF and PP2.
250. In addition, Policy PP10 (m) stipulates that the application should incorporate structural landscaping to create a strong permanent and defensible Green Belt boundary. The Green Belt boundary encompasses the northern edge of the site adjacent to Carriage Drive and up to the River Stour and Land to the east of and including the A31. The Carriage Drive itself will exist as clear boundary between Green Belt and non-Green Belt, which will be further strengthened with new landscaping along the northern edge of the development area. The Green Belt land within the application site boundary would be occupied by SANG land. Both the Carriage Drive and the A31 are considered to provide a long term, physical boundary to the Green Belt which separates it from the rest of the application site.
251. In addition to the above, the development of this site will enable the provision of the SANG Land that would provide public access to the Green Belt as encouraged by paragraph 145 of the NPPF providing much wider benefits to the Green Belt as a whole. Having regard to this it is considered the proposal would comply with criterion (m) of policy PP10 in respect of establishing a strong defensible boundary to the Green Belt. The SANG proposed in this application is concluded to be appropriate development in the Green Belt in accordance with PP2 and the NPPF.

### **Landscape and Visual Effects**

252. Policy PP31 states that proposals should have regard to the landscape setting of the town. As part of the Environmental Statement, landscape and visual impacts were assessed through the Landscape and Visual Impacts Assessment (LVIA). The LVIA considered landscape and visual impacts, compared to a baseline during construction and post construction (permanent effects), as well as considering mitigation and residual effects.

253. The LVIA finds that during the construction phase temporary effects will be experienced in proximity to Oakley Lane, the Carriage Drive, Canford Magna Conservation Area and Oakley Lane Conservation Area. Residents and recreational users of more distant areas will experience minor to negligible effects during construction.
254. In respect of permanent effects of the development with the proposed mitigation measures when compared with the baseline, moderate adverse effects will be experienced at Oakley Lane due to the resulting direct views of the new development. This is considered to have minor adverse impacts on the setting of the Oakley Lane Conservation Area.
255. Users of the Carriage Drive passing the development area will see new tree planting and the open space/SANGS alongside the development. Again, the development will be visible from the Carriage Drive, which represents a change from the existing open views in the site. This is considered to result in minor adverse effects in landscape and visual terms.
256. The LVIA concludes that there will be negligible effects on the approach to Canford Magna Conservation Area, where views of the new development would be filtered through new vegetation.
257. Residents and recreational users on the southern edge of Wimborne, within the Colehill area, and users of local cycleway/footpaths will experience negligible effects. There will also be a number of significant beneficial effects related to the improved management of the protected trees, existing vegetation along the Site boundaries, the Carriage Drive and the hedge along Oakley Lane. All adverse effects are localised and will only affect areas directly physically/visually connected with the development area.
258. In summary, the proposals have carefully considered matters relating to landscape as required by Policy PP31. The conclusions reached in the submitted LVIA are accepted and relevant to the determination of this application. Some minor adverse impacts have been identified albeit in a context where the site is allocated in the Local Plan for a minimum of 500 homes that establish the principle of development. Given the site is an open field at present, the delivery of a minimum of 500 homes will always result in some changes in respect of landscape and visual impact. The landscape strategy within the application is considered to be acceptable in terms of reducing the adverse impacts where possible. However, some minor adverse effects upon landscape and visual amenity have been identified and will need to be weighed in the balance against the public benefits of the proposed development, which will be discussed further in the Planning Balance section of this report.

### **Green Infrastructure and Provision of SANG**

259. Policy PP24 sets out policy relating to provision of Green Infrastructure. PP24 (1) requires strategic sites including north of Merley subject of this application to deliver SANGs to maintain and expand the green infrastructure network and by helping to deliver the Stour Valley Park concept. PP25 (2) states that new development should protect and strengthen the green infrastructure network by improving connections across the green infrastructure network. PP10 (e) also requires delivery of a SANG as part of the allocation for the site.
260. The application masterplan identifies that the development areas will be interspersed with green corridors and open spaces that will provide connections to the existing green infrastructure network. Furthermore, the application includes provision of a SANG located to the north of the application site adjacent to the River Stour. The SANG will connect to

existing footpaths and cycleways and once operational will form part of the longer-term delivery of the Stour Valley Park concept.

261. The quantum of SANG provision has been agreed with Natural England and the SANG strategy sets out the delivery and functionality of the SANG. The quantum of SANG provided measures 16.048 hectares which complies with the requirement of Natural England's Guidance. The applicant has also agreed to a contribution of £64,500 to enable the council to deliver SANG on the former railway land, this contribution will be secured through S106 agreement. Access to Wimborne and Bytheway SANG will be provided via existing public rights of way. The Section 106 agreement will also include provisions for the SANG to be made available to the public prior to the occupation of the first home on the site, maintenance arrangements and £56,020 as a bond to fund the Council's management of the SANG in the event of the owner defaulting. A car park is proposed within the scheme to serve the SANG, which will also be secured through the Section 106.
262. The inclusion of the SANG, maintenance and supporting car park is proposed to be secured in the Section 106 heads of terms and agreed with the applicant, ensuring that the proposal is in accordance with Policy PP10 (e) and Policy PP24.

### **Trees**

263. Policy PP27 (b) requires development to respond to natural features on the site and not result in the loss of trees that make a significant contribution either individually or cumulatively to the character and local climate of the area. Any scheme that requires the removal of trees should, where appropriate, include replacement trees to mitigate their loss.
264. The site contains a number of protected (TPO) trees. As identified in the arboricultural information provided in support of the application only a limited number of trees /hedgerows are proposed to be lost. Mixed species hedgerow (H2) which runs along the southern boundary of the site fronting Oakley Lane and is characterised as category C would be partially lost to facilitate vehicular access; T5 which is a category C Oak tree would be removed to facilitate the development, it is noted that options for translocation or replanting in the vicinity of the tree are to be explored at the appropriate Reserved Matters stage; Mixed species hedgerows H5 and H6 (category C), T13 and G4 would be removed to facilitate development parcels and highway works. No Category A or B trees are proposed for removal. Given the scale of open space and SANG land provided these losses will be adequately compensated for with replanting. The Design Code includes details of buffer zones between development parcels and contains tree palettes which are considered to be acceptable. Street trees will be provided on those parts of the development that will be adopted as highway land. This will be secured in the Section 106.
265. The Council tree officer has assessed the proposals and confirmed they have no objection.
266. In view of the submitted information and no objection from the tree officer the proposal is considered to be acceptable in respect of trees in accordance with Policy PP27.

### **Public Open Space and Play provision**

267. Policy PP10 (l) requires this site to provide a suitable level of play equipment and other facilities in accordance with Poole's Open Space Needs Assessment and Playing Pitch Strategy.

268. Policy PP25 sets out policy for open space and allotment provision within new development. PP25 (1) states that new development should contribute to the provision of a high quality network of open space ensuring links to and between open spaces are provided where appropriate. PP25 specifically states ‘strategic sites should provide open space on-site giving consideration to the standards set out in the Open Space Needs Assessment. Where this cannot be achieved, i.e. on high density town centre sites, the Council will require off-site provision in lieu of on-site provision secured through Section 106, which the Council will use to enhance nearby existing open spaces’.
269. Policy PP26 sets out policy for sports, recreation and community facilities. PP26 (1) states that the Council supports proposals for new sports, recreation and community facilities. In this case the application includes provision for new play facilities that as confirmed in PP26 (1) will be supported by the Council.
270. Open space standards are set out in the legacy document Borough of Poole Local Plan Open Space Needs Assessment (OSNA) (Nov 2017). This document is still current and adopted within BCP Council.
271. Based on the maximum development scenario the estimated population at 550 dwellings using an average of 2.42 people per dwelling would equate to 1,331 people. Using the OSNA the identified open space requirement would be 6.89 hectares including the following typologies:

Typology	Local Standard: Ha per 1000 population.	Total Ha required from development.	Total Ha provided
Strategic parks	0.75	0.99	0
Local Park / recreation grounds	0.5	0.666	1.828
Amenity Space	0.5	0.666	1.574
Natural & semi- natural spaces	3.0	3.993	4.185
Children and young people (play)	0.2	0.266	0.288
Outdoor sports facilities	Detailed through Playing pitch needs assessment		
Total	4.95	6.581	7.785

272. As set out in the table above the application includes, including an overprovision of some typologies, a range of open space within the development. The provision and management of all on-site open space will be secured through the Section 106 agreement. The application, however, does not propose to deliver a strategic park within the development. A strategic park is defined as being at least 10ha in size. Poole Park is a good example of an existing strategic park. Given that that the development only generates a need for 0.99ha of strategic park it is not practical for it to be included on site within this application. Policy PP25 states that on strategic sites, such as this, open space should be provided on-site. Where this cannot be achieved, for example on high density town centre sites, the Council will require off-site provision in lieu of on-site provision secured through S106 agreements. Whilst the site is not a high-density town centre site, this is merely an example and does not preclude other scenarios where an offsite provision may be appropriate. In this case, the

Council also has not identified any plans for new strategic parks to which a contribution would help deliver. Additionally, the scale of a facility such as a strategic park requires forward planning cross-conurbation. This combined with the fact that the scheme is over-providing open space across the entire site it is not necessary to secure a specific off-site for a strategic park.

273. The proposal does not include on-site playing pitch provision as it is impractical to do so without losing areas of housing. As with the provision of a strategic park above, Policy PP25 does state that on strategic sites, such as this, open space should be provided on-site. Where this cannot be achieved, for example on high density town centre sites, the Council will require off-site provision in lieu of on-site provision secured through S106 agreements. Whilst the site is not a high-density town centre site, this is merely an example and does not preclude other scenarios where an offsite provision may be appropriate. It is the council officer's view that the application site was released from the Green Belt to ensure the provision of family housing and it is imperative to ensure the efficient use of land to meet identified housing need so the benefits of releasing the site from the Green Belt are realised. It is therefore considered that an offsite contribution secured through a S106 agreement is appropriate to achieve strategic improvements of pitches across BCP Council area in lieu of an onsite provision.
274. The applicant has agreed to a total sum of £180,000 contribution to cover Fenner's Field - pitch improvements e.g. sand slitting, re-seeding/over-laying, new posts - £40,000; Delph Woods Cricket Pitch – pitch improvements e.g. sand slitting, re-seeding/over-laying, new posts - £50,000; Charborough Road Cricket Pitch – pitch improvements e.g. sand slitting, re-seeding/over-laying, new posts - £50,000; and Plainfield Farm, Broadstone – Improvements to Pitch 2 which is listed as overlaid in the Local Facility Football Plan including sand slitting and new drainage infrastructure - £40,000.
275. The application includes the provision of one Local Equipped Area of Play (LEAP), one Neighbourhood Area of Play (NEAP) and one natural play area within the site. The Quantum of Children and young people (play) space as shown in the table above is overprovided for. The play areas within the site will be secured within the Section 106 agreement. However, it is noted the application makes no provision for youth facilities other than the children and young person play provision identified in the table above, such as Multi-Use Games Areas (MUGAs) rebound walls or small wheeled facilities. In response, the applicant has agreed to an offsite contribution for youth facilities which will be secured through the s106 agreement. The sum of £210,000 is agreed to provide a Multi-Use Games Area - £100,000; Small wheeled play facility - £50,000; Table tennis table and hang out space - £10,000; and 10yr maintenance agreement @ 2.5% per annum - £50,000 .
276. In addition to the above sums a contribution of £10,500 has been agreed to fund signage and accessibility measures for proposed public open space.
277. In total the application includes the provision of 24.514 hectares of accessible greenspace which comprises 8.466 hectares of public open space in addition to 16.048 hectares of SANG within the application site.
278. The quantum of SANG provision has been agreed with Natural England and the SANG strategy sets out the delivery and functionality of the SANG. The quantum of SANG provided measures 16.048 hectares which complies with the requirement of Natural England's Guidance. The applicant has also agreed to a contribution of £64,500 to enable the council to deliver SANG on the former railway land, this contribution will be secured

through S106 agreement. Access to Wimborne and Bytheway SANG will be provided via existing public rights of way.

279. The proposal also includes the provision of allotments and a community orchard (which will be secured through the Section 106 agreement). The applicant's preference is to manage the open space, allotments, orchard 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 S106 Agreement. The provision for the management company will, however, be necessary to secure through conditions and / or section 106 agreement.
280. Given the above and range of on site provision and off-site contributions it is considered the proposal is in general accordance with criterion (l) of policy PP10, Policy PP25 and Policy PP26.

## **Ecology**

281. Policy PP10 (d) requires proposals at land north of Merley to implement mitigation measures to ensure no adverse impact upon European and internationally important sites and includes green corridors for biodiversity.
282. Policy PP10 (e) requires the site to provide a Suitable Alternative Natural Greenspace (SANG) that connects with other parts of the Stour Valley Park concept, designed in accordance with the Dorset Heathland SPD. A footnote to PP10 (e) requires the SANG to be implemented and open to the public prior to the occupation of the first home on the site.
283. Policy PP32 sets out the policy for Poole's nationally, European and internationally important sites. PP32 states that development will only be permitted where it would not lead to adverse effect upon the integrity, either alone or in-combination, directly or indirectly, on nationally, European and internationally important sites. PP32 sets out requirements for mitigation to be secured for the protection of Dorset Heathlands and Poole Harbour SPA. 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 would be secured through the Section 106 Agreement. Lengthy discussions have taken place between Natural England, Dorset Wildlife Trust, and BCP Biodiversity officers. Natural England is now satisfied with the mitigation/avoidance measures and raises no objection to the proposal.
284. Policy PP33 relates to Biodiversity and Geodiversity. PP33 (1) requires development to demonstrate how any features of nature conservation and biodiversity interest are to be protected and managed to prevent any adverse impact, incorporate measures to avoid, reduce or mitigate disturbance of sensitive wildlife habitats and seek opportunities to enhance biodiversity through the restoration, improvement and creation of habitats and / or ecological networks. PP33 also requires new development where relevant to secure a net gain in biodiversity as appropriate. PP33 (2) states that a biodiversity appraisal should be submitted to demonstrate that the development will not result in any adverse impacts and secures a net gain for biodiversity.
285. The application is supported by a ecological assessment and relevant chapters in the Environmental Statement assessing the impacts on biodiversity and mitigation required. The proposal includes a series of measures to secure biodiversity enhancements and to ensure the development will not lead to a likely significant effect on protected habitats. A

Landscape and Ecology Management Plan is included within the application to ensure the long term protection of biodiversity measures required to support the development.

286. The proposal has the potential to cause the loss of roosting and foraging habitats for bats, largely through removal of trees, but also during construction and lighting within the scheme. 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. The Biodiversity officer noted the proposed street lighting does not make provision for bat sensitive lighting. Street lighting plans are not included in the approved plans so the required lighting will instead be secured through conditions.
287. Barn owl were identified as using the site. The tree which contained roosting barn owl is to be retained along with additional habitat retention and enhancement is proposed throughout the SANG.
288. A large area of the site is dedicated to the provision of SANG, with some areas of open space, allotments and community orchard, all of which will contribute towards increasing the site's biodiversity quality. The provision of landscaping, the full details of which will be secured at the appropriate subsequent stage, will include native tree planting, species-rich grassland, and attenuation ponds help to provide new habitats for wildlife. The applicant has provided a Biodiversity Net Gain (BNG) assessment to demonstrate there would be a BNG as required by Policy PP33 Biodiversity and Geodiversity. The biodiversity officer and Natural England are in agreement that the site will achieve BNG.
289. A key part of the required ecological mitigation is the provision of the SANG, which will comprise 16.048 hectares of land and is necessary to avoid an increase in recreation pressure on the Dorset Heathland nature conservation areas. The existing marshy grassland, neutral grassland and existing trees along the Carriage Drive will also be used to incorporate habitat enhancement and new habitat creation and tree planting.
290. The SANG will be accessible to residents and members of the public who are not residents of the development either via the Carriage Drive (Public Right of Way) and one of a number of proposed SANG pedestrian routes. The SANG pedestrian routes travel across the entire SANG with a number of them forming loops or circular walks ranging from 900 metres to 2.8 kilometres. The Carriage Drive PROW which runs through the site will be resurfaced, with a contribution secured through the S106 agreement toward the resurfacing of the PROW which connects to Oakley Hill which is not within the applicants control. Waymarking and signage will be used on walks and trails to minimise potential effects of wildlife disturbance, with boardwalks provided in sensitive wetland habitats. Additionally specific dog friendly areas for off-lea time will be created which will incorporate dog friendly facilities such as waste bins and dog pond. Two small car parks would be provided to facilitate access to the SANG .
291. The SANG features would be secured in perpetuity through the Section 106, and the Landscape and Ecology Management Plan would include regular monitoring to respond to changes that may be required in the future. The implementation of the mitigation and enhancement strategy will result in permanent beneficial effects at the site level for both habitats and species.
292. 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.

293. Mitigation measures for additional recreational impacts are required in accordance with the Local Authorities Poole Harbour Recreation SPD. Mitigation in the form of SAMM will be secured through the S106 agreement. The site does not fall within the nutrient neutrality catchment area and as such no contribution is required in this respect.
294. Most of the site is maintained grassland, used for grazing and as such is of limited ecological value, however given the scale of the proposal there is potential for other ecological impacts which need consideration.
295. In order to ensure that criterion (d) of policy PP10 is achieved along with the requirements of PP33 a 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. In view of the mitigation secured and design approach within, the application is considered to be in accordance with PP10 and PP33 in respect of ecology.

### **Flood risk and drainage**

296. The application is supported by a Flood Risk Assessment. The Environment Agency and the Local Lead Flood Authority raise no objection to the proposals. 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.
297. Current surface water flooding and groundwater flooding in the site is low. Based on the information submitted including ground water monitoring and the preliminary drainage designs, a satisfactory sustainable drainage solution is possible. Designs will need to be refined at the appropriate detailed design stage and an allowance made for urban creep. At this stage the drainage design is suitably advanced to allow approval in principle however details can be secured by condition to provide information based on actual contributing areas including an allowance for urban creep once known.
298. The drainage strategy proposes connection to the mains sewerage system for foul drainage with surface water dealt with via infiltration and attenuation features. The attenuation features will be secured through the Section 106 agreement.
299. Public representations from the Save Land North of Merley group have highlighted concern with the location on attenuation basins/SUDs features within the open space land, siting concern with gradient and depth of standing water as barriers to them being effective element of an open space provision. These features would be located within semi-natural and natural typologies of open space and the LLFA has confirmed the gradients and depth of standing water are such that they could reasonably be considered open space elements in the same way a duck pond may be. In view of the response from the LLFA the proposal is considered to be in accordance with Policy PP38.

### **Renewable Energy**

300. Policy PP37 sets out the requirements for development to meet in respect of renewable energy. In accordance with the requirements of Policy PP37, the development will ensure that 20% of the energy requirement for each home are provided from renewable energy sources. The Care Home will also achieve 'Very Good' or 'Excellent' BREEAM rating depending on the final floor area that will come forward. Both of these aspects ensure that

the proposal is in accordance with Policy PP37: Building sustainable homes and businesses. The commitment will be secured through a planning condition and / or the Section 106 agreement.

### **Air Quality and odour**

301. Policy PP27 (c) requires development to be compatible with surrounding uses and not result in harmful impacts on a number of environmental aspects including emissions
302. Policy PP34 seeks to direct development to the most accessible locations to help reduce the need to travel and in turn emissions and benefit air quality.
303. In respect of odour, the applicant has submitted an Odour Impact Assessment. Furthermore, the Environmental Statement has carried out odour sampling. An Air Quality Assessment (AQA) was submitted as part of the Environmental Statement, which included odour sampling.
304. The site and supporting information have been reviewed by Wessex Water and their regional scientist. The Wessex Water regional scientist has determined that the majority of the proposed residential areas are likely to be outside the 3OUE odour boundary.
305. Wessex Water have also raised that there is a potential risk of nuisance from chironomid fly due to the nearby sewage treatment works in Wimborne. Wessex Water recommend a 250m buffer zone between sensitive receptors and the boundary of the sewage treatment works. The applicant has provided a 340m buffer zone between the Wimborne treatment works and the sensitive elements of the scheme, which is in excess of the buffer recommended by Wessex Water.
306. In view of the information submitted, review by Wessex Water and location of the residential development, the proposals are considered be acceptable in terms of impacts from odour in accordance with Policy PP27.
307. In respect of air quality, public representations suggest that the applicant's air quality assessment (AQA) is not-fit-for purpose due to a lack of diffusion tubes in the area. The Council has, however, been monitoring air pollution since the planning application was submitted. 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. Following clarification of a number of points, the Council's Environmental Health Officer (EHO) is satisfied with the findings of the AQA including that the effect on air quality experienced by existing receptors in the local area is predicted to be negligible and air quality for future residents within the proposed development is predicted to be within air quality objectives. The information submitted indicates that the UE2 site at Bearwood has been included in the traffic modelling and therefore also in the AQA of cumulative impacts. Whilst acknowledging the concerns of residents, due to the Council's EHO being satisfied with the findings of the AQA it is concluded that the proposals accord with Policy PP34 in respect of air quality.

### **Contaminated land**

308. Policy PP27 requires a good standard of design in all new development. Criterion (c) requires development to be compatible with surrounding uses and not to impact upon amenity for both local residents and future occupiers considering a range of specified environmental considerations. It is considered that contaminated land is an aspect that

needs to be confirmed as appropriate in order for overall amenity for existing and future residents to be safeguarded.

309. The Councils EHO has assessed the Desk Study Report (ASL, Report Number 415-17-087-11, dated Jan 2018) which was submitted with the application. The EHO raises no objection but recommends an intrusive investigation prior to development commencing to assess the status of actual ground contamination and the gas regime. A suite of appropriately worded conditions is recommended as set out in the list of conditions contained within this report. In this regard and inclusion of the proposed conditions, the proposal is considered to accord with Policy PP27 in respect of land contamination.

### **Minerals**

310. Part of the application site is within the Minerals Safeguarding Area designated under Policy SG1 of the Bournemouth, Dorset and Poole Minerals Strategy 2014. The majority of the safeguarded minerals, which comprises sand and gravel, lies within the areas identified as SANG with more limited pockets of safeguarded sand and gravel in the areas proposed for built development site.
311. 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.
312. The application is supported by a Minerals Statement. This Statement argues ground investigation indicates that it is very unlikely to be economically viable to obtain significant quantities of aggregate from the site that mineral extraction unviable. Instead, the minerals would be better used onsite where practical. Additionally, it should be considered that 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 likely undermine the proposed drainage strategy and foundations.
313. 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. Therefore, in this instance extraction of the mineral is not practical and would significantly hinder the capability of the site to be developed sustainably. A condition has been agreed with the applicant to ensure some proportion of the minerals within the development areas will be used onsite. The proposals in conjunction with the condition accord with Policy SG1 of the Minerals Strategy 2014.

### **Healthcare Provision**

314. Policy PP10 (k) sets out that the site should provide a contribution to upgrading a local doctor's surgery. Policy PP39 relates to delivering Poole's infrastructure and the Council working with infrastructure providers in line with growth.
315. The Dorset Clinical Commissioning Group have identified that the development would have an impact upon primary and community care resources within the Poole North Primary Care Network and as such have requested a financial contribution towards one additional treatment room and one additional consultation room. The applicant has agreed to the

provision of a total sum £140,000 towards this provision which will be secured through the S106 agreement. The Council will work with the Dorset CCG to ensure the contributions deliver the required healthcare infrastructure alongside the build out of the development. As such it is considered that the proposal is in conformity with criterion (k) of policy PP10 and Policy PP39.

### **Waste / Refuse**

316. The Council's Waste Collection Authority have no objections to the proposal. The detailed collection arrangements will be part of the reserved matters. As this stage a contribution is proposed for inclusion within the Section 106 to ensure each residential property is provided with a bin suitable for future waste collection arrangements.

### **Planning Obligations - Section 106 Agreement/CIL Compliance**

317. Mitigation of the impact of the proposed development on recreational facilities; Dorset Heathlands and Poole Harbour Special Protection Areas; and strategic transport infrastructure is provided for by the Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council in February 2019. In accordance with CIL Regulation 28 (1) this confirms that dwellings are CIL liable development and are required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.
318. The site is within 5km (but not within 400m) of Heathland SSSI and the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their impact upon the Heathland. As part of the Dorset Heathland Planning Framework a contribution is required from all qualifying residential development to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Dorset Heathlands. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations.
319. In addition, the proposed net increase in dwellings would not be acceptable without appropriate mitigation of their recreational impact upon the Poole Harbour SPA and Ramsar site. A contribution is required from all qualifying residential development in Poole to fund Strategic Access Management and Monitoring (SAMM) in respect of the internationally important Poole Harbour. This proposal requires such a contribution, without which it would not satisfy the appropriate assessment required by the Habitat Regulations.
320. The necessary Dorset Heathlands and Poole Harbour Recreation SAMM contributions (appropriately indexed linked) can be secured via a Section 106 Agreement.
321. 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.
322. 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 proposed to ensure the provision of the relevant infrastructure and facilities at the appropriate to meet the needs of the future occupiers of the proposed development but also in the acknowledgement of the need for developer to maintain a cash flow in delivering the development, but are subject to on-going negotiation with the applicant:

Type	Description	Condition/S106	Obligation
Education	Education Contribution	S106	<p>£4,384,400 towards First School and Middle School expansion</p> <p>Contribution to be payable in 2no instalments as follows:</p> <p>First instalment of £3,601,824 payable prior to the occupation of the 50<sup>th</sup> dwelling.</p> <p>Second instalment of £782,400 payable prior to the occupation of the 250<sup>th</sup> dwelling.</p>
Employment	Off-Site Employment Contribution	S106	<p>£356,000 towards supporting the provision of off-site business start-ups/incubator units.</p> <p>Contribution to be payable prior to the occupation of the 300<sup>th</sup> dwelling.</p>
Housing	Affordable Housing	S106	40% of the total number of dwellings to be provided with a tenure split of 70% Affordable Rent and 30% Intermediate Housing. Units to interspersed throughout the development.
	Affordable Housing	S106	Prescribed affordable housing mix as per table in Paragraph 117 of this report
	Accessible and Adaptable Dwellings	S106/Condition	Provide at least 20% of a mix of the housing types within each phase of development to be built in accordance with Building Regulations Part M4(2) standards.
	Custom/Self-Build	S106/Condition	Provide 4 serviced Custom / Self-Build plots.
	Renewable Energy	Condition	Minimum of 20% of the predicted energy use of the residential dwellings in each parcel of development and the care home facility to be provided from renewable energy sources

			Care home to meet a 'Very Good' (where up to a 1,000 sq.m net floor space) or 'Excellent' (where over 1,000 sq.m net floor space) BREEAM rating.
Health	Primary and Community Healthcare Contribution	S106	£140,000 towards the expansion and/or upgrading of local doctor's surgeries. Contribution to be payable prior to the occupation of the 250 <sup>th</sup> dwelling.
Refuse	Refuse/Recycling Contribution	S106	£45 per 180 litre bin per house £55 per 240 litre bin per house  £150 per 660 litre bin (plastic) for flats £180.00 per 1100 litre bin (plastic) for flats  Contribution to be payable prior to the commencement of development of each phase of development.
Habitat Regulations	Dorset Heathlands Strategic Access Management & Monitoring (SAMM)	S106	£292 per flat  £428 per house  Contribution to be payable on the commencement of each phase of development. Admin fee capped at a maximum of £1,000
	Poole Harbour Recreation Strategic Access Management & Monitoring (SAMM)	S106	£104 per flat  £152 per house  Contribution to be payable on the commencement of each phase of development. Admin fee capped at a maximum of £330
Suitable Alternative Natural Greenspace (SANG)	SANG Contribution	S106	£64,500 towards the provision and/or enhancement of an area of former railway land that is situated to the east of the B3073 Oakley Hill and within the ownership of the Council to provide to provide improved access and to link into the

			walking routes within the SANG Land.  Contribution to be payable prior to the commencement of development.
	Provision, management and maintenance of SANG Land	S106	Provision and Management/Maintenance of 16.048 hectares of land to be provided as SANG.  Following the completion of the works to provide it, the SANG is to be made available for use by the public prior to the occupation of the 1st dwelling.
	Provision, management and maintenance of SANG/Community Use Car Parks	S106	Provision and Management/Maintenance of SANG/Community Use Car Parks  Following the completion of the works to provide them, the SANG/Community Use Car Parks shall be made available for use by the public prior to the SANG first being brought into use (prior to the occupation of the 1 <sup>st</sup> dwelling).
	SANG Bond	S106	£56,020 as a bond to fund the Council's management and maintenance of the SANG Land and/or Community Use Car Parks for up to 12 months in the event that the Owners default during the SANG period (80 years).  The Bond is payable prior to the occupation of any dwelling.
Highways	Street Trees Establishment/ Maintenance Contribution	S106	£686 per tree to be provided on that part of the development to be adopted highway land. Contribution to be payable prior to the commencement of development of each phase of development.

Footpath	Footpath 92 Contribution	S106	£30,100 towards the cost of resurfacing/improving part of Footpath 92. Contribution to be payable prior to the occupation of the 1 <sup>st</sup> dwelling.
Transport	Transport Mitigation Contribution	S106	£1,982,000 towards the enhancement of local bus service provision. Contribution to be payable in 3no equal instalments prior to the occupation of the 100 <sup>th</sup> , 300 <sup>th</sup> and 450 <sup>th</sup> dwellings.
	Traffic Regulation Order Contribution	S106	£20,000 towards the cost of making future orders in relation to and arising from the development.  Contribution to be payable prior to commencement of development.
	Highway Works S278 Agreement	S106	Highway Works are to be secured via a S278 Agreement to include: <ul style="list-style-type: none"> <li>• Prior to the commencement of development, submit a Highways Scheme for approval of the Council for the detailed design, methodology and programme for delivery of all Highway Works including the programme of delivery of the the formation of the accesses into the site or part of the site in each phase.</li> <li>• Prior to the occupation of the 1<sup>st</sup> dwelling or such other date agreed with the Council, the Owners shall obtain all Highway Consents and carry out and practically complete the Highway Works in each phase of development. <ul style="list-style-type: none"> <li>• Prior to the occupation of any dwelling construct a signalised pedestrian crossing facility to Oakley Lane and make it available for public use. Complete the Highway Works within a</li> </ul> </li> </ul>

			phase of the development prior to the occupation of 75% or more of the dwellings within that phase of development.
Road Adoption S38 Agreement	S106		Prior to the commencement of development within each of the development a S38 Agreement will be entered into by the Owners with the Council for the adoption by the Local Highway Authority of all roads, footways, cycleways, highway verge and any other paths that are to be adopted etc to be maintained as publicly maintainable highway and for it to be delivered/transferred to the Council.
Travel Plan	S106		<p>Travel Plan to be submitted for approval by the Council and implemented prior to the occupation of the 1<sup>st</sup> dwelling.</p> <p>The Travel Plan will include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Appointment of a Travel Plan Co-ordinator;</li> <li>• Personal travel planning for each household;</li> <li>• Provision of at least 1 no free bus travel voucher for a period of 3 months per household; and</li> <li>• Incentives to use any bike hire scheme operating within the Council's administrative area.</li> </ul>
Travel Plan Monitoring Fee	S106		<p>£7,350 towards monitoring costs of the Travel Plan.</p> <p>Contribution to be payable prior to the occupation of the 1<sup>st</sup> dwelling.</p>

Heritage	Carriage Drive Resurfacing	S106	Scheme to be submitted for approval by the Council for the Resurfacing of Footpath 92 (Carriage Drive) and the approved scheme to be undertaken and completed prior to the occupation of any dwelling.
	Carriage Drive Landscape Mitigation/Improvement Works	S106	Scheme for Landscape Mitigation/Improvement Works to Setting of the Carriage Drive to be submitted for approval by the Council and implemented and subsequently maintained/managed in accordance with the details of the approved scheme.
Public Open Space and Play Areas (On-Site Provision)	Provision, Management and Maintenance of On-Site Public Open Space	S106	Provision and Management/Maintenance of On-Site Public Open Space in accordance with the details shown on the Land Use Budget and Open Space and Green Infrastructure Parameter Plans
	Provision, Management and Maintenance of On-Site Play Areas	S106	Provision and Management/Maintenance of On-Site Public Open Space (including the Attenuation Ponds) in accordance with the details shown on the Land Use Budget and Open Space and Green Infrastructure Parameter Plans.
	Provision, Management and Maintenance of On-Site Allotments and Community Orchard and Associated Car Park	S106	Provision, Management/Maintenance of On-Site Allotments and Community Orchard and Associated Car Park
	Attenuation Basins/Ponds	S106	Provision of Attenuation Basins/Ponds prior to the occupation of any dwelling that requires use of them.
Public Open Space and Play Areas	Off-Site Public Open Space (Youth Play Facilities) Contribution	S106	£210,000 towards the provision and enhancement of youth play facilities in the vicinity of the site as follows:

(Off-Site Provision)			<ul style="list-style-type: none"> <li>• Multi-use games area - £100,000</li> <li>• Small-wheeled play facility - £50,000</li> <li>• Table tennis tables and hang out space - £10,000</li> <li>• Maintenance of the youth play facilities for a period of 10 years - £50,000</li> </ul> <p>Contribution to be payable in 2no equal instalments prior to the occupation of the 50<sup>th</sup> and 250<sup>th</sup> dwellings.</p>
	Off-Site Sports Facilities Contribution	S106	<p>£180,000 towards pitch improvements in the vicinity of the sites as follows:</p> <ul style="list-style-type: none"> <li>○ Fenner's Field –£40,000</li> <li>○ Delph Woods Cricket Pitch –£50,000</li> <li>○ Charborough Road Cricket Pitch –£50,000</li> <li>○ Plainfield Farm, Broadstone –£40,000</li> </ul> <p>Contribution to be payable in 2no equal instalments prior to the occupation of the 50<sup>th</sup> and 250<sup>th</sup> dwellings.</p>
	Signage and Accessibility Contribution	S106	<p>£10,500 towards the provision and improvement of signage and accessibility to local public open spaces and walking/cycling routes.</p> <p>Contribution to be payable prior to the occupation of the 1st dwelling.</p>

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

### **Planning Balance / Conclusion**

323. 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.
324. 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 2022) show in the area covered by the Poole Local Plan, 78% of the target was met, which is above the government threshold of 75%. However, at the same time the Council's housing land supply on the Poole Local Plan area now stands at 4.1 years with a 20% buffer. The NPPF confirms that where an LPA cannot demonstrate a five year land supply the presumption in favour of development now applies with relevant housing supply policies to be considered as out of date. 172. Given the shortfall in supply of homes, 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.

325. It is not considered, for reasons set out in this report, that the policies in respect of heritage assets, transport 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 do not 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.

There are many social, economic and environmental benefits to the proposal that include:

- Delivery of 550 new homes comprising mostly family housing, meeting the site-specific requirement of PP10, helping balance the housing market where urban intensification of flatted development is prevalent, and helping counteract the shortfall identified in the Council area's housing land supply
- Provision of 40% affordable housing to help house some of the 1,221 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 self-build plots and a new care home to help meet the forecast needs of an ageing population;
- Financial contribution to expand primary and middle school capacity;
- Provision of 16.048 hectares of SANG and providing enhanced public access to the Green Belt;
- Overprovision of public open space including 3 play areas (1 NEAP/1 LEAP/1 natural play) providing new facilities to future and existing nearby residents, provision of community allotments and orchard;
- Enhancements to sustainable transport included, prioritising walking, cycling and use of public transport as well as financially supporting improvements to the Poole and Wimborne Road corridor;
- Sustainable transport corridor improvements including additional traffic calming along Oakley Lane, and B3073 at the Willet Arms and the junction with Magna Road;
- Provision of new network through the site for walking and cycling to Wimborne town centre and facilities, benefitting both future and existing residents;
- Delivery of a new access road into the Employment designation which forms part of the overall allocation which is on land outside of the applicant's control;
- Employment opportunities during construction of the development as well as an uplift in spending within the local economy for the duration of the construction process, and from the new homes' residents;
- Structural planting and landscaping, including a significant amount of new tree planting across the site will improve visual amenity, have biodiversity benefits and assist in carbon sequestration and improvements to air quality; and
- Over £5m financial contributions through Section 106 Agreement and following future Reserved Matters applications in the order of £3.9m CIL, as well as New Homes Bonus and Council Tax.

326. There are a few areas where policy requirements are not fully met. For instance, there is the no on-site provision of a strategic park or playing pitches as required through the Council's open space standards. Additionally, while the quantum of children and young peoples play space is overprovided onsite, there is no provision on-site for youth facilities. In order to mitigate the above conflicts, the applicant has agreed to a package of contributions to be secured through S106 agreement for off-site provision/enhancements. On balance the application would secure provision of open space and provision of a strategic SANG which greatly exceeds the overall open space requirements and will become a key facility for the area. The SANG also contributes significantly towards biodiversity net gain and public access to the Green Belt.
327. As set out in the heritage section above there has been extensive dialogue between local authority conservation officer, urban design and planning officers and with officers at Historic England. Overall, it is concluded that the proposal would lead to less than substantial harm to heritage assets which must be weighed against the benefits of the scheme in the planning balance.
328. One issue of note concerns Historic England's recommendation for the removal of the Stour Valley Edge character area in order to lessen impacts upon the non-designated heritage asset (the carriage drive). However Historic England also accept that even in the event of the removal of this character area (resulting in the loss of around 50 dwellings) there would still remain, from the proposal as a whole, less than substantial harm. With regards to the specific benefits arising from the Stour Valley Edge Character area would include:
- 50 dwellings above the Local Plan's absolute minimum of 500 carried an environmental benefit arising from maximising the provision of housing on currently allocated sites, as such lessening the pressure to release new green field / Green Belt allocations will be required in the current Local Plan review;
  - The additional 20 affordable homes which will contribute towards the current shortfall;
  - Additional employment and uplift in spending during construction.
329. The above benefits are directly related to this element of the proposal rather than for example the SANG and POS which would need to be provided whether the scheme was achieving the minimum of 500 units or the proposed 550 units.
330. Historic England maintain a level of concern with the proposal, but it is important to note this is not an objection and note that there would be less than substantial harm to the setting of Grade I listed Canford Manor. In accordance with paragraph 199 of the NPPF all harm requires clear and convincing justification, noting the more important the asset the greater the weight that should be given to its conservation. When taken in the balance against the extensive and significant benefits delivered as set out above, it is considered that this less than substantial harm is justified and outweighed.
331. 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

332. When considering the proposal as a whole and in view of the shortfall in the number of homes delivered against the Local Plan target, the planning balance is clearly 'tilted' towards granting planning permission. The substantial public benefits, as detailed above, of granting planning permission for up to 550 homes of which 40% will be affordable housing and include a care home are therefore considered to outweigh any adverse impacts. The recommendation is to grant planning permission.

### **Background Documents**

333. For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

### **Recommendation**

334. **GRANT** planning permission subject to:

(a) the following conditions with power delegated to the Head of Planning (or any other officer nominated by them for such a purpose) to alter and/or add to any such conditions provided any alteration/addition in the opinion of the Head of Planning (or other relevant nominated officer) does not go to the core of the decision; together with

(b) a deed pursuant to section 106 Town and Country Planning Act 1990 (as amended) securing the terms included in this report with power delegated to the Head of Planning (or any other officer nominated by them for such a purpose) to agree specific wording provided such wording in the opinion of the Head of Planning (or other relevant nominated officer) does not result in a reduction in the terms identified.

### **Conditions**

#### 1. OL010 (Submission of Reserved Matters)

No development shall commence on site until details of the access (other than the locations of the access junctions into the site off Oakley Lane), appearance, landscaping, layout and scale (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 thereafter 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.

#### 2. OL080 (Submission of Reserved Matters (3 Years))

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 of the date of this permission.

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.

### 3. OL050 (Phasing Development)

No development (excluding site clearance (not including demolition), archaeological investigation, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, installation of tree protection fencing, erection of any temporary means of enclosure, site set up and ancillary welfare stations for the purposes of any highway works only) shall take place until a scheme for the phasing of the development has been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme of phasing unless any subsequent variation to the phasing of the development is first agreed in writing by the Local Planning Authority.

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

### 4. PL02 (Plans Listing - Outline)

The details of the development which are required in relation to the reserved matters pursuant to Condition No.2 of this permission shall be in accordance with the details contained on the following approved plans:

Regulating Plan (Drawing no. RP01 Rev. Jan 2022 (A)) – Received 18 February 2022;  
Land Use Plan (Drawing no. LB02 Rev. Dec 21 (A)) – Received 20 December 2021;  
Land Use Budget Plan (Drawing no. LB01 Rev. Dec 21 (B)) – Received 20 December 2021;  
Access and Circulation Plan (Drawing no. PP01 Rev. Dec 21 (E)) – Received 20 December 2021;  
Open Space and GI Plan (Drawing no. PP02 Rev. Dec 2021 (C)) – Received 20 December 2021;  
Building Heights Plan (Drawing no. PP03 Rev. Dec 21) – Received 18 February 2022;  
Identity Areas Plan (Drawing no. PP004 Rev. Dec 21) – Received 20 December 2021;  
Densities Plan (Drawing no. PP006 Rev. Mar 22) – Received 11 March 2022; and  
Landscape Mitigation in Response to Setting of Carriage Drive (Drawing no. 10436/P30e) – Received 20 December 2021.

Reason: To ensure that the development can be accommodated within the application site and is developed in accordance with the parameters against which it has been assessed having regard to its' visual and landscape context and to ensure the delivery of a development of an appropriate design quality in the interests of the landscape and visual amenity of the surrounding area.

### 5. PL02 (Plans Listing - Outline)

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

Site Location Plan (Drawing no. RL01 Rev. C (25/06/19)) – Received 20 December 2021;  
Proposed Traffic Calming Scheme Sheet 1 of 2 (Drawing no. 0001 Rev. P15) – Received 28 May 2021;  
Proposed Traffic Calming Scheme Sheet 2 of 2 (Drawing no. 0002 Rev. P14) – Received 28 May 2021;  
A341/Canford Magna Junction Proposed Ghost Island (Drawing no. 0006 Rev. P03) – Received 28 May 2021;  
A341/Canford Magna Junction Proposed Pedestrian Provision & Traffic Calming (Drawing No. 0007 Rev. P01) – Received 28 May 2021;  
Oakley Hill / Oakley Lane Proposed Mitigation Option Overall Plan (Drawing no. 0005 Rev. P04) – Received 28 May 2021;  
Green Infrastructure Strategy (Drawing no. 10436/P23K) – Received 20 December 2021;  
Carriage Drive Heritage Plan (Drawing no.10436/P33b) – Received 20 December 2021;  
Proposed SANG Strategy (Drawing no. 10436/P13L) – Received 20 December 2021;

POS/SANG Typologies (550 Homes) Plan (Drawing no. 10436\_P50 Rev. E) – Received 18 February 2022;

Design Code (March 2022) Rev. 2022v6 – Received 11 March 2022; and  
Design and Access Statement Rev. 2022 – Received 11 March 2022.

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

#### 6. AA001 (Non-Standard Condition)

The details of the development which are required pursuant to Condition No.2 above shall be in broad accordance with the principles, design criteria and all other details contained within the approved Design Code (UE1. Land North of Merley Poole) March 2022 Revision 2022v6.

Reason: In the interests of the character and appearance of the development and to ensure that it is of an acceptable design standard and respects the context of the site and in accordance with Policies PP10 and PP27 of the Poole Local Plan (November 2018).

#### 7. AA001 (Non-Standard Condition)

Each reserved matters application shall be accompanied by a Compliance Statement that addresses how the reserved matters application is in compliance with the principles and design criteria and all other details established by the approved Design Code, or if at variance with the Design Code how the application improves upon the principles and design standards of the Design Code.

Reason: To ensure that the development complies with the principles and design standards established by the Design Code in the interests of the character and appearance of the development and to ensure that it is of an acceptable design standard and respects the context of the site and in accordance with Policies PP10 and PP27 of the Poole Local Plan (November 2018).

#### 8. AA001 (Non-Standard Condition)

The number of dwellings permitted to be constructed on this site shall not exceed a maximum of 550 dwellings. For the avoidance of any doubt, the 550 dwellings does not include the care home facility.

Reason: It has been assessed that this is an appropriate quantum of development for the site in the interests of the character and appearance of the development and to ensure that it is of an acceptable design standard and in accordance with Policies PP10 and PP27 of the Poole Local Plan (November 2018).

#### 9. AA001 (Non-Standard Condition)

The care home facility (Use Class C2) shall provide a minimum of 60 bed spaces but shall not exceed a maximum of 62 bed spaces.

Reason: To ensure flexibility to meet the evolving needs of the community, for the avoidance of doubt and in the interests of proper planning and in accordance with Policies PP10 and PP12 of the Poole Local Plan.

#### 10. AA001 (Non-Standard Condition)

The total number of dwellings constructed pursuant to this outline planning permission shall comprise of a minimum of 85% of the dwellings as houses and a maximum of 15% as apartments/flats.

Reason: In order to ensure that the proposed development delivers an acceptable balance of the total number of dwellings to be constructed as houses and apartments and to ensure that it would not prejudice the delivery of the town centre's major brownfield allocations in accordance with Policy PP10 (c) of the Poole Local Plan (November 2018).

#### 11. GN030 (Samples of Materials)

The Reserved Matters for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall provide a schedule of materials to be used for the external walls and roofs of all buildings relating to that phase of development, and where so required by the Local Planning Authority samples and/or sample panels of the materials shall be made available and/or constructed on site for inspection, for approval in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the development and to ensure that it is of an acceptable design standard and in accordance with Policies PP10 and PP27 of the Poole Local Plan (November 2018).

#### 12. GN162 (Renewable Energy – Residential)

The Reserved Matters for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall provide details of how a minimum of 20% of the predicted future energy use of each dwelling within that phase of development will be provided from renewable energy sources for approval in writing by the Local Planning Authority. No dwelling/building within that phase of development shall be constructed above ground floor slab level until the submitted details have been approved in writing by the Local Planning Authority.

No dwelling within that phase of development shall subsequently be first occupied until the approved measures, in so far as they relate to that individual dwelling have been implemented in their entirety and made available for use and they shall thereafter be maintained in accordance with the manufacturer's specification and retained.

The submitted details should include, but not be limited to, the following:-

- The 'as built' SAP assessment documents. These should be the same documents issued to Building Control to address the Building Regulations Part L,
- The corresponding EPC (Energy Performance Certificate),
- Details of the renewable energy technology to be installed,
- Details of the siting of the renewable technology to be installed within the site and/or on the building and the extent of coverage, and
- A statement, summary or covering letter outlining how the data given in the above documents demonstrates that a minimum of 20% of energy use is provided by the renewable technology.

Reason: In the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply and in the interests of the character and appearance of the development in accordance with Policies PP27 and PP37 (2) of the Poole Local Plan (November 2018).

#### 13. GN162 (Renewable Energy – Non Residential)

The Reserved Matters application for the care home facility shall provide details of the measures to provide 10% of the predicted future energy use of the care home facility from renewable energy sources where the net floor space of the care home facility is less than 1,000 sq.m or 20% where

the net floor space of the care home facility exceeds 1,000 sq.m for approval in writing by the Local Planning Authority.

The approved measures must subsequently be implemented in their entirety and made available for use prior to the first occupation of any of the bed spaces within the care home facility and shall thereafter be maintained in accordance with the manufacturer's specification and retained.

The submitted details should include, but not be limited to, the following:-

- The 'as built' SBEM/BRUKL assessment documents. These should be the same documents issued to Building Control to address the Building Regulations Part L;
- The corresponding EPC (Energy Performance Certificate);
- Details of the renewable energy technology to be installed;
- Details of the siting of the renewable technology to be installed within the site and/or on the building and the extent of coverage; and
- A statement, summary or covering letter outlining how the data given in the above documents demonstrates that a minimum of 10% of the predicted future energy use of the care home facility is provided by the renewable technology where the net floor space of the care home facility is less than 1,000 sq.m or 20% where the net floor space of the care home facility exceeds 1,000 sq.m.

Reason: In the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply and in the interests of the character and appearance of the development in accordance with Policies PP27 and PP37 of the Poole Local Plan (November 2018).

#### 14. GN161 (BREEAM)

The care home facility shall achieve a BREEAM 'Very Good' rating (or equivalent standard) where the net floor space of the care home facility is less than 1,000 sq.m or a BREEAM 'Excellent' rating (or equivalent standard) where the net floor space of the care home facility exceeds 1,000 sq.m. Prior to first occupation of any of the bed spaces within the care home facility, the Post-Construction Review Certificate shall be submitted to the Local Planning Authority verifying that the relevant BREEAM rating has been met.

Reason: In the interests of delivering a sustainable and energy efficient scheme and in accordance with Policy PP37 (3) of the Poole Local Plan (November 2018).

#### 15. GN180 (Accessible and Adaptable Dwellings)

The Reserved Matters for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall be accompanied by details of measures to provide a minimum of 20% of a mix of housing types of the approved dwellings built in accordance with the requirements of Approved Document Part M4(2) Category 2 of the Building Regulations (2015) (as amended) or any other subsequent modification thereof. A plan identifying which dwellings will accord with Part M4(2) standards together with a statement setting out the provision to be made within that phase of development shall also accompany the Reserved Matters for approval in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Prior to the first occupation of any of the Accessible and Adaptable Dwellings within each phase of development, a written report providing verification of compliance with the Building Regulations Part M4(2) Category 2 standards shall be submitted to the Local Planning Authority for approval in writing.

Reason: In the interests of meeting the needs of the ageing population and in accordance with Policies PP10 (b) and PP12 (3) of the Poole Local Plan (November 2018)

16. AA001 (Non-Standard Condition)

Prior to the commencement of development, the location within the site for the provision of a minimum of 4no serviced custom/self-build plots shall be identified on a plan that shall be submitted to, and approved in writing by, the Local Planning Authority. The custom/self-build plots shall thereafter be laid out with vehicular and pedestrian access and fully serviced and shall be marketed in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the 200<sup>th</sup> dwelling.

Reason: To ensure that provision is made towards meeting the needs for custom/self-build plots and in accordance with Policies PP8 and PP10(b) of the Poole Local Plan (November 2018).

17. AA001 (Non-Standard Condition)

The Reserved Matters for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall provide details of the required earthworks, that shall include details of the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to the existing surrounding landform, the re-use/disposal of the existing spoil heaps within the site and the location of the storage of excavated materials, within that particular phase of the development for approval in writing by, the Local Planning Authority. No development shall commence in relation to that phase of development until such time that the submitted details have been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the proposed earthworks will relate satisfactorily to existing features within the site and its surroundings in the interests of landscape and visual amenity and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

18. AA001 (Non-Standard Condition)

The Reserved Matters for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall include details of the existing and proposed ground levels within that particular phase of the development and the proposed finished floor levels (in relation to a fixed datum point) of all dwellings/buildings within that phase of development and their relationship with adjoining buildings for approval in writing by the Local Planning Authority. No development shall commence in relation to that phase of development until such time that the submitted details have been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved ground levels and finished floor 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 (November 2018).

19. AA001 (Non-Standard Condition)

A Construction Environmental Management Plan for any phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development within that phase approved under condition 3.

The Construction Environmental Management Plan shall cover HGV delivery routes and route management, management and facilities for deliveries, the layout and siting of equipment and

material storage, site operatives parking, site compound, welfare facilities, and the recommendations of the Environmental Statement (May 2021) in paragraphs 3.9.9; 7.5.3-4; 8.7.4-9; 9.5.1; 9.5.16-17.

The Construction Environmental Management Plan shall be maintained and updated throughout the construction period of the development by the Project/Site Manager and any modifications to it shall be submitted to, and approved in writing by, the Local Planning Authority prior to their implementation. The development shall be carried out in accordance with the details contained within the approved Construction Environmental Management Plan at all times.

Reason: Due to the size of the development and scale of such construction related elements, in the interests of the creation of a safe highway environment to preserve highway and pedestrian safety and to minimise the potential for congestion, to minimise the impact on residential amenity and to minimise any potential pollution impact on the environment in accordance with Policies PP27, PP33, PP34 and PP35 of the Poole Local Plan (November 2018).

20. AA001 (Non-Standard Condition)

Each of the 5 proposed vehicular accesses off the north side of Oakley Lane as shown on the approved plans (Proposed Traffic Calming Scheme Sheet 1 of 2 (Drawing number 0001 P15) and Proposed Traffic Calming Scheme Sheet 2 of 2 (Drawing number 0002 P14)), but excluding works to create raised table junctions, shall be constructed as the first works for the phases of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) that the vehicular access is associated with.

Reason: In the interests of the creation of a safe highway environment in accordance with Policies PP34 and PP35 of the Poole Local Plan (November 2018).

21. AA001 (Non-Standard Condition)

The Reserved Matters for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall include the details, specification and layout of the construction, drainage, surface treatment and lighting of roads, footways, paths and cycleways for that phase of development, and a phasing plan for those works, for approval in writing by the Local Planning Authority. No development shall commence in relation to that phase of development until such time that the submitted details have been approved in writing by the Local Planning Authority. The development shall subsequently be implemented in accordance with the approved details and phasing plan.

Reason: In the interests of providing appropriate safe routes through the site, constructed to appropriate standards, in accordance with Policies PP34 and PP35 of the Poole Local Plan (November 2018).

22. AA001 (Non-Standard Condition)

The parking provision for residents, visitors and non-residential uses within the Reserved Matters application for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall accord with the BCP Council Parking Standards SPD (January 2021), or any superseding document, unless otherwise agreed in writing with the LPA. Full details of the location, layout and allocation of; vehicle parking, bicycle parking and bicycle storage and Electric Vehicle Charging (EVC) parking facilities shall be submitted to, and approved in writing by, the Local Planning Authority with the Reserved Matters application for each phase of development. The development shall thereafter be carried out in accordance with the approved details and the vehicle parking, bicycle parking and bicycle storage and Electric Vehicle Charging (EVC) parking facilities shall be made available for use prior to the first occupation or coming into

use of the residential unit or non-residential use with which they are associated and shall be kept available for those purposes and their associated use at all times.

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 (November 2018).

### 23. AA001 (Non-Standard Condition)

Prior to the first occupation of any dwelling approved pursuant to this outline planning permission, a comprehensive Travel Plan and phasing of that Travel Plan implementation shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan should follow the submitted Framework Travel Plan (dated June 2019), and be 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.

The Travel Plan shall subsequently be implemented in accordance with the approved details including the timetable/phasing for its implementation and operation.

Reason: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood and in the interests of the safe and efficient operation of the A31 by reducing reliance on the private car for journeys to and from the site and in the interests of highway safety in accordance with Policies PP34 and PP35 of the Poole Local Plan (November 2018).

### 24. AA001 (Non-Standard Condition)

A vehicular and pedestrian access shall be provided through the site up to the boundary with the adjacent Cruxton Farm complex to facilitate the potential future redevelopment and use of the existing farm buildings and site at Cruxton Farm for employment uses.

Reason: In the interests of the creation of an enhanced and safer means of access to and from this adjacent site in the interests of highway and pedestrian safety and to facilitate the potential redevelopment and use of the site at Cruxton Farm for employment in accordance with Policies PP10, PP34 and PP35 of the Poole Local Plan (November 2018).

### 25. AA001 (Non-Standard Condition)

Prior to the commencement of development, details, dimensions and specification of bus stops to be constructed along Oakley Lane, their street furniture and a timetable for their delivery shall be submitted to, and approved in writing by, the Local Planning Authority. The bus stops and associated furniture shall thereafter be implemented in accordance with the approved details and the timetable for delivery and thereafter shall be maintained and retained for those purposes at all times.

Reason: To ensure the provision of 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 (November 2018).

26. AA001 (Non-Standard Condition)

No development shall take place until such time that detailed boundary treatment plans, to include the provision of any acoustic mitigation measures, for the boundaries with the A31 trunk road and a timetable for their delivery shall be submitted to, and approved in writing by, the Local Planning Authority. The submitted details shall also include a method statement for the implementation of the approved boundary treatments and details of the responsibilities/schedule for their future maintenance. The boundary treatments shall subsequently be carried out in accordance with the approved details and method statement and timetable for delivery and shall thereafter be maintained as such in accordance with the approved details of the maintenance responsibilities and schedule and retained.

Reason: In the interest of the safe and efficient operation of the A31 trunk road and to minimise any potential noise impact/disturbance associated with the vehicular traffic along the A31 on the amenities of the future occupiers of the adjacent residential properties in accordance with Policies PP27, PP34 and PP35 of the Poole Local Plan (November 2018)..

27. AA001 (Non-Standard Condition)

A Dust Management Plan for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development within that phase of development approved under condition 3.

The Dust Management Plan should have regard to the Institute of Air Quality Management's "Guidance on the Assessment of Dust From Demolition and Construction" and "Guidance on Monitoring in the Vicinity of Demolition and Construction Sites" and include the recommended mitigation measures of the Environmental Statement (May 2021) in paragraphs 6.5.2 and 6.5.3.

The Dust Management Plan shall be maintained and updated throughout the construction period of the development by the Project/Site Manager and any modifications to it shall be submitted to, and approved in writing by, the Local Planning Authority prior to their implementation. The development shall be carried out in accordance with the mitigation measures contained within the approved Dust Management Plan at all times.

Reason: To protect the amenity of local residents and adjacent natural habitats from adverse levels of dust emissions during construction in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

28. AA001 (Non-Standard Condition)

No burning of construction waste materials shall take place on site.

Reason: To protect the amenity of local residents from smoke, ash, odour and fumes in accordance with Policy PP27 of the Poole Local Plan (November 2018).

29. AA001 (Non-Standard Condition)

Prior to the commencement of any development pursuant to this permission or site clearance works the developer shall submit for the written approval of the Local Planning Authority:

(a) A report of the findings of an intrusive site investigation and risk assessment, based on the conclusions of the ASL Desk Study Report (Report No. 415-17-087-11, dated Jan 2018), that must

be completed in accordance with a scheme to assess the nature and extent of any contamination and/or gases on the site in relation to the proposed use of the site, hereby approved, and documenting the actual ground conditions found on site and an appropriate quantitative assessment of risk to identified receptors. The site investigation and risk assessment must be undertaken by a competent person(s).

(b) If the site investigation and risk assessment identifies unacceptable risks and the need for remediation, a detailed scheme specifying remedial works and measures necessary to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and controlled waters and to avoid risk from contaminants and/or gases when the site is developed shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) The approved remediation scheme must be fully implemented in accordance with its terms prior to the commencement of development other than that required to carry out the remediation works. Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018) and Paragraph 183 of the NPPF (July 2021).

### 30. AA001 (Non-Standard Condition)

In the event that unexpected contamination is found at any time when carrying out the preliminary works, or works for approved development thereafter, that was not previously identified it must be reported in writing immediately to the Local Planning Authority and all development shall be ceased, unless otherwise first agreed in writing by the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the Environment Agency "Land contamination risk management (LCRM)" procedures and where remediation is necessary a remediation scheme must be prepared in accordance with sub-section (b) of Condition No.29 above and submitted to, and approved in writing by, the Local Planning Authority and implemented in accordance with the approved details in advance of the scheme recommencing. Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to, and approved in writing by, the Local Planning Authority prior to development commencing other than that required to be carried out as part of the approved scheme of remediation.

Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018) and Paragraph 183 of the NPPF (July 2021).

### 31. AA001 (Non-Standard Condition)

The Reserved Matters for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall be accompanied by a Refuse/Recycling Strategy for those uses contained within that specific phase of development. The Refuse Strategy

shall set out the following details:

- Suitable location(s) for the refuse vehicles to park, wait and turn when making collections; and
- In the event that receptacles are stored beyond the recommended distance of 10 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 10 metres from the refuse vehicle parking / waiting area(s), including details of the temporary holding area(s).
- Details of the arrangements for the private collection of refuse and recycling waste generated by the use of the care home facility that shall include details of the person(s)/management company responsible for administering the waste collection service on behalf of the care home facility, details of the commercial waste provider contracted to provide the refuse and recycling collection service, the type of refuse vehicles to be used, the frequency of collections and day(s) of collection.

The approved refuse/recycling facilities shall be completed and made available for use and the approved Refuse/Recycling 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 thereafter continue to be maintained and operated. Any variation to the approved scheme must be submitted in writing to the Local Planning Authority and shall not be implemented until written consent has been obtained.

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 (November 2018).

### 32. AA001 (Non-Standard Condition)

The Reserved Matters for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall be accompanied by a scheme of water efficiency measures to reduce the water consumption of the dwellings relating to that specific phase of the development for approval in writing by the Local Planning Authority. The scheme should demonstrate a standard of a maximum of 110 litres of water usage per person per day is applied for all residential dwellings. No development shall commence in relation to that particular phase of development until such time that the submitted details have been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and the approved measures shall be implemented and/or made available for use prior to the first occupation of each dwelling within that particular phase of development and shall thereafter be maintained and retained in full working order at all times.

Reason: In the interests of sustainable development and the prudent use and conservation of water resources to meet the demands of climate change and in accordance with the NPPF (July 2021).

### 33. DR040 (Sustainable Urban Drainage)

No development shall take place within each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) until such time that a scheme for the discharge and attenuation of surface water runoff from the buildings, roads and other hard surfaced areas for that phase of the development following the overarching strategy set out in the Flood Risk Assessment forming Appendix 8.1 of the Environmental Statement (May 2021) and subsequent addendums, together with a scheme for the future responsibility and schedule for maintenance of the surface water drainage scheme over the lifetime of the development, has been submitted to, and approved in writing by, the Local Planning Authority. Such scheme shall be based on sustainable urban drainage principles and an assessment of the hydrological and hydro-

geological context of the development. The surface water drainage scheme shall subsequently be implemented in its entirety in accordance with the approved scheme and made available for use prior to the first occupation of any of the dwellings within that particular phase of development and shall thereafter be maintained in accordance with the scheme for future responsibility and schedule for maintenance and retained.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and maintenance of the surface water drainage system in accordance with PP38 of the Poole Local Plan (November 2018) and Paragraph 169 of the NPPF (July 2021).

#### 34. HW230 (Permeable surfacing condition)

All ground hard surfaces shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the site. The hard surface shall thereafter be retained as such.

Reason: In the interests of delivering development which does not result in unacceptable levels of run-off and in accordance with Policy PP38 of the Poole Local Plan (November 2018).

#### 35. AA001 (Non-Standard Condition)

No development shall take place within each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) until such time that a foul water drainage strategy for the provision of foul water drainage has been submitted to, and approved in writing by, the Local Planning Authority. The foul water 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 and shall thereafter be maintained and retained in full working order at all times.

No dwelling shall subsequently be first occupied until all necessary works for the drainage of foul water from that dwelling have been implemented in accordance with the approved scheme and made available for use.

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 or cause pollution of controlled waters and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

#### 36. AA001 (Non-Standard Condition)

The Reserved Matters for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall be accompanied by a full tree survey, arboricultural impact assessment and, where necessary, and arboricultural method statement, taking account of the trees on the site and on adjoining sites. The development for each phase of development shall thereafter be carried out in strict accordance with any approved tree protection and mitigation measures.

Reason: In order that the Local Planning Authority may be satisfied that consideration has been given to the potential impact of the development on trees both on the site and adjoining sites that are protected by a Tree Preservation Order and to ensure that the trees to be retained will not be damaged during the construction works and to ensure as far as possible the work is carried out in accordance with current best practice in the interests of visual amenities and the biodiversity value

of the area and setting and character of the proposed development, in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

37. AA001 (Non-Standard Condition)

The development hereby permitted shall accord with the mitigation measures set out within Chapter 9 of the Environmental Statement (May 2021) and subsequent addendums.

Reason: To safeguard biodiversity and protected species in accordance with Policy PP33 of the Poole Local Plan (November 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 European and International

38. AA001 (Non-Standard Condition)

Notwithstanding the submitted details, the Reserved Matters for each phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall be accompanied by a Biodiversity Appraisal for that particular phase of the development based on up-to-date ecological survey work which is not more than 2 years old at the time of the submission of the Biodiversity Appraisal, including an assessment of biodiversity net gain and details of the biodiversity enhancement measures that are to be implemented and a timetable for their implementation, for approval in writing by the Local Planning Authority. No development shall commence in relation to that particular phase of development until such time that the submitted Biodiversity Appraisal has been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Biodiversity Appraisal and all biodiversity enhancement measures that are implemented shall thereafter be maintained and retained.

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

39. AA001 (Non-Standard Condition)

The Reserved Matters for each phase (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall be accompanied by a plan and details to show how hedgehog movement will be provided for between gardens/private amenity space and the surrounding land within that phase of development, for approval in writing by the Local Planning Authority. The details to be submitted shall include suitable holes (13cm x 13cm) at ground level in close boarded fences and walls, appropriate signage and their locations. The approved details shall be incorporated into each property before it is first occupied and thereafter shall be maintained for the intended purpose and the hedgehog holes and signage shall not be blocked or removed.

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

40. AA001 (Non-Standard Condition)

The Reserved Matters for each phase (to be approved through a scheme submitted pursuant to condition 3 of this permission) shall be accompanied by a Lighting Strategy for that phase of development for approval in writing by the Local Planning Authority. The lighting strategy shall be accompanied by a written confirmation from the applicant's ecologist that the strategy is in accordance with the ecologically sensitive areas, in particular where bats are documented using flight paths. No development shall commence within that particular phase of development until such time that the Lighting Strategy has been approved in writing by the Local Planning Authority.

The approved lighting scheme shall subsequently be implemented in accordance with the approved details and shall thereafter be maintained and retained.

Reason: To ensure that the lighting does not adversely affect the ecological value and interests of the site and protected species and to ensure that the lighting is appropriate in its context and contributes to public safety in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

#### 41. AR020 (Programme of Archaeological Work)

No development shall take place until a programme of archaeological work has been secured and implemented by an approved archaeological contractor in accordance with a written scheme of investigation that shall have been submitted to, and approved in writing by, the Local Planning Authority. This written scheme of investigation shall include archaeological field work together with the post-excavation work and the publication of the results of the findings.

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 (November 2018).

#### 42. AA001 (Non-Standard Condition)

Measures shall be taken to ensure the re-use on-site of all suitable sands or gravels raised during construction wherever viable, environmentally feasible and practicable to re-use them. Within three months of the substantial completion of groundworks in each phase of the development a report setting out the quantum of material re-used on site shall be submitted to the Mineral Planning Authority.

Reason: In the interest of sustainable use of mineral resources.

#### 43. AA001 (Non-Standard Condition)

Measures shall be taken to ensure the re-use on-site of all suitable sands or gravels raised during construction wherever viable, environmentally feasible and practicable to re-use them. Within three months of the substantial completion of groundworks in each phase of the development a report setting out the quantum of material re-used on site shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interest of sustainable use of mineral resources and in accordance with Policy SG1 of the Bournemouth, Dorset and Poole Minerals Strategy (Adopted May 2014).

#### 44. AA001 (Non-Standard Condition)

Prior to the commencement of any construction works above the ground floor slab level of any dwelling/building in any phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission), a Landscape and Ecological Management Plan (LEMP) for that phase of development shall be submitted to, and approved in writing by, the Local Planning Authority. The LEMP will include:

- a timed schedule of works including a requirement for the timing and programming of hedgerow planting;
- the provision and management of an 8 metre wide buffer zone taken from the top of the bank alongside the River Stour;
- establishing designated access points to the river;
- the maintenance and improvement of any existing towpath; and
- details of on-site biodiversity and landscape enhancement measures including an assessment of net gain in biodiversity.

The approved planting and ecological provisions shall subsequently be carried out in accordance with the approved details and timetable for implementation.

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 (November 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.

#### 45. AA001 (Non-Standard Condition)

Prior to the first occupation of the first dwelling, 16.048 Hectares of Suitable Alternative Natural Greenspace (SANG) and associated SANG/Community Use car parking facilities shall be provided, made available for use and open to public access. Thereafter the SANG and SANG/Community Use Car Parks shall be maintained, managed and monitored in strict accordance with the SANG Landscape and Ecological Management Plan (SANG LEMP) (to be approved through a scheme submitted pursuant to condition 46 of this permission).

Reason: In the interest of mitigating potential harm to the integrity and special features of the Dorset Heathlands that is designated as a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar site and part of the Dorset Heaths of Special Area of Conservation (SAC), and in accordance with Policy PP32 of the Poole Local Plan (November 2018).

#### 46. AA001 (Non-Standard Condition)

As part of the first Reserved Matters submission a SANG Landscape and Ecological Management Plan (SANG LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The SANG LEMP will include:

- A strategy including a detailed plan for the initial creation of the SANG Land and associated SANG/Community Use Car Parks; including a method statement; details of the design, layout and construction of the Car Parks, and timetable for the carrying out and completion of the SANG and SANG/Community Use Car Parks works;
- Management objectives and management constraints;
- the provision and management of an 8 metre wide buffer zone taken from the top of the bank alongside the River Stour;
- establishing designated access points to the river;
- the maintenance and improvement of any existing towpath;
- A maintenance plan, including a programme for the replacement of essential infrastructure and costs of infrastructure as well as annual maintenance costs;
- Proposals for the promotion of the SANG Land as open access land to the residents and visitors to the dwellings within the development and the general public and promotion of the SANG/Community Use Car Parks as open access car parks to the general public, and visitor strategy;
- Biodiversity and landscape enhancement strategy;
- Provisions for the monitoring of the SANG Land and the SANG/Community Use Car Parks by the Council in conjunction with other agencies acting on its behalf at the Council's discretion to include inter alia Natural England and Urban Heaths Partnership.

Reason: In the interest of mitigating potential harm to the integrity and special features of the Dorset Heathlands that is designated as a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar site and part of the Dorset Heaths of Special Area of Conservation (SAC), and in accordance with Policy PP32 of the Poole Local Plan (November

2018).

47. AA001 (Non-Standard Condition)

No development shall take place within any phase of development (to be approved through a scheme submitted pursuant to condition 3 of this permission) until full details of both hard and soft landscaping and green infrastructure 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:

- i. Soft landscape and green infrastructure plans including planting plans for all soft landscape areas, trees, urban greening, living walls, rain gardens or other green infrastructure interventions; 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;
- ii. The details, specification and layout of play equipment for the 'play space' shown on the approved plans including LEAP & NEAP;
- iii. Hard landscaping plans including details of surfacing and materials to mitigate waterlogging and ensure year-round access;
- iv. Proposed finished levels or contours;
- v. Vehicles and pedestrian access and circulation areas;
- vi. 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;
- vii. Management and maintenance plan and responsibilities for the public open spaces and play areas.

The dwellings shall not be occupied until such time as the respective public open space and play area(s) has/have been laid out, surfaced, fenced, landscaped and completed with items of play equipment installed in accordance with the approved details. The respective public open spaces and play area(s) shall be maintained in accordance with the approved details thereafter.

The approved landscaping for that particular phase of development shall be fully implemented with new planting carried out in the planting season October to March inclusive, 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: To ensure satisfactory appearance and functionality of the public open space and play area space provision; in the interests of visual amenities and the biodiversity value of the area and setting and character of the proposed development; and to ensure that the approve planting scheme is carried out at proper times and to ensure the establishment and maintenance of all trees and plants; in accordance with Policies PP10, PP24, PP25, PP26, PP27 and PP33 of the Poole Local Plan (November 2018).

48. AA001 (Non-Standard Condition)

No development shall take place until a scheme for the resurfacing of the Carriage Driveway has been submitted to, and approved in writing by, the Local Planning Authority. The Scheme shall

include details for the design, construction and surface materials for the resurfacing of this route, as well as on-going maintenance responsibilities. The approved works shall subsequently be undertaken and completed prior to the first occupation of any of the dwellings and shall thereafter be maintained in accordance with the details of the approved scheme.

Reason: In the interests of providing appropriate safe routes through the site, constructed to appropriate standards, and to enhance the condition of this non-designated heritage asset in accordance with Policies PP30, PP34 and PP35 of the Poole Local Plan (November 2018).

#### 49. AA001 (Non-Standard Condition)

As part of the first Reserved Matters submission a Landscape Mitigation Scheme to the setting of the Carriage Drive shall be submitted to, and approved in writing by, the Local Planning Authority. The Landscape Mitigation Scheme shall be in general accordance with the 'Landscape Mitigation In Response To Setting of Carriage Drive – Overarching Strategy' (Drawing No. 10436/P30d) and the details contained on the 'Carriage Drive Heritage Plan' (Drawing No. 10436/P33a) and shall include:

- A detailed tree and landscape planting and management plan to include native tree planting (secondary avenue) parallel to the Carriage Drive; retention and reinforcement of existing vegetation to southern side of the Carriage Drive through additional tree planting and enhancement of understorey vegetation to filter views of the development; and thinning of understorey vegetation on the northern side of the Carriage Drive to allow views towards the river to be experienced by users;
- Details for the provision of heritage interpretation boards set along the footpaths/historic features to provide historical information on the Carriage Drive and the relevant features (e.g. railway arch/bridge) so that they can be fully appreciated;
- A timetable for the carrying out and completion of the works;
- Management objectives and management constraints;
- Maintenance/management schedule and responsibilities that shall include all details of the Long Term Management of the Carriage Drive set out on the 'Carriage Drive Heritage Plan' (Drawing No. 10436/P33a);
- An arboricultural management plan to secure the health and condition of the existing trees along the Carriage Drive and to include a schedule for inspections and requirement for maintenance (where required) and replacement tree planting for failing specimens (where required) to ensure longevity of the avenue of trees.

The development shall subsequently be implemented and thereafter maintained in accordance with the details of the approved scheme.

Reason: In the interests of preserving the significance of this non-designated heritage asset and the contribution that it makes to the setting of the Grade I Canford School (former Canford Manor) in accordance with Policy PP30 of the Poole Local Plan (November 2018).

#### 50. AA001 (Non-Standard Condition)

No construction works shall take place and no deliveries shall be taken other than between the hours of 7:30am to 6:30pm on Mondays to Fridays and 8:00am to 1:00pm on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: To minimise the noise disturbance that could otherwise be caused to the occupants of nearby residential properties and to protect the general amenities of the surrounding area and in accordance with Policy PP27 of the Poole Local Plan (November 2018)

#### **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.

Also:

- In this case the applicant was advised of issues after the initial site visit;
- In this case the applicant was provided with pre-application advice and this was reflected in the proposals; and

In this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified.

### 2. IN74 (Community Infrastructure Levy - Approval)

Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations

The proposed development referred to in this Planning Permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (amended).

In accordance with CIL Regulation 65, the Local Planning Authority (LPA) will issue a Liability Notice in respect of the chargeable development referred to in this planning permission as soon as practicable after the day on which this Planning Permission first permits development. The Liability Notice will confirm the chargeable amount for the chargeable development referred to in this Planning Permission and will be calculated by the LPA in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted charging Schedule. Please note that the chargeable amount payable in respect of the chargeable development referred to in this planning permission is a local land charge.

Please be aware that failure to submit a Commencement Notice and pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this Planning Permission will result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including assuming liability, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the Poole website:

<http://www.poole.gov.uk/planning-and-buildings/planning/ldf/community-infrastructure-levycommunity-infrastructure-levy/>

### 3. IN81 (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 (as amended).

### 4. IN81 (SAMM contribution)

The necessary contributions towards SAMM arising from the proposed development have been secured by a S.106 Agreement.

### 5. 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.

#### 6. IN13 (Kerb Crossing to be Lowered)

The applicant is informed that the Local Highway Authority will require the footway and kerb to be lowered and reconstructed in the positions corresponding to the vehicular means of access to the site. This requirement is imposed in order to service the means of access; in order to prevent danger and inconvenience to other road users and to pedestrians; and in order to prevent possible damage to highway surfaces. The work shall conform to a specification to be provided by the Highway Authority (BCP Council), or it may be required to be undertaken by the Authority itself. In either event, the work will be required to be undertaken at the applicant's expense. With regards to such works the applicant should contact BCP Council on Tel: 01202 261700, by email at [droppedcrossings@bcpcouncil.gov.uk](mailto:droppedcrossings@bcpcouncil.gov.uk), or in writing to BCP Council, Environmental Services, Hatchpond Road Depot, Hatchpond Road, Poole, Dorset, BH17 7LQ. Contact should be made before the commencement of any works on or adjacent to the public highway.

#### 7. IN00 (Non-Standard Informative)

With regards to Air Quality, the applicant is advised that if the layout of the proposed development results in future receptors being located in closer proximity to air pollution sources, the Air Quality Assessment should be revised to account for the impact of the change. The final layout and design should seek, where possible, to maximise the distance between future receptors and air pollutant sources, or to place non-habitable rooms in locations closest to pollutant sources.

#### 8. IN00 (Non-Standard Informative)

The applicant is advised that Highways England has advised that the highway proposals for the A31(T) associated with this planning permission involve works within the public highway, which is land over which the applicant has no control. Highways England therefore requires the applicant to enter into a suitable legal agreement to cover the detailed design and construction of the works. The applicant is therefore requested to contact South East Operations at [SE.3PP@highwaysengland.co.uk](mailto:SE.3PP@highwaysengland.co.uk) at an early stage to discuss the details of the highways agreement. The applicant should be aware that an early approach to Highways England is advisable to agree the detailed Highways England Planning Response (HEPR 16-01) January 2016 arrangements for financing the design and construction of the scheme. Commencement of works will also need to be timed to fit in with other road works on the strategic road network or local road network to ensure there are no unacceptable impacts on congestion and road safety. Please be advised that Highways England will charge Commuted Sums for maintenance of schemes delivered by third parties. These will be calculated in line with HM Treasury Green Book rules and will be based on a 60 year infrastructure design life period.

#### 9. IN00 (Non-Standard Informative)

The applicant is advised that the Environment Agency have stated that in addition to any other permission(s) that may have already been obtained, e.g. planning permission, an Environmental Permit for flood risk activities may be required to carry out work in, under, over or near (within 8m of) a main river (including where the river is in a culvert), on or near (within 8m of) a flood defence on a main river, in the floodplain of a main river, on or near (within 8m of) a sea defence. This may apply for works such as footpaths, planting, fences, bridges etc. and other works within the SANG that could affect flood risk.

For further information and to check whether a permit is required please visit:  
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

For any further advice, please contact your local Environment Agency FRA Permitting Officer, [Blandford.frap@environment-agency.gov.uk](mailto:Blandford.frap@environment-agency.gov.uk)

10. IN00 (Non-Standard Informative)

The applicant is advised that safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. The Environment Agency recommend that the applicant refer to their Pollution Prevention Guidelines, which can be found at: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

11. IN00 (Non-Standard Informative)

The applicant is advised that if any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the more specific guidance is required, it is available on the Environment Agency's website <https://www.gov.uk/how-to-classify-different-types-of-waste>

12. IN00 (Non-Standard Informative)

The applicant is advised that vegetation clearance should not be carried out within the bird breeding season of 1<sup>st</sup> March to 31<sup>st</sup> August inclusive unless appropriate checks are made by a qualified ecologist to ensure the absence of nesting birds. In order to prevent the disturbance of bird's nests as protected under the Wildlife and Countryside Act 1981.

13. IN00 (Non-Standard Informative)

The applicant is advised that on-street bin collection points for individual household bins should be adjacent to the highway boundary wherever possible and that the 10 metre offset distance is for larger, four wheeled communal bins only. It is also advised that external communal bin stores should be designed to be at least 2.3 metres in height to allow the lids of the communal bins stored within them to be fully lifted so that waste can be deposited into them.