

PLANNING COMMITTEE

Members of the Planning Committee are invited to attend this meeting at Durweston Village Hall, Church Road, Durweston, Blandford Forum, Dorset, DT11 0QA, to consider the items listed on the following page.

Stuart Caundle
Head of Paid Service

Date: Tuesday, 26 March 2019
Time: 10.00 am
Venue: Durweston Village Hall

Members of Committee:

B Batty-Smith MBE (Chairman), C Dowden (Vice-Chairman), D Croney, V Fox, J Francis, N Lacey-Clarke, S Pritchard, B Ridout, Jackie Stayt, J Westbrook and P Williams MBE

USEFUL INFORMATION

For more information about this agenda please telephone Elaine Tibble 01305 838223 email etibble@dorset.gov.uk

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Members of the public are welcome to attend this meeting with the exception of any items listed in the exempt part of this agenda. **Please note** that if you attend a committee meeting and make oral representations to the committee your name, together with a summary of your comments will be recorded in the minutes of the meeting. The minutes, which are the formal record of the meeting, will be available to view in electronic and paper format, as a matter of public record, for a minimum of 6 years following the date of the meeting.



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A G E N D A

Page No.

1 APOLOGIES

To receive any apologies for absence.

2 CODE OF CONDUCT

Members are required to comply with the requirements of the Localism Act 2011 and the Council's Code of Conduct regarding disclosable pecuniary and other interests.

Check if there is an item of business on this agenda in which the member or other relevant person has a disclosable pecuniary or other disclosable interest.

Check that the interest has been notified to the Monitoring Officer (in writing) and entered in the Register (if not this must be done within 28 days).

Disclose the interest at the meeting (in accordance with the Council's Code of Conduct) and in the absence of dispensation to speak and/or vote, withdraw from any consideration of the item where appropriate. If the interest is non-pecuniary you may be able to stay in the room, take part and vote.

For further advice please contact Rob Firth, Monitoring Officer, in advance of the meeting.

3 MINUTES

To confirm the minutes of the last meeting of the committee (previously circulated) as a correct record.

4 APPLICATION NO: 2/2018/0458/OUT - SHILLINGSTONE POULTRY FARM, SHILLINGSTONE LANE, OKEFORD FITZPAINE

5 - 20

Demolish existing buildings and develop land by the erection of up to 45 No. dwellings with associated infrastructure, including the widening of Shillingstone Lane and provision of school drop off car park. (Outline application to determine access).

5 APPLICATION NO: 2/2018/1808/OUT - LAND NORTH OF BURTON STREET, MARNULL 21 - 48

Develop land by the erection of up to 61 No. dwellings, form vehicular and pedestrian access, public open space and attenuation basins. (Outline application to determine access).

6 APPLICATION NUMBER: 2/2018/1576/OUT - THE CHARLTON INN, BOURNEMOUTH ROAD, CHARLTON MARSHALL 49 - 60

Develop land by the erection of 9 No. dwellings and 3 No. letting rooms, form vehicular access, car parking and landscape improvements associated with the Chartlon Inn. (Outline planning application to determine access).

7 APPLICATION NO: 2/2018/1818/FUL - PARK FARM, WOODVIEW CHALET, BLANDFORD ROAD, MILTON ABBAS 61 - 70

Erect 1 No. replacement dwelling and create additional parking space (demolish existing dwelling).

8 PLANNING APPEALS 71 - 72

To note the report (attached) of Head of Planning Development Management and Building Control on Planning Appeals.

9 URGENT BUSINESS

To consider any items of business which the Chair has had prior notification and considers to be urgent pursuant to Section 100B (4) (b) of the Local Government Act 1972. The reason for the urgency shall be specified in the minutes.

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Okeford Fitzpaine



Application Type: Outline Application

Application No: 2/2018/0458/OUT

Applicant: Lone Star Land Ltd

Case Officer: Ms Clare McCarthy

Recommendation Summary: Refuse

Location: Shillingstone Poultry Farm , Shillingstone Lane, Okeford Fitzpaine, DT11 0RB

Proposal: Demolish existing buildings and develop land by the erection of up to 45 No. dwellings with associated infrastructure, including the widening of Shillingstone Lane and provision of school drop off car park. (Outline application to determine access).

Reason for Committee Decision:

Written material representation has been received by the Head of Planning (Development Management and Building Control) and that representation has been made by Parish Council in whose area the application is situated, and received by the Head of Planning (Development Management and Building Control) within the Consultation Period and contains a recommendation that is contrary to the proposed decision.

The Head of Planning (Development Management and Building Control) at his/her absolute discretion after consultation with the Chairman of the Planning Committee, the Vice Chairman of the Planning Committee and the Ward Member(s) of the area in which the site of the application is situated considers is a matter which ought to be referred to the Planning Committee for determination.

Planning Policies:

North Dorset Local Plan Part 1 (January 2016):

- Policy 1 - Sustainable Devt.
- Policy 2 - C Spatial Strategy
- Policy 3 - Climate Change
- Policy 4 - The Natural Env.
- Policy 5 - The Historic Env.
- Policy 6 - Housing Distribution
- Policy 7 - Delivering Homes
- Policy 8 - Affordable Housing
- Policy 13 - Grey Infra.
- Policy 14 - Social Infra.
- Policy 15 - Green Infra.

- Policy 20 - The Countryside
- Policy 23 - Parking
- Policy 24 - Design
- Policy 25 - Amenity
- 1. 7 Dev. within Settlement Boundaries
- 1. 9 Important Open or Wooded Areas

North Dorset District-Wide Local Plan (saved policies) 2003

Policy OF1 (Employment Development Site E/34/1), relates to the relocation of the chicken factory that was proposed to relocate to the poultry farm site which is this application site. Policy OF1 specified:

- "2.1 Hectares (5.2 acres) of land at Shillingstone Lane will be developed for employment use, specifically for the relocation of the existing employment site off Higher Street, subject to the following criteria;
- (i) the satisfactory relocation of the existing poultry rearing unit,
 - (ii) the site shall be served by a new access road off Castle Lane,
 - (iii) the existing vehicular access off Shillingstone Lane shall be closed,
 - (iv) where necessary improvements shall be made to Castle Lane northwards from the new access road to the junction with the A357."

Note: the continued use of this site sought a new access road off Castle Lane and the existing vehicular access off Shillingstone Lane to be closed.

National Planning Policy Framework:

The National Planning Policy Framework is a material consideration in this case. As far as this application is concerned the following sections of the NPPF are considered to be relevant:

- 1. Introduction
- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 10. Supporting high quality communications
- 11. Making effective use of land
- 12. Achieving well designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

Para 11 - Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are not 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 asset 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, which assess against the policies in this Framework taken as a whole.

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible

Description of Site:

The site is situated on the north eastern side of the village of Okeford Fitzpaine and is accessed from Shillingstone lane which is a narrow, winding, hedged country lane, with no footpaths alongside. The listed Downs Cottage sits on the bend with an open frontage with low wall and hedges to both sides. The Area of Outstanding Natural Beauty character area of North Dorset Escapment -chalk ridge

Undulating in form, the site measures 2.86 hectares and is currently covered with 6 large disused chicken sheds on the lower ground to the north east. An area of hardstanding, formerly used as car park, exists in the central part of the site. The chicken sheds and parking area are not visible from Shillingstone Lane as they are set behind two planted bunds which screen the site from immediate views from the road other than through the access drive.

There is a strong public right of way network surrounding the site. One footpath crosses the site along its northern and western boundaries and allows for access to the primary school and the centre of the village, as well as a route towards Castle Lane and the sports and recreation ground. The footpaths are narrow and unsurfaced but provide useful connections within the village.

Okeford Fitzpaine benefits from a number of services and facilities. It has a primary school, a church, a village hall, shop and post office, a public house, a car repair garage, superfast broadband, and a sport and recreation ground. It is also served by a bus route and lies on a national cycle route.

Constraints:

Agricultural Land Grade: 3

Parish Name - : Okeford Fitzpaine CP

Public Rights of Way - Route Code: N48/55

Public Rights of Way - Route Code: N48/4

Public Rights of Way - Route Code: N48/6

Public Rights of Way - Route Code: N48/5

Settlement Boundary: Okeford Fitzpaine

TPO - Charge Description: Area TPO 42/2/66 Okeford Fitzpaine No.2. The several hedgerow trees, principally Oak and Elm, with some Ash. A4

TPO - Charge Description: Area TPO 42/2/66 Okeford Fitzpaine No.2. The several hedgerow trees, principally Oak and Elm, with some Ash. A6

Ward Name: Bulbarrow Ward

Consultations:

Okeford Fitzpaine PC

No objection to the Planning Application.

Conservation Officer South - NDDC

Objection for the following reason:

Less than substantial harm to the setting of the Downs Cottage and the setting of the Okeford Fitzpaine conservation area.

Transport Development Management - DCC

No objection subject to conditions and informative notes.

Environment Agency

No objection subject to planning conditions, requiring the submission of further risk assessment, remediation strategy and verification report, to address potential contamination relating to historic tanks and possible made ground and the proximity of the site to Cookwell Brook.

Drainage (Flood Risk Management) - DCC

No objection subject to conditions and informative notes

Environmental Health Officer NDDC

No objection subject to a condition(s).

Principal Technical Officer NDDC

No objection subject to condition

Dorset AONB - DCC

No objection in principle subject to conditions for mitigation requiring:

- Limits to the scale and density of housing within the southern portion of the site
- Adoption of a comprehensive landscaping strategy that incorporates planting of a native species landscape buffer along the southern boundary of the site and the inclusion of sufficient native trees within the site to soften the appearance of the housing.
- High quality building design and the use of materials that are both appropriate to the site's local context and also suitably recessive.

Landscape Architect

No objection.

In terms of local landscape character and visual amenity, the proposed development should be designed so that tree planting is incorporated to soften the impact of the hard urban edge that will occur as a result of the introduction of residential housing in this area

Rights Of Way - DCC

No objection subject to the following footpath enhancements being secured through S106 contributions.

1. N44/4 to the west and north of the site to be suitably surfaced to 2m wide.
2. N44/55 to be improved to provide access from Ridouts to Mill Farm to provide the village with improved access to the recently improved Little Lane.
3. N44/2 to be improved to provide better access to the school.
4. The proposed new footpath on the eastern side of the site to be 2m wide and suitably surfaced.
5. All RoW access point surrounding the development site to have gates to the current British Standard (BS5709:2006) where necessary.

Planning Obligations Manager - DCC

No objection subject to securing improvements to the footpath between The Cross / Shillingstone Lane and Little Lane in terms of surfacing and fencing, to improve the accessibility of the site in the absence of pedestrian routes along Shillingstone Lane. Consideration should be given to converting the footpath to a bridleway.

Dorset Education Authority - DCC

No objection subject to securing contribution via S106 agreement for education. Secondary school contributions should be secured for the new general classroom block/extension at the Sturminster Newton High School.

NHS Dorset Clinical Commissioning Group

Consulted on the 20 July 2018, their comments dated 2 August 2018 are as follows: No objection subject to community infrastructure contribution being secured.

Planning Policy

It could be considered that the scale of the growth that would result from the proposal being granted planning permission in combination with the approval of one or both of the proposals at Castle Lane (2/2017/1952/OUT) and at Pleydells Farm (2/2018/0125/OUT) would be inappropriate at Okeford Fitzpaine.

As the Council cannot currently demonstrate such a supply the policies in the local plan relating to the provision of open market housing, in particular policy 2, 6, 7 and 20, cannot be considered up-to-date and the presumption in favour of sustainable development as set out in Paragraph 11 of the NPPF applies.

Representations:

31 letters of representation were received, of which 9 objected to the proposal and 22 supported the proposal.

Summary of issues raised:

Objections:

- Access on Shillingstone Road dangerous with increased traffic flows
- Proposed visibility splay of limited benefit as doesn't solve visibility at two blind bends close to site
- Shillingstone Lane too narrow with blind bend at each end accidents outside Downs Cottage and bottleneck at Trinity Cottage
- Shillingstone Lane unsafe for increase in traffic due to a steep hill, blind summit and an obscured exit onto the main A357 road in Shillingstone.
- Vehicular access should be from Ridouts off Castle Lane
- Estimated pedestrian trips inaccurate for Shillingstone Lane
- Footpaths around the site are muddy and cannot be used for much of year
- Disproportionate increase in housing in the village on this one site
- Change in character and scale of village
- Too much pressure on existing infrastructure and school
- Harmful impact on setting of listed properties
- Harmful impact on natural environment rich with wildlife and greenery
- Loss of privacy, increased noise, loss of natural setting, light pollution to Downs Cottage Listed Building
- Front wall damaged and reported 14 times at Downs Cottage
- Vehicle collisions at Downs Cottage bend and Little Lane July 2017 reported to police, vehicles recovered and road close
- car park to school no use as footpaths across cattle field and muddy.

Support:

A petition of 40 in support of the principle of housing development was received, including two comments welcoming bungalows and one welcome affordable housing. Other individual letters of support made the following points:

- Best site for housing in Okeford Fitzpaine in Neighbourhood Plan
- Site in settlement boundary so not building in open countryside
- Good connectivity with the village alternative footpaths to avoid danger of walking on Shillingstone Lane
- Access improvements widening Shillingstone lane outside application site beneficial to traffic flows
- Excellent use in place of derelict chicken sheds
- Road widening and traffic signs proposed adequate for highway safety
- Hedge planting to replace bund will be more appropriate on Shillingstone Road frontage
- Good use of derelict wasteland with former concrete hard standing of chicken sheds and car park

(Note: full comments can be seen on the case file online.)

Relevant Planning History:

Application:	2/1979/0448
Proposal:	Erect 4 No. chicken houses
Decision:	Approve
Decision Date:	18.07.1979

Application: 2/2002/0800
Proposal: Application for Certificate of Lawfulness to use land for the production of poultry and for the parking of cars for staff employed at High Street premises, Okeford Fitzpaine
Decision: Approve
Decision Date: 26.09.2003

Planning Appraisal:

This is an outline application for the erection of up to 45 dwellings. Full details of access are to be considered with all other matters (appearance, layout, scale and landscaping to be reserved for later consideration.

The application proposes a drop-off car park for the Primary School and the access details include a widening of Shillingstone Lane across the site frontage.

The main planning considerations that need to be addressed in this instance are:

- Principle of Development
- Impact on Heritage
- Affordable Housing
- Planning contributions
- Access, Highway impacts, parking and sustainable transport improvements
- Impact on Ecology
- Impact on Neighbouring Amenity
- Sustainability of site location
- Other matters
- Planning Balance

Principle of Development

The Council cannot currently demonstrate a five-year housing land supply. However, the proposed development site would affect the setting of a listed building and the Okeford Fitzpaine Conservation Area. Because of the need to consider the effect of the development on designated heritage assets and the reference to these in footnote 6 of the National Planning Policy Framework it would mean that the 'tilted balance' in paragraph 11d is **not** triggered unless the proposal can first pass the simple balancing exercises in paragraph 195 (in cases where harm to the significance of a designated heritage asset is judged to be substantial), or 196 (where any harm is found to be less than substantial).

On that basis the correct approach to decision making here would be first to assess whether any harm would be caused to the significance of the designated heritage assets affected. If any is found, then the degree of that harm needs to be defined. Then, that harm needs to be balanced against the public benefits of the proposal. If the public benefits do not outweigh the harm then, following the Framework's path, planning permission should be refused.

If the public benefits outweigh the harm caused to the significance of the designated heritage assets, then the 'tilted balance' in paragraph 11d would be re-engaged and the policies which are the most important for determining the application should be considered out-of-date. That would mean that planning permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh

the benefits when assessed against the policies in the Framework, taken as a whole. It is only if the proposal passes the test in paragraphs 195 or 196 that any additional harm (ie that arising from the location of the site) would need to be considered. In either scenario proper regard must also be had to the Local Plan and other material considerations.

Impact on Heritage

The site shares a boundary with the Okeford Fitzpaine Conservation Area (OFCA). Downs Cottage (grade II listed building) is located immediately opposite the south-west corner of the application site on the opposite side of Shillingstone Lane. To the south-west of the site is the historic centre of the village directly off Shillingstone Lane.

The access to the proposed development site is located approximately 100m from the conservation area. There are a number of other listed-buildings within 150m of the application site within the conservation area.

The primary heritage concern is with the setting of the Downs Cottage and the setting of the conservation area. Other listed-buildings are assessed in relation to any harm on the conservation area as a whole. In weighing the proposal, due consideration has been given to Section 12 of the NPPF, Sections 66 and 72 of the 1990 Act, the Framework, and the Development Plan.

The significance of the building of Downs Cottage, has been assessed through criteria as set-out in Historic England's Conservation Principles, Policies and Guidance (2008), which includes a methodology for assessing significance by considering 'heritage values'. In relation to the application site it is the aesthetic value of Downs Cottage that is harmed when viewed from the Shillingstone Lane (including from the proposed site entrance), that harm is identified to this listed-building because it currently has an important role at the eastern entrance to the village, comprising an attractive street scene and setting. The removal of the existing mature hedgerow opposite the site and widening of Shillingstone Lane would cause less-than substantial harm to the aesthetic value of the building. The building would no longer sit at the entrance to the village or on a narrow country lane bound by hedgerow. Even though a new hedgerow would be planted on the rear line of the new pavement in both directions it would be at an angle to the other hedging and would not share the enclosing affect that the existing hedgeline narrow lane contains which provides part of the setting for the Listed building.

The conservation area covers the historic core of the village and largely contains historic residential buildings and their gardens, former farm buildings and important local buildings such as the church, school and the inn. The evolution of the village started with a small collection of buildings spreading outwards from the village core in a linear fashion along the street frontages, as is typical in many villages in North Dorset. The conservation area is in good condition with well-maintained buildings and gardens, appropriate boundary treatments and good public realm. Okeford Hill to the south and land around Collwell Brook to the east, provide an important backdrop to the conservation area. The buildings on the application site and associated hardstanding are currently screened from the conservation area by bunding and mature tree and hedgerow planting.

The proposed outline scheme proposes to widen Shillingstone Lane and remove bunding just behind the road frontage. It also proposes to replace tree and hedgerow planting

behind the widening of Shillingstone Lane but will result in the harmful loss of natural grass banks and hedgerow planting along the existing roadside. The indicative housing layout shows new buildings close to Shillingstone Lane. It is likely that the buildings will be visible from the conservation area and combined with the removal of existing hedgerow and widening of Shillingstone Lane, would significantly change the arrival experience into the conservation area from the east, resulting in less-than substantial harm to the setting of the conservation area.

The proposed development with the detailed access as shown, would fail to preserve or enhance the character or appearance of the Okeford Fitzpaine Conservation Area and Grade II listed Downs Cottage and would cause "less than substantial" harm to their significance as designated assets. As such, clear and convincing justification is required for the development. The public benefits of the proposed development would need to outweigh the harm for the application to succeed. The development as it stands conflicts with Policies 4 and 5 of the adopted North Dorset Local Plan Part 1 (January 2016), paragraphs 195 and 196 of Section 16 of the revised Framework which together, seek to protect, preserve and enhance the character of the historic environment, landscape and other features in promoting development.

Affordable Housing

The applicant has offered 40% of the units on site towards affordable housing. The tenure split is proposed to be 70% affordable rent and 30% intermediate housing at this outline stage. This is a policy compliant contribution of at up to 18 dwellings for local needs within the Parish and is considered reasonable and acceptable.

Planning contributions

Okeford Fitzpaine is well serviced by infrastructure as a rural settlement and from this site it is a walk of 5 minutes to a pub, shop and school and less than 10 minutes to the playing fields, village hall and church.

The Heads of Terms for the S106 agreement relate to the policy compliant provision of 40% Affordable Housing plus contributions towards Pre-school, Primary and Secondary Education, Rights of Way; Open Space; and, Social infrastructure in line with Grey Green and Community Infrastructure Policy.

The need for affordable housing throughout North Dorset is great and therefore a minimum of 18 affordable dwellings will meet the immediate need of affordable homes from within the Parish, will boost the mix of tenure available in the rural areas, and offer a small amount of additional affordable homes to meet the wider needs of North Dorset District Council rural areas.

The following list of the proposed grey (highway and footpaths) Green (open space and play) infrastructure and community contributions (village hall schools and pre-school) have been negotiated in consultation with the Parish Council and Dorset County Council. The contributions have been demonstrated to be reasonable, necessary and proportionate and to meet the regulations for Community Infrastructure Levy and have been agreed in full by the applicant.

Proposed Heads of Terms for S106 legal agreement (subject to satisfactory grant of planning permission- including reserved matters- and subject to implementation of permission 40% Affordable housing and grey, green and community infrastructure as

calculated below). The contributions per dwelling are proposed to be delegated to officers to continue to finalise and adjust prior to completion of the S106 agreement:

- Play Facilities = £967.52
- Play Facilities Maintenance = £359.36
- Allotments = £308.16
- Formal Outdoor Sports = £1,318.80
- Formal Outdoor Sports Maintenance = £128.73
- Informal Outdoor Space = £2,307.36
- Informal Outdoor Space Maintenance = £1,278.80
- Community, Leisure & Indoor Sports Facilities = £2,006.97
- Rights of Way Enhancements = £498.45
- Primary and Secondary Education = £6,094
- Pre-school provision = £190.50

Access, Highway impacts, parking and sustainable transport improvements

The access proposed meets the engineering requirements for safety and traffic flows as designed and set out in the County Council Transport Officers assessment.

The submitted Transport Statement (TS), prepared by the applicant's highways consultants, considers the impact that the development will have on the highway network in the vicinity of the site. It also considers the sustainability of the development in terms of accessibility to and from the site.

The proposed vehicular access to the site is from Shillingstone Lane would be in accordance with the guidance provided by Manual for Streets.

It is proposed that Shillingstone Lane would be widened from its existing 4.1m width to 5.5m along the site frontage to accommodate two-way movements of large vehicles, such as refuse and delivery vehicles. The submitted "Proposed Site Plan", Drawing No 03 Rev A, indicates that a new footway would be provided across the site frontage onto Shillingstone Lane. Whilst this is not needed to the west of the access leading towards the village centre, to the east this will link up to join to the existing public Right-of-Way at Little Lane footpath N48/7 and to a proposed internal public footpath shown on this drawing. A condition can be imposed to ensure the delivery of this improvement as a public benefit.

The submitted TS has, in the opinion of the County Highway Authority, complied with the recommendations of the TRICS Good Practice Guide 2013 and produced a robust daily trip generation for the proposed development.

The proposed development is anticipated to generate up to 31 vehicular trips in the AM peak period (08:00 to 09:00), up to 26 vehicular trips in the PM peak period (17:00 to 18:00) and a total of up to 215 two-way trips per day.

Historically, the proposed site was previously used as a chicken farm and a car park for factory workers and HGV's associated with the Faccenda Food processing plant at the centre of the village (which has since been redeveloped). It is accepted that the traffic numbers and type generated by the proposal would be likely to be less than the historic use of the site created on a daily basis. Although several local residents object to the traffic volumes and safety due to traffic speeds in Shillingstone Lane and danger with the

narrow road with no pavements, a review of personal injury collision data has not identified any critical locations on the local highway network with collision records, so the proposed development is considered to be acceptable in both traffic generation and safety terms.

With regard to pedestrian movements, unsurfaced and narrow Public Rights-of Ways are available in the immediate vicinity of the site that link to the centre of the village. The applicant is to provide a financial contribution to support better surfacing of these footways as part of the development proposals (to be included within the S106 agreement).

Whilst the proposal will increase traffic flows on the highway network the residual cumulative impact of the development cannot be thought to be "severe".

Impact on Ecology

A Biodiversity Mitigation Plan and construction method statement was submitted and identifies that badgers have not been occupying the site, bats and birds forage in the site and there are hedgehogs, dormice and reptiles present on the site which would need relocating. New hedgerows would need to be planted with species rich varieties to support the wildlife and a green space retained for reptile refugia. Bat and bird boxes are proposed on dwellings. The grassland areas would also be planted with a species rich mix.

Subject to all these findings the Biodiversity species and habitats at the site can be appropriately protected mitigated and enhanced. Maintenance could be secured through a Landscape Environment Management Plan via planning condition.

Impact on Neighbouring Amenity

The proposed housing development would be unlikely to generate harmful levels of noise and disturbance that would significantly affect the quiet enjoyment of neighbouring residential properties.

During the construction phase of the proposed development, there would inevitably be some adverse impact on neighbouring occupiers, by way of disturbance. However, a construction management plan condition could be imposed to ensure that any such disturbance would be kept to a minimum. Such disturbance would also be transitory and, as such, it is not considered that the disturbance would be significant enough to warrant refusal of the scheme.

Therefore, notwithstanding local concern, a satisfactory detailed design at the reserved matters stage could ensure that the proposal would not have a significant adverse impact on residential amenity. Furthermore, a construction management plan condition would assist in protecting neighbouring amenities, in compliance with Policy 25 of the LPP1.

It is clear from the illustrative outline layout that there would be sufficient space to accommodate open space and additional planting necessary on boundaries to assist retaining a rural appearance through new hedgerows establishing a landscape screen to housing that would lie beyond the linear settlement pattern and to protect the rural qualities of the surrounding countryside.

Sustainability of site location

The Parish of Okeford Fitzpaine has been identified as a larger village capable of meeting local needs housing within its settlement boundary. However, due to the site location close to the proximity to a heritage asset and conservation area boundary where it could affect their setting that would trigger footnote 6 and paragraph 11d in the NPPF that seek to restrict development.

Other matters

A further consideration of the principle of development with this application is the fact that the site is actually located within the settlement boundary and is subject to saved Policy OF1. This policy allocates the site for employment use accessed from Castle Lane, specifically for the relocation of what an existing employment site (Faccenda Chicken Factory) off Higher Street. There appears to be no longer a need for the site to be allocated for employment use, and in fact the release of the site for such use was recommended on sustainability grounds in the 2007 Employment Land Review.

Little weight should be given to the emerging neighbourhood plan itself, as set out in PPG Paragraph: 007 Reference ID: 41-007-20170728; however the housing needs assessment produced for the Parish Council as evidence base to inform the neighbourhood plan is a material planning consideration that can be taken into account. The document was produced by AECOM in June 2016 and was published alongside both versions of the draft neighbourhood plan as part of the pre-submission consultation. The conclusion reached by the HNA is that 107 dwellings are needed at Okeford Fitzpaine over the period 2013 to 2033. Taking into account completions from 2013 and extant commitments [53 - 2 (nos. completions in 11/12 and 12/13) = 51], at 1/12/18 the current level of need is therefore 56.

At the time of writing this report one further scheme for 27 dwellings (last Committee Castle Lane) has been approved, a scheme for 27 dwellings is recommended for approval and is pending a decision (Pleydells Farm), and therefore there is still scope for a further 2 dwellings to meet the long term local needs. This scheme of 'up to 45 dwellings' would be over that level of local need.

In the countryside the level of housing is set as an 'at least' number. Therefore it is a matter of planning judgement as to when the local housing need has been met in Okeford Fitzpaine.

Planning Balance

The application site is located in adjacent to the Okeford Fitzpaine Conservation Area, and a grade II Listed thatched cottage. The proposed development would cause less than substantial harm to both heritage assets which form part of the considerations.

Paragraph 193 of the NPPF states: "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."

In this instance great weight is afforded due to the significance of the Conservation Area and Downs Cottage. The setting of both these heritage assets would be harmed through the engineered form of the new access proposed, which would cause a loss of character to Shillingstone Lane with its grassy banks and hedge-lined rural and winding heritage value. This is demonstrated by a widening of the road and a proposed footpath to the west of the access, that is acknowledged to be unnecessary by the Transport Officer, as it does not connect to any other footpath leading into the village, This character once lost cannot be replaced. An alternative access to the Poultry Farm could be explored in a position further from the Conservation area and with better visibility and wider road onto Castle Lane. This option was not explored as part of this application as the land does not currently lie within the applicant's ownership.

The great weight afforded to the significance of the heritage assets and the less than substantial harm to their setting is considered to outweigh the public benefits of increasing housing supply with accompanying infrastructure contributions for this application.

The revised Framework is clear in footnote 6 to Paragraph 11, and paragraph 196, that this can be a clear reason for refusing development proposed if the benefits do not outweigh the harm.

Conclusion:

When all of the material considerations are weighed together, it is concluded that the less than substantial harm to significance of the Okeford Fitzpaine Conservation Area and Downs Cottage (Grade II listed), significantly and demonstrably outweigh the benefits of affordable housing, green, grey and community infrastructure contributions and additional market housing supply, when assessed against the policies in the Framework taken as a whole. The adverse impacts upon the character and appearance of the area are demonstrated through loss of grassy banks and hedgerows on the narrow, winding, rural lane and introduction of an engineered access with visibility splays, pavements and road widening. The proposed development would therefore conflict with the environmental objective of the Framework and Policy 5 of the North Dorset Local Plan.

It is the opinion of your Officers, having regard to the details set out in this report, that the proposal does not provide a sustainable form of development, which due to the harm to the significance and setting of heritage assets, cannot be mitigated through conditions, and therefore the application is recommended for refusal.

Recommendation:

Refuse

Reason for Refusal:

1. The proposed development, is to be served by an access point with visibility splays and footpaths both sides, and an associated widening of Shillingstone Lane which is narrow country lane. It involves removal of grass banks and hedgerows which form part of the setting to Downs Cottage (Grade II listed building) and Okeford Fitzpaine Conservation Area. The adverse impacts of the development on the setting of the Okeford Fitzpaine Conservation Area and Downs Cottage would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the National Planning Policy Framework taken as a whole. The proposed development

would also conflict with the environmental objective of the National Planning Policy Framework, and Policies 4 and 5 of the North Dorset Local Plan Part 1 (January 2016).

Human Rights:

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

Public Sector Equalities Duty (PSED)

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:

Removing or minimising disadvantages suffered by people due to their protected characteristics.

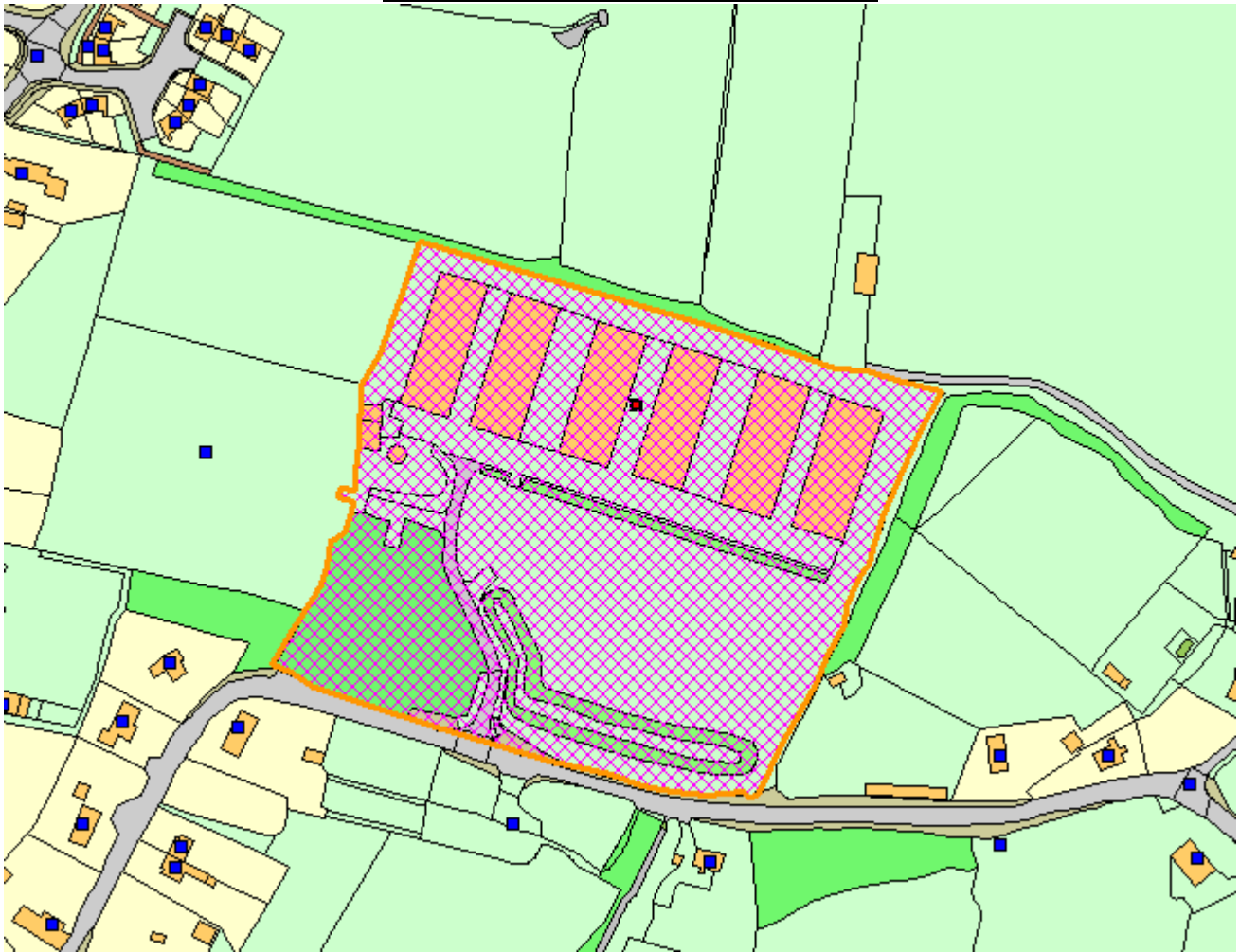
Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.

Encouraging people with certain protected characteristics to participate in public life, or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

DECISION:

LOCATION PLAN 2/2018/0458/OUT



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Marnhull



Application Type: Outline Application

Application No: 2/2018/1808/OUT

Applicant: P And D Crocker

Case Officer: Ms Penny Canning

Recommendation Summary: Approve

Location: Land North Of, Burton Street, Marnhull, Dorset,

Proposal: Develop land by the erection of up to 61 No. dwellings, form vehicular and pedestrian access, public open space and attenuation basins. (Outline application to determine access).

Reason for Committee Decision:

Written material representation has been received by the Head of Planning (Development Management and Building Control) and that representation has been made by Marnhull Parish Council in whose area the application is situated, and received by the Head of Planning (Development Management and Building Control) within the Consultation Period and contains a recommendation that is contrary to the proposed decision.

The Head of Planning (Development Management and Building Control) at his/her absolute discretion after consultation with the Chairman of the Planning Committee, the Vice Chairman of the Planning Committee and the Ward Member(s) of the area in which the site of the application is situated considers is a matter which ought to be referred to the Planning Committee for determination.

Planning Policies:

North Dorset Local Plan Part 1 (2016)

- Policy 1 - Sustainable Development.
- Policy 2 - Core Spatial Strategy
- Policy 3 - Climate Change
- Policy 4 - The Natural Environment
- Policy 5 - The Historic Environment
- Policy 6 - Housing Distribution
- Policy 7 - Delivering Homes
- Policy 8 - Affordable Housing
- Policy 13 - Grey Infrastructure
- Policy 14 - Social Infrastructure
- Policy 15 - Green Infrastructure

Policy 20 - The Countryside
Policy 23 - Parking
Policy 24 - Design
Policy 25 - Amenity

North Dorset District-Wide Local Plan (saved policies) 2003- 2011

Policy 1.7 - Development within Settlement boundaries
Policy 1.9 - Important Open or Wooded Areas

National Planning Policy Framework (2019)

As far as this application is concerned the following sections of the NPPF are considered to be relevant:

1. Introduction
2. Achieving sustainable development
3. Plan-making
4. Decision-making
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding, and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Presumption in favour of sustainable development:

Para 11 - Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are not 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 asset 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, which assess against the policies in this Framework taken as a whole.

Decision making:

Para 38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Town and Country Planning Act

Para 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duty of the planning process in relation to listed buildings, and states the following:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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.

Para 72 (1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duty of the Local Planning Authority in respect of applications within a Conservation Area, stating the following:

(1) In the exercise, with respect to any buildings or other land in a conservation area, ... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

(2) The provisions referred to in subsection (1) are the planning Acts and Part I of the Historic Buildings and Ancient Monuments Act 1953.

Other matters relating to Planning Obligations and contributions

In order to make development acceptable in planning terms, applications for major housing development such as this one are expected to maintain and enhance the level of grey, green & social infrastructure as set out in Policies 13, 14 and 15 of the Local Plan.

Regulation 122(2) of the Community Infrastructure Levy Regulations (2010) (CILR) provides that: -

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development.*

The NPPF reiterates that planning obligations should only be sought where they meet all three of the tests set out in Regulation 122(2) are met (paragraph 56).

Regulation 123(3) of the CILR provides that; -

(3) Other than through requiring a highway agreement to be entered into, a "planning obligation ("obligation A") may not constitute a reason for granting planning permission to the extent that—

- (a) obligation A provides for the funding or provision of an infrastructure project or provides for the funding or provision of a type of infrastructure; and*
- (b) five or more separate planning obligations that—*
 - (i) relate to planning permissions granted for development within the area of the charging authority; and*
 - (ii) which provide for the funding or provision of that project or provide for the funding or provision of that type of infrastructure, have been entered into on or after 6th April 2010.*

Description of Site:

Marnhull is situated within the Blackmore Vale and falls within the Limestone Hills Landscape Character Area, and sits on an elevated limestone ridge, bound on its western side by the River Stour, and towards the east, a tributary from the Stour, Chivrick's Brook. The village has grown from a number of smaller hamlets and as a consequence the village has a number of hubs; one near the Church, school and Crown public house (to the south), and another can be found by a small cluster of shops, car park, and Blackmore Vale Inn (to the north). It is in these areas that the more historic part of the village can be found, with more modern development expanding the village edges. A large modern estate (located to the east) connects the southern and northern strands of the village. Separated from the village is a further cluster of, mainly modern, housing situated to the East.

The application site sits within the northern portion of the village, to the rear of properties fronting Burton Street (Burtonhayes), and to the west of the village hall, recreation ground, and to the south of the cemetery. The application site occupies the southern portion of a large field extending north towards Love Lane. Due to its elevated position, the Church of St. Gregory, which sits to the south of the application site is consequently visible from the site.

The site is currently used for arable farming and is bound on its western and eastern boundaries with a mixture of broken hedgerow, domestic planting, and mixed fencing, and on its southern boundary the site abuts the existing built form of development along Burton Street, with domestic tree planting and garden boundaries forming its southern boundary. As the site only utilises part of an existing field, its northern boundary is open, with a mature hedge found along the northern boundary of the field some distance to the north. Footpath N47/91 runs through the site from Burton Street to Love Lane. Adjacent to the application site is also footpath N47/92 which runs from two separate points along Love Lane, and footpath N47/89 which leads from Burton Street to the recreation ground, and beyond. The land drops down to the South, and in sits elevated from Burton Street, and Love Lane.

Constraints:

Agricultural Land Grade: 3

Parish Name: Marnhull CP

Public Rights of Way - Route Code: N47/91

Settlement Boundary: Marnhull

TPO - Charge Description: Area TPO 37/1/68 Pilwell, Marnhull. The several Elms. A1

TPO - Charge Description: Individual TPO 37/6/99 Marnhull No.6. Horse Chesnut. T2

Ward Name: The Stours & Marnhull Ward

Consultations:

Conservation Officer South - NDCC

No objection to the proposed access and the principle of housing on this site.

Rights Of Way - DCC

No objections, subject to upgrading, and/or provision of pedestrian and bridleway gates, appropriate surfacing, and signage relating to the affected footpaths on site

County Archaeological Office - DCC

No objection

Drainage (Flood Risk Management) - DCC

No objection in principle.

Transport Development Management - DCC

No objection, subject to conditions.

Housing Enabling Team

There is an identified need for affordable housing and that the site should subsequently provide 40% affordable housing, in line with policy advice.

Landscape Architect

No objections to the proposed access and principle of housing on this site.

Planning Obligations Manager - DCC

Based on the current protocol for the identification of developer contributions, 61 qualifying units would generate £123,056 towards primary phase education and then £248,698 towards secondary phase tbc. These funds would be used to support the building of an additional teaching space at St. Gregorys Primary School. The secondary contributions would be secured for the new specialist and science provision at the Gillingham School.

For the proposed developments in North Dorset, there will be an impact on the libraries in this area. There are libraries in Blandford, Gillingham, Shaftesbury, Sturminster Newton and Stalbridge which will be affected by the potential population growth.

This will require developer funding towards capital build costs where necessary or towards additional equipment and stock:

- *Provision of books at library*
- *Provision of IT equipment*
- *Provision of library equipment/furniture eg books shelves, chairs and tables*
- *General refurbishment eg redecoration*

There may be the need to extend library opening hours to provide access for increased population.

Development in Marnhull will impact on Sturminster Newton Library. The costs associated with improvements at Sturminster Newton are £241 per dwelling (index linked)

Marnhull PC

Marnhull Parish Council object to the application for the following reasons:

- Access on a hazardous junction with poor sight lines;
- Lack of safe walking routes into the village and adverse impact of further traffic on lanes in and around Marnhull;
- The proposed development does not comply with the Council's spatial strategy;
- If approved alongside other current applications in Marnhull, the cumulative impact would be unacceptable, with a disproportionate level of housing placed within Marnhull (25% of the target housing within the countryside), and an oversupply of affordable housing, exceeding local need;
- Lack of local employment opportunities to meet the scale of development proposed;
- Limited bus service results in high reliance on the car to access a employment and a wider range of services;
- Increased pressure on village services and amenities, including the school, village hall and other amenities, and sewerage treatment;
- The size and back-land nature of the site is not in keeping with the village character, close to the Conservation Area;
- Flood risk;
- Any benefits of the proposal outweigh the harm to public safety and village services and amenities.

Wessex Water

No objections

Planning Policy

North Dorset is currently unable to demonstrate a five year housing land supply(HLS). The most recent monitoring report states a figure at 3.3 years HLS. Having regard to the Council's housing trajectory, the Local Plan sets out an annual house-building target of 285 dwellings per annum, and this figure has risen as a consequence of the shortfall. Regarding para 73 of the NPPF, the Council has persistently under delivered on its housing targets over the last 3 years, falling below the level required by Government guidance such that a 20% buffer has to be applied to the housing land supply figure, in order to improve the prospect of achieving the planned supply.

As the Council cannot currently demonstrate such a supply the policies in the local plan relating to the provision of open market housing, in particular policy 2, 6, 7 and 20, cannot be considered up-to-date and the presumption in favour of sustainable development as set out in Paragraph 11 of the NPPF applies. For decision making this means:

o approving development proposals that accord with an up-to-date development plan without delay; or

o 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 in this Framework taken as a whole.

Policy 2 of the Local Plan cannot therefore be given the full statutory weight it should enjoy, and in the absence of an adequate housing land supply, the Council has to apply a 'tilted balance' as set out in para 11 of the NPPF for housing proposals. This reflects the former position of the earlier NPPF (2012) para 14, which resulted in a number of court cases, eventually resulting in the Supreme Court ruling of *Suffolk Coastal DC v Hopkins Homes & SSCLG* (2016). This confirmed that where a Council does not have a 5-year supply, the tilted balance set out in the NPPF is triggered. In applying the tilted balance, any out-of-date policies are not simply disregarded; the Council can continue to have regard to its spatial strategy, but it does not carry its full statutory weight.

It is therefore important for the Council to look for opportunities to bolster the housing land supply in the short-term where proposals are consistent with the remaining policies in the Local Plan, in particular Policy 1 'Presumption in favour of sustainable development'. In turn, the decision-maker would need to have regard to whether continuing to apply environmental and amenity policies with their "full rigour" would frustrate the primary objective of the NPPF to deliver sustainable development. The Council needs to take a wider view of the development plan policies and should be disposed to grant planning permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Notwithstanding the above, it is important to note that the revised NPPF (2019) outlines in para. 11 (i) that where policies in the Framework that protect areas or assets (this includes heritage assets) of particular importance provide clear reasons for refusing the development proposed, then the 'tilted balance' described above does not apply.

Representations:

51 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 51 objected to the proposal and 0 supported the proposal.

Third party comments:

At the time of writing the report, 50 third party comments have been received, objecting to the proposed development for the following reasons:

- Road safety, due to access on sharp bend, its position adjacent to the recreation, cemetery and village hall access together with Pilwell junction, and shear increase in volume of traffic on local roads, causing particular problems at pinch points;
- Impact of construction traffic;
- Concern over validity of the transport (TRICS) report;
- Pedestrian safety, due to lack of pavement, no lighting, and lane conditions, making access to facilities unsafe;
- Increased reliance on the car due to poor public transport, unsafe routes for cycling, and poor connectivity to wider services and employment;
- Unacceptable pressure on existing overstretched infrastructure and facilities, including the schools and doctor's surgery;
- Few job opportunities within the village;
- Impact on light and privacy to neighbouring properties immediately adjacent to the site namely the properties of Burtonhayes; impact on views from nearby properties, impact to access drives of Tapshays Cottage and Lychgates through highway realignment;

- Government housing figures do not account for local circumstances, no need for large homes, properties on the market not selling;
- Lack of evidence supporting local need, all homes should be affordable, affordable is not usually affordable enough;
- Destroys productive agricultural land and unspoilt nature of the village, impacting the economy, development should be directed to brownfield sites;
- Site falls contrary to policy, being outside of the settlement boundary, and failing to comprise sustainable development;
- The development is not plan-led, and does not meet the desires of local people regarding how they wish to shape their village;
- Poor design and layout, high density housing, scale of development out of keeping with the rural character and appearance of the village;
- Impact on the Conservation Area, Listed buildings and non-designated heritage assets;
- Impact on the adjacent area identified as an Important Open or Wooded Area (IOWA);
- Impact on the landscape character of the area, and open aspect enjoyed from the recreation ground;
- Impact on peace and rural amenity of the area, due to increased noise and light pollution;
- Impact on existing vegetation, habitats and species;
- Impact on right of way;
- Impact on tranquillity and peacefulness of the cemetery;
- Flood risk and drainage concerns;
- Capacity of sewerage systems;
- Cumulative impact of all four developments proposed within the village.

Representations can be read in full at www.dorsetforyou.gov.uk

Relevant Planning History:

None.

Planning Appraisal:

The planning application is made in outline with all matters reserved, except for means of access.

The development would be served via a 6 metre wide access road at the point of the existing field entrance, with modifications proposed to Burton Street to improve visibility splays and ensure suitable access tracking for refuse vehicles. A further pedestrian access is proposed along the eastern boundary of the site offering direct access to the cemetery access and recreation ground beyond. The access and internal roads indicated within the illustrative layout also seek to accommodate the existing public right of way.

An illustrative masterplan has been provided with the application to indicate how the proposed development could be accommodated on the site. This shows the provision of an attenuation basin within a grassed surround to the south east of the site,

Off-site Planning contributions would be secured by S106 legal agreement. The legal agreement would also secure 40% of the dwellings proposed as affordable units. These are shown pepper potted throughout the site.

The main issues of this proposal are considered to relate to:

- principle of development;
- impact on the historic environment;
- impact on the landscape;
- ecology;
- residential amenity;
- impact on cemetery;
- highway safety;
- flood risk and drainage;
- affordable housing;
- Planning contributions.

Principle of development

It was never anticipated that local needs be met through large-scale housing proposals and, notwithstanding the housing shortfall, it is relevant to have regard to the Council's spatial strategy when considering the appropriate distribution of housing across the District, and the scale of development proposed. No housing needs assessment has been carried out for the 18 larger villages, however, consideration of known variables can assist in offering some context and understanding the implications of a development of this scale.

The number of commitments and completions within Marnhull since 2011 falls within the region of approximately 68 dwellings to date. The delivery of housing proposed within the current application would increase this figure to 129, equating to approximately 15% of the 825 dwellings to be delivered across Stallbridge and the 18 larger villages.

It is also worth having regard to identified needs within the village, and the housing register offers a means of considering this. In this regard, there are 25 households currently awaiting housing in the Parish. In order to meet this local need, a development of 63 dwellings would be required, which would be largely fulfilled by the current proposal.

The NPPF is underpinned by the objective to achieve sustainable development. In residential terms this relates to new dwellings in sustainable locations. The Local plan and the NPPF outlines the objective of sustainable development as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'. This is based on economic, social and environmental factors. The economic, environmental and social criteria are the basis for new housing being located within larger settlements with a range of facilities, in order to provide opportunities for people to make sustainable choices.

Having regard to the economic benefits of the proposal, the new homes would provide some short term economic benefits during the house build. Concern has been expressed regarding the reduction in productive land, and its consequent impact on the economy. This is nevertheless considered to be relatively minor in this case. Whilst the economic benefits are not wide ranging, it is not considered that the proposal would conflict with the objectives of the NPPF in this regard, and whilst job opportunities within the village are limited, the village is not without employment provision.

Having regard to the social benefits of the proposal, the new homes have the potential to contribute to the vitality and viability of the village, offering continued support for existing services, and providing 40% affordable homes. It is clear from the

representations made that there is existing pressure on local services, and where an unacceptable impact on services is identified, the proposed development seeks to make contributions to mitigate the impact of the proposed additional housing.

In order to comprise 'sustainable development' as outlined in para 8 of the NPPF, proposals need to be considered against all three dimensions of 'sustainability', such that the economic, social and environmental objectives of the NPPF are pursued in a mutually supportive way.

As identified above, following Stallbridge, Marnhull is the second largest village within the District, by some distance and, for a village, is relatively well served in terms of facilities, which include a Church, two schools, two public houses, two convenience stores, a post office, hairdressers and fabric shop, a doctor's surgery, garage, village hall, children's play area and an equipped recreation ground. Like all villages, Marnhull is not without its constraints. Within the village, routes are restricted in places creating pinch points for vehicular traffic, and whilst many of the services identified above would be accessible on foot from the development site within approximately 8 minutes, this would be via the unlit village roads with little footway provision.

In order to reach a wider range of services, together with a choice of employment, it would be necessary to travel to one of the District's larger settlements, and the lack of any arterial routes leading to the village is noteworthy. Marnhull has a limited bus service, with the X10 offering access to Stallbridge, Sherborne and Yeovil, and the X4 offering access to Gillingham. The nearest train station is located in Gillingham, approximately 6 mile away.

Marnhull is thus a comparably large and well served village, although not without its constraints. It would be possible for occupiers of the new development to access a limited range of services on foot, and in this regard the constrained village nature of the street naturally assists in slowing traffic and in turn offers some relief in places through existing driveways and verges. It is recognised that being a village location, there will be some reliance on the car to reach wider services and employment choices. There are nevertheless opportunities for occupiers to make sustainable choices in terms of travel, albeit these may be relatively limited.

Detailed consideration is given within the remainder of the report to other environmental impacts of the proposal, and in this case, the proposed development is considered to meet the objectives as set out in the NPPF, such that the proposal would comprise sustainable development, for which there is a presumption in favour for. Equally, the impacts of the development are not considered to outweigh the benefits of the scheme, and those policies seeking to protect areas and assets of importance do not provide justified reasons for refusal that would prevent the tilted balance described above from applying. The proposed development would in turn contribute significantly to meeting the local housing needs within Marnhull, whilst assisting the Council in boosting its housing land supply. The principle of development is therefore considered acceptable and is considered in more detail within the remainder of the report.

Impact on the historic environment

Marnhull is a rural village, formed from a number of smaller scattered hamlets which have grown and joined to form a single village over time. Some of these hamlets remain identifiable with some maintained separation from the village, but others have been integrated and developed such that they are less identifiable as a separate hamlet.

Nevertheless, as a consequence of Marnhull's growth there is no single historic core that the village is centred around, but instead there are a number of historic hubs centred around the heart of the earlier hamlets.

Marnhull consequently has two separate conservation areas, one reflecting the earlier hamlet of Burton and Pilwell to the north, clustered around the village shops and Blackmore Vale Inn, and another to the South reflecting the earlier hamlet of Kentleworth, centred around the Church, school and Crown Public House, but continuing in a linear form along New Street.

The application site falls outside of the Conservation Area, but sits in close proximity to its most eastern extent along Burton Street, and would have historically contributed to providing a gap in the built form between the linear hamlet of Burton and Pilwell. Despite modern infill within the village, extending both to the east and west, with some development also to the south, the linear form of the earlier hamlet is still legible within the conservation area itself. Modern infill along Burton Street, including the provision of Burtonhayes along the northern edge of Burton Street, together with development on the south side of Burton Street, has nevertheless eroded the previous opening that would have once existed at this end of the Conservation Area, such that the field subject to this application has a weakened relationship with the conservation area, owing in particular to the development within its southern extent.

There are limited opportunities to appreciate the open aspect of the field from within the conservation area itself although the vehicular access to Burtonhayes undoubtedly offers a clear view towards the rural hinterland beyond. It can't be said that the site does not positively contribute, offering a rural aspect and setting to the conservation area, however its contribution is limited owing to the intervisibility between the site and conservation area itself, and its positioning to the north east edge of the historic area.

In order to fully assess the impacts of the proposal, together with the significance of the Conservation Area, the Conservation Officer has been consulted. The Conservation Officer notes the quality of the Conservation Area, with well-maintained buildings and gardens, appropriate boundary treatments and a good public realm. The Conservation Officer in turn notes the prominence of the Conservation Area, owing to its elevated position on the limestone ridge, with views possible in and out of the Conservation Area from the wider landscape.

The Conservation Officer nevertheless goes on to note the site's separation from the Conservation area and the limited intervisibility between the two. The conservation Officer consequently highlights the importance of ensuring that the development is carefully designed to respect its historic setting, noting that a lower density of housing may be necessary to achieve this. This is something accommodated within the description of development which seeks consent for up to 61 dwellings, allowing flexibility at the design stage in the number of dwellings to be provided. Consequently the Conservation Officer does not identify any significant harm to the character of the conservation area and raises no objection to the principle of the development and provision of the access.

There are a limited number of listed buildings along Burton Street, and the Conservation Officer considers these in turn, having regard to their significance and the impact of the development. The Conservation Officers report can be read in full on the Council's website www.dorsetforyou.com, but buildings considered of particular significance include the Grade I listed Church of St. Gregory, situated on high ground approximately

550m south of the application site, and the Grade II listed Orchard House, located immediately to the south, and bordering, the application site.

Having reviewed their significance, the Conservation Officer makes the following assessment:

With regards to the setting of Orchard House within close proximity to the proposed site, I anticipate that:

- *There will be no harm to the evidential value of this asset.*
- *The proposals will result in less-than-substantial harm to the historic value of this building due to the complete removal of the historic connection between it and the adjacent rural landscape. Less-than-substantial harm does not mean no harm.*
- *As the submitted heritage statement suggests, the aesthetic qualities of the building are largely considered from the street frontage on Burton Street. In these views the building is seen with a backdrop of mature tree planting. These trees are located within the gardens of properties surrounding the application site and I do not anticipate that the proposed scheme will affect this backdrop. Therefore, I do not believe the aesthetic value of this asset will be harmed.*

The historic connection between this building and the rural landscape has been somewhat fragmented by the domestic tree planting within gardens but careful consideration of this historic connection will still have to be included in any future detailed design for the scheme.

With regards to the setting of the Church of St Gregory, I do not anticipate that the proposals will harm the evidential, historic or cultural value of this asset. I also do not anticipate that the proposed access and principle of housing will affect the aesthetic value of the church, given the distance between it and the application site and the small number of views around the site where the church is visible.

The Conservation Officer thus considers that there would be less than substantial harm resulting from the development. This refers to the NPPF's categorisation of harm, which classifies harm as 'substantial', 'less than substantial' and 'no harm'. There are of course degrees of harm within these categories, which will depend on the site characteristics and circumstances.

In this case, having regard to the site characteristics and intervisibility between the application site and heritage assets, together with their relationship on the ground, the Conservation Officer considers that through careful design, the proposed development could be achieved without significant detriment to these listed buildings. Therefore, whilst the development would result in less than substantial harm, the degree of harm would be at the lower end of this scale.

Noting the Conservation Officer's concerns regarding the suburban layout and density of the development, these matters are for subsequent consideration at the reserved matters stage, and the Conservation Officer raises no objection to the proposal in principle. It would nevertheless be important if submitted for formal consideration, to give detailed attention to the design and layout of the scheme, in order to ensure the development respects its village setting, and this could require a reduction in the number of dwellings proposed or the property types put forward.

In support of the application the agent has submitted an archaeological desk based study Assessment in order to consider the potential impacts of the development on archaeology. The assessment identified no specific indications that archaeologically significant remains are likely to be present within the site, concluding that the archaeological potential is low or negligible. Under these circumstances the report recommends that an archaeological watching brief during initial groundworks could be appropriate, but that no further investigations are likely to be required. In response to this the Senior Archaeologist has been consulted, and having reviewed the submitted information, does not consider archaeology to be a constraint on development.

For the purposes of Para 11 of the NPPF, the Conservation area and setting of Listed Buildings are considered to be designated heritage assets of particular importance. It is relevant to reiterate that the presumption in favour of sustainable development should not tilt the balance where the policies of the NPPF, in relation to safeguarding heritage assets, offer clear reasons for refusing the proposed development.

In this case, there are a number of identifiable public benefits associated with the proposed development. Not only would it contribute to the provision of both affordable and open market housing, it would in turn contribute to the vitality and viability of the village, and bring some short term economic benefits during the house build.

The impacts of the development are limited to Orchard House; any impact on the property's evidential and aesthetic value would be relatively small. Furthermore, it is considered that through careful design and landscaping, the provision of up to 61 dwellings could in turn contribute to enhancing the historic environment. No other harm is identified, and the impacts are considered to be at the lower end of the spectrum of 'less than substantial harm'.

When weighing the potential harm caused against the benefits of the scheme, the benefits are considered to outweigh the harm caused in this case. There are no policies within the Framework that offer clear reasons for refusing the development proposed on heritage grounds, and the presumption in favour of sustainable development as set out in para 11 of the NPPF continues to apply.

Impact on landscape

The site falls within the Limestone Hills Landscape Character Area which comprises a varied landform due to the complex geological structure. The built form of the village is influenced by the geography of the land, and views out of the village are characterised by rural vistas, rolling hill slopes, and hedged field boundaries to mainly arable land.

Due to the elevated and sloping nature of the application site, together with the undulating landscape that the village sits within, views are possible from the site across the rural settlement towards the built form to the south and east, including views towards the Church and rural foreground. In turn, the rising open nature of the site is easily identifiable from the south, rising beyond the housing along Burton Street to form a rural backdrop to the settlement edge.

In order to fully assess the impacts of the development on the wider landscape, the agent has provided a number of photomontages which are helpful in understanding how the development might appear within the wider landscape. Although indicative, as the layout and scale are yet to be determined, the photomontages are successful in identifying some of the impacts. Without doubt the current undeveloped rural land rising

up beyond the settlement edge of Burton Street contributes positively to the rural character of the area, and the development would result in the loss of this rural backdrop. Nevertheless, the photomontages do indicate that the development could be incorporated on the site such that it would not protrude beyond the crest of the slope to form skyline development, which assists in retaining the sense of village edge. In turn, this also protects views from the crest of the hill back towards the Church tower, with the built form of the proposed development shown no higher than the existing hedgeline.

In order to fully assess the impacts of the development the Landscape Officer has been consulted and makes the following comments:

Regarding the proposed access to the development, I do not consider the access from Burton Street likely to cause significant harm to the landscape character or the visual amenity of the surrounding area. Marnhull contains similar access entrances in relative proximity to the site and the proposed access is already a significant field entrance.

Regarding the principle of 61 dwellings being erected on the site, the proposed site sits between two areas of settlement within Marnhull. The proposed dwellings per hectare (DpH) for this application is approximately 24 DpH, which reflects the general settlement density of the village but is more dense than the historic character of the conservation area and an edge-of-village development... if you are minded to approve this application I would recommend that the illustrative masterplan is amended at reserved matters to provide greater public open space, particularly in the area to the north of Burtonhayes. This would allow for some openness of landscape and views to be maintained from these properties and Orchard House.

The Landscape Officer raised no objection to the principle of the scheme, and it is considered that the proposed development of up to 61 dwellings, together with access could be accommodated on the site without significant detriment to the landscape qualities of the area.

There are no clear policies within the Framework that offer clear reasons for refusing the development proposed on landscape grounds, and the presumption of favour of sustainable development as set out in para 11 of the NPPF continues to apply.

Ecology

In support of the application, the agent has submitted an Ecological Survey together with a Biodiversity Mitigation and Enhancement Plan (BMEP), certified by the Council's Natural Environment Team. This identified that the improved grassland on site has the potential to support low numbers of reptiles, and identified the hedgerows as a priority habitat suitable for nesting birds, and foraging and commuting bats. The BMEP sets out a number of mitigation measures including lighting requirements in terms of ensuring an unlit 5 metre buffer along the west and east site boundary is secured, and controlling the level of lighting used elsewhere. Other suggested mitigation measures include hedge protection zones, a process of habitat degradation to encourage reptiles out of the development areas, and vegetation clearance controls.

The BMEP goes on to assess enhancement measures to be incorporated into the development and considers that there would be a net gain in biodiversity through the provision of increased grassland, an attenuation pond and a planting scheme on site, including scattered native tree and shrub planting, enhancement of existing hedgerows,

and the provision of new species-rich hedgerows to border the development where no hedgerows exist. In addition, features would also be provided on the houses and garages to provide for birds, bats and bees, and features such as a log and brushwood piles will be created in suitable locations along the site boundaries for reptiles, amphibians and other fauna. A Landscape and Ecology Management Plan (LEMP) is to be provided detailing all ecological enhancements, habitat creation and retained habitat features.

It is considered that the proposed development could be achieved without significant harm to protected species, and could contribute to enhancing biodiversity at the site. In order to ensure the measures set out are delivered on site, the BMEP would form a condition of any consent. Subject to this, the proposed development is considered to be acceptable in this regard.

Residential Amenity

The site lies in close proximity to a number of residential properties, with those most affected being those bordering the site, including the properties of Burtonhayes and Orchard House. Only indicative details of the properties positioning and spacing have been provided, and no details of fenestration, scale, or levels have been submitted at this stage.

Having regard to the illustrative plan provided, it is noted that properties have been orientated and positioned to minimise the impact on neighbours to the south, with properties orientated at an angle to the properties of Burtonhayes and Orchard House, with a back garden to back garden arrangement currently shown. Additional landscaping is indicated along this southern boundary, and the proposed dwellinghouses are shown positioned at least 10 metres from neighbouring boundaries and in excess of 35 metres from the nearest neighbouring dwelling house.

At the reserved matters details of precise siting of the dwellings, position of windows and boundary treatments, together with finished floor levels and scale of properties, will be provided in order to fully assess the impact on residential amenity.

It is recognised that the views of neighbouring properties, which currently benefit from an open aspect to the rear, would undoubtedly alter. However, the impact on private views is not a material planning consideration which can be taken into account, and whilst the outlook from these properties would be subject to change, it is not considered that this would significantly impact the residential amenity of occupiers to warrant refusal of the application.

It is also noted that there would be more activity, noise and vehicle movements generally on the site, given its current undeveloped nature. However, this activity would be of a residential nature, consistent with existing uses within the vicinity of the site. It is considered that the proposed housing development would be unlikely to generate harmful levels of noise and disturbance that would significantly and demonstrably affect the quiet enjoyment of neighbouring residential properties.

Concern has also been expressed in relation to the impact of construction. During the construction phase of the proposed development there would inevitably be some adverse impact on neighbouring occupiers by way of disturbance. However, a construction management plan condition is proposed to ensure that any such disturbance would be kept to a minimum. Such disturbance would also be transitory and, as such, it is not

considered that the disturbance would be significant enough to warrant refusal of the scheme.

Concern is raised in relation to the impact that the Burton Street realignment would have on the driveways to Tapshays Cottage and Lychgates. The proposal does not propose to alter this access, and it will be the developer's responsibility to make good any damage to property.

It is considered that a proposal for 'up to 61 dwellings' could be delivered without significant adverse impacts on the residential amenity of the area. A construction management plan condition would assist in protecting neighbouring amenities, in compliance with Policy 25 of the Local Plan.

Impact on cemetery

The existing open field adjacent to the cemetery currently offers an open green aspect from the cemetery, and contributes to the sense of space when visiting the cemetery.

Whilst the character of the area would inevitably change through the provision of housing within the southern portion of the adjacent field, an open aspect would be retained along most of the cemetery's boundaries, and the proposed development is not considered to significantly compromise the use and tranquillity of the cemetery to warrant refusal of the application.

Highway Safety

The applicant is seeking full permission for access to the site, which is shown directly off Burton Street. In order to support the application, detailed plans of the access point have been provided, showing a 6 metre wide access capable of accommodating 2 way traffic including refuse vehicles, proposed at the point of the existing field access. To overcome visibility constraints at the access, it is proposed that the carriageway of Burton Street would be realigned 4m to the south utilising the existing highway verge, and a 2 metre wide pavement would be provided along the eastern side of the access road, extending around to the access to the village recreation ground. The realignment enables the site access to be provided with visibility splays that accord with the guidance provided by Manual for Streets.

The agent has also submitted a Transport Assessment which considers the likely trip generation associated with the development and the report concludes the following:

The number of additional trips being added to the local road network as a result of this proposed development is not considered to result in a severe impact on the operation of the local road network given that Burton Street provides access to numerous residential dwellings.

A junction capacity assessment has also been undertaken regarding the Crown Road/Schoolhouse Lane/New Street/Church Hill junction. The assessment concludes that the proposed development or future potential development would not result in capacity issues at the junction.

The number of parking spaces to serve the development can be considered at the detailed design stage, but the Transport Assessment confirms that parking would be

provided in accordance with the Bournemouth, Poole and Dorset Residential Car Parking Provision Guidance Document (2011).

Notwithstanding the above, third party concerns have been raised in relation to the impact of the development on highway safety. Residents refer to the increase in the volume of traffic, poor sight lines around the bend, and pinch points within Burton Street itself causing traffic to slow to negotiate oncoming vehicles. Concerns are also expressed with reference to a further access being provided in proximity to other well used junctions, including the Pilwell junction and the access to the cemetery, recreation ground and hall. In turn, the validity of the Transport Statement has been questioned.

In order to fully assess the proposal with regards to Highway Safety, the Highways Authority has been consulted who has reviewed the Transport Statement and proposed development. The Highways Authority states the following:

...In order to present a representative picture of the likely impact of the development traffic upon the local highway network, the Transport Assessment considers the following scenarios - a 2018 baseline, a 2023 baseline without development, 2023 with the development traffic and 2023 with the development traffic plus the SHELAA sites in the settlement (the worst-case scenario). The modelling looks, in particular, at the junction of Crown Road/Schoolhouse Lane/New Street/Church Hill, using Junctions 9 software to predict the likely traffic queues and delay. It also considers the junction of Burton Street with Pilwell.

The modelling concludes that the junctions in question will still operate well within capacity when the worst case 2023 scenario is considered, with a minor increase in queuing and delay. The County Highway Authority accepts these findings and does not consider that the highway impact on these junctions is a material cause for concern.

A review of personal injury collision data has not identified any critical locations on the local highway network ... The proposed realignment of the Burton Street provides a marked improvement to the existing situation and is considered to be a highway safety benefit to all road users

... the submitted Transport Assessment is satisfactory and robust. Whilst it is accepted that the proposal will obviously increase traffic flows on the local highway network the residual cumulative impact of the development cannot be thought to be "severe", when consideration is given to paragraph 109 of the National Planning Policy Framework (NPPF) - July 2018.

In light of the above, although the highway verge would be lost, which has been raised as a concern given its ability to offer pedestrians refuge from the highway, the proposed works to realign Burton Street around the bend would enable traffic to pass without crossing the centre line, which is considered to represent an improvement to highway safety. In turn, the realignment offers opportunity to obtain the recommended sight lines at the proposed access to the site, ensuring safe egress onto Burton Street from the proposed development. The proposed development would result in an increase in volume of traffic, however this is not considered to be significantly harmful. Whilst the proposed development would in turn result in an increase in pedestrians using Burton Street to access facilities, the village nature of the road naturally slows traffic, and there are opportunities for refuge on route.

The lack of a footpath along Burton Street is regrettable, however, when weighed in the balance, the proposed development is not considered to significantly impact highway safety to warrant refusal of the application, and the Highway Authority raise no objection.

Flood risk and drainage

The site falls within flood zone 1, which is the lowest flood risk category. The Environment Agency flood data indicates that there is some surface water risk within the western portion of the site, and near the access of the site along Burton Street.

Site investigation has revealed that the use of balancing methods such as attenuation basins would be the most appropriate method to attenuate surface water runoff, with discharges into the local watercourse and ditch system. The FRA considers that this drainage strategy would ensure surface water arising from the proposed development would be managed such that there would be a reduction in flood risk from the site. The FRA concludes the following:

The overall conclusions drawn from this Flood Risk Assessment are that the development would be appropriately safe for its lifetime taking account of the vulnerability of its users, the development would not increase flood risk elsewhere, and would reduce flood risk overall.

It is considered that a suitable drainage system could be achieved at this site to safeguard properties and land downstream from any impacts of flooding as a consequence of the proposed development. DCC as Lead Local Flood Authority consider that the proposed development would be acceptable, subject to conditions requiring the above investigations and an appropriate drainage solution being reached prior to commencement.

Wessex Water has been consulted in relation to the application. In terms of foul waste, Wessex Water confirm that the application site falls within the catchment of Marnhull Common Sewerage Treatment Works, which is approaching capacity.

Where planned discharge rates are exceeded, it will be necessary to plan, design and construct treatment capacity, and agree new discharge limits to meet catchment growth. In this regard, Wessex Water has a scheme of improvement works planned for the Marnhull Common sewerage works, programmed for years 2020-2025. If the treatment capacity is reached in the meantime, a separate scheme of works would be required. In order to ensure appropriate arrangements can be made to support the proposed development, it is considered appropriate that a pre-commencement condition be placed on any consent requiring confirmation to first be received from Wessex Water that capacity can be made available for new connections, prior to works going ahead.

Affordable housing

The applicant is proposing to deliver 40% of the proposed housing as affordable units, in accordance with policy 8 of the Local Plan. This would be secured through a legal agreement.

The number of 2 bed properties and 3+ bed properties broadly reflect the 60:40 split required under policy 7. The open market housing would also be in accordance with policy 7. The housing mix is a matter that could be further considered at the detailed

matters stage, but the indicative scheme complies with the policy provisions set out in the Local Plan.

It has been made clear within the comments received that housing should respond to local need and it is considered appropriate that a local connection clause be included within the legal agreement that gives priority to those with a local connection to Marnhull.

Planning contributions

In order to make development acceptable in planning terms, applications for major housing development such as this one are expected to maintain and enhance the level of grey, green & social infrastructure as set out in Policies 13, 14 and 15 of the LPP1.

In the absence of pre-existing justification within the Local Plan (as it was never anticipated that the District's villages would be subject to large scale housing proposals), to better understand the direct implications that the development would have on infrastructure within Marnhull, consultation has taken place with Marnhull Parish Council.

Where unacceptable impacts are identified and can not be addressed on-site, in line with Policy 13, 14 and 15 of the Local Plan, it is considered necessary to require either provision on the ground or a financial contribution towards enhancement and improvement of specific infrastructure, in order to mitigate the impacts, and make the development otherwise acceptable in this regard.

The key heads of terms for the legal agreement to secure these matters are as follows:

- o Play Facilities (upgrading of Marnhull's existing play equipment and skate park, provision of a multi-use games area within Marnhull) = £967.52
- o Play Facilities Maintenance (related to the provision above)= £359.36
- o Allotments = £308.16 or the transfer of existing allotments to the Parish Council.
- o Formal Outdoor Sports (upgrading Marnhull's cricket ground and football pitch, additional tennis court, provision of outdoor exercise equipment within Marnhull) = £1,318.80
- o Formal Outdoor Sports Maintenance (related to the provision above) = £128.73
- o Informal Outdoor Space (the provision of a park/garden within Marnhull together with the provision of natural and semi-natural green space within the settlement) = £2,071.38 or the delivery of a park/garden within Marnhull on land owned by the applicant of no less than 0.36ha).
- o Informal Outdoor Space Maintenance (related to the provision above) = £1,278.80
- o Community, Leisure & Indoor Sports Facilities (provision of an additional, or enlarged, village hall within Marnhull) = £2,006.97
- o Rights of Way Enhancements (upgrading, and/or provision, of pedestrian and bridleway gates, appropriate surfacing, signage, all relating to the affected footpaths on site) = £39.77
- o Primary and Secondary Education (provision of an additional teaching space at St. Gregory's Primary School, new specialist and science provision at Gillingham Secondary School, provision of an additional primary school playing field at Marnhull, if expanding by 1 formal entry) = £6,094.32
- o Libraries (additional equipment and stock at Sturminster Newton library) = £241

The applicant has agreed in principle to the heads of terms which provide contributions to the above project allocations. Negotiations are still on-going with regards to provision where a contribution could be substituted for delivery within the village. In particular, if the applicant agreed to transfer the existing allotments to the Parish Council, no further contribution would be required in this regard. In turn, the provision of a park/garden within the village would meet the Fields in Trust Guidance, and negate the need for a financial contribution. Where provision can not be made on the ground, the applicant has nevertheless agreed the fall back position of making the financial contributions.

In light of the above, the contributions have therefore been demonstrated to be reasonable, necessary and proportionate, to meet the regulations for Community Infrastructure Levy and the NPPF, and have in turn been agreed in principle by the applicant.

Concerns have been raised in relation to the doctors' surgery in Marnhull. The Dorset Clinical Commissioning Group has been consulted and no comment has been received. They have nevertheless reviewed service provision within the area as part of the other larger schemes proposed within the village, and in each case that have not sought any contribution towards healthcare provision. Without evidence from the primary care services that the surgery would be unable to cope with the additional patients as a result of the development proposed, no contribution in this respect can be justified under the Community Infrastructure Levy Regulations.

Concern has also been expressed in relation to traffic speeds, and the Parish have requested a traffic calming scheme. However, the Highway Authority have offered no evidence towards a need for road infrastructure associated with the impact of the development. Without such evidence, a financial contribution in this regard can not be justified under the Regulations.

Conclusion:

Marnhull is identified in the Local Plan as an appropriate location to absorb additional housing to meet local needs, and is the most well served of the 18 larger villages identified. The proposed development is of a scale greater than would have been envisaged for a village location. However, as a result of the existing shortfall in housing supply within North Dorset, Policy 2 of the Local Plan can not be given full statutory weight, and the presumption in favour of sustainable development, as set out in para 11 of the NPPF applies.

The proposed development is considered to comply with the objectives of sustainable development as set out in the NPPF and would assist in the delivery of housing within the District, and meet the local needs of Marnhull. The impacts of the development are not considered to significantly or demonstrably outweigh the benefits of the proposal in this case, and no policies within the Framework or Local Plan which seek to protect areas or assets of importance offer clear reasons to refuse the application. Furthermore, the proposed development is not considered to conflict with other policies which remain 'up-to-date' in the Local Plan. Under these circumstances, the 'tilted balance' in favour of supporting sustainable development therefore applies, and the proposed development is considered to comply with policy objectives, such that the recommendation is to approve, subject to conditions and a legal agreement to secure contributions and 40% affordable housing.

Delegate authority to the head of planning to grant planning permission subject to securing 40% affordable housing, and appropriate planning contributions through S106 agreement, and subject to conditions.

Recommendation:

Delegate authority to the Planning Manager to grant planning permission subject to conditions and the securing of planning contributions through the signing of a S106 agreement.

Conditions:

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

Site Location Plan, drawing no. RL001 (BS), received 14 Dec 2018

Access Design and Visibility Splays, drawing no. 028.0050.004 Rev C, received 6 March 2019

Access Tracking, drawing no. 028.0050.005, received 14 Dec 2018

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

2. Approval of the details of the layout, scale and appearance of the buildings, and the landscaping of the site (hereinafter called the Reserved Matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: To ensure the satisfactory development of the site.

3. The development to which this permission relates must be begun not later than whichever is the later of the following dates:-

(i) the expiration of three years from the date of grant of outline planning permission, or
(ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed by Section 91 and 92 of the Town and Country Planning Act 1990 (as amended).

4. Application for approval of any 'reserved matter' must be made not later than the expiration of two years beginning with the date of this permission.

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

5. The development shall comprise of no more than 61 dwellings.

Reason: To protect the character and appearance of the area.

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

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

7. Prior to the occupation of the first dwelling, the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification first submitted to, and agreed in writing by, the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

8. Prior to the occupation of the first dwelling, a scheme showing precise details of the proposed cycle parking facilities shall have first been submitted to, and agreed in writing by, the Local Planning Authority. The cycle parking facilities shall be constructed in accordance with the agreed details, and made available for use prior to the occupation of the 30th dwelling. Thereafter, they shall be maintained, kept free from obstruction, and made available for the purposes specified.

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

9. Prior to the occupation of the first dwelling, the following works must have been constructed to the specification of the Local Planning Authority:

The realignment of Burton Street and associated highway works, as shown on Dwg No 028.0050.004 Rev C (or similar scheme to be agreed in writing with the Local Planning Authority).

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

10. No development shall commence until a Construction Traffic Management Plan (CTMP) shall have been submitted to and agreed in writing by the Local Planning Authority. The CTMP must include:

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

- o a route plan for all contractors and suppliers to be advised on
- o temporary traffic management measures where necessary

Thereafter, the development must be carried out in strict accordance with the approved Construction Traffic Management Plan.

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

11. Prior to the occupation of the 1st dwelling, a Travel Strategy must first have been submitted to and agreed in writing by the Planning Authority. The strategy should include measures to reduce the need to travel to and from the site by private transport and the timing of such measures. Thereafter, the strategy must be implemented in accordance with the details as approved.

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

12. No development shall take place until a survey of the downstream surface water/land drainage system has been undertaken, which confirms existing drainage arrangements from the site, including the outfall route from the existing pond and ditch system.

Reason: To ensure compliance with National Planning Policies concerning sustainable drainage and to better manage local flood risk and residual risk from public drainage infrastructure.

13. No development shall take place until a Surface Water Construction Management Plan, which shall include measures to prevent turbid run-off from the construction site reaching the road and/or discharging into the public sewer system, has been submitted and approved, in writing, by the Local Planning Authority. The agreed measures shall be implemented and maintained throughout the construction phase of the development.

Reason: To prevent increased risk of flooding during construction, prevent pollution and protect water quality.

14. Details submitted pursuant to any reserved matters application shall include exceedance measures, and a timetable for their implementation.

Reason: To ensure that the development is resilient to climate change and to ensure residual flood risk from infrastructure failure is managed appropriately.

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

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

16. No development shall take place until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in

writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

17. No development shall commence until written agreement has been received from Wessex Water, and in turn submitted in writing to the Local Planning Authority, confirming that capacity can be made available for new connections to the foul drainage network.

Reason: To ensure appropriate capacity is first secured to manage foul drainage from the development.

18. Prior to the occupation of the 1st dwelling, all measures set out in the Biodiversity Mitigation & Enhancement Plan submitted by Lindsay Carrington Ecological Services dated 18th February 2019, as certified by Dorset County Council Natural Environment Team, shall be implemented in full.

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

19. Prior to the construction of the foundation of any dwelling, a Landscape and Ecology Management Plan (LEMP) shall first be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include ecological enhancements, habitat creation and retained habitat features, together with details of maintenance of habitat/ecological features for a period of not less than 5 years. Such scheme shall be implemented immediately following commencement of the works, or as may be agreed otherwise in writing by the Local Planning Authority.

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

20. No development shall commence until a detailed Arboricultural Method Statement shall have been produced, submitted to and approved in writing by the Local Planning Authority. The statement shall include details of how the existing trees are to be protected and managed before, during and after development and shall include information on traffic flows, phased works and construction practices near trees. The development shall thereafter be carried out in accordance with the approved Arboricultural Method Statement.

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

21. Prior to occupation of the 1st dwelling, a landscaping and tree planting scheme shall have first been submitted to and agreed in writing by the Local Planning Authority. The landscaping scheme shall include details of all tree, shrub and hedge planting, including details of species, sizes, and densities of plants. In addition, it shall include a long term management plan for all trees and landscaping which are to be retained and/or proposed at the site, together with provision for the maintenance and

replacement as necessary of the trees and shrubs for a period of not less than 5 years. Such scheme shall be implemented during the planting season November - March inclusive, immediately following commencement of the works, or as may be agreed otherwise in writing by the Local Planning Authority.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape, in the interest of safeguarding the visual amenity and landscape qualities of the area.

22. Prior to occupation of the 1st dwelling, full details of hard landscape proposals, including surfacing and boundary treatments, shall have first been submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of hard landscaping, in the interest of safeguarding the visual amenity and landscape qualities of the area.

23. No external street lighting shall be erected on site, until a scheme showing the precise details of external lighting (including appearance, light intensity and orientation) shall have first been submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, any street lighting shall be implemented in accordance with the agreed details, and shall be retained as such thereafter.

In the interests of safeguarding the rural amenity of the area.

24. Prior to the construction of the foundation of any dwelling, details of the finished floor levels of the buildings shall have first been submitted to and approved in writing by the Local Planning Authority. Such levels shall be relative to an ordnance datum or such other fixed feature as may be agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved details.

REASON: In the interests of visual amenity

25. Prior to the construction of any attenuation pond, details of depths, gradients, and any associated structures shall have first have been submitted to, and agreed in writing by, the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

Reason: in the interests of visual amenity

Human Rights:

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

Public Sector Equalities Duty (PSED)

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:

Removing or minimising disadvantages suffered by people due to their protected characteristics.

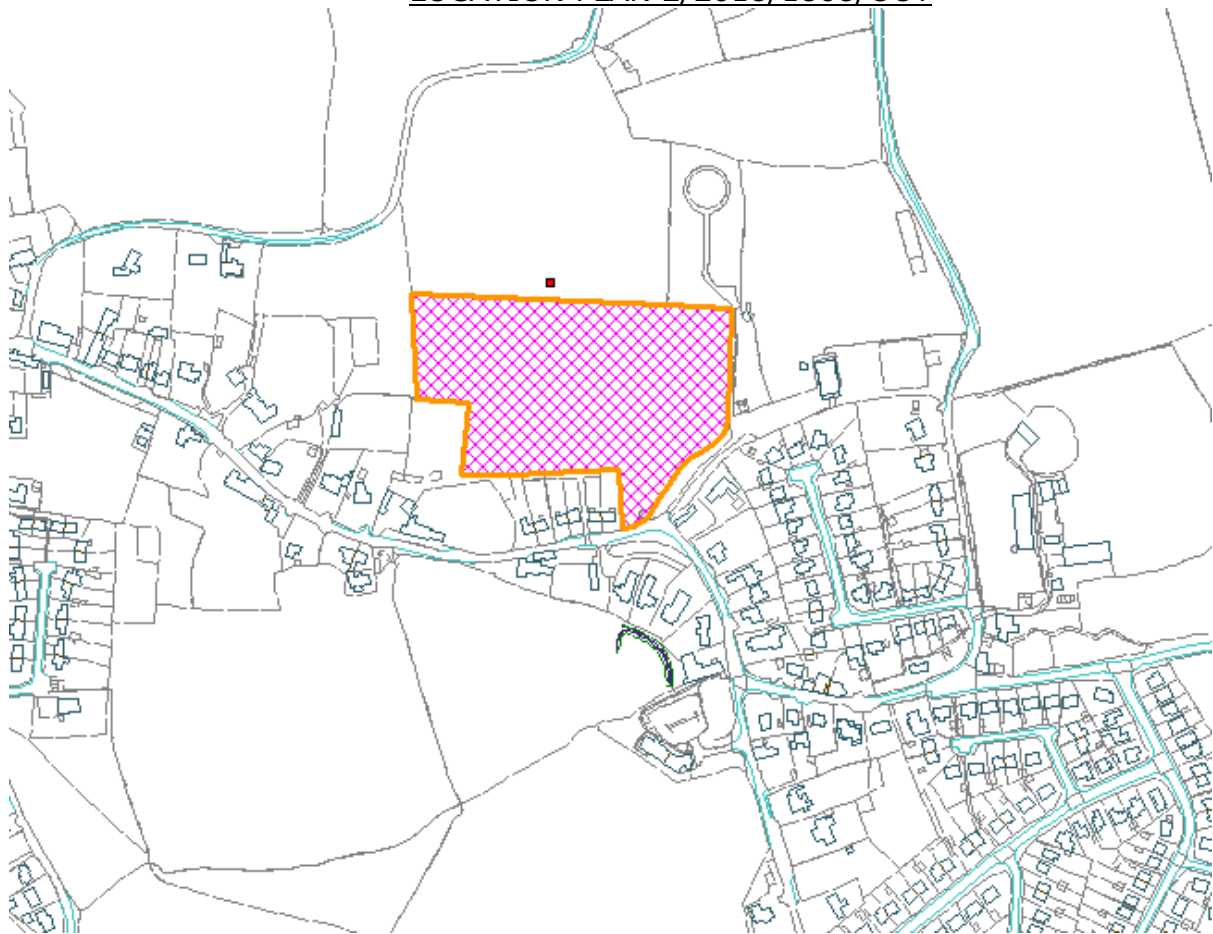
Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.

Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED. In particular, the access arrangement will provided with dropped kerbs.

DECISION:

LOCATION PLAN 2/2018/1808/OUT



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Charlton Marshall



Application Type: Outline Application

Application No: 2/2018/1576/OUT

Applicant: Hall and Woodhouse Ltd

Case Officer: Mrs Hannah Smith

Recommendation Summary: Approve

Location: The Charlton Inn , Bournemouth Road, Charlton Marshall, DT11 9NH

Proposal: Develop land by the erection of 9 No. dwellings and 3 No. letting rooms, form vehicular access, car parking and landscape improvements associated with the Charlton Inn. (Outline planning application to determine access).

Reason for Committee Decision:

Objection from the PC and request by Cllr Kerby.

Description of Site:

The site comprises The Charlton Inn and its car park and an area of the adjacent field. The site is located on the junction of the A350 and River Lane. To the north there are three late 20th Century detached bungalows. Across the road are properties that cover a range of periods, that vary in height from single to two storey and the new village hall which is currently under construction. Part of the site is within the village Conservation Area. All of the site is within the low risk flood zone 1.

Planning Policies:

Local Plan:

- Policy 1 - Sustainable Devt.
- Policy 2 - C Spatial Strategy
- Policy 4 - The Natural Env.
- Policy 5 - The Historic Env.
- Policy 6 - Housing Distribution
- Policy 7 - Delivering Homes
- Policy 11 - The Economy
- Policy 13 - Grey Infra.
- Policy 15 - Green Infra.
- Policy 20 - The Countryside
- Policy 23 - Parking
- Policy 24 - Design
- Policy 25 - Amenity
- Policy 27 - Comm. Facilities

Planning policy and guidance:

NPPF February 2019

1. Introduction
2. Achieving sustainable development
4. Decision-making
6. Building a strong, competitive economy
11. Making effective use of land
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Sections of the NPPF which are specifically relevant to this case are:

In terms of heritage, section 16, paragraphs 184, 189, 190, 192 and 200 are relevant. Paragraph 184 states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Once they are destroyed, they cannot be replaced.

Paragraph 196 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.

Constraints:

Agricultural Land Grade - Grade: GRADE 3
Conservation Area - The Charlton Marshall Conservation Area
Flood Zone 2 - Floodzone Type: Flood Zone 2
Flood Zone 3 - Floodzone Type: Flood Zone 3
Parish Name - : Charlton Marshall CP
Settlement Boundary - Name: Charlton Marshall
Ward Name - Ward Name: Riversdale and Portman Ward

Consultations:

Environment Agency

Consulted on the 8 February 2019, their comments dated 22 February 2019 are as follows: No objection subject to a levels condition and a condition that ensures that there is no building in flood zones 2 and 3.

Drainage (Flood Risk Management) - DCC

Consulted on the 8 February 2019, their comments dated 14 March 2019 are as follows: No objection subject to conditions.

Wessex Water

Consulted on the 26 November 2018, their comments dated 28 November 2018 are as follows: No objection subject to condition.

Charlton Marshall PC

Consulted on the 26 November 2018, their comments dated 19 December 2018 are as follows: Objection, please see the full comment below.

Transport Development Management - DCC

Consulted on the 26 November 2018, their comments dated 30 November 2018 are as follows: No objection subject to conditions.

Planning Policy

Consulted on the 26 November 2018 there was no response from this consultee at the time of report preparation.

Tree Officer South - NDDC

Consulted on the 26 November 2018 there was no response from this consultee at the time of report preparation.

Drainage (Flood Risk Management) - DCC

Consulted on the 26 November 2018, their comments dated 19 December 2018 are as follows:

Dorset Waste Partnership

Consulted on the 26 November 2018 there was no response from this consultee at the time of report preparation.

Environment Agency

Consulted on the 27 November 2018, their comments dated 5 December 2018 are as follows:

Transport Development Management - DCC

Consulted on the 3 December 2018 there was no response from this consultee at the time of report preparation.

Charlton Marshall Parish Council:

Objection:

- The stretch of road adjacent to the site is particularly dangerous and there have been a number of accidents occurring over the years on this 'S' bend. The presented scheme failed to indicate the position of the bus stop by the pub carpark, which is a significant oversight.
- Safety of access to the site for large vehicles including refuse lorries. There seems to be a 7.5 t limit on the proposed site. Large vehicles appear to have no direct access to the pub.
- An additional junction onto the main road at a point which is already causing difficulties for residents turning out of Green Close and Greenfield Road. Potential issues with blind spots being created. The splay at the end of Green Close has been further affected by the erection of the new village hall.
- Concern that children who would live in the new houses would need to cross a dangerous road to reach play areas.
- The site is on a flood plain and regularly floods: concerns have been raised as to where the surface water will be redirected in times of flood.
- This is private housing which we understand is only being built in order to pay for the block of 3 holiday lets and improvements to the pub.
- The possibility that permission will be sought for further development should this initial application be successful. There was a further worry as to the future of the pub if the improvements were not successful and what might happen if it had to be pulled down.
- The drawings are of a possible scheme, rather than a plan for submission, it could ultimately be different. There are concerns that the houses are gable end onto the main road which is not in keeping with other development along the A350 in Charlton Marshall.
- Potential problems caused by insufficient parking spaces in front of the proposed dwellings
- A previous application 2/90/0764/09 for planning on this site was rejected upon appeal to the Planning Inspectorate and some of the considerations for the refusal were as detailed below and are considered still to be very relevant:
- Residential development on the site would result in an undesirable encroachment of development into an attractive area of the countryside because of the open character and exposed position of the site outside the built up confines of the village. 'It would spoil the attractive rural landscape of the Stour Valley'.

- Highways objected to residential access opposite the 3 existing well used junctions on a 'busy County Primary Route'.
- The Inspector considered the 'undesirability of allowing new development on a greenfield site to protrude into a flood plain of the River Stour (DEFRA defines the field as 'water meadow' for agricultural purposes).

It is strongly felt that this application should be considered by a Planning Committee due to the strength of feeling in the community and the way in which it will alter the nature of the entrance to the village. Development of this site on the undeveloped side of the road 'will damage the distinctive character and elongated pattern of development which is confined to the South West side' where most villagers live. The Inspector stated development 'would form an incongruous appendage to its built up area'.

Representations:

12 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 12 objected to the proposal and 0 supported the proposal.

The letters of objection contain the following summarised points:

- Economic Benefits,
- Flooding Issues,
- Parking,
- Road Safety,
- Lack of infrastructure to cope with additional housing,
- Pollution from cars, impact in terms of global warming,
- Biodiversity, concern about the timing of the survey and the potential for more reptiles to be present,
- Effect on the Appearance of Area,
- Impact on Access,
- Landscape,
- Noise/Disturbance,
- Traffic or Highways,
- Concerns that this may lead to more development,
- Highway impact and visibility concerns,
- Landscaping insufficient,
- Impact of increased car park on amenity,
- It would have a negative impact on the open and unspoilt nature of the existing landscape. The fields here form an important gateway to the village and conservation area, both in visual and historic landscape terms,
- No need for the development.

Relevant Planning History:

Application:	2/1987/0074
Proposal:	Extend car park.
Decision:	Refuse
Decision Date:	03.06.1987
Application:	2/2004/1248
Proposal:	Convert existing storage barn to 6 no. lettable rooms, install 3 no. dormer windows, erect rear extension to public house for storage
Decision:	Approve
Decision Date:	25.01.2005

Planning Appraisal:

The applicant seeks outline approval for the construction of 3 new letting rooms, improvements to the pub setting, 9 new dwellings and a new access from Bournemouth Road (A350). Access is for consideration at the outline stage and all other matters are reserved.

The main planning considerations are:

- Principle of the development,
- Access,
- Amenity,
- Conservation Area and listed buildings,
- Landscape and Visual Impact,
- Flooding and drainage,
- Ecology.

Principle of the Development

The site is located outside but adjacent to the settlement boundary of Charlton Marshall. The settlement is one of the larger villages where some growth to meet the district wide need for housing is in line with the spatial distribution of development that is set out in the development plan. The village has a Public House, church, hall, and a park. The school is located in Spetisbury. The school is accessible along the Trailway, which also provides safe access to Blandford.

The current land supply in North Dorset stands at 3.3 years. It is acknowledged that to address the housing shortfall, sites outside of the defined settlement boundaries need to come forward in locations that are sustainable. Part of the site up to the pub car park and including the Inn, is located within the Conservation Area and the remainder of the site is within the setting of the designated area.

Because of the need to consider the effect of the development on designated heritage assets and the reference to these in footnote 6 of the NPPF the 'tilted balance' in paragraph 11d is not triggered unless the proposal can first pass the simple balancing exercises in paragraph 195 (in cases where harm to the significance of a designated heritage asset is judged to be substantial), or 196 (where any harm is found to be less than substantial). The impact on heritage is assessed in the following section. This is discussed further in the heritage section.

Weighing in favour of the proposal is the contribution that 9 dwellings would make towards the current lack of a 5 year housing land supply. Also, the contribution that the proposal would make to the future viability of the Public House is a material consideration in this case.

Policy 27 of the Local Plan seeks to retain valued community facilities and if such facilities need to diversify to maintain their presence in a local village, then policy 27 states that the Council would consider favourably applications for new uses in addition to the existing use. The addition of 3 letting rooms would be of benefit to the business and would add to the current letting rooms that were provided in around 2005.

Access

The application is in outline with access for consideration at this stage. The application is supported by a Transport Statement which confirms that the application is compliant with Manual for Streets

The Highway Authority has confirmed that adequate visibility can be achieved onto the A350, without compromising road safety.

The highway impact of the scheme cannot be considered to be severe having regard to the requirements within the NPPF paragraph 109 which states that development should only be

prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Although this is an outline application, the reserved matters application has the ability to address the needs of people with disabilities and reduced mobility through the design of the layout, and to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

As the proposal would not result in a significant amount of transport movements, a Travel Plan is not required.

Amenity

Although only illustrative at this stage, the indicative layout demonstrates that the proposed dwellings would be located approximately 10m to the east of the existing dwellings to the west of the A350. The orientation of the dwellings would not give rise to overlooking. The orientation also prevents the new development adversely impacting upon light for these dwellings.

Concerns have been raised as the indicative car park area extends towards the bungalows that are located in River Lane. These properties share a close relationship with the site. There is scope for the layout to adequately address the proximity to the rear of these dwellings at the reserved matters stage. The layout and landscaping must respond positively to the proximity of these dwellings. There is sufficient room to provide soft landscaping to lessen the impact on the bungalows which are set at a lower level than the application site. Loss of the view across the meadow from private properties is not a material planning consideration.

The addition of outside space has the potential to impact on the amenity of residents. However, the relationship that dwellings share with the public house is already close and the use of additional outside space is not considered to give rise to adverse impact on the adjacent dwellings.

Having regard to the requirements of policy 24 and 25 of the Local Plan Part 1, the amenity of surrounding land users would be safeguarded at acceptable levels.

Conservation Area and Listed Buildings

Paragraph 193 of the Framework sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Harm to the significance of a designated heritage asset can arise from its alteration, destruction, or from development within its setting. Any harm should require clear and convincing justification. This advice is reflected in Policy 5 of the Local Plan.

Part of the site lies within the Conservation Area. The boundary stops just past the public house. The car park of the public house and the rest of the site are located outside of the designated area. In view of this, consideration of the impact of the development on the Conservation Area and its setting is required in this instance. Given the sites close relationship with the existing development in River Lane, Greenfield Road and Green Close, officers consider that the proposed development would not erode the established settlement pattern of the village. With the appropriate siting of the buildings and landscaping, particularly to the car park area which is currently devoid of any meaningful softening, there is no reason why the development could not be successfully integrated without harming the setting of the designated area. In this respect, the development would not undermine the character of the village or be harmful to the setting of the Conservation Area.

The character and appearance of the Conservation Area is notably defined by residential development. In view of this, the development of the site is not considered to undermine the significance of the Conservation Area. The view out of the Conservation Area is at present dominated by the hard surfaced area of the pubs car park. The development represents an opportunity to

enhance the views out of the Conservation Area, while at the same time, retaining longer views out to the open countryside.

The two listed structures located on the west side of the A350 are the village pump house and a milestone. There is not any substantive inter-visibility between the site and the listed buildings due to the intervening built form of dwellings and the Inn.

Officers conclude that the resulting harm to setting of the Conservation Area and to the listed buildings is at worst neutral and with the application of robust landscaping and quality design at the reserved matters stage, the impact has the potential to be positive. As the harm is considered to be neutral, the public benefit test that is set out in paragraph 196 of the NPPF is not required.

Landscape and Visual Impact

Concern has been raised in respect of the impact that the scheme would have on the openness of this part of the village and in terms of the impact on views of the surrounding countryside. The site is not located within a protected or locally valued landscape, as described in the NPPF.

Officers consider that although the scheme introduces residential development in an area that is currently an open field, the scheme would be read in the context of being contiguous with the existing built form of the village. The development would result in a narrowing of the view to open countryside as you move out of the village. However, as you move along the A350 the majority of the wider landscape views would be retained.

From wider views, looking back towards the village, again the site would be viewed with a backdrop of built form. Presently, the entrance is dominated by the large hard surfaced area of the car park and there is minimal landscaping. The indicative layout offers an opportunity to provide a high quality entrance to the village.

The setting of the public house would benefit from the creation of more green space adjacent to the building. This would have the benefit of enhancing the public realm by reducing the amount of hard landscaping adjacent to the Inn.

Reference has been made to a 1990 appeal decision where the inspector rejected development in this area. This appeal decision related to a much larger area and it would have been considered under a completely different policy framework. It is therefore not considered to be material to the consideration of this current scheme.

Overall, the landscape impact of the proposal is considered by officers to be acceptable and in accordance with policy 4 of the Local Plan, Part 1.

Flooding and Drainage

The flood risk information has been updated following the advice of DCC Flood Drainage and the Environment Agency (EA). The entire site lies within the low risk flood zone 1. None of the development would be located on the higher risk flood zone 2 and 3.

The mitigation measures recommend the use of permeable surfaces and cellular storage tanks to attenuate groundwater flooding together with raised thresholds and designs for hard surface areas sloping away from dwellings. In some parts of the site, the finished floor level of the dwellings would be required to be raised by approximately 0.75 to 1 metre. This would not result in the levels exceeding the level of the road and therefore the levelling of the site would not result in an incongruous form of development.

Subject to floor levels, flood risk and drainage conditions, both the EA and DCC have raised no objection on flooding or drainage grounds.

Ecology

The ecology report details that a phase one habitat survey was undertaken on the 28th June 2017. The survey showed that overall the site had little ecological value other than its large grassy margins at the base of the hedgerows which could support reptiles. None of the hedgerows could be classed as species-rich. A phase two reptile survey was undertaken on site between the 13th October 2017 and 2nd November 2017. One reptile was recorded on site. The report concludes that it is likely that the site does not have a large carrying capacity for reptiles following the findings of the reptile survey.

The site has potential for slow worms and foraging bats due to the presence of hedgerows. The Biodiversity Mitigation Plan details the requirement for sympathetic lighting so as not to disturb bats. Mitigation is also required in terms of the hedgerow, a buffer strip would be set up, the bird breeding season must be avoided in terms of large-scale hedge removal and a total of 133 meters of like for like new hedgerow planting will take place. In addition, enhancement measures are included in the Biodiversity Mitigation Plan. These measures include bat and bird boxes, native planting, and the use of a wildflower lawn mix.

The application is supported by an approved Biodiversity Mitigation Plan which has been signed off by DCC and dated 15th November 2018. Provided this is made a condition of any approval, the ecology interests of the site will have been adequately addressed.

Conclusion:

Subject to an appropriate and locally distinct design and landscaping at the reserved matters stage, the resultant impact on amenity, highways, heritage, drainage and ecology is considered by officers to be acceptable.

There is a lack of an adequate housing land supply in North Dorset and the deficit is significant at 3.3 years supply. In this context and bearing in mind the Government's objective to significantly boost the supply of homes, significant weight can be attributed to the contribution the development would make to the supply of houses. The NPPF advises that small and medium sized sites can make an important contribution to meeting the housing requirement and are often built out relatively quickly. In addition, the proposal finds policy support in relation to policy 27 of the Local Plan, Part 1 as it provides for an enhanced beer garden and letting rooms that would help to ensure the continued success of the business.

The benefits of the scheme are considered to outweigh any harm and the application is recommended for approval, subject to conditions.

Recommendation: Approve

Conditions:

1. Approval of the Reserved Matters (i.e. any matters in respect of which details have not been given in the application concerning the layout, scale or appearance of the building(s) to which this permission and the application relates, or to the means of access to the building(s), or the landscaping of the site) shall be obtained from the Local Planning Authority in writing before any development is commenced. Such development shall be carried out as approved.

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

2. Application for the approval of any Reserved Matter must be made not later than the expiration of three years beginning with the date of this permission.

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

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

4. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details: 17149.13B, P1792/TS/03v2, 17149/25 P1 forming the approved application.

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

5. Before the development is occupied or utilised the first 10.00 metres of each vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

6. A scheme showing precise details of how the access, turning space, garaging and parking will be provided must be submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the development is occupied or utilised and, thereafter, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

7. The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the development is commenced and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

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

8. There must be no gates hung so as to form obstruction to the vehicular accesses serving the site.

Reason: To ensure the free and easy movement of vehicles through the accesses and to prevent any likely interruption to the free flow of traffic on the adjacent public highway.

9. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number P1792/TS/03v2 must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

10. There shall be no raising of ground levels in mapped flood zones, and the development shall be undertaken in accordance with the levels details shown on the Technical Site Plan (drawing number 17149/25 P1).

Reason: To protect the development from flood risk in accordance with National Planning Policy.

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

Reason: To prevent the increased risk of flooding & associated nuisance, to improve and protect water quality, and to improve habitat and amenity.

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

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

13. Before any foul drainage pipe work is installed, the details of that system and how it will be implemented to ensure it results in a sealed system, must be submitted to and approved by the Local Planning Authority. The system must be installed entirely in accord with the agreed details.

Reason: To ensure no groundwater enters the foul water drainage system within the site.

14. The letting room accommodation hereby approved shall be used solely for holiday letting and shall not be used for the purpose of providing permanent residential accommodation. Such accommodation shall not be let to any individual or group of individuals for any period which exceeds 28 consecutive days and there shall be no return by any such party within a further 28 days. A register of occupancy shall be kept and shall be made available to the Local Planning Authority following a written request at 14 days notice.

Reason: To ensure that the units are used to support the community facility and not used as permanent residential accommodation.

15. The Biodiversity mitigation measures set out in the approved plan dated 15th November 2018 shall be implemented in full in accordance with the timetable set out in the report, or in the absence of a specific timetable, prior to the development hereby approved being first brought into use and the site shall thereafter be maintained in accordance with the approved mitigation proposals.

Reason: To ensure adequate habitat is provided and subsequently protected to ensure adequate protection for important habitats and species is secured.

Human Rights:

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

Public Sector Equalities Duty (PSED)

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:

Removing or minimising disadvantages suffered by people due to their protected characteristics.

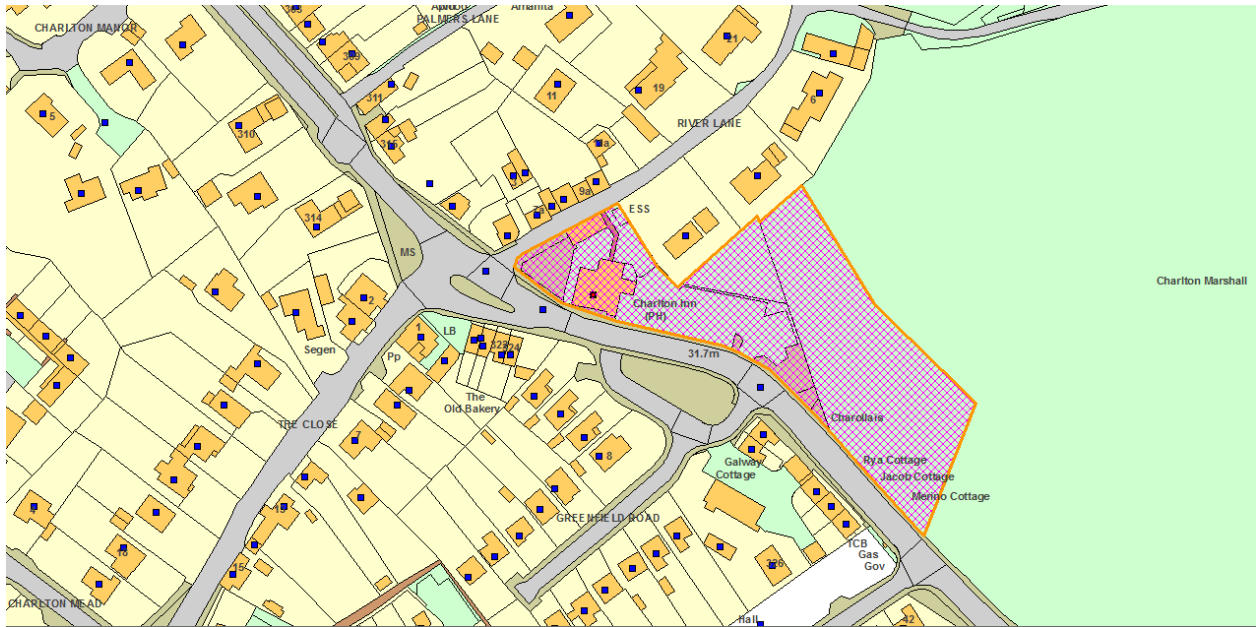
Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.

Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

DECISION:

LOCATION PLAN 2/2018/1576/OUT



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Milton Abbas



Application Type: Full Application

Application No: 2/2018/1818/FUL

Applicant: Mr & Mrs A Burch

Case Officer: Mrs Hannah Smith

Recommendation Summary: Approve

Location: Park Farm, Woodview Chalet , Blandford Road, Milton Abbas, DT11 0AX

Proposal: Erect 1 No. replacement dwelling and create additional parking space (demolish existing dwelling).

Reason for Committee Decision:

The applicant is a District Cllr.

Description of Site:

The application site comprises a single storey dwelling which is located to the southeast of Park Farm on the north outskirts of Milton Abbas within the Dorset AONB.

The wider site, a former farm has undergone considerable development in past years with the conversion of several of the farmyard range to various uses, demolition of a cob barn and the construction of a new attached dwelling and the addition of several detached outbuildings.

The site is adjacent to several listed buildings associated with the original farmstead:

List Entry extract
Park Farmhouse, Flat and boundary walls
Date first listed: 10-Oct-1985
GV II

Farmhouse with attached flat - converted from farm outbuildings. House attached to Park Farm Museum (q.v.) on left. House early C18, enlarged early C19. Outbuildings late C18 - early C19. House has walls of flint and cob, thatched roof. One brick stack at right end, one near left end. One storey and attic. In main front, ground floor has 3 casements with glazing bars. Attic has one dormer with casements with cast iron glazing, and one double dormer with casements with glazing bars. In rear wall, a range of bee boles formed in the cob. Internally, room at left end open to roof - probably former bakehouse, has large open fireplace with bread oven and curing chamber.

The Flat, attached at right angles to house at left end, has brick and flint walls and thatched roof. Single-storey. At end of this range a former granary, 2-storeyed, with lower walls of brick, boarded above, and pyramidal tiled roof. A through-passage, with ledged doors, at junction with the house, gives access to both buildings. Outer elevation to The Flat has one casement with part lead lights and part cast iron glazing, one C20 metal casement, and 2 casements with glazing bars. The former

granary has C20 timber windows on both floors. Attached to the granary on north-east, a flint and cob boundary wall with thatched capping enclose the courtyard on south-east.

Park Farm Museum

Date first listed: 10-Oct-1985

GV II

Range of farm buildings, now used as Rural Life Museum. Late C18. Left hand section, attached to Park Farm House (q.v.) has flint walls with brick dressings, raised in brick. Right hand section has lower walls of brick, with weather-boarded timber framing above. Thatched roofs. Left section has 3 casements with glazing bars. Right section has 2 stable doors and 3 casements with glazing bars. Right of this another barn, with cob walls on brick and flint base, buttressed, and corrugated iron roof. Lean-to extension at front of this, with corrugated iron roof.

Planning Policies:

Local Plan:

Policy 1 - Sustainable Devt.

Policy 2 - C Spatial Strategy

Policy 4 - The Natural Env.

Policy 5 - The Historic Env.

Policy 20 - The Countryside

Policy 23 - Parking

Policy 24 - Design

Policy 25 - Amenity

Policy 28 - Ex Dwell in C'side

Planning policy and guidance:

NPPF February 2019

1. Introduction
2. Achieving sustainable development
4. Decision-making
6. Building a strong, competitive economy
11. Making effective use of land
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Sections of the NPPF which are specifically relevant to this case are paragraph 172 of the NPPF which states:

172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited.

In terms of heritage, section 16, paragraphs 184, 189, 190, 192 and 200 are relevant. Paragraph 184 states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Once they are destroyed, they cannot be replaced.

Paragraph 196 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.

Constraints:

Agricultural Land Grade - Grade: GRADE 3
Area of Outstanding Natural Beauty - Name: Dorset
Parish Name - : Milton Abbas CP
Ward Name - Ward Name: Abbey Ward

Consultations:

Abbey Ward

Consulted on the 22 January 2019 there was no response from this consultee at the time of report preparation.

Dorset AONB - DCC

Consulted on the 22 January 2019, their comments dated 11 February 2019 are as follows: No objection: In my opinion the application is not likely to result in significant effects on the character and appearance of the wider landscape and as such I do not wish to provide detailed comments. However, I note that the site is in close proximity to two listed buildings.

The AONB Team is not able to provide professional advice on impacts on these assets, but would instead refer you to suitably qualified advisers on this issue and recommend that you consider advice received in the context of the AONB's Management Plan. "A rich historic and built heritage" is a special quality of the AONB and is therefore one of the features that has contributed to the Area being designated.

The Dorset AONB Management Plan 2014-19 includes a range of policies that aim to conserve and enhance the AONB's special qualities. I would highlight the following policies that are foreseeably relevant to this application:

- PH1a: Ensure that any necessary development affecting the AONB is sensitively sited and designed and conserves and enhances local character
- PH1d: Promote the use of high quality design, materials and standards of workmanship in all developments in the AONB.

Milton Abbas PC

Consulted on the 22 January 2019, their comments dated 7 March 2019 are as follows: No comment.

Wessex Water

Consulted on the 22 January 2019, their comments dated 30 January 2019 are as follows: No objection.

Transport Development Management - DCC

Consulted on the 22 January 2019, their comments dated 11 February 2019 are as follows: No objection subject to conditions.

Conservation Officer South - NDDC

Consulted on the 22 January 2019, their comments dated 25 February 2019 are as follows: Support subject to conditions.

Tree Officer South - NDDC

Consulted on the 22 January 2019 there was no response from this consultee at the time of report preparation.

Representations:

There were no letters of representation.

Relevant Planning History:

None.

Planning Appraisal:

The applicant seeks planning permission to erect a replacement dwelling.

The main planning considerations are:

- The principle of the development,
- The setting of the listed buildings,
- Area of Outstanding Natural Beauty (AONB),
- Highways,
- Amenity,
- Trees,
- Ecology,
- Drainage.

Principle of the Development

Policy 28 of the Local Plan allows for the replacement of dwellings provided that a number of restrictions are adhered to.

In terms of the relevant criteria, the existing dwelling is permanent, has not become derelict and is not the result of a temporary permission. The proposal is a one for one replacement and there is no increase in the number of dwellings that are proposed.

The replacement dwelling would be located on the footprint of the existing and there would be no extension of the existing residential curtilage. The design of the dwelling is considered to be no more visually intrusive than the existing dwelling due to the use of the levels at the site and the enhanced design. The replacement dwelling is of a size and design that respects the character and appearance of the existing residential curtilage, its immediate setting and its wider surroundings.

Having regard to the requirements of policy 28, the principle of erecting a replacement dwelling can be established.

Setting of the Listed Buildings

The site is located within the immediate setting of the grade II listed buildings. The special character of the former farmstead is comprised from its rural, historic and agricultural setting. The application site is seen juxtaposed with the listed farmhouse behind. It is considered that design of the proposed replacement dwelling is not overly domestic. This is achieved through the use of slate, brick and flint, and timber. The design makes use of the change in levels to reduce the scale and mass of the building. The fenestration has been carefully considered so there is uniformity and a vertical emphasis. Recessing of the large scale glazing, with fixed mullions to some panes, so as to enable thick profile timbers to be used to support the frames, takes reference from the agrarian setting.

Any development proposal affecting a heritage asset (including its setting) must be assessed having regard to the desirability of sustaining and enhancing the significance of that asset and securing a viable use for it that is most consistent with its conservation. Policy 5 of the North Dorset Local Plan, Part 1 seeks to establish the nature of any impact. In this case the impact is considered to be positive.

Paragraph 200 of the NPPF states that local planning authorities should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. In this case, the proposed dwelling would result in a high quality design, which better reveals the agricultural setting of the designated heritage assets.

In determining the proposals due consideration has been given to Section 16 (Paragraphs 190,192,193,194,195,196,200) of the NPPF, Section(s) 66/72 of the 1990 Act and Policy 5 of the Local Plan

Area of Outstanding Natural Beauty

The site is located within the Dorset AONB. The 2019 AONB Management Plan has been recently adopted and it is material to the consideration of this application.

The design of the dwelling has responded positively to the sites location within the AONB. The use of sliding shutters and the overhang of the roof reduces the possibility of light pollution within the AONB. This is a policy objective of the AONB Management Plan.

The AONB Officer concludes that the application is not likely to result in significant effects on the character and appearance of the wider landscape. Officers agree with this professional assessment. A view of the site is possible from the public bridleway which is located approximately 500 metres to the southeast. From this receptor, the site would be viewed against a backdrop of the existing built form. It would therefore, not appear incongruous.

The design and siting of the dwelling maintains the rich and historic built heritage which is a special quality of the AONB. It is sensitively sited and enhances local character thorough its high quality agrarian design and the use of sensitive materials.

Highways

The proposal would not result in an intensification of the use of the site. There is no highway objection.

Amenity

The dwelling is set some distance from its nearest neighbours and the main openings are orientated away from Park Farm. As a result, the new dwelling would not lead to unacceptable overlooking or overshadowing.

Trees

A group of mature trees are located to the north of the site and a smaller group is located to the south. The tree groups are comprised of Scots pine and common ash and both groups have a positive landscape value.

The Tree Survey and Arboricultural Impact Assessment explain that the proposed development does not require the removal or pruning of any trees. Nor does it encroach within the root protection areas of the trees to be retained.

A tree protection condition is required to ensure that the trees to be retained are fully safeguarded throughout the duration of the build.

Ecology

The application is supported by a negative bat survey. The ecology impact of the proposal is considered to be acceptable.

Drainage

The use of soakaways is acceptable and Wessex Water have no objection.

Conclusion:

Policy 28 states that a replacement dwelling should not have a materially greater impact on its surroundings than the dwelling it replaces. In this case, the replacement dwelling is not considered to have a materially greater impact in the landscape and it is considered to be acceptable within the immediate setting of the listed buildings.

In the opinion of officers, the proposal complies with the requirements of policy 4, 5 and 28 of the Local Plan, Part 1 and it is recommended for approval, subject to conditions.

Recommendation: Approve

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11 and Tree Constraints Plan ref: TCPWVC forming the approved application.

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

3. Before the development hereby approved is occupied or utilised the turning and parking shown on Drawing Number 03 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

4. The external surfaces of the external flue pipes, rainwatergoods and vents shall be finished in a black matt colour.

Reason: to safeguard the appearance of the AONB and the setting of the heritage assets.

5. The planting identified on drawing 03 shall be carried out before the end of the first available planting season following substantial completion of the development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed,

when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.

Reason: In the interests of continued visual public amenity.

6. All existing trees and hedges shown on approved Tree Constraints Plan ref: TCPWVC to be retained, shall be fully safeguarded during the course of site works and building operations. No works shall commence on site until all trees to be protected on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction (to be confirmed in writing) of the Local Planning Authority in accordance with BS 5837:2012 (Trees in relation to construction - recommendations) or any new Standard that may be in force at the time that development commences. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s). Any trees or hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last dwelling shall be replaced with trees or hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority.

Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.

7. There shall be no external lighting installed without the written consent of the local planning authority.

Reason: To safeguard the appearance of the AONB.

Human Rights:

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

Public Sector Equalities Duty (PSED)

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:

Removing or minimising disadvantages suffered by people due to their protected characteristics.

Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.

Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

DECISION:

LOCATION PLAN 2/2018/1818/FUL



DO NOT SCALE

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Agenda Item 8

DEVELOPMENT MANAGEMENT COMMITTEE – 26th March 2019

PLANNING APPEALS

Report of Development Services Manager

APPEALS LODGED BETWEEN– 15th February 2019 to 15th March2019			
2/2018/0906/OUT	Mr John Fromage Develop the land by the erection of 9 No. dwellings. (Outline application to determine access and layout). Land South Of St John The Baptists Church, High Street, SPETISBURY	WRITTEN REPRESENTATION	
2/2018/1303/OUT	Mr P Watts Develop land by the erection of 1 No. dwelling. (Outline application to determine access). Land to the north of Elmside, Musbury Lane, MARNHULL.	WRITTEN REPRESENTATION	
2/2018/1450/OUT	Mr & Mrs David Parsons Develop land by the erection of 1 No. dwelling (outline application with all matters reserved). Land East Of Wheatsheaf Cottage, Stalbridge Weston Village Road, STALBRIDGE WESTON	WRITTEN REPRESENTATION	
2/2018/1451/FUL	Mr D Westwood Erect dwelling. Create new vehicular access and pedestrian access and 2 No. parking spaces. 3 Marshlands Penn Hill Bedchester SHAFTESBURY	WRITTEN REPRESENTATION	
APPEAL DECISIONS RECEIVED 15th February 2019 to 15th March2019			
P.A. No	APPLICANT/PROPOSAL	DECISION LEVEL	APPEAL DECISION
2/2017/1094/OUT	Lightwood Strategic Ltd Outline planning application for access (with all other matters reserved) for up to 98 no. dwellings, dedicated open space and associated works with vehicular access from Barrow Hill (for up to 20 dwellings only), Grosvenor Road (for up to 30 dwellings only) and from Waterlake (for up to 48 dwellings only). Land At E 373455 N 117436, Barrow Hill, STALBRIDGE	COMMITTEE	DISMISSED
APPEALS WITHDRAWN BETWEEN 15th February 2019 to 15th March2019			
P.A. No.	APPLICANT/PROPOSAL		
	None		

COSTS AWARDED AGAINST THE COUNCIL BETWEEN 15th February 2019 to 15th March2019

P.A. No.	APPLICANT/PROPOSAL	DECISION LEVEL	DECISION
	None		

COSTS AWARDED AGAINST THE APPELLANTS BETWEEN 15th February 2019 to 15th March2019

P.A. No.	APPLICANT/PROPOSAL		
	None		