

1.0 Application Number – [WD/D/19/001343](#)

Site address: Land north of 6 Netherhay Lane, Drimpton

Proposal: Erect 15 affordable dwellings and formation of new vehicular access.

Applicant name: Broadwindsor Group Parish Community Land Trust

Case Officer: Bob Burden

Ward Member(s): Cllr Simon Christopher

2.0 Summary of Recommendation

Recommendation A: Delegate authority to approve to the Head of Planning to grant permission subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 in a form to be agreed by the Legal Services Manager to secure the following:

- To ensure the development remains as affordable housing in perpetuity,
- And to ensure the provision/maintenance of the footpath link to the public right of way.

and subject to the receipt of an acceptable landscape plan and subject to conditions.

Recommendation B: Refuse permission for the reasons set out below if the legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) is not completed by 6 months from the date of the committee resolution of such extended time as agreed by the Head of Planning.

1. In the absence of a completed s106 legal agreement the development would not ensure the dwellings are provided as affordable housing. Hence the development would be contrary to policy HOUS2 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2019). Furthermore, this would not ensure the new pedestrian link to the right of way is provided and maintained. Hence this would be contrary to policy COM7 of the adopted Local Plan (2015) and the National Planning Policy Framework (2019).

3.0 Reason for the recommendation:

- Contribution towards 5 year housing land supply
- Para 11 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 relatively sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.

- There are no material considerations which would warrant refusal of this application.

4.0 Key Planning Issues

Issue	Conclusion
Principle of development	The principle of this development is established by the site-specific allocation in the Neighbourhood Plan.
Visual amenity	The location, layout, design and materials are considered to be acceptable on this site within the Area of Outstanding Natural Beauty, subject to a satisfactory landscaping plan.
Heritage assets	The scheme is located at a significant distance from the listed buildings.
Residential amenity	The scheme itself, and its relationship with adjacent development are acceptable and would not result in unacceptable overlooking.
Drainage considerations	Surface water would be dealt with by an underground crating system, and a sewage treatment plant would be acceptable to deal with foul waste.
Ecological considerations	A biodiversity plan is currently being finalised, which will enhance the ecological value of the site.
Highway considerations	An alternative route for pedestrians to reach the village centre avoiding Netherhay Lane is included. The junction of Netherhay Lane/Chard Road is sub-standard in terms of visibility; however, it is not considered the modest scale of traffic increase in cumulative terms prevents its acceptance in this case.

5.0 Description of Site

5.1 The site is located on the west side of Drimpton village, north of the B3162 Chard Road, and on the east side of Netherhay Lane (north of No 6 Netherhay Lane).

5.2 The site comprises the south-west corner of a larger field used as pastureland, with a slope gently downwards toward the east. The west boundary with the lane has a bank surmounted by the limited remains of a hedge and several mature trees (oak and ash trees), with the site being slightly higher than the adjacent lane.

5.3 Netherhay Lane is a lane of varying width but generally in the order of 3.5 - 4.5m without footways. On the south boundary is vegetation including some open timber fencing and some bramble scrub on the boundary to the bungalow and garden known as 6 Netherhay Lane, with other dwellings beyond. No 6 is a buff reconstructed stone/concrete tiled bungalow. Other site boundaries at present are open to the remainder of the field.

6.0 Description of Development

6.1 The scheme proposes a new vehicular access from Netherhay Lane with an access road running eastwards, and another section running northwards to give an agricultural access point into the field. The dwellings would all be two storey apart from a semi-detached pair of bungalows to the south. The 15 dwellings would be arranged off the access roads in the site, with 4 flats, a pair of semi-detached houses and the semi-detached bungalows fronting Netherhay Lane, set back from the boundary planting. The remainder are arranged as two pairs of semi-detached to the south and a terrace of three facing north-east. The mix comprises 2 x 1 bed 2 person; 4 x 1 bed 2 person flats; 5 x 2 bed 4 person houses; 3 x 3 bed 5 person units and 1 x 3 bed 6 person unit. Parking is provided off-road either alongside the relevant dwelling or off the road frontage. The 4 flats would each have a private outside space, as well as a communal space surrounding the flats. An existing footpath at the north-west corner running towards Netherhay hamlet is accommodated. New hedge and tree planting would form the new north and east boundaries to the site. Two "outshoots" to the site within the site area include the foul/surface water drainage work outlet routes, and a new pedestrian path which would link with the existing public footpath to Netherhay and to the Chard Road in the village.

6.2 The dwellings would be of stone to the front /more prominent elevations supplemented by brick with slate roofs.

6.3 Following negotiation amended plans have been submitted which have repositioned the access onto Netherhay Lane slightly further north, moved the frontage units back to help safeguard the trees on Netherhay Lane, to curve the

access road route and to re-position some units closer to the access road to improve back garden sizes and to improve the outlook from dwellings over the open land.

7.0 Relevant Planning History

None applicable.

8.0 List of Constraints

On edge of settlement

Area of Outstanding Natural Beauty: (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)
Rights of Way

9.0 Consultations

Comments on Original Plans-

9.1 South West Water - As private sewage treatment facility is intended no involvement is expected. Regarding concerns raised by local residents over sewer flooding these incidents have been related to blockages rather than a lack of capacity.

9.2 Housing Enabling Team - Original comments, but with July 2020 figures update):

Housing Need:

There are currently just under 2000 households on the Housing Register requiring accommodation in the West area of Dorset. This demonstrates that there is a high level of housing need across the area.

To address the affordable housing need across the district the Council's Strategic Housing Market Assessment 2014 (SHMA) suggests that in the region of 104 new affordable dwellings need to be developed annually.

The revised NPPF sets out that affordable housing should be sought from major developments the qualifying threshold being 10 dwellings or more.

Policy-

Policy requires 35% affordable housing on site with the inclusion of 70% social/affordable rent and 30% intermediate affordable housing on open market

housing sites and financial contribution towards the provision of affordable housing when there is a shortfall on site.

To address the affordable housing need across the district the Council's Strategic Housing Market Assessment 2014 (SHMA) suggests that in the region of 104 new affordable dwellings need to be developed annually.

Local Plan Hous2 states that small scale sites for affordable housing can be brought forward on 'Exception Sites'; small scale sites adjoining settlements that would not be granted planning consent for open market housing but can provide affordable homes.

Application:

This application is from Broadwindsor Group Parish Community Land Trust for the development of 15 affordable homes. The proposed site is on a rural exception site on land north of Netherhay Lane, which lies between the settlements of Drimpton and Netherhay.

Drimpton lies within the Dorset Area of Outstanding Natural Beauty and the proposed site is a 'Rural Exception Site' which would not be granted planning consent for open market housing.

In the 2016 SHLAA this site was identified as site 7a and it was stated that although the site had constraints it would be "Suitable for a small scale rural exception site with a reduced developable extent to maintain the gap between Drimpton and Netherhay." It is intended that this development will only utilise a small corner of the site which will retain the gap between the settlements of Drimpton and Netherhay.

Broadwindsor Group Parish CLT was formed with the specific intention of providing affordable housing. A site search was carried out in the Parish in 2016. Eleven sites were assessed and this site was identified by the CLT as having the best potential and as being in a sustainable location.

In November 2018 Broadwindsor Group Parish Council submitted the draft neighbourhood plan which sets out a local need in the Parish for smaller properties. This site off Netherhay Lane, adjoining Drimpton, was one of the sites recognised in the submission.

There is an evident demand for a varied schedule of housing in the Broadwindsor group parish area. Dorset Home Choice figures provide a snapshot based on applicants currently accepted on the housing register from the area.

Broadwindsor Group Parish Area
Summer 2020 Count

Couple/single requiring 1 bedroom	14
Family requiring 2 bedrooms	4
Family requiring 3 bedrooms	6
Family requiring 4 bedrooms	2
Grand Total	26

This demonstrates that there is a clearly identified need in the local community. Dorset Home Choice provides evidence that a variety of housing is required from one bedroom upwards, therefore the proposed accommodation schedule for this project seems to provide an appropriate and balanced mix of dwellings.

Summary:

The proposed development has been initiated and driven by the local community who recognise the invaluable role the development of affordable housing plays in maintaining healthy, balanced and sustainable communities. The mix of dwellings proposed provides a balance of single person and family accommodation that will ensure the sustainability of the development, whilst helping to preserve a vibrant and thriving local community.

There is a significant need for affordable housing across the west area of Dorset and an identified need for a variety of dwelling in the Broadwindsor Group Parish area, therefore the provision of 15 affordable dwellings with a mix of sizes and tenures will assist in meeting this need.

The Dorset Council area is home to a significant number of active Community Land Trusts with several further emerging CLT groups eager to become established. The Council is keen to look at innovative ways of providing affordable housing and has championed all these projects recognising that the CLT model is a successful way of providing the homes that communities themselves identify as being needed.

Although a CLT can exist for other purposes typically their objectives are to provide affordable homes. CLT developments are important to communities; the homes are protected from the Right to Buy, they sustain the community by developing and managing properties as a local asset for the long term benefit of the community and, crucially, local residents are actively involved in planning and delivery.

This scheme has provoked objectors however the CLT carried out a comprehensive consultation process and the general community opinion and the majority of responses were supportive, recognising the need for affordable housing that would provide homes for households who sustain the community.

To date this has been a challenging project which has been worked on tirelessly by a dedicated group of volunteers and one which the Housing Enabling team at

Dorset Council has supported since its inception. The CLT has reached the stage of applying for planning permission through close collaboration with Yarlington Housing, Dorset Council and Wessex Community Land Trust Project and we are looking forward to providing continuing support for the project through the planning procedure and to completion.

9.3 AONB Landscape Officer - Overall, the proposal may be considered acceptable subject to some amendments. Key points to be borne in mind;
-Neighbourhood Plan process acknowledged the importance of maintaining a “green gap” between Netherhay and Drimpton- which this scheme does.
-appeals have demonstrated that significant weight should be attached to affordable home proposals, and that this can outweigh any harm caused to the AONB;
-AONB’s Management Plan review includes specific support; policy C.3b Support affordable housing within appropriate rural exception sites that meet proven local need. Good, locally sensitive design should be pursued.

I am broadly satisfied with the scale and design of the dwellings, including their layout and proposed materials. However, do not wish to see the 2 breaks in the north/east boundaries to provide agricultural access/access to the sewage treatment plant. Recommend the plans be amended to deliver an unbroken buffer.

9.4 Planning and Urban Design Officer - Vehicular access point to serve site is appropriately located to give good sense of arrival into scheme. Internal street layout sees less hard-surfacing which is beneficial. Too much close-boarded fencing in street scene; more sensitive approach to boundaries in the street scene required. Parking arrangement: some spaces on road edge emphasise fencing behind; Plot 3 parking encroaches on amenity space of unit. Flats block should be re-orientated to give frontage to the lane and internal street. Units 10 and 11 in disproportionately large plots - this area should house 3 plots to optimise site. Advise further design/layout changes are sought.

9.5 Conservation Officer - No comments.

9.6 Landscape Officer - Site on western edge of Drimpton, occupies the south-western corner of a field that is delineated with locally distinctive hedge-banks and scattered trees. To the east of site is residential estate development comprising a mix of modern two storey housing (Marksmead) and single storey housing (Oxhayes). To the immediate south of the site are bungalows accessed off Netherhay lane and Chard road. The western boundary comprises an attractive lane strongly delineated by earth banks supporting mixed trees (ash and oak) and sparse hedging.

Two footpaths run through the field W23/30 to the immediate north of the site- from Netherhay Lane to Crewkerne Road, and W23/29 which runs roughly north

to south from Chard Road to Crewkerne Road passing near the eastern boundary of the site.

A Landscape and Visual Appraisal has been submitted; this said the site is considered to have high landscape value and medium to high landscape quality. Site sensitivity is judged to be medium to high. I agree with these judgments.

I have a number of concerns over this development;

- the layout proposed has a standardised geometric arrangement of dwellings within rectangular plot fails to respond to the intrinsic landscape qualities of the site. The wider field has far-reaching views towards Seaborough Hill (to the north-east) disappointing that harsh linear boundaries are used with dwellings lacking in local character.
- proposed vehicular access would remove 25m of hedge-bank and associated young ash tree- can the access be re-located north to keep the ash tree?
- footpaths on western edge likely to detrimentally affect root protection areas.
- main entrance to the development is unsympathetic to the rural setting with brick walling dominating the access.
- Close boarded fencing would dominate the street scene in areas.
- appears there is no need for 2 access points into the wider field on the north and east boundaries (an existing gateway is present off Netherhay Lane to the north)
- Soft Landscape Strategy concerns: Western boundary- propose “retain hedge” whereas area is in fact largely bracken with limited shrubby species- would actually benefit from planting of shade tolerant species.
- proposed bund to north and east boundaries would be an alien feature in this area.
- lack actual and appropriate landscaping for site shown.
- in light of above overall landscape strategy would not conserve or enhance the local landscape character –unable to support application in its current form.

9.7 Tree Officer - Proposal on higher land with views from various public viewpoints. Suggest vehicular access is moved further north away from frontage trees. (G7) The mainly ash trees are key contributor to lanes character. Orientation and siting of houses along the hedge-line will impact on tree root protection zones- adjust dwelling positions advised. Hedgerow species should focus on native species already present. Internal landscaping needs to further develop rural character of area.

9.8 Highways Officer - Original comments: Recommend refusal;

1 The site is served by a narrow sub-standard road, Netherhay Lane and a substandard junction with the B3162 Chard road, where the junction width, radii, and visibility are unacceptable. The character and nature of both roads present conditions that are totally unsuitable to cater for the likely increased traffic generation from the development and would thereby introduce an unacceptable impact to the condition of safety for all users of the highway.

2. The proposed development would be likely to generate an increase in pedestrian traffic onto Netherhay Lane and Chard Road where carriageway widths are extremely restricted there are no usable roadside footways or verges that offer refuge for pedestrians. This would be likely to impact adversely on highway safety and the transport choices for potential occupiers and is, therefore, considered to be unsustainable and contrary to the guidance set out in the National Planning Policy Framework, local Policy and the guidance provided by the Department for Transport publication "Inclusive Mobility": A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure.

9.9 Flood Risk Management Team - In flood zone 1, with section to east in zones 2/3 adjacent the Ordinary watercourse. Holding objection pending the submission of an acceptable strategy of surface water management that is viable and deliverable. Advocate a SuDS feature rather than underground geo-cellular storage.

9.10 Natural Environment Team - An acceptable bio-diversity mitigation plan is required.

9.11 Crime Prevention Design Advisor - Advise development should meet standards in the Secured by Design Homes 2019 guide. Also recommend that all access gates that lead to dwellings are key-lockable from both sides. Burglaries most commonly occur at the rear of premises where access is not restricted (i.e. unlocked gates).

9.12 Technical Services - Almost fully in Flood Zone 1 (low risk of flooding). Flood Risk Management Team should be consulted regarding surface water management proposals for the site.

9.13 Mineral Planning Officer - Sand and gravel present. As comprises only as small part of site, no objection subject to informative.

9.14 Parish Council - Broadwindsor Group Parish Council has consulted widely on this application. The application was discussed at length with Councillors and members of the public at its meeting on 10 June, and upon request, the Council has spoken to individual residents who wanted to express their comments outside of a formal meeting. The Parish Council has raised awareness of the application and signposted members of the public to the application through its website and Facebook page and has encouraged those with views to present them. The need for affordable housing within the Grouped Parish area was identified in the Parish Plan of 2012 and later through the development of the Neighbourhood Plan, and in January 2018, there were 23 individuals, couples and families with a strong connection to the Grouped Parish area in need of affordable housing. There is strong support for such provision. The Parish Council is satisfied that the Broadwindsor Group Parish Community Land Trust has followed correct procedures and is proposing a high-quality

scheme which will provide much needed homes for local people and will stand as a real asset for the community. As such, the Parish Council fully supports this application.

Despite strong support for the application within the community, the Parish Council recognises and understands that there is some opposition to the proposal and would like to include the concerns raised as part of its corporate response. The Parish Council has encouraged those opposing the application, to also submit their comments directly to Dorset Council. A summary of comments received from members of the public at its 10 June 2019 meeting are listed below.

A number of comments were made stating that affordable homes should have access to good local amenities, including good transport links and access to leisure facilities and employment opportunities and some members of the public did not feel that Drimpton could offer this, which would lead to an increased number of cars being used.

A number of comments were also made stating that Drimpton had its own vibrant village hall, offering a wide choice of recreational activities, an excellent play park, two places of worship, a pub and should be viewed as part of a wider Grouped Parish area which further offers a community shop, school and village hall and that Drimpton had a great deal to offer new residents.

Comments were also made about the unsuitability of Netherhay Lane to cope with additional traffic and the potential danger to both pedestrians and motorists. A comment was also made about the removal of a large section of hedgerow and ancient trees in an area of Outstanding Natural Beauty and that over 24 metres of bank would have to be removed.

Whether the scheme offered value for money was questioned.

An objection was raised to the proposal due to the negative impact that such a scheme could have on the environment. The methodology for the disposal of chemicals used in the treatment of sewerage was questioned and concern raised about the possible pollution of the stream.

A member of the public stated that they had lived in the village all of their lives and had seen it expand and stated that it was important to move forward and plan for the next generation, stating their full support for the scheme.

A number of comments were made about the reduction of privacy for an existing resident of Netherhay Lane, stating that the proposal would see five back gardens bordering his property which they felt was very unfair and would impact on his well-being.

A comment was also made that the proposed houses would not be in keeping with the surrounding bungalows and would lead to light and noise pollution. A member of the public commented that the scheme would fit in with the existing population and add to the vibrancy of the village, stating that an inflow of new people over the years has helped make Drimpton the great village that it is today.

A comment was also made that the application proposed that children would be walked to the school bus through the field, which was thought to be extremely difficult for young families, especially during winter months. This may then lead to additional car journeys being made.

A member of the public stated that they had no objection to the proposal but was concerned about pollution of the stream and asked whether any consideration had been given on connecting the new homes to the existing sewerage system and making improvements to the system to enable it to function more efficiently.

A member of the public questioned why a gate providing access to the adjoining field had been included in the plan, stating that it did not serve a purpose and could be there to allow for further development.

A comment was made that the site was viable agricultural land and should remain so.

A member of the public questioned the track record of the chosen Housing Association and their ability to maintain the site adequately. Councillor Leader stated that the Housing Association had been chosen based on its track record locally.

A member of the public stated that there is a real struggle facing young families, with low rates of pay and high house prices, getting on the property ladder is almost impossible. Working families do not qualify for traditional social housing and are often forced into private properties with high rents and no home security. These families are active members of their communities, with children attending the local school.

A comment was made that the Community Land Trust does not have majority support for the site from the residents of Netherhay and Drimpton.

Comments on Amended Plans (April 2020) –

9.15 Highways Officer - Amended comments in light of consideration of further information from applicant and overall planning policy context):

It is understood that on 23 December 2020 an amended plan was provided, Dwg No 7446 10-001 Rev Q, that indicated that an all-weather footpath will be provided linking to the existing Right-of-Way to the west (W23/29) this plan has been subsequently updated to Rev T as of 9th April 2020. Whilst it would be preferable if the existing R-o-W was also surfaced, a suitable alternative to having to walk along Netherhay Lane will be available and, for this reason, we would withdraw our initial recommended reason for refusal.

It is acknowledged that the development site is allocated within the Broadwindsor Group Parish Neighbourhood Plan (2018-2031) and this has been fully considered in our deliberations. However, it is noted that the applicant's submitted Transportation Advisory Note (23 January 2020) confirms that the "visibility splays at the B3162 do not comply with Manual for Streets (MfS) guidance", as previously advised by the Highway Authority. The visibility to both the west and the east at the junction of Netherhay Lane with the B3062 Chard Road, from a driver position of 2.4m (that does not necessitate a hesitant nosing into the carriageway), falls well below the criteria identified by MfS. It has been suggested that this issue could be mitigated by the use of a mirror on the highway verge immediately opposite the junction but the Highway Authority does not accept this as an appropriate or safe mechanism and is not one that Dorset Council employs. It is recognised that this is an historic situation, but the HA considers that the existing junction has limited visibility and as such we would ask that is taken into consideration when determining the application.

9.16 South West Water - No comments to make.

9.17 Flood Risk Management Officer - Limited potential for the incorporation of open Sustainable Urban Drainage features (ponds/swales). More recent information submitted; underground crating system with controlled release to the stream to the east could be more likely means, subject to a detailed drainage scheme and maintenance/management details.

9.18 Planning Obligations Officer - Since wholly for affordable housing and is likely to be eligible for Social Housing Relief, I have no comment from this perspective.

9.19 Natural Environment Team - Revised and acceptable biodiversity plan submitted and Certificate of Approval now issued; some final adjustments currently being addressed.

9.20 Crime Prevention - No further comments to add to original comments.

9.21 Environmental Health Officer - No objection. Comments that sewage treatment plants of this size are unlikely to cause excesses of noise, and that normal rules around complaints remain and would be made against the site management.

9.22 AONB Landscape Officer - We would like to make the following observations with regards the latest amended design (with reference the Soft Landscape Strategy 1284-06, and proposed Site Plan 7446 10 -001 Rev T):

The Revised Layout and associated landscaping:

We note the following improvements to the Site Layout:

- Reconfiguration of the Units to provide a slightly less geometric layout – with Units 9-11 incl. orientated to the south-east.
- The removal of the perimeter earth banking.
- The creation of a central 'green space'.

With reference the latest Soft Landscape Strategy we would like to make the following observations:

We have serious concerns about the design of the planting layout. There appears to be a general lack of knowledge of planting design – in that forest species trees are planted in close proximity to each other and that the proposed design would fail to address the local distinctiveness of the setting within the designated landscape. To elaborate;

- The northern/eastern periphery: This is to comprise a boundary hedge with standard sized trees planted within it. Whilst the 'hedge' specification (a native species mix) would be acceptable the 'standard trees' shown need far more consideration. Oak trees (*Quercus robur*) are shown planted in a regimented fashion – and within just a few metres of each other. In reality – Oaks require a suitable space in which to establish and so far more space needs to be allocated. Also, within the hedgerow planting, are *Acer campestre* (field maple) and *Prunus avium* (bird cherry). These are best planted in small groups/clusters – and not in a regimented fashion. A more considered design is required that takes into consideration the 'habit' and 'form' of the trees to be planted.
- Eastern boundary – I note that 'earth bund' is shown along this boundary – It was previously advised that bunding be removed along here.
- Eastern boundary 'Woodland Planting': In reality these areas, as shown on the Strategy Drawing, are very small – and never likely to form 'woodland'. The species proposed are in line with the Biodiversity Mitigation Plan and would be acceptable.
- Eastern boundary – Sewage Pumping Station: We note that there is a lack of planting to the field side of the SPS. Hedge planting should be provided in order to soften the structure from the proposed footway to the east.
- Eastern boundary – Access point: There is disparity between the Proposed Site Plan and the Landscape Strategy. The Site Plan illustrates that planting is to be provided within this area – allowing space for the proposed footpath. I would, therefore, recommend that the 'woodland planting' is extended across this area.

- Southern boundary: This boundary appears to have been neglected in terms of planting proposals. The boundary, as existing, comprises long grass and patches of bramble. It adjoins the private garden space of an existing bungalow (No.6). All that is shown on the Landscape Strategy are 3 standard trees –within the back gardens of proposed Units 12, 13 and 15. Hedge planting is advised along this boundary – although space is extremely restricted to the south of Unit 1. Clarification is required as to how this boundary is to be treated.
- Wildflower Meadow Areas: The seed mixes specified would be suitable – but the expanse of grassed area in the ‘centre’ of the Site could be vastly improved. This is the largest of the green ‘open spaces’ and it only has 2 no. small field maple trees (which are tucked into the edge of the area). This green space needs more thought – with specimen tree planting to provide fruiting/foliage interest. The two green spaces shown either side of the ‘agricultural access’ along the northern boundary could also be improved. This is a ‘transition zone’ between the housing and the farmland – so native species planting would be preferable around the sides of the ‘sheds/drying areas’. This would better relate to the native trees that are planted there.
- Ornamental Planting and Amenity Grass Areas – Ornamental planting has been kept to a minimum across the Site – largely being restricted to a small number of beds at the entrance and a couple of other random ‘blocks’. Hedge planting is shown to the front of some of the Units – but not all? There is a lack of any ornamental planting to Units 9-11 incl. Where there are larger ‘ornamental beds’ – it would be preferable to see small ornamental varieties of trees within them – as they are there to provide ‘structure’ and spatial definition. There are lost opportunities within the larger areas of ‘amenity grassland’ – where token native species trees are shown. Far more could be made of these areas.

Conclusions:

Whilst the revised Scheme shows some improvements to previous layouts – we feel that the overall approach to this site is disappointing in terms of design and character. House detailing is ‘generic’ and shows little of local distinctiveness (conflicting with the aims of the Neighbourhood Plan Policy BGNP7 Built Character: which states that: “Development should be designed to complement and reinforce the distinctive local character of the settlement or outlying rural area to which it relates”).)

Taking the above into account – whilst we support affordable housing (AONB Management Plan Policy C3b) we advocate ‘good, locally-sensitive design’. This Scheme, in its architectural treatment and proposed landscape strategy – is weak and does little to ‘conserve and enhance the AONB’.

I would advise that the landscape design for the Site be re-considered – with particular thought being paid to the transition between the formal areas within the housing and the transitional areas/ rural interface.

9.23 Parish Council - Broadwindsor Group Parish Council has consulted extensively on this application and its revision and supports the proposal. Broadwindsor Group Parish Council instigated the creation of the Community Land Trust to seek to address the concerns of residents regarding the lack of affordable housing for local people. The Parish Plan of 2012 surveyed the residents of the group parish area and the biggest concern that the community had was over the lack of affordable housing for local people.

West Dorset District Council were engaged, they wholeheartedly supported the objectives. A search of the group parish for suitable sites, working with the Planning Department of WDDC identified the Netherhay Lane site as being suitable. The scheme for 15 affordable homes for local people only was designed after considerable discussion with the community, Planners, Parish Council and other experts.

The homes will be only for local people, they cannot be sold off and will be held in perpetuity for local people.

The Neighbourhood Plan included this scheme and the Parishioners voted on the Plan and received overwhelming support. The Plan was independently reviewed by a planning inspector and supported. The Plan was approved by Dorset Council without alteration.

Highway and planning experts have confirmed that Drimpton Cross is safe and able to take the traffic from this scheme.

The homes will be built to the highest standards, their appearance, faced in stone and brick we believe will add positively to the built environment.

The proposed footpath from the scheme to meet the existing right of way that starts and finishes on the Chard Road is included at the request of the Dorset Council Planning Department.

There will be a self-contained sewerage system on site which will have no impact on the existing system. This system will discharge only clean water into the local stream.

All existing trees and hedges, apart from the entrance, will be kept, there will be considerable planting of trees and hedges on site to create a green environment.

The Parish Council have been involved with this scheme from the outset, they support absolutely the need for affordable housing for local people, they support

this site as being suitable for this development and support the design and access.

9.24 All consultee responses can be viewed in full on the website.

10.0 Representations

Representations on Original Plans:

61 letters of objection/comment have been received. Several writers have written more than once. The main planning-related points include:

Council for the Protection of Rural England (CPRE) -
lack of affordable housing need in Drimpton; should be located in a larger settlement as per local plan strategy; lack of public transport links to centres of employment/towns; lack of local facilities in village-unsustainable development; will result in loss of privacy to neighbours; if affordable housing is to be permitted in Drimpton it should be on the (lapsed permission) (Axe Mill) industrial site instead.

Dorset CPRE-consider the highway refusal concerns should be followed.

- access onto Netherhay Lane not acceptable- too narrow for 2 vehicles to pass in most places
- excessive traffic generation from site -30 cars likely
- inadequate car parking given visitor and emergency vehicle needs
- lane and site entrance not suitable for emergency vehicles
- traffic accidents have occurred in the lane/locality
- will exacerbate existing problems of lane blocking by vehicles, particularly large ones, causing reversing movements
- poor visibility at chapel end of Netherhay Lane
- no need for more houses in this village
- junction of Netherhay Lane with Chard Road is dangerous with poor visibility
- detrimental to visual character of Netherhay Lane
- will not enhance the Area of Outstanding Natural Beauty
- will affect setting of listed buildings
- loss of frontage bank/planting and trees
- will erode extent of green gap between Netherhay and Drimpton
- site is close to a listed building
- site affects public rights of way
- should put the houses in a more sustainable location
- concerns of the highway authority must be observed
- narrow lane, lack of passing places, no footway and 60 mph speed limit mean lane is unsafe for further development
- loss of frontage trees/hedging-detrimental to visual character
- detrimental to safety of pedestrians, dog walkers and children who use lane

- lack of local services and facilities in village
- proposed houses not in keeping with existing bungalows
- no local employment opportunities
- would exacerbate existing sewerage system capacity
- potential contamination from sewage treatment plant
- chemicals from sewage would contaminate the Little Axe stream, its wildlife and banks
- CLT scheme does not have majority support
- insufficient local need in the village
- increase light pollution
- erode wide corridor of open land separating Netherhay and Drimpton.
- loss of productive agricultural land
- loss of fauna and flora
- sewage plant could be detrimental to neighbouring properties
- noise from activity of residents
- increased noise and fumes to area
- vehicle emissions will increase
- overlooking from dwellings and loss of privacy to the existing property 6 Netherhay Lane to south
- would not sufficiently respect the human rights of adjacent neighbour to south
- loss of privacy to existing properties
- flats would be out of keeping for the village
- harm to countryside views
- lack of adequate bus service- residents would be over-dependent on private cars
- no public transport to Broadwindsor, Bridport or Dorchester
- no school, shop or post office
- have to travel to Beaminster or more likely Crewkerne for most services/facilities
- detrimental to public rights of way
- potential damage to lanes/banks from construction vehicles
- limited support from village residents for this CLT project
- detrimental to setting of listed buildings
- should look to use other local brownfield sites.
- unnecessary gate on site- opportunity to further extend into field?
- too many units
- query safety of LPG storage facilities
- materials must be appropriate to this countryside location
- pollution and noise risk from drainage for sewerage plant
- site has surface water drainage problems
- ensure surface water drainage does not detrimentally affect water table
- solar panels should be provided
- query if enough school places available at Broadwindsor School
- existing field public footpath from site to village opposite hall is not surfaced and not suitable in poor weather; highway danger from pedestrians crossing Chard Road at this point to reach the hall/playing field
- disagree with conclusions of submitted Traffic Advisory Note

- some support for low cost housing, but no majority support for this particular site
- precedent for more development of rest of the field.
- would require upgraded roads and drainage
- slow broadband speeds
- consider insufficient housing need for this number of houses in Drimpton itself
- not convinced by applicants Transport Statement regarding accident dangers
- CLT supporting documents are not persuasive.

25 letters of support have been received. Several writers have written more than once. The main planning-related points include-

- efforts with landscaping are appreciated
- highway officer concerns are overstated; Drimpton has few footways in any part;
- consider safer to walk along Netherhay Lane than Bramblehay, Marshwood or Garmans Field, Timber Hill Lyme Regis(where highways supported affordable housing with no footways)
- site has been considered for development in strategic housing allocations list
- support provision of housing for the local community and the young
- support the work of the Broadwindsor SLT for the best interests of the area
- greater part of field remains undeveloped
- consistent with the Neighbourhood Plan
- CLT process has been appropriately consultative.
- scheme has support of Parish Council
- applicant has sought to develop an appropriate scheme for the site; homes will have environmental benefits; a lot of tree planting; the biodiversity of the site will be enhanced
- following concerns over pressure on existing system an on-site sewerage system deliberately used to break down and digest foul waste resulting in a small amount of clean water out flow- would be licensed by environment agency
- affordable housing essential for rural communities to thrive; allows local young people to live in village who couldn't otherwise
- Drimpton has a lot to offer with its community/recreational facilities
- primary and secondary schools nearby served by free school bus, craft centre and community shop only two miles away, and larger shopping facilities at Crewkerne and Beaminster; regular bus service
- have minimised tree loss, and involves extensive new planting and encouraging wildlife
- employment available in local towns
- needed to stop locals having to pay high rents; young people will keep the village vibrant
- two footpath links into village
- Neighbourhood Plan Inspector concluded this site is suitable
- bungalow next to the existing neighbour; scheme would minimise overlooking
- village hall, two churches and pub will all benefit from more people using them
- more local children would help increase local schools attendance
- will increase use of local facilities

- additional traffic would make little difference to any highway concerns
- bus stop is convenient to site
- bus service passes site multiple times a day
- suitable building materials used.

Comments on Amended Plans: (vehicular access moved northward; layout and dwelling positions adjusted; new footpath link; additional supporting information)

35 letters of objection. Several writers have written more than once. The main planning-related points include:

- drainage from the scheme will worsen the existing poor drainage situation
- pollution risk from foul drainage into stream; harm to wildlife
- loss of trees
- Dorset CPRE-consider the highway refusal concerns should be followed; If approval is given should incorporate green energy measures
- effect on flora and fauna- biodiversity deficit
- unacceptable traffic increase on Netherhay Lane and area
- junction does not comply with Manual for Streets Guidance
- new vehicular access on to a dangerous lane at narrow point
- lane is too narrow for two vehicles to pass
- large agricultural/commercial vehicles or buses- cause dangerous reversing on single track lane.
- no footways-dangerous for pedestrians and other road users
- unsafe junctions at either end of lane- limited visibility
- loss of privacy to adjacent bungalow-6 Netherhay Lane
- noise and disturbance activity to adjacent bungalow
- lack of infrastructure in village
- lack of local employment opportunity
- lack of facilities for young parents
- should be built in larger, more sustainable settlement
- inadequate bus service
- TPO trees may consequently need trimming
- footpath route would be difficult in dark
- privacy of adjacent dwellings affected by proposed footpath use
- new footpath should be lit and maintained
- footpath route is boggy and therefore difficult to use
- footpath route into village beyond proposed surfaced section, via timber bridge is boggy and difficult to use, particularly for wheel chairs/pushchairs
- footpath would encourage more people to use it in addition to residents
- footpath link was not in neighbourhood plan
- footpath is an expensive, impractical solution, also needing to use gates
- footpath should not be tarmac or lit
- poor visibility from the public footpath opposite village hall
- underground springs-site unsuitable for development
- home could still be too expensive

- visually out-of-keeping with the surrounding area
- harm to the Area of Outstanding Natural Beauty
- light pollution
- should not build flats in a village
- schools and doctors surgeries at capacity
- additional agricultural access from site to field unnecessary as access exists elsewhere to this field; precedent for more development?
- increased vehicle damage to hedgerows and banks
- more screen planting needed, including to help address privacy concerns for 6 Netherhay Lane
- do not want urban fencing solution to footpath route
- too many houses-biodiversity plan not correctly signed
- better site at Axe Mill
- loss of agricultural land

Dorset CPRE- note footpath provision to village, but object if the remainder of route cannot be surfaced also. Gaps in the pavements on Chard Road. Still have concerns over public transport and employment. If scheme is supported full insulation and solar panels should be installed.

38 letters of support. The main planning related points include:

- valuable opportunity for local born people to stay in home village rather than having to move away to cheaper rental/purchase areas
- longstanding need for affordable housing in this area
- will provide a good mix of people
- proposed plans and location are ideal
- will make little difference to traffic in area
- lack of road accident statistics for Netherhay Lane
- nature of the lane slows down vehicles
- there is nothing exceptional to make this lane unsuitable for 15 dwellings
- high existing private rents mean these homes are a welcome addition
- high demand for these due to locals forced losing out by those buying second homes and holiday homes
- new footpath helps the scheme and could encourage more people to take exercise
- a well designed development
- would help sustain local and other facilities in the area.
- will enable families to live near each other and provide child care
- environmental benefit of new tree and hedge planting
- detail and design will have minimise any impact on neighbouring properties
- ecological benefits plan
- energy efficient housing
- scheme is supported by the Parish Council
- village needs to grow and thrive to avoid an ageing population
- amended plans address the concerns of residents

- the CLT worked with the (former) WDDC Planning Dept to identify the site as suitable
- site identified in the (now “made”) Broadwindsor Group Neighbourhood Plan which followed extensive consultation
- new sewage system will have no adverse impact on the existing system
- will have positive impact on community

Full copies of all letters of representation are available to view at doretforyou.com

11.0 Relevant Policies

West Dorset, Weymouth and Portland Local Plan (2015).

INT1 - Presumption in Favour of Sustainable Development
 ENV1 – Landscape, Seascape and Sites of Geological Interest
 ENV2 – Wildlife and Habitats
 ENV4 - Heritage Assets
 ENV5 – Flood Risk
 ENV10 - The Landscape and Townscape Setting
 ENV11 - The Pattern of Streets and Spaces
 ENV12 - The Design and Positioning of Buildings
 ENV13 - Achieving High Levels of Environmental Performance
 ENV 15 - Efficient and Appropriate Use of Land
 ENV 16 – Amenity
 SUS 2 - Distribution of Development
 SUS5- Neighbourhood Development Plans
 HOUS 2 - Affordable Housing Exception Sites
 COM7 Safe and Efficient Transport Network
 COM 9 - Parking Standards in New Development

Broadwindsor Group Parishes Neighbourhood Plan 2019–

Policy BGNP6 Important Gaps-
 (Gap protected to Netherhay, with appropriate design/landscaping to any new development)

Policy BGNP7 Built character-
 (development should be designed to complement and reinforce the distinctive local character)

Policy BGNP15. Site 7a: Land East of Netherhay Lane, adjoining Drimpton-
 (local housing need; appropriate character/design; minimise loss trees/landscaping; safe access onto Netherhay Lane; drainage strategy; biodiversity mitigation)

National Planning Policy Framework 2019-

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
11. Making effective use of land
12. Achieving well-designed places flooding and coastal change
14. Meeting the challenge of climate change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment
17. Facilitating the sustainable use of minerals

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.

Other material considerations

West Dorset Landscape Character Assessment 2009

AONB Management Plan 2019-24

Design and Sustainable Development Guidelines 2009

12.0 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.

13.0 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 development includes car parking located conveniently to associated dwellings which would assist any less able persons.

14.0 Financial benefits

Affordable housing -15 homes
Employment during construction phase

15.0 Climate Implications

15.1 Construction of the development will invariably involve emissions due to operation of plant and building operations. Following occupation use of non-electric vehicles will result in vehicle emissions. However, this must be balanced against the opportunity to provide much needed affordable housing for Drimpton and the local area.

16.0 Planning Assessment

Principle of development-

16.1 Policy HOUS2 of the adopted West Dorset, Weymouth and Portland Local Plan 2015 supports the principle of small scale sites for affordable housing adjoining settlements, subject to details, and is applicable in this case. Furthermore, the emergence of the Broadwindsor Group Parishes Neighbourhood Plan 2018-2031 “made” (given final approval) on 1st October 2019, specifically allocates this site for up to 15 affordable dwellings. Policy BGNP15 of the Neighbourhood Plan (NP) addresses this with the site referred to as 7a in the Plan. The Policy is set out below:

Policy BGNP15. Site 7a: Land East of Netherhay Lane, adjoining Drimpton Land east of Netherhay Lane, adjoining Drimpton, as shown on the Policies Map, is allocated for a rural affordable housing exception site, subject to all of the following requirements:

- a) the scheme comprises no more than 15 dwellings, and the exact type and number of dwellings provided must meet an identified, current, local need within the neighbourhood plan area which cannot otherwise be met, and restrictions are included to ensure that these homes are prioritised and remain affordable to local people (with a connection to the neighbourhood plan area) in perpetuity;
- b) the scheme is of a character, scale and design appropriate to the location, new buildings are designed to complement and reinforce the distinctive local character in line with Policy BGNP7, and appropriate landscaping is included to

avoid the development being prominent in long-distance views and to provide a soft landscaped edge to the remaining field;

c) the layout should be designed to avoid impinging on the protection area of the mature trees along the site boundaries, and retain the hedgerow as far as practicable;

d) any vehicular access onto Netherhay Lane must be provided with a suitable visibility splay achieved;

e) the provision of a drainage strategy to ensure run-off from the site is suitably managed to avoid impacting on properties off-site;

f) the retention and enhancement of the existing hedgerow boundaries and mature trees as far as practicable, and the provision of biodiversity mitigation to secure a net biodiversity gain (in line with the Dorset Biodiversity Protocol).

16.2 The Neighbourhood Plan becomes part of the development plan, and its policies will work alongside, and, where appropriate, replace the policies in the local plan where they overlap. In this case the general Local Plan policy support given in HOUS2 is refined and made specific to the application site as identified in the Neighbourhood Plan allocation under Policy BGNP15.

In the light of this clear supportive policy background this particular site is acceptable in principle, subject to relevant detailed matters as are material to the application.

16.3 The comments of the Housing Enabling Team are strongly supportive of this application; they set out in their comments the background and refer to the site being identified in 2016 as part of the Strategic Housing Land Availability Assessment. They point out that there is evident demand for a varied schedule of housing in the Broadwindsor Group Area (this includes the Parishes of Broadwindsor, Burstock, and Seaborough). The units are likely to be for affordable rented purposes. They further comment that the proposals represent an appropriate and balanced mix and that the provision of 15 dwellings will assist in meeting that need.

16.4 It is not intended to explore the sustainability issue in depth here because the principle of this site is already established under the Neighbourhood Plan. However in brief, Drimpton is a modest sized settlement which is acknowledged to have some facilities and consequently appears in the “settlements of 200+ population” as listed in the adopted Local Plan (approximate village population is about 400). The local facilities include a church, public house, village hall, children’s playground and playing field. There is also a chapel at Netherhay. There is a bus service; the South West Coaches Route 96 - albeit it is a very limited service. The route connects to Chard- Crewkerne-Yeovil, via Winsham, Drimpton, Misterton, Hazelbury Plucknett, East Chinnock and West Coker. Nearer towns are Broadwindsor (about 2.3 miles), Crewkerne (about 3.6 miles) and Beaminster (5 miles). As such, private cars are likely to be used mainly. Shops and schools are available at Broadwindsor and Beaminster.

16.5 It has been checked and there is spare capacity at both Broadwindsor Primary and Beaminster Secondary Schools to accommodate the anticipated additional children that would be expected from a scheme of this size.

Highway Safety Considerations-

16.6 Highway safety is an important material consideration and it is pertinent to explore this issue in the context of the background and progression of this application.

Background

When the application was originally received the Highway Officer recommended refusal based on two reasons:

1. The site is served by a narrow sub-standard road, Netherhay Lane and a substandard junction with the B3162 Chard Road, where the junction width, radii, and visibility are unacceptable. The character and nature of both roads present conditions that are totally unsuitable to cater for the likely increased traffic generation from the development and would thereby introduce an unacceptable impact to the condition of safety for all users of the highway.
2. The proposed development would be likely to generate an increase in pedestrian traffic onto Netherhay Lane and Chard Road, where carriageway widths are extremely restricted there are no usable roadside footways or verges that offer refuge for pedestrians. This would be likely to impact adversely on highway safety and the transport choices for potential occupiers and is, therefore, considered to be unsustainable and contrary to the guidance set out in the National Planning Policy Framework, Local Policy and the guidance provide by the department for transport publication "Inclusive mobility": A Guide to Best Practice on Access to Pedestrian and transport Infrastructure.

16.7 Given that this specific site is allocated under the Neighbourhood Plan (NP) these comments were at variance with the expected response. The Highways Officer was consulted during the progression and amendment of the NP but it appears feedback on the reduced site area identified (Site 7a in the NP) was not received to indicate opposition in principle to this site - although it indicated the need for appropriate visibility splays onto Netherhay Lane.

16.8 Consequently discussions have taken place with the applicant and the Highways Officers to explore possible measures to address these objections. The applicant has also provided additional information including a Transport Advisory Note prepared by a transport consultant, and a letter dated 28th

January 2020 making reference to the NP Examiners Report and the Inspectors deliberations on the NP. Copies of these documents are available on the website.

16.9 Taking reason for refusal 2 first (unsuitability of Netherhay Lane for pedestrian traffic) the applicant has provided an alternative option for pedestrians, which would avoid use of the lane by providing a pedestrian link to the existing public footpath which then gives access more centrally to the village at a point opposite the village hall. The surface of the pathway would be all-weather such as self-binding gravel/hoggin. In the light of this amendment the Highways Officer has withdrawn his objection as set out below:

It is understood that on 23 December 2020 an amended plan was provided, Dwg No 7446 10-001 Rev Q, that indicated that an all-weather footpath will be provided linking to the existing Right-of-Way to the east (W23/29) this plan has been subsequently updated to Rev T as of 9th April 2020. Whilst it would be preferable if the existing R-o-W was also surfaced, a suitable alternative to having to walk along Netherhay Lane will be available and, for this reason, we would withdraw our initial recommended reason for refusal.

16.10 In an ideal world, an all-weather surface would be provided along the full route from the site to the junction of the footpath with the Chard Road in the village. That is not possible due to different land ownership. The unsurfaced section of this route is laid to grass crossing a smallholding and can at times be boggy in places. Two gates are present on the route. Consequently, whilst it is true to say the unsurfaced section of this footpath is not ideal, it does nevertheless provide an alternative to using the narrow Netherhay Lane which has no footways. It is also fair to say that particularly in wet weather, it may be less readily usable by the less able or those with pushchairs or similar.

16.11 The "junction" of this route with the Chard Road has limited visibility on emergence. Nevertheless, it should be noted that this route is a definitive public footpath and therefore is already in use by pedestrians in any event. The route would be usable by most with suitable footwear.

16.12 Moving onto the other reason of highway concern (narrow nature of Netherhay Lane and substandard junction with Chard Road) in the light of a combination of reviewing the policy background, the submitted Transport Advisory Note, the Neighbourhood Plan Examiners comments, and additional site review the Highways Officer has replaced the earlier comments with the below:

It is acknowledged that the development site is allocated within the Broadwindsor Group Parish Neighbourhood Plan (2018-2031) and this has been fully considered in our deliberations. However, it is noted that the applicant's submitted Transportation Advisory Note (23 January 2020) confirms that the

"visibility splays at the B3162 do not comply with Manual for Streets (MfS) guidance", as previously advised by the Highway Authority. The visibility to both the west and the east at the junction of Netherhay Lane with the B3062 Chard Road, from a driver position of 2.4m (that does not necessitate a hesitant nosing into the carriageway), falls well below the criteria identified by MfS. It has been suggested that this issue could be mitigated by the use of a mirror on the highway verge immediately opposite the junction but the Highway Authority (HA) does not accept this as an appropriate or safe mechanism and is not one that Dorset Council employs. It is recognised that this is an historic situation, but the HA considers that the existing junction has limited visibility and as such ask that it is taken into consideration when determining the application.

16.13 Taking Netherhay Lane first, this is a lane which is narrow, typically varying in width between 3.5 - 4.5m much of effectively single carriageway width with no footways. It links the B3162 Chard Road with the B3165 Crewkerne Road. The national speed limit applies here. It is clearly used by larger traffic such as agricultural vehicles and buses. As well as vehicular traffic it is clearly used by pedestrians for exercise, dog-walking, etc. There are various areas along the lane where pedestrians can take "refuge" from passing (sometimes large) vehicles, albeit there are narrower sections. It is also notable that the main route through the village has only very limited footpath sections. There appears to be no recorded traffic-related injuries for that area.

16.14 The NP Examiner noted in his report (dated 26 April 2019) when considering the allocation of this site on Netherhay Lane:

"4.6.8 Netherhay Lane is a narrow road without footways which is used by walkers and joggers. According to the NP, the lane is not heavily trafficked, and the bus service which uses it is infrequent. Although the design of an access onto Netherhay Lane would require care, no more than 15 dwellings would be permitted on the site, and there is no convincing evidence before me to suggest that the traffic generated would be sufficient to constitute a significant threat to safety or amenity."

Later the Examiner concludes:

"4.16.15 Taking all these matters together, I consider that the Parish Council have properly identified the adverse effects of developing the site, as set out in the Strategic Environmental Assessment (SEA), and have assessed the balance between those adverse effects and the benefits of development. They have made a reasonable planning judgement that the site should be developed to help provide the affordable housing need within the NP area."

16.15 Specifically regarding the new proposed vehicular access to the Lane, the positioning and visibility splays shown on the amended plans is acceptable to the Highways officer to provide adequate visibility on access to and egress from the

site. It is also worth mentioning that the creation of this access here would in effect provide an additional point of wider lane width which could ease the passage of vehicles travelling in opposite directions.

16.16 Turning to the Junction of Netherhay Lane with the B3162 Chard Road, visibility at this junction is not ideal. Approaching southwards along Netherhay Lane on reaching the junction it is bordered by a circa 3m high native species hedge on the west side, and a circa 2.5m high conifer/hawthorn, etc. hedge on the east side. In my own judgement as a driver and as Case Officer turning eastwards there is some visibility to the west. Turning west, it is necessary to “nose out” to gain improved vision to the east. The “bell-mouth” of the junction is about 21m wide. A 30 MPH speed limit applies to this section of the Chard Road.

16.16 The applicant has provided a Transport Advisory Note prepared by a transport consultant. This includes reference to recorded collision data for Netherhay Lane; just one “slight” injury collision about 200m north of the site is recorded.

16.17 However, there are in representations received indications of incidents and “near misses” on the lane and junctions. The Manual for Streets (MfS) indicates the visibility splays at the Chard Road junction- for full compliance- should be 2.4 x 43m in each direction. This junction clearly does not comply with that. Having said this, there appears to be no recorded collision data for the past 20 years at this junction.

16.18 The transport consultant points out that the forward visibility for east and westbound vehicles on the Chard Road to the crossroads junction (65m and 39m respectively) is in his words “excellent” when compared with the MfS sight stopping distance of 43m plus the Highway Code’s 23m for vehicle speeds of 30 mph.

16.19 Both the Highway Officer and the applicant’s consultant recognise the sub-standard nature of the visibility at the junction. The historic record of any incidents has not it appears prompted any steps by the Highway Authority to introduce additional safety measures at this junction. So the judgement is would the overall additional traffic generated by 15 further dwellings on the Lane be so serious as to resist the scheme. Policy COM7 of the Local Plan includes the criterion: Development will not be permitted where the residual cumulative impacts on the efficiency of the transport network are likely to be severe.

16.20 This is reinforced by the NPPF 2019 guidance at para 109; Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

16.21 The pragmatic reality is that particular care has to be taken at this junction. As the Highways Officer indicates:

It is recognised that this is a historic situation but the Highway Authority considers that the existing junction has limited visibility and as such we would ask that it is taken into consideration when determining the application.

16.22 It is also worth noting that limited visibility at rural junctions in the wider West Dorset area is encountered from time to time; extra care has to be taken in such circumstances.

16.23 In the light of the foregoing exploration of the issue it is considered by the Case Officer, on balance, that the relatively modest scale of the development would not result in a severe and unacceptable impact on highway safety.

Visual Amenity-

16.24 The site is located on the edge of Drimpton village, within the Area of Outstanding Natural Beauty, within the Axe Valley Hills Landscape Character Area and is adjacent to or near public rights of way, alongside a lane, and is slightly elevated. As such it is a visually sensitive site. The initial submission was supported by a landscape and visual Impact assessment. This assessed the impact of the development which would be visible from a variety of public viewpoints and by residents near-by. It recognised the site as of medium to high landscape value, and concluded that overall there would be an overall minimum adverse effect, and that this would be mitigated by the maturing of the boundary landscape planting.

16.25 In terms of the general location it emerged over time through assessment that the land between Drimpton and Netherhay formed an important visual gap between the two settlements. Accordingly, the submitted scheme is confined to the one (south-west) corner of the wider land parcel thereby leaving the greater share of the land as green open space.

16.26 The scheme has been amended in the light of comments from Officers. The main areas of amendment included moving the vehicular access point northwards; adjusting the layout so the frontage dwellings to Netherhay Lane were parallel with it but sufficiently far back from the boundary trees, re-orientating the plots 9-11 to face the north-east deletion of boundary and moving the plots 12-15 closer to the access road, adjusting the parking layout and introducing more curve into the access road. The vehicular access has been positioned to minimise any effect on frontage trees. Frontage banking will be removed but compensatory ecological measures will be carried out. It should be noted that the frontage trees are now subject to a Tree Preservation Order (WD969). The scheme as designed would not threaten those trees.

16.27 The AONB Landscape Officer feels there should be a more locally distinctive character to the scheme. However, the scheme does now follow some sound principles with a layout that has more variety in its orientation of units whilst also ensuring most units “front” the lane or access road in traditional layout form. The design of most of the dwellings follows a traditional cottage- inspired approach, each having a chimney and cottage proportion windows and simple porch canopies. There are a proposed semi-detached pair of single storey dwellings to the south-west corner of the site, although even these have a chimney and smaller proportion windows.

16.28 The materials include a mix of stone and brick with stone used more especially for the elevations addressing Netherhay Lane and more prominent elevations. All roofing would be in slate. Drimpton in fact has a wide variety of age, type and materials in its housing. The materials present include render, stone, brick, slate, plain tile and concrete tile. This palette of materials are present in the village, and indeed are also present in the more modern Marksmead development in the village. If approved final choice of materials would be conditioned. Architectural detailing includes over-sailing eaves, stone-effect quoins and coxcomb tile ridge detailing in the scheme. The dwellings also usefully include the option of either solar thermal or photo-voltaic panels on the roofs.

16.29 It is considered, that overall the scheme as now amended is acceptable in terms of its layout, design and materials; it would comply with policy BGNP15 in relation to the character and design but this must be subject to an acceptable landscaping scheme. Subject to appropriate landscaping it is considered that the scheme would have an acceptable effect on the street scene, the character of the AONB and on views from public rights of way in the locality.

16.30 In the light of the AONB officer comments a revised landscaping scheme for the site is currently being prepared based on the AONB Landscape Officers comments, which will include revisions to the north and east boundary trees and revisions to the character and form of planting.

Heritage Assets-

16.31 The site is at a significant distance from heritage assets; the nearest in terms of relatively open visibility are to the north; the grade II listed Old Netherhay House and Netherhay Methodist Chapel, about 184 and 280m away respectively. Given these distances it is considered the scheme would have minimal effect on their setting. Reflecting that position, the Conservation Officer has been consulted and did not consider it necessary to comment. It is considered there is less than substantial harm to the listed building settings. Due consideration has been given to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Plan policy.

Residential amenity-

16.32 In terms of the scheme itself the relationship between the proposed units provides appropriate distances such that unacceptable over-looking would not occur. All units would have suitable amenity space commensurate with the size of unit, including private outside space for the flats, each with a shed on the northern edge of the site.

16.33 The site has a common boundary with just one property; the bungalow known as 6 Netherhay Lane on the south boundary. This has an obscure glazed window on the end elevation facing the site. The single storey pair of semi-detached bungalows are the closest at 2m from the boundary. As a single storey building this would not have an overbearing effect nor result in unacceptable overlooking. The two pairs of semi-detached houses (plots 12-15) on the south side of the access road were re-positioned further north as part of the amendments. They are now a minimum of about 18m from the garden of No 6. Given this distance this would not result in unacceptable overlooking of that property or garden.

16.34 Representations have been received querying if the sewage treatment plant located near the south-east corner will result in unacceptable noise. The Environmental Health Officer has been consulted and advises that he considers this to be unlikely.

Drainage Considerations-

16.35 Regarding surface water a drainage strategy was submitted with the application. This has been referred to the Flood Risk Management Team. To date, this is more likely to involve an underground geo-cellular crate system to manage run-off. There would be an attenuation system into the existing stream to the east of the site. The Flood Risk Management team are content with the drainage strategy and recommend approval subject to final details of the drainage scheme and its maintenance/management.

16.36 Turning to foul drainage, there have been some issues with the existing mains network in the area. Consequently the applicant has opted for a private sewage treatment plant on-site. This would treat the sewage effluent to an acceptable level that can be discharged into the stream to the east of the site. The quality of the output would be controlled as a licence is required from the Environment Agency to do this.

Ecological Considerations-

16.37 The applicant has submitted a Phase 1 habitat survey and a recent revised bio-diversity plan (BMP). The Natural Environment Team have considered this

and with some minor further adjustments have now accepted this and issued a Certificate of Approval. The “field part” of the site is currently rye grass, and the bank to Netherhay Lane has very little hedging actually present so the BMP represents an opportunity to enhance the ecological value of the site. The measures include about 98m of new hedge planting to the north and east boundaries using native species mix, and trees such as oak and field maple. Bee bricks, bat boxes and bird boxes will be included together with hedgehog-friendly fencing. New wildflower grassland planting would occur adjacent to the western boundary and additional areas, with planting of standard trees in open spaces. The banking to the western boundary would be supplemented by hedgerow planting- hazel hawthorn, dogwood, etc.

Other Matters-

16.38 The scheme includes a proposed new agricultural access on the site into the field on the northern boundary. A number of letters have commented on this being unnecessary, suggesting it might provide the opportunity to extend the site at a later date. It is true there are other agricultural accesses to this field. The Case Officer did ask for this to be removed, but it is understood it is a contractual obligation of the applicant to provide this. As far as this application is concerned in planning merit terms it is only a small interruption to the northern landscape boundary planting.

16.39 Clearly, if any further housing application were to come forward in the future the Planning Authority would be able to exercise control over that, if and when it occurred.

17.0 Conclusion

17.1 The principle of this development is established by the site-specific allocation in the Neighbourhood Plan and the scheme is considered to comply with policy BGNP15 relating to this site. This is an opportunity to secure 15 affordable dwellings to serve Drimpton and the local area. It would also be a useful contribution towards addressing the 5 year housing land supply (currently at 4.83 years). Whilst the village has a limited range of facilities it does have some. In terms of the sustainable development objectives, the economic objective is helped by the employment created by the construction of the development and the possible increased use of the public house. In social terms the development is likely to add to the younger local population base, and help support the community facilities in the village and area. Regarding environmental considerations the combination of appropriate landscape planting and ecological enhancements will benefit the site.

18.0 RECOMMENDATION

Recommendation A: Delegate authority to approve to the Head of Planning to grant permission subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 in a form to be agreed by the Legal Services Manager to secure the following:

- To ensure the development remains as affordable housing in perpetuity,
- And to ensure the provision/maintenance of the footpath link to the public right of way.

and subject to the receipt of an acceptable landscape plan and subject to conditions.

1. Plans list-

Location plan 7446 01-001 A
Proposed site plan 7446 10-001 T
Plans/elevations plots 1 and 2: 7446 10-005 D
Plans/elevations plots 3 and 4: 7446 10-008 E
Plans/elevations plots 5 and 8: 7446 10-007 F
Plans/elevations plots 9-11: 7446 10-006 E
Plans/elevations plots 12-13: 7446 10-009 E
Plans/elevations plots 14-15: 7446 10-010 D
Site sections 7446 10-012 D

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

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

3. No development above damp proof course shall be commenced until details and samples of all external facing materials for the wall(s) and roof(s) shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

REASON: To ensure a satisfactory visual appearance of the development.

4. The windows and frames shall be externally finished in white and permanently retained as such thereafter.

REASON: In the interests of protecting the character of the area.

5. No development shall take place until all existing trees, shrubs and other natural features not scheduled for removal have been fully safeguarded and fenced in accordance with a scheme to be first approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels and chemicals, soil or other materials shall take place inside this fenced area. The soil levels within the fenced area shall not be raised or lowered and no trenching or excavation shall take place. In the event that protected trees (or their roots) become damaged, are lost or become otherwise defective in any way during such period, the Local Planning Authority shall be notified immediately and a programme of remedial action as directed by the Local Planning Authority shall be carried out within a timescale to be specified by the Local Planning Authority.

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity.

6. The development hereby approved shall be carried out in accordance with the landscaping and tree planting scheme (plan reference and date to be added when received). Such scheme shall be implemented during the planting season November - March inclusive, immediately following commencement of the development, or as may be agreed otherwise in writing by the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years from completion of the development.

REASON: In the interest of visual amenity.

7. No development above damp proof course shall be carried out until details of the hard landscaping of the site including the surfacing of the new pedestrian path to the right of way to the east shall first have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the approved details shall all be completed before first occupation of any dwelling.

REASON: In the interests of ensuring provision of the footpath link(s) and in the interests of visual amenity.

8. The development shall be carried out in accordance with the submitted bio-diversity plan dated 21/07/20. The measures carried out shall be permanently retained thereafter. There shall be no variation to this plan unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of enhancing the ecological value of the site.

9. Prior to the commencement of any development a detailed surface water sustainable drainage scheme for the site, based on an assessment of the hydrological and hydrogeological context of the development, and a timetable for implementation (including clarification of how drainage is to be managed during construction) shall have been submitted to and approved in writing by the local planning authority. The submitted scheme shall include details of the maintenance and management of the surface water sustainable drainage scheme and any receiving system and shall be designed to include a plan for the lifetime of the development for its maintenance and management, 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. Thereafter the scheme shall be implemented in accordance with the approved details and timetable for implementation. The scheme shall be managed and maintained thereafter in accordance with the approved details.

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

10. The finished floor levels shall be carried out in accordance with the levels details shown on the approved layout plan 7446 10-001T.

REASON: In the interests of visual amenity.

11. No dwelling shall be first occupied until details of the means of enclosure for all plots/boundaries shall first have been erected in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. Such details as are approved shall be retained thereafter.

REASON: In the interests of visual amenity and residential amenity

12. No development above damp-proof course level shall be carried out until a detailed scheme to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development has been submitted to and approved in writing by the local planning authority. The submitted details shall include a timetable for the implementation of the scheme. Thereafter the development shall be carried out in accordance with such details and timetable as have been approved by the local planning authority.

REASON: To ensure that adequate provision is made to enable occupiers of and visitors to the development to be able to charge their plug-in and ultra-low emission vehicles.

13. Notwithstanding the submitted plans 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 Planning Authority. The development shall not be carried out otherwise than in accordance with the details as are approved.

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

14. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

15. Before the development hereby approved commences a Construction Method Statement (CMS) must be submitted to and approved in writing by the Planning Authority. The CMS must include:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- delivery, demolition and construction working hours

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

REASON: To minimise the likely impact of construction traffic on the surrounding highway network.

Informatives-

-NPPF

-s106

-Highways

-Minerals.

Recommendation B:

Refuse permission for the reasons set out below if the legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) is not completed by 6 months from the date of the committee resolution of such extended time as agreed by the Head of Planning:

1. In the absence of a completed s106 legal agreement the development would not ensure the dwellings are provided as affordable housing. Hence the development would be contrary to policy HOUS2 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2019). Furthermore, this would not ensure the new pedestrian link to the right of way is provided and maintained. Hence this would be contrary to policy COM7 of the adopted Local Plan (2015) and the National Planning Policy Framework (2019).