

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 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.

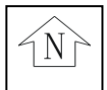
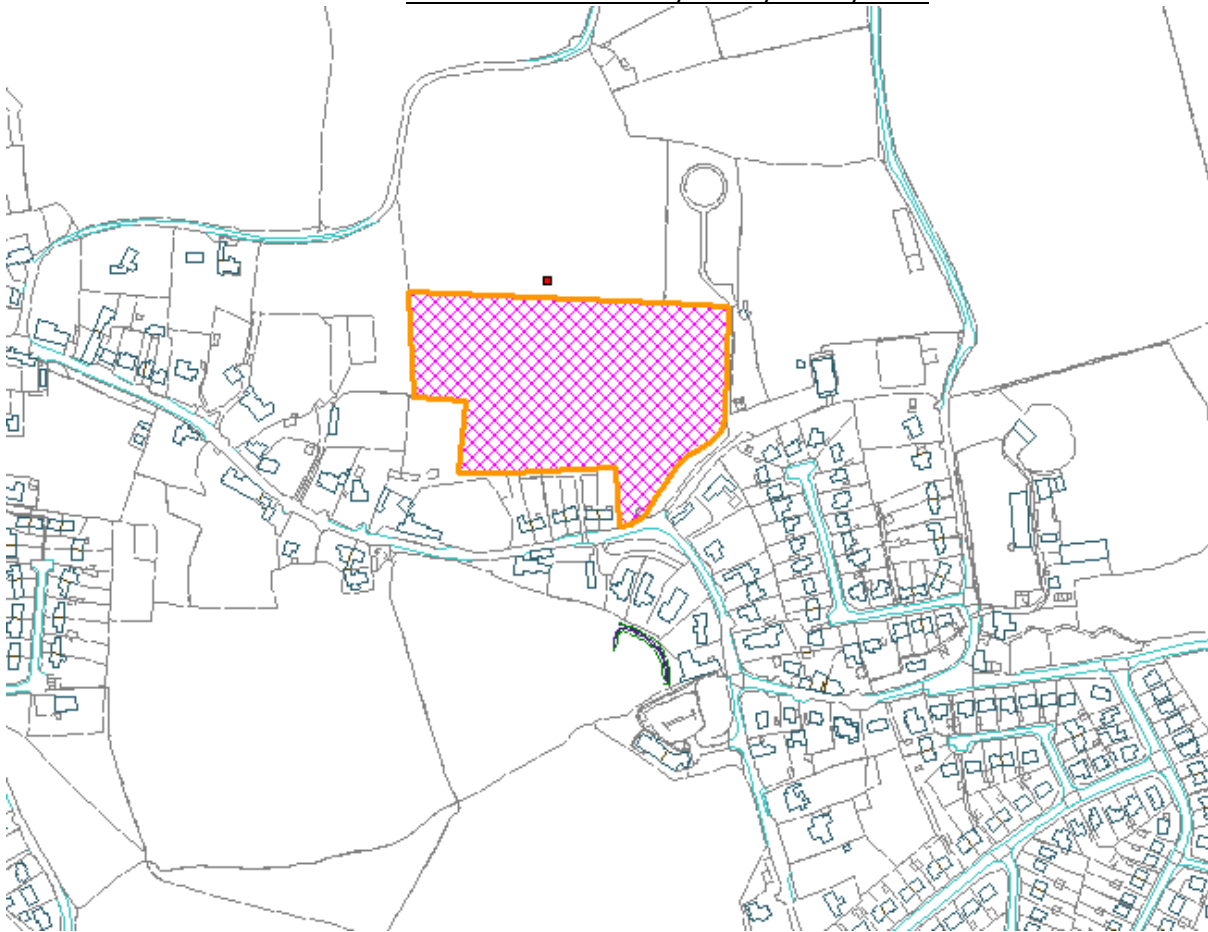
Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.

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



DO NOT SCALE

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