

**1.0 Application No:** 2/2018/1828/OUT

**Applicant:** Mr & Mrs M Croney

**Case Officer:** Hannah Smith

**Location:** Land Adjacent To Cleff House, Dunns Lane, Iwerne Minster, Dorset, DT11 8NG

**Proposal:** Develop the land by residential development, 4 No. affordable dwellings, 2 No. easy access retirement bungalows, 3 No. 4 bedroom dwellings to include parking and garaging and creation of allotments, (outline application to determine layout, scale and access).

**Ward:** Beacon, Cllr J Somper

**2.0 Recommendation Summary:**

GRANT, SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IN A FORM TO BE AGREED BY THE LEGAL SERVICES MANAGER TO SECURE THE FOLLOWING:

- Affordable housing comprising of on-site provision of four units of discounted market housing
- Provision of the allotments identified on the submitted layout
- Provision of the landscape orchard area.

And the conditions (and their reasons) listed at the end of the report.

B) REFUSE PERMISSION FOR FAILING TO SECURE THE AFFORDABLE HOUSING AND ALLOTMENTS IF THE AGREEMENT IS NOT COMPLETED BY (6 months from the date of committee) OR SUCH EXTENDED TIME AS AGREED BY THE HEAD OF PLANNING

**3.0 Reason for the Recommendation:**

- Absence of 5 year land supply and in view of the acceptable historic and landscape impact
- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable and the proposal is acceptable in its scale, layout and the proposed access
- There is not considered to be any significant harm to neighbouring residential amenity.

- The ecology impact of the proposal is acceptable
- There are no material considerations which would warrant refusal of this application

#### 4.0 Table of Key Planning Issues

| Issue                        | Conclusion   |
|------------------------------|--|
| Principle of development     | The principle of the development is considered to be acceptable, as the site is located on the edge of a sustainable settlement.   |
| Affordable housing           | The proposal meets the requirements of Policy 8 of the North Dorset Local Plan. 4 of the 9 units would be affordable and this would be delivered on site. The dwellings would be provided as discounted market sales housing.  |
| Access                       | The access arrangements are sufficient to serve the development and there is adequate visibility onto Dunn's Lane.   |
| Layout                       | The layout responds positively to this edge of village location. The dwellings would be arranged around a courtyard.   |
| Scale                        | Single storey and one and a half storey dwellings are proposed. This would appear recessive from public viewpoints and it would be similar to the existing development forming its backdrop.   |
| Heritage impact              | The application is considered to result in a neutral impact upon the setting of the Conservation Area and on the setting of the adjacent listed building. The public benefit of providing 9 dwellings is considered to weigh in favour of the application, and there is no identified historic conservation related harm that would outweigh this benefit. |
| Landscape and Visuals Impact | The proposal could be accommodated on the site without significant impact on landscape character and visual amenity.   |
| Amenity                      | The level of amenity of surrounding land users would be safeguarded at an acceptable level.  |
| Ecology                      | The application is supported by an approved Biodiversity Mitigation and Enhancement Plan.  |
| Trees                        | The proposed access can be delivered without the need to remove or damage the treeline that runs along the track. 5 metres of hedge would be removed and no trees. The hedge removal would be mitigated.   |
| Drainage                     | An appropriate surface water drainage strategy has been submitted.   |

## 5.0 Description of Site

The proposed development site is situated on arable land on the eastern edge of Iwerne Minster, outside of the defined settlement boundary and on the edge of the Iwerne Minster Conservation Area boundary. The site lies wholly within the Cranborne Chase & West Wiltshire Downs AONB. The site is also located within the setting of Brookman's Old Farm. A footpath runs past the site to the west and then extends in a southerly direction.

The site comprises of 1 hectare of land, currently grazed by sheep. The north, south and west boundaries are lined with a stock proof fence and hedgerows. The east boundary is lined with a stock proof fence. A track runs along the southwestern corner of the west boundary. The north boundary lies adjacent to the gravel driveway and garden of Cleff House. The east boundary lies adjacent to the curtilage of Cleff House. The south boundary lies adjacent to an agricultural field and the west boundary lies partially adjacent to Brookman's Old Farm.

A 15m wide band of tree and shrub planting can be found along the southern boundary of the site and extends further east to the south-east corner of the adjacent, small field. This band of planting appears on the 1888 OS plan and may follow the line of an historic water course in this area. A band of hedgerow planting forms the western boundary of the application site with the existing lane that is proposed as access to the site. The northern boundary of the site is formed by a managed hedge to the garden plot to its north. The eastern boundary of the site is formed by post and wire fence between the application field and the adjacent, small pasture. The adjacent field is further bound to the east by a linear belt of trees and low hedgerow.

## 6.0 Relevant Planning History

Pre-Application: PRE/2018/0313/PREAPP

Proposal: Upgrade existing access track, form new access road and provision of 4 X starter homes, 2 easy access bungalows and 3 X detached dwellings and provision of allotments and associated parking area.

## 7.0 Constraints

Agricultural Land Grade - Grade: GRADE 2

Area of Outstanding Natural Beauty - Name: Cranborne Chase & West Wiltshire Downs (*statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000*)

Article 4 Directions - directing that the permission granted by Article 3 of the Order shall not apply to the development set out in the Schedule thereto and which relates to the formation of accesses and hardstandings for vehicles.

Conservation Area - The Iwerne Minster Conservation Area (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)

Public Rights of Way - Route Code: N65/21 Path Type: Footpath

TPO - Description: Group TPO 29/8/88 Devine House, 1 Minster No.8. Trees in this group include (amongst others) several Limes and 1 Ash. G1

## **8.0 Consultations (all consultee responses can be viewed in full on the website)**

### **Iwerne Minster PC Objection:**

- The proposed access for the development is not suitable for the traffic this development will produce.
- Due to the proposed access, the historical hedgerows will need to be cut back severely, which will have an impact on local wildlife and walkers.
- There are concerns that these new houses were being built on areas that already have seasonal flooding, this will affect the water courses, which could cause flooding of other people's properties nearby and in the village.
- The development is outside of the Settlement Boundary.
- The development is in the AONB.
- The development will have an adverse effect on a nearby listed dwelling.

### **Cranborne Chase & West Wilts AONB**

Raise concerns, the AONB concludes that the Landscape and Visual Impact Appraisal underestimates the potential impact of the proposed developments and the significance of extending development eastwards into the AONB and the open landscape of Brookman's Valley. Consider that the proposal underestimates the impacts of the proposed development.

### **Rights Of Way**

The proposed access is via a public footpath. Any conflict with users of the footpath must be considered.

### **Transport Development Management**

No objection subject to conditions.

### **Wessex Water**

Consulted on the 2 January 2019, there was no response from this consultee at the time of report preparation.

### **Drainage (Flood Risk Management)**

No objection subject to conditions.

### **Natural England**

No Objection: based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites.

### **Planning Obligations Manager**

No objection / requirement with regard to any County planning obligations.

## **Housing Enabling Team**

No objection.

## **Tree Officer South**

No objection subject to conditions.

## **Conservation Officer South**

Support subject to conditions.

## **Landscape Architect**

No objection.

## **Representations:**

87 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 85 objected to the proposal and 2 supported the proposal.

The letters of objection contain the following summarised points:

- It is within the AONB and Conservation Area and despite reassurances to the contrary it will have a significant impact on the landscape, views and character of the village. Brookmans Valley is a beautiful example of our landscape and efforts should be taken to protect its importance and honour the AONB
- The affordable housing is not through a RP
- Impact on the setting of the adjacent listed building is considered to be unacceptable
- The site is outside of the settlement boundary
- The lane is not suitable for traffic, it is an important right of way for the village
- This site was not a preferred site when the village was looking to make a neighbourhood plan
- Impact on landscape views and the character of the village
- Impact on the hedge which runs along the lane
- Highway safety concern
- Drainage issues and risk of flooding
- The roads are insufficient to serve the development and the initial construction traffic
- Destruction of a hedgerow which is afforded protection under both s211 of the Town and Country Planning Act 1990 and The Hedgerow Regulations 1997. This hedgerow is situated across the planned access to the development site from footpath N65/21
- Biodiversity
- Effect on the Appearance of Area
- Heritage
- Impact on Access
- Impact on Light
- Local or Government Policy
- Facilities are overstretched including services
- Access for emergency vehicles is poor

- There is no need for development in the village
- Residential Amenity
- Conflicts with the Village Design Statement
- Impact on the dark skies status of the AONB
- Conflict with the access to the parish field. The parish field is regularly used for significant local events and is busy with both pedestrians and vehicles
- The footpath is much used by residents and walkers from other areas as a safe way for recreation, exercise and for the route to the Wessex Ridgeway. Plans to mitigate against the new hazards presented by a road are unspecified

NOTE: The proposed access to the site requires the removal of 5 metres of hedge. This section of hedge does not contain any trees. Both the Natural Environment Team and the Tree Officer are of the opinion that the additional planting that is set out in the biodiversity mitigation and enhancement plan, would mitigate the proposed removal of the section of hedge.

The letters of support contain the following summarised points:

- Provision is made for four affordable homes with added recreation in the form of much needed allotments. This will attract younger people to the village
- The existing footpath has been allowed to “grow over” making it a small track, if taken back to the boundaries of the original hedges it will be as wide as Dunns Lane
- The ensuing “road way” quite short in length could have a gravel or tarmac surface, whatever it would have no bearing upon it’s use as a public footpath, it would still be there
- Pedestrian access would be no worse than current that of walking Dunns Lane at present
- This is a discrete proposal having no real visual impact within the village
- With due consideration to building materials used in the construction, it would become part of the village
- Increased trade for local businesses

### **Dorset Wildlife Trust**

The above planning application has been drawn to our attention by a local resident. The access to the proposed development appears to breach an Important Hedgerow, under the Hedgerow Regulations 1997. If this is the case then Dorset Wildlife Trust would recommend that if at all possible an alternative access route should be sought. If that ultimately proves to be impossible, then full mitigation for the loss of the hedgerow, and to ensure an overall biodiversity net gain should be conditioned as a part of the permission.

NOTE: The Natural Environment Team has approved the ecology impacts of this proposal, including the loss of hedge, in accordance with the NET Biodiversity Appraisal Process.

## **9.0 Relevant Policies**

### **North Dorset Local Plan, Part 1:**

Policy 2 - C Spatial Strategy  
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  
Policy 1 - Sustainable Devt.

### **Neighbourhood Plan**

There is no neighbourhood plan for this area. Work did start on a plan however this has not been progressed at present.

### **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:

78. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

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. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

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.

### **Iwerne Minster Village Design Statement 2011 (VDS)**

The design statement contains various policies that seek to protect the distinct character of the village. It encourages high quality design and seeks to safeguard local character.

The VDS identifies important views from the surrounding countryside of the soft green edges of the village that ensure Iwerne Minster nestles into the rural landscape, including many places in the village where there are views up Brookman's Valley and Coombe Bottom.

### **Environment Impact Assessment**

The application was considered against the screening criteria as part of the planning process due to its sensitive location, including being sited within the AONB. It was considered that the application would not lead to wider adverse impacts beyond the application site that would warrant the submission of an environment statement. There is no objection from Natural England or in terms of the historic conservation impacts of the proposal.

### **10.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

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.

### **11.0 Public Sector Equalities Duty**

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.

- The two proposed easy access bungalows would provide for people with disabilities or mobility impairments

## 12.0 Financial Benefits

| Benefit                | Material/Non-material  |
|------------------------|--|
| Quantum of Open Space: | Allotment provision (material consideration)   |
| S.106 Obligations:     | Provision of four affordable dwelling to be provided on site (material planning consideration) |
| CIL Charges:           | Not applicable (non-material)  |
| Council Tax Revenue:   | Not know at this stage (not a material planning consideration)                                 |

## 13.0 Planning Assessment

The applicant seeks planning permission to erect 9 dwellings and to provide an area for allotments. The housing mix comprises two easy access bungalows, four affordable dwellings, provided as discounted market housing, and 3 open market dwellings.

### Principle of the Development

It is acknowledged that there is currently not a sufficient supply of housing and that this currently stands at 3.3 years in the former North Dorset area. However, because of the need to consider the effect of the development on designated heritage assets and the AONB, and the reference to these in footnote 6 of the National Planning Policy Framework (the 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).

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.

In this instance, the scheme is not considered by officers to amount to substantial or less than substantial harm to heritage assets or the AONB. The public benefit of providing 9 dwellings which includes 4 affordable units is considered to outweigh any identified harm in this case. This will be discussed further in the following sections, but in view of this, the presumption in favour of sustainable development applies.

The site is located outside but adjoining the settlement boundary of Iwerne Minster. Policy 2 of the North Dorset Local Plan Part 1 sets out the spatial strategy within the former North Dorset area and requires that development proposals should be located in the four main towns, Stalbridge, or the larger villages. Outside of the defined boundaries of these settlements, the remainder of the district is to be subject to countryside policies where development will be strictly controlled unless it is required to enable essential rural needs. Policy 20 of the LP sets out that development in the countryside will only be permitted if it is a type of development that is specifically listed or if there is an overriding need for it to be located in the countryside.

Iwerne Minster is one of the larger villages and it contains facilities that make it more sustainable such as a public house, school, shop, church, play facilities and recreation space. Policy 2 states that the larger villages will form the focus of growth to meet the local needs outside of the four main towns. Reducing the weight that is given to the settlement boundaries as it is a policy that frustrates the supply of housing, the location is considered to be acceptable in principle, being on the edge of a sustainable settlement. This is subject to a site specific assessment of the relevant constraints.

### **Affordable Housing**

There is a high level of housing need in the North Dorset area with currently over 960 households on the North Dorset Housing Register. The higher levels of need are for smaller homes. The 2015 SHMA estimated that 367 additional units of affordable housing would be needed annually over a five-year period to meet the identified housing need across the Council area. Last year, 7 affordable homes were built.

Policy 8 of the Local Plan, Part 1 sets out the affordable housing requirements. On schemes of six to ten in Areas of Outstanding Natural Beauty financial contributions to the provision of affordable housing will be sought. In this case, the application includes the proposal for the provision of on site affordable housing. This goes beyond the policy requirement of an offsite contribution. There is a benefit in providing the affordable housing on the site in terms of security of delivery.

Policy 8 normally seeks a mix that is 70% rented and 30% shared ownership. However, the policy recognises that a tenure split outside of this range may be permitted on individual sites, but only if this can be soundly justified, for example, where a scheme is proposed to meet a specific affordable housing need.

In this case, the housing mix reflects the need that was identified from evidence from the 2016 Neighbourhood Plan Questionnaire, during the initial scoping work for the neighbourhood plan, which was subsequently not progressed. There was an identified need for easy access bungalows and for housing that provides a subsidised route to home ownership. In view of this, the scheme includes two easy access bungalows and four discounted market sales housing. Discounted market sales housing is recognised as affordable housing in the NPPF. It is housing that is sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households. This would be secured through a S.106 Agreement.

Officers consider that the mix tenure in this case is acceptable when assessed against the requirements of policy 8. The housing mix reflects the most up to date information that is

available for the village in relation to the local housing need. The housing mix would assist those looking to downsize and people who are looking to access market housing who are excluded from being able to purchase a property locally. The proposal goes beyond what is required by Policy 8 as the affordable housing would be delivered on site, rather than by way of an offsite contribution.

## **Access**

A single access is proposed to serve the site. This would be from a track which is accessed from Dunn's Lane. Concern has been raised in relation to the width of this lane and the potential conflict that could occur between vehicles and pedestrians. The track has a public footpath that runs along it.

Paragraph 109 of the NPPF 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.

There is no highway objection to the proposal, subject to conditions. Sufficient visibility is available at the junction onto Dunn's Lane. The width of the access is sufficient to serve the level of traffic movements that would result from 9 dwellings.

The Highway Officer has commented that the access track serving the site from Dunns Lane is also a public Right-of-Way (footpath). The applicant has indicated that the surfacing of this track, from the junction with Dunns Lane south to the site entrance will be upgraded to provide a suitable surfaced finish for use by all road users. *The level of likely traffic generation in the AM and PM peaks is comparatively low and the nature of the approach roads are such that they effectively operate as low speed, shared space, environments. The available visibility at the junction of the access track with Dunns Lane is satisfactory.* Hence, there is no highway objection, subject to conditions.

In line with the requirements of the NPPF, the highway impacts of the scheme will not be severe. The proposal is considered to comply with policy 13 of the Local Plan, Part 1.

## **Layout**

The pre-application discussions highlighted the requirement to ensure that the layout design did not appear overly suburban or regimented. It also highlighted the importance of not siting buildings and their narrow gardens too close to the boundary with the listed Old Brookmans as this would result in the density of the development impinging on the significance of the heritage asset.

The applicant has responded to these initial concerns. The proposed layout of the properties and their gardens have been re-sited away from the western boundary and their former formal arrangement now redesigned to provide a softer more organic lead into the development site. In addition, the proposed orchard is also intended to act as a visual buffer between the old and new buildings, as well as reinforce the natural setting of the listed building taking reference from former historic orchard prevalence in the area. As this area lies outside of the red line of the application, officers recommend that the provision of the orchard landscaping is secured within the S106 Agreement. This is due to the importance of delivering planting in this area as this will safeguard the setting of Old Brookmans.

The remainder of the layout has now abandoned its suburban regimented arrangement and adopted a scheme that takes reference from farmyard outbuildings with open grassy landscaping. Although still appearing slightly contrived, if executed well with a mix of materials and detailing appropriate to a rural edge of settlement service grouping, there is potential to integrate successfully into the field setting. The intention is also to retain outward through views across the site via the gaps between the buildings as well with restricted heights and natural material finishes to hard-standings.

## **Scale**

It was emphasised at pre-app that the development should appear as recessive as possible from all viewpoints, similar to existing development forming its backdrop and the adoption of a mix of single and one and half storey construction, strategically placed was advised to take reference from historic farmstead groups, achieve a reduction in massing and mitigate long range visual impact and maintain outward views to the wider AONB setting. Officers consider that this has been achieved as the development will be mainly single storey towards the more sensitive edge the faces out towards the AONB with some one and a half storey proposed. A condition is proposed to ensure that any reserved matters application accords with this restriction.

## **Historic Conservation Considerations**

This plot lies on the very edge of the settlement just outside of the Conservation Area. Within the plot, this due to its high field hedges, there is a relative sense of isolation, with outward views only to the east down the valley. To the north-west lies the listed Brookmans Old Farm, with its long garden curtilage extending south along the field boundary with the plot. This curtilage was previously well screened by vegetation but more recently the hedgeline has been reduced, providing some inter-relational views. The site is also within the Cranborne Chase AONB.

Further west, separating the listed building's curtilage and the Playing Field is a narrow grassy track, which is also designated as a public RofW. The connecting path leads out across the flat fields of the Brookman Valley until it rises up the hillside towards Preston Farm. These northern slopes of the hill and an extensive area sweeping around the valley end to the east of the plot are all identified as being of Sites of Archaeological Importance. Similarly, the building group incorporating Cleff House to the north are also on a Site of Archaeological Importance.

As well as from the hill, there are public views of the site and existing properties in the vicinity, from the lower sections of the path as it crosses the valley on the approach to the village. The present buildings that can be seen, appear to have been designed to maintain a recessive presence, with their dark roofs, with low eaves, being mainly visible, retaining the distinctly rural character. The proposed site is seen set against a backdrop of such dwellings and the predominantly lush vegetation and trees of the settlement and field edge also act as a natural buffer that dilutes the impact of the built environment beyond, upon the historic Chase.

The scheme proposes the use of the existing track as the access road to the new development site stating that the existing hedges are to be retained with only the present natural growth encroaching on the route to be cut back. It is noted that a cellular containment system is proposed with a finish to be agreed. A natural gravel finish is recommended,

without hard kerb lines or pavements so as to retain the rural character of the area and approach to the field path.

There are no non-designated heritage assets within the vicinity of the site that would be impacted by the development. The historic maps show that the area has been in agricultural use since at least 1811 and probably much earlier. This means that there is a generally low potential for the presence of archaeological features or deposits within the application area and therefore an archaeological recording condition is not considered to be necessary.

The main heritage constraints for consideration are the listed farmhouse and the Conservation Area. The applicant's heritage statement concludes that the proposed development would have a negligible effect on the setting of these assets but no effect on their significance. The Conservation Officer's comments reflect this view. Subject to conditions that relate to surface materials within the shared spaces, there is no conservation objection to the proposal. The application is considered to result in a neutral impact upon the setting of the Conservation Area and on the setting of the adjacent listed building. The public benefit of providing 9 dwellings is considered to weigh in favour of the application, and there is no identified historic conservation related harm that would outweigh this benefit.

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

## **Landscape and Visual Impact**

The site is visible from the public footpath that runs past the site to the west. This footpath then extends in a southerly direction, out to the open countryside. The site is visible when viewed from the elevated part of the public footpath to the south. However, this view is set against the backdrop of the existing built form. The edge of the settlement is characterised by pockets of development that has extended out from the main villages routes, interspersed by green foliage.

Policy 4, The Natural Environment, states that the landscape character of the District will be protected through retention of the features that characterise the area. Where significant impact is likely to arise as a result of a development proposal, developers will be required to clearly demonstrate that the impact on the landscape has been mitigated and that important landscape features have been incorporated in to the development scheme.

Paragraph 4.56 states, the District-Wide Landscape Character Area Assessment identified 18 landscape character areas and set out the key features of these. If these features were harmed by development, the landscape character would be degraded. It is therefore important that all development is designed to fit with this landscape character, including the use of appropriate building materials and in relation to the scale of development.

Paragraph 4.57 states, where there is likely to be a significant impact on the landscape, development proposals should be accompanied by an assessment of the impact on the landscape character such as a landscape and visual impact assessment based on best practice. This should demonstrate how important landscape features will be integrated into development proposals and how the visual impact of a development has been mitigated.

The NPPF echoes the local plan policy. It states that great weight should be given to protecting the landscape qualities of the AONB.

In terms of the Landscape Character Assessment, the entire site falls within the Clay Vale LCT and to the east (towards Iwerne Hill) is the Chalk Ridge/Escarpment LCA.

At a local level, the landscape character of the application site is part of a small collection of three fields that are smaller in scale than the surrounding arable fields and more domestic in nature of use (they appear to be pasture or paddock). The 1888 OS plan of the area shows that the application site was once a single, small field that included the large garden to its immediate north.

There is a single footpath (N65/21) within the immediate vicinity of the proposed site, which runs along the lane that is proposed for access to the site and then travels approximately 500m to the south to an area of Open Access Land on Preston Hill. Views from footpaths to the north and west of the village will be screened by intervening topography, tree planting and buildings.

Views from the footpath within close proximity and the adjacent playing field contain open views to the east and south, with the striking rising landscape of Iwerne and Preston Hills as a backdrop. An indication of these views is available in the submitted LVIA as viewpoints A and C. As the viewer moves further south (and the land rises), more of the village and the application site becomes visible. From these wider views, the village is seen in its rural context surrounded by the rolling hills around it. An indication of these views can be seen in the submitted LVIA as viewpoints N and O. Once the viewer reaches the open access ground on Preston Hill, wide-ranging views are possible to the village and much further to the north and west. An indication of these views can be seen in the submitted LVIA as viewpoints H to L.

The Council's Landscape Architect responded to the concerns of the AONB Partnership who consider that the impact of the proposal on the visual and landscape receptors has been underestimated in the applicants submitted landscape appraisal. Whilst the concerns of the AONB are understood, it is considered that the proposal could be accommodated on the site without significant impact on landscape character and visual amenity.

Turning to landscape character, the site is a small field that is immediately adjacent to the settlement boundary and the conservation area. The field already has a character that is more domestic than rural and is in close proximity to a large garden and playing field. The introduction of low-density housing on this site will not significantly impact upon the wider landscape character of the area or the more local character of the valley.

Visual receptors likely to be affected by this development will be:

- Users of lane proposed for access to the site;
- Footpath N65/21; and
- The area of Open Access Land on Preston Hill.

Users of the existing lane will see a significant change in views along this route and will experience a loss of tranquillity brought about by an increase of vehicles along the lane; but this change will be limited to a small section of the overall experience of walking from the village onto Preston Hill.

Users of footpath N65/21 (once it leaves the lane) will experience less of a change in views and this change will be experienced more when the users are descending into the village

from higher ground to the south. Officers consider that the change in view when using this footpath will not significantly, adversely affect the experience of the users of the footpath. When descending Preston Hill, the user of the footpath will have views of the development that are partially screened by vegetation and that are set against the settlement backdrop of the village.

It is also the opinion of officers that views from Preston Hill will not be significantly or adversely affected by the proposed development. The wide, far-reaching views to the north and west will still be available and in this context, the development will appear very much as part of the village settlement.

Potentially the greatest visual impact of this development is likely to come from the west on the land rising up to the top of Iwerne Hill. Views from this direction will see the development without the benefit of screen planting but still set against the backdrop of the village. However, there are few visual receptors to the east of the development site and no public footpaths.

Any reserved matters application would need to be of an appropriate design, form, materials, landscaping and finishes but this is not for determination at this stage.

The application is considered to comply with the requirements of Policy 4 of the Local Plan, Part 1.

### **Amenity**

The closest neighbour, Brookman's Old Farm is set over 40 metres from the proposed built form of the dwellings. The position of windows is not known at this outline stage but the separation distance would be sufficient so that it is not intrusive, overlooking or overbearing. Likewise, Cleff House and Old Orchard House, located to the north, are both set a significant distance from the proposed housing.

To the southwest is located the village Pavilion and playing field. The proposal would not have a direct impact on the use of the community facility due to its location which is on the opposite side of the track to the proposal. Concern has been raised in relation to the potential conflict with the use of the Pavilion and the new car movements that would result from the development. The 9 dwellings would result in a limited number of traffic movements. This would not be sufficient to prejudice the use of the Pavilion.

The proposal would not lead to any unacceptable overlooking or overbearing. As such, the development is considered to comply with policy 25 of the Local Plan, Part 1.

### **Ecology**

The site lies within Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB) and within the Impact Risk Zones for AONB. In addition, the site lies within 2000 metres of the following notable and protected sites.

- Sutton Combe Site of Special Scientific Interest (SSSI)
- Lowland calcareous grassland Priority Habitat
- Deciduous woodland Priority Habitat
- Higher Furzehill Ancient and Semi Natural Woodland

- Higher Furzehill Ancient Replanted Woodland
- West Hill Wood Ancient and Semi Natural Woodland
- Brookman's Valley Site of Nature Conservation Interest (SNCI) (Unimproved chalk grassland)
- Preston Wood SNCI (Deciduous woodland)
- Preston Hill SNCI (Remnants of chalk downland)
- Ancient Yew (Greenwood Tree)

Much concern has been raised in relation to the ecology impacts of the proposal. The applicant has carried out an ecology assessment of the site and the ecology mitigation measures have been approved by the Natural Environment Team.

The amount of hedge that would be removed to allow for the new access amounts to five metres on the western boundary. The proposal would see an additional 185m of hedging and 50-100 trees planted. The loss of 5 metres of hedge would be adequately mitigated by the proposed planting. The details of the landscaping in terms of its location and species is a reserved matter. However, the requirement for planting is set out in the required biodiversity mitigation.

Concern was also raised by the parish and objectors in relation to the widening of the lane to facilitate the access. A detailed plan has been submitted by the applicant that clearly identifies the amount of cutting back of the hedge and details of the cellular containment system that would be used for the track to ensure that the hedge is protected.

The site is considered overall to be of a low conservation value and no evidence of protected species was found on the site. A series of mitigation measures are proposed to include bat and bird boxes, lighting restrictions and planting.

The proposal is considered to comply with the requirements of Policy 4 of the Local Plan, Part1.

## **Trees**

The application was clarified to clearly show that a much smaller incursion into the important native hedgerow would be proposed of 5m. The Tree Officer considers that this revision has a dramatic effect on the proposed harm to the hedgerow and the setting of the site.

An Arboricultural Method Statement (Hellis reference 19/03/45NH) dated March 2019 has also been submitted. This is considered to be a preliminary concise statement which shows the proposed location of protective fencing to prevent physical damage to existing hedgerows and trees on the subject and neighbouring sites within the tree protection plan.

A cellular confinement system is proposed for the access track which would minimise damage to hedgerow and tree roots. This method is considered to be acceptable, subject to further precise details to show how this can be achieved prior to commencement.

It is imperative that all hedgerows are protected, including those in separate ownership; any damage or destruction of specimens as a result of the proposal should be rectified by the Applicant and should not cause financial detriment to those owners.



It is suggested in the report that some Hedgerows may benefit from coppicing; in light of the sensitivity regarding the site especially relating to the important western (H3) and southern (H6) hedges. This would not be supported as wholesale coppicing of the current hedging would reduce its attractive foil to the future development, especially when viewing the site from mid range views on the southerly public footpath. This native hedging is also a valuable wildlife corridor linking to other hedgerows in the vicinity and confirmation is required to confirm that the current hedgerows will be retained in their current form.

Subject to the conditioning of Arboricultural method statements, the proposed is considered to comply with the requirements of Policy 4 of the North Dorset Local Plan, part 1.

## **Drainage**

Flood Drainage state that the site is shown to fall within Flood Zone 1 (low risk, fluvial) and is at no modelled risk of pluvial flooding according to the Environment Agency's (EA) indicative flood maps and the EA's Risk of Flooding from SW (RoFfSW) mapping. The site itself is therefore at a low risk of flooding. However, the surrounding community of Iwerne Minster, whilst free from any modelled fluvial flood risk, has a degree of unmodelled risk from small Ordinary Watercourses (OWC) and from SW. We (DCC's FRM team) are aware of historic flooding at several locations including Watery Lane and along the Blandford Road. These local flood issues broadly follow the 1 in 1000-year pluvial flood extent.

Following the initial objection from Dorset Council Flood drainage the applicant submitted additional details outlining a site-specific SW management scheme. Accordingly, the holding objection has been removed subject to pre-commencement surface water management conditions.

## **14.0 Conclusion:**

The site is adjacent to the settlement boundary of the village of Iwerne Minster which is identified within the Local Plan as a location that is sustainable and in principle, acceptable for development to meet local need. The heritage and landscape impacts of the proposal are considered to be acceptable. As a result, the presumption in favour of sustainable development applies.

The application would provide 9 dwellings, 4 of which would be affordable and this weighs in favour of the proposal. The fact that the affordable element of the scheme would be provided on site, is considered to be a benefit of the proposal to which great weight can be attributed. The provision of allotments also weighs in favour as it would meet the social strand of sustainable development. The proposal would also have a small economic benefit through the creation of jobs at the construction phase.

Weighing against the scheme is the localised visual impact of the proposal upon views from the footpath at close range. This impact is however, not considered to be significantly harmful as it would only impact the use of the footpath for a short section before the path leads out towards the open countryside.

Weighed in the balance, the identified benefits of the scheme when taken as a whole outweigh the minor identified harm to localised visual receptors and as a result, it is recommended that outline planning permission is granted, subject to conditions and the completion of a legal agreement to secure the affordable housing, orchard planting and the provisions of the allotment.

## 15.0 Recommendation

A) GRANT, SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IN A FORM TO BE AGREED BY THE LEGAL SERVICES MANAGER TO SECURE THE FOLLOWING:

- Affordable housing comprising of on-site provision of four units of discounted market housing
- Provision of the allotments identified on the submitted layout
- Provision of the landscaped orchard area.

And the following conditions (and their reasons) listed below:

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:

17164-1 REV D,  
2019/05/01 REV B,  
17164-4 REV E,

forming the approved application.

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

5. Prior to the surfacing of the land or and other hardstanding area, details of the proposed surfacing material shall be submitted to the local planning authority for approval in writing.

The details shall include natural surface materials without kerbing or pavements. The development shall be carried out in accordance with the agreed details.

Reason: In the interests of providing a natural appearance to the development and to safeguard the significance of the Conservation Area and listed buildings.

6. Prior to the occupation of any dwelling, a precise landscaping scheme for the main site communal areas to include all hard landscaping for paths, access road within site, parking areas, courtyard, to include locations, materials, finishes, construction of all surfaces, boundary treatments, allotments and pond and all planting schemes shall be submitted to the

local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.

7. 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, and substantiated by infiltration tests, 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, to improve and protect water quality, and to improve habitat and amenity.

8. No development shall take place until details of maintenance & management of both the surface water sustainable drainage scheme and any 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.

9. The Biodiversity mitigation measures set out in the approved Report dated 28th March 2019 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.

10. Before the development is occupied or utilised the first 10.00 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 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.

11. A scheme showing precise details of the improvements/upgrading of the access road serving the site 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.

Reason: To ensure that a suitable vehicular access is provided.

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

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

13. 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.

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

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

15. Before the development hereby approved commences a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Local Planning Authority. The CTMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

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

16. Notwithstanding any details submitted as part of the application, this permission is limited to single storey or one and a half storey dwellings only which shall be erected on this site.

Any reserved matters application shall accord with this restriction.

Reason: To give the Local Planning Authority adequate control over the Detailed proposals yet to be considered and as the site is within the AONB and on the edge of the Conservation Area.

17. Prior to the commencement of the development, a full and final Arboricultural Method Statement shall be submitted to the local planning authority for approval in writing. This shall contain precise detail of the proposed cellular confinement system, any further proposed works to trees or hedges (apart from cutting back to the boundary). The development shall be carried out in full accordance with the approved statement.

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

18. No works shall commence on site until details of the design of building foundations, car park surface construction and the layout (with positions, dimensions and levels) of service trenches, ditches, drains and other excavations on site (insofar as they may affect trees on or

adjoining the site) shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved tree protection details. Reason: To ensure the protection of trees to be retained, and in particular to avoid unnecessary damage to their root systems.

- B) REFUSE PERMISSION FOR FAILING TO SECURE THE AFFORDABLE HOUSING AND ALLOTMENTS IF THE AGREEMENT IS NOT COMPLETED BY (6 months from the date of committee) OR SUCH EXTENDED TIME AS AGREED BY THE HEAD OF PLANNING