

<b>Application Number:</b>	P/RM/2021/00630
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	Land off Cattistock Rd Maiden Newton Dorchester DT2 0AG
<b>Proposal:</b>	Reserved Matters Application dealing with site Appearance, Landscaping, Scale and Layout in relation to Outline Approval WD/D/16/001598
<b>Applicant name:</b>	Devon & Dorset Properties Ltd
<b>Case Officer:</b>	Bob Burden
<b>Ward Member(s):</b>	Cllr Alford

**1.0** This application is referred to the Committee for determination by the Service Manager for Development Management and Enforcement in accordance with the constitution.

**2.0 Summary of recommendation:**

That the committee be minded to delegate authority to the Head of Planning to approve the reserved matters, subject to receipt of a satisfactory landscaping plan and subject to conditions, and that the Head of Planning determine the application accordingly.

**3.0 Reason for the recommendation:**

- Contribution toward 5 year land supply.
- 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 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**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	The principle of development has been established by current outline permission WD/D/16/001598.
Layout	The layout was established by the parameters plan on the outline permission. The layout

	forms a logical extension of Church Farm Close with dwellings generally parallel with the road.
Scale	All the houses are of two storey construction which accords with the parameters plan.
Appearance	The dwellings follow a generally vernacular traditional design and demonstrate a traditional materials palette. They would be appropriate to the character of the conservation area.
Landscaping	The landscaping scheme includes retention of planting on the Cattistock road frontage as per the parameters plan, together with native hedgerow planting around the built edge fronting the Quarr, and additional tree planting within the site.
Residential amenity	The positioning and design of dwellings would have an acceptable relationship with existing neighbouring properties. Regarding the garden and fencing of Plot 1 this is considered to have an acceptable relationship with residential windows in Church Barn. The scheme would not result in unacceptable noise or disturbance from traffic movements.
Other Matters	Regarding renewable energy aspects, the scheme includes air source heat pumps and an electric vehicle charging scheme.

## 5.0 Description of Site

The site is accessed from the end of Manor Farm Close. The site comprises an open field of rough grassland with a slight slope to the west. South of the site is the 1990's residential development of Manor Farm Close which comprises a mix of new build and conversion of historic buildings. To the east are a bungalow and chalet bungalow beyond a relatively low brick wall. The north-east part of the site borders the Cattistock Road and is made up of an existing bank with hedgerow/trees including ash, blackthorn and bramble. The wider open land known as The Quarr, to the west/north-west, gives way to vegetation including ash, horse chestnut and blackthorn bordering the River Frome Valley.

## 6.0 Description of Development

The proposed development comprises 9 dwellings arranged off a road which forms an extension of Manor Farm Close. It includes terraces of three and four units and a pair of detached units to the north. Car parking is provided by a mix of garages/car ports/hardstanding areas, some with the relevant dwelling and some close-by on the eastern flank of the site. A space for the existing property Valley View to the south edge) is also included.

## 7.0 Relevant Planning History

WD/D/15/000832 Outline application for a residential development for up to 20 dwellings, together with access, associated infrastructure and public open space. Refused 16/2/16. Appeal dismissed 11/8/17

WD/D/16/001598 Outline planning application for residential development for up to 9 dwellings, together with access, associated infrastructure and public open space. Approved 16/6/17

WD/D/19/002836 application for approval of reserved matters for access, appearance, layout and scale in relation to Outline Approval WD/D/16/001598 Non-determination appeal- dismissed 8/12/20

WD/D/20/001379 Application for approval of reserved matters for landscaping for outline application WD/D/16/001598. Withdrawn 14/1/21

## **8.0 List of Constraints**

Outside (adjacent) to development boundary

Right of Way: Footpath S29/1;

Flood Zones Mainly Zone 1; part of western edge Zones 2/3

Affecting setting of Grade I listed building- St Marys Church (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Within the Maiden Newton Conservation Area (statutory duty to preserve or enhance the character or appearance of the conservation area under the Planning (Listed Buildings & Conservation Areas) Act 1990)

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)

## **9.0 Consultations**

### **Historic England-**

This application for approval of reserve matters follows a number of previous applications which Historic England has commented on due to the sensitivity of the site in relation to the conservation area and the setting of the adjacent grade I listed Church of St Mary. Since the construction of nine houses has already been approved by an outline application, we will not revisit the principle of development.

This letter comments on the specific reserve matters (RM) for approval in this application, which are appearance, landscaping and layout, taking into account our comments on the previous RM application.

### **Significance**

The site lies on the edge of the settlement, within Maiden Newton Conservation Area and in close proximity to the grade I listed medieval parish church of St Mary. It occupies a key position between the church and the water meadows which are identified in the Council's Conservation Area Appraisal as contributing strongly to the setting of the church and the historic core of the village.

### **Impact**

In relation to matters we have previously commented on, whilst the site layout shown on this application is broadly similar to the previous RM application, we have noted a few design differences, of which the most relevant ones for us are:

- There are now only 2 detached houses and one of the terraces contains four rather than three dwellings
- Previously there were 10 garages and only one carport, now there are 9 garages and 5 carports
- The appearance of the terraced houses has been slightly modified
- The design and appearance of the 2 detached houses is somewhat different to the previous scheme

A theme occurring throughout our correspondence on applications for this site has been the unduly generous provision made for vehicles in the scheme, and the way this has informed the development's design in relation to garaging, hard surfacing and roadways. This has been a concern for us due to the site's greenfield character and edge of village location, and the significance that holds to the conservation area and setting of the parish church (as referred to in the Council's Conservation Area Appraisal).

Whilst there has been some minor modification to surface treatments in a few

locations, the amount of hard space assigned to vehicle movements and parking still seems to dominate the development and undoubtedly contributes significantly to its suburban qualities. Based on the limited number of houses it serves, the proposed width of the access road seems questionable. The same applies to both the length and width of the turning head, and the fact that it appears almost to be a spur road leading towards the remaining greenfield area. Given the concerns we have previously raised, we are somewhat surprised to see that there are now actually more buildings proposed to house vehicles than there were in the previous scheme. Although pleased to see our suggestion adopted for a greater number of carports, we had not anticipated these would be additional to the number of garages, which has only reduced by one.

We have already drawn attention to the incongruous appearance in the scheme of single detached garages, so it is disappointing to see that there is still one retained for Unit 4, and we suggest that allocating one garage/carport and parking space each to Units 3 and 4 might enable that garage to be removed.

In terms of the appearance of the houses, the mix of dwelling types provides some variety of form and footprint. Clearly the overall design approach is intended to resonate with the character of traditional buildings in the village. This probably works most successfully in the second terrace of houses (plots 4-7) within the site, which incorporates a more varied roofline and modulated facade. The first terrace (plots 1-3) adopts a traditional style but has greater uniformity in its overall appearance.

The form of the two detached houses is, however, somewhat disappointing in their standardised footprint and appearance - which could be found on many modern estates. Their plots allow greater freedom for a more 'organic' and vernacular form, perhaps with a more individual footprint and greater emphasis on traditional detailing.

The adoption of a conventional rectangular footprint for plot 8 seems a retrograde step compared to its L-shaped predecessor in the previous RM application. The

appearance of plot 9, with its bland rendered exterior and apologetic chimney, appears distinctly lacklustre when compared with examples of traditional detached houses in the village. These two designs represent a

missed opportunity to make the houses within this development more individual and locally distinctive.

## **Policy**

We would regard paragraph 192 (now paragraph 197) of the NPPF to be particularly relevant to this application in relation to its emphasis on "the desirability of new development making a positive contribution to local character and distinctiveness".

Furthermore, under paragraph 127 (now paragraph 130) of NPPF, planning decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

## **Position**

Historic England recognises that some attempt has been made to address the concerns we have previously expressed regarding the form and appearance of this development and tailor its design to its historic setting. We still consider, however, that aspects relating to road design, surface treatment and parking are too standardised and suburban in appearance for a site of this sensitivity.

We also consider that the design shortcomings we have identified in relation to plots 8 and 9 do not measure well against the quality required in order to preserve or enhance the character and appearance of Maiden Newton conservation area.

## **Recommendation**

For the reasons outlined above, Historic England has concerns regarding the application on heritage grounds. These concerns could be addressed by further negotiation on the specific design elements we have highlighted in our advice.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 130, and 197 of the NPPF.

In determining this application, you should bear in mind the statutory duty of:

- section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act

1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

- section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act

1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.

**Highways Officer- No objection subject to conditions:**

- Estate road construction
- Roller shutter doors (garages 5 and 6).

**Tree Officer-**

Recommend that the tree planting plan and species selection be revised as below:

The use of Rowan and Birch, short lived tree species more accustomed to heath or woodland, as hedgerow standards in the rural hedgerow context doesn't appeal and not in keeping with the surrounding landscape. It would be far better to use the space for planting trees of longevity spread out over the site more in keeping with the setting – oak, lime, field maple or sycamore. Taking into consideration fully grown sizes and relationship to all built structures, lighting and parking areas.

Existing hedgerow along Cattistock Road, looks to have this hedge professionally laid in a correct local style, this hedgerow management is of more ecological benefit and more benefit to the hedgerow overall than the proposed reduction to 4m.

Reducing to 4m will result in the hedge only being able to be maintained by the use of tractor mounted flail, that is less beneficial to hedgerows in the long term.

Cattistock road hedgerow once laid could be planted with hedgerow standards – oak, lime, field maple or sycamore spaced accordingly to fully grown size.

Maintaining a laid hedge and planting with native standards will help to screen the

site whilst also being more open for light by keeping a separation between hedgerow and trees low canopies, rather than the wall provided by a flailed hedgerow. Any planting to be in location where not to cause interference with overhead lines.

Tree planting locations are a bit random squeezing trees into smaller plots and leaving the larger open areas with no planting.

Overall the species selection does not show too much thought to the tree cover overall, *Betula pendula*, *Pyrus chalcidifera* *Acer* "streetwise" and *Crataegus prunifolia* are lacking in interest and limited in providing longevity of the trees for this site for the future. The outdoor space and uses need to be looked at and tree planting plan to suit sites accordingly. A mixture of larger native and smaller ornamentals can easily be accommodated. Focusing providing wildlife habitats, species mix and seasonal interest throughout the site.

The hedgerow planting needs to consider that *Prunus spinosa* has a tendency to have root suckers that will proliferate in lawns and spread into the meadow areas and if left unmanaged can spread, ideally in the context of this development best left out of the mix and replaced with *Corylus avellana* as there are none shown in the list.

*Parrotia persica*, whilst a fantastic tree in the location shown next to a footpath is not ideal, known for its wide spreading habit this tree will in time out grow its location. This is a large garden specimen and should therefore be given the space needed to reach potential.

Please can the applicant be contacted to provide a revised planting plan looking at the above comments, providing informed new species list for all trees shown and planting locations, looking at the site overall and using space provided for fully grown trees to enhance the site and the surrounding area.

Hedgerow planting species to be revised to consider future site use.

Revise management objectives for Cattistock Road hedge and planting within the hedgerow.

**Technical Services-** Note that the EA and DC FRM team have previously provided comments regards the flood risk and surface water management proposals for this site. They have also been consulted regarding this reserved matters application and I suggest you again refer to their comments in this instance.

**Parish Council-** Maiden Newton Parish Council accepts the revised plans for the Quarr development. The original was agreed by West Dorset District Council in 2015 although this area is outside the Maiden Newton Development Boundary.

Maiden Newton PC still have the following reservations.

1. How effective will the surface water collection system be able to collect storm generated surface water run off? The site is up hill from the existing Manor Farm



Close. In times of heavy rain, the system installed in this area cannot cope and the area already contributes significantly to the flooding around the War Memorial.

2. How will building materials be delivered? There is the "S" bend round the grade 1 listed barn to negotiate, it has previously been damaged by large vehicles.

3. Heating is still provided by Calor Gas with 2 underground 4000 litre tanks provided on the right of the road between the garages for no.2 and no.4 and opposite the turning circle, this is despite the need to prepare for climate change no mention is made of solar panels or other heat sources.

### **Additional Parish Council Comments-**

Maiden Newton Parish Council wish to make additional comments on this application with regard to the s106 attached to the original application and the area of land to be adopted by the Parish Council. The Parish Council agreed to adopt this land as part of the S106 agreement at its PC meeting on 1st July 2021. As part of this S106 there are no funds to support the ongoing maintenance of the land which is unusual. However, the PC are aware that this S106 is out of date and as part of this a section of the land to be adopted there is to be a play area with 5 pieces of equipment to be installed by the developer.

The Parish Council and the community DO NOT want another play area as it already has a play area near the village hall and a MUGA and playing field in the village.

The Parish Council proposes that the funds to install this play area be gifted to the Parish Council to produce a community garden project on the land to be adopted so no play area is installed.

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

### **Representations received**

31 letters of objection/comment received on the original plans. The main planning-related objections/comments include:

CPRE-danger to pedestrians, wheel-chair users etc, lack of pavement on dangerous road with two right angled bends.

Quarr Action Group- vehicular access should be from Cattistock Road to avoid traffic/amenity impacts on Manor Farm Close properties. Pollution would accelerate listed building decay. Longer terrace should be closer to western boundary to overlook meadow. Suburban street layout and design will harm character of area and AONB.

Cllr Alford (Local Member)-

Relatively straight estate road with suburban design will encourage speeding of vehicles. House design and higher number of car-ports/garaging will result in suburban feel contrary to Policy ENV1. Fails to preserve/enhance the conservation area and setting of grade 1 listed church; harm to AONB. Will harm residential amenity of Church Barn due to proximity of Plot 1 garden and fencing-contrary policy ENV16. Urge use of "greener" air source heat pumps rather than calor gas tanks.

Loss of valuable green space.  
Concern over LPG for heating-prefer ground or air source heat pumps.  
Retention of Cattistock Road hedge good.  
More urban than rural layout.  
Houses too near to Manor Farm Close properties.  
Lack building material variety-should follow materials of the adjacent Manor Farm development.  
Scheme lacks the interest of Manor Farm Close; more varied materials/roof heights required.  
Light pollution likely.  
Detrimental to views from the public right of way in the Quarr.  
Fence will overlap part of Church Barn.

Proximity of Plot 1 fence/garden - detrimental to outlook and privacy of occupiers of 1 Manor Farm Close (also known as Church Barn) -1.5m fence 1m away would be overbearing and detrimental to 2 windows - contrary to policy ENV 16. Planting could also block light Plot 1 and its garden too close to Church Barn. Doesn't address Councils Statement as will harm privacy and outlook for Church Barn, nor Appeal Inspectors concerns over effect on character/heritage of area or privacy/outlook from Church Barn. Should adjust layout/garden boundaries to improve residential amenity.

Plot 1 house will obstruct view from Juliet balcony and will cause light pollution  
Lack of light to widows/poor maintenance access to 1 Manor Farm Close.

Height of garages/car ports will reduce views for adjacent existing residents.  
Inappropriate suburban landscaping.  
Better to have native species hedgerow on field side of fencing for uniform management.  
Post and wire/timber fencing- detrimental to conservation area. Masonry wall to western boundary suggested.  
Electric vehicle charging should be installed.  
Safety concerns over gas installation-suggest electric instead.  
Lack of renewable energy provision.  
Advocates "greener" ground source heat pumps rather than calor gas tanks.  
Ensure refuse collection not compromised.  
Requirements of the various outline conditions will need to be satisfied; flood-risk and highway safety are important.

Should be an archaeological investigation before development.

Plots 1-7 visible from grade1 listed church-detrimental to its setting.  
Detrimental to views from public right of way and towards church.  
Development is too high-detrimental to views from north and north-east along the Frome Valley.  
Disproportionate impact on properties especially Church and Barn.  
Contrary to AONB Management Plan Policies.  
Plot 9 will visually dominate skyline from Cattistock Road/over-shadow neighbouring dwellings.

Should have lower roof heights and more semi-detached houses.  
Poor design to Plots 8 and 9.  
Autumn gold resin road surface alien to area.  
Street light pollution.  
Relatively straight estate road has suburban design and will encourage speeding of vehicles.  
Higher number of car ports/garaging/hardstanding will result in suburban feel contrary to ENV11.  
House design is suburban and fails to preserve/enhance conservation area and setting of grade1 listed church/harm to AONB.

Highway safety dangers to users of footpath from Cattistock Road to village.  
Increased traffic in Church Road.  
Exacerbate existing parking and vehicle movement issues in Church Road/Manor Farm Close-detrimental to parking for church events.  
Construction transport management plan (CTMP) should ensure all parking is on-site to avoid Manor farm Close congestion. Two sharp 90 degree bends-problematic for construction vehicle phase. Input into CTMP sought.  
Should restrict working hours to 8am- 6pm.  
Ensure disruption from contractors kept to a minimum.

Increased pressure on medical practice.

Safety risks from attenuation ponds and flood risk to existing properties.  
Could exacerbate surface water drainage problems.

Suggest Plot 1 garden is reduced in depth so that the Plot 1 garden extends no further west than the western end of the garage of Bell Cottage.

### **Further Consultee comments on Amended Plans-**

#### **Natural England –**

Unlikely to have significant different impacts compared to the original.

#### **Historic England -**

Do not consider the revisions address concerns. Historic England has concerns regarding the application on heritage grounds. These concerns could be addressed by further refinement of the specific design elements we referred to in our letter of 21 April 2021. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 190 and 192 of the NPPF.

#### **Wessex Water-**

No objection. LPA will need to be satisfied that surface water flooding will not occur.

#### **Parish Council-**

Supports the amended plans taking note of the need to source greener energy and taking into account the neighbours comments.

### **Further Parish Council Comments-**

Maiden Newton Parish Council wishes to make additional comments on above application following the Parish Council meeting on 4th November and concerns raised by residents. Although much has been done that was initially requested by the PC with regard to greener energy and the views of the neighbouring property, there are still concerns which the PC asks the planning authority to consider.

Supporting the views of our Ward Councillor as submitted on the 2nd November. The recent downpour of rain has highlighted the impact of the flood issues in the village, where properties flooded. So there needs to be suitable flood prevention measures put in place prior to approval.

With these comments in mind the Parish Council objects to the current reserved matters and amended plans until the above issues have been addressed and the concerns of the local residents taken into account.

### **Representations on Amended Plans-**

19 further letters of objection/comment have been received. The main planning-related points include:

Quarr Action Group- Should develop brownfield sites before this. Houses do not face the green space.

Plots 1,2 and 3 are very small. Suggest re-locate plot 9 house to site of 1-3 to ease relationship with existing neighbouring properties; re-locate 1-3 to plot 9's site.

Advocate electric boilers as preferred energy source. Suggest more stone instead of brick quoins/flint.

Cllr Alford (Local Member)- Estate road is dominant with garages/parking adding to this. Designed more as town houses with limited variation. Fails to preserve/enhance conservation area, grade 1 church and setting of AONB. Harm to residential amenity and privacy from fencing close to Church Barn. Land contamination and archaeology not resolved.

Streetlight will be intrusive to amenity of neighbouring property.

Has suburban rather than rural feel. Roof pitches not in keeping with those of existing cottages in Cattistock Road. Wooden fences inappropriate in line of tall hedges/walls. Minimise light pollution.

Puzzled by plots 4-7 orientation with large front gardens facing field and small backyards adjacent to the access drive. Access to from door circuitous.

Concern over effect on Manor Farm Close during construction and when dwellings occupied particularly regarding vehicular access- suggest access off Cattistock Road-at least during construction.

Concern over vehicular access/pedestrian safety from Manor farm Close into site. Lack of a statement on amendments- unhelpful.

The revised boundary and fence re-arrangement would be very harmful to residential amenity of Church Barn. Fence at right angles to western window of living room effectively acts as a "blinker" to the right - detrimental to outlook. The fence parallel to house is too close-detrimental to outlook and results in over- looking. Higher level of Plot 1 will mean raised ground -will mean over-looking of the lower "sunken" position of Church Barn windows. Floor level of Plot 1 should be lowered to mitigate. Suggest Plot 3 garage moved next to Plot 2 garage.

Lack of information on surface water scheme design in close proximity to existing neighbours property-Church Barn.

Elevation of 0.6m of Plot 1 will harm amenity of Church Barn causing over-looking.

Risk of damp/flooding issues due to sunken level of Church Barn. Height and proximity of fences will "blanket" the Church Barn windows.

Lack of drainage information. Plans contrary to previous appeal and officer report.

Historic England observations not followed.

Suburban development that will not enhance conservation area. Harm to privacy and residential amenity. Re-site plot 3 garage next to plot 2 garages. Concern over potential surface water impacts on Church Barn due to lower level. Plot 1 levels-raising foundation and garden will impact on Church Barn. Plots 1-3 should not be raised above field level. Fence height misleadingly represented in application.

Western boundary of Plots 1-3 should be moved east by at least 0.65m so not in line with the window frames of the western window of Church Barn. Suggest s106 to control tree height, garden sheds, etc to protect adjacent residents.

Concern at impact on landscape and setting of grade 1 listed St Marys church.

Western boundary should be of stone or flint walling.

Risk of surface water flooding to existing properties.

Detrimental to Frome Valley Trail and Wessex Way routes.

Prefer bungalows.

Development too high relative to existing development.

Boundaries should be stone walls.

Garages should be of natural stone not timber.

Favour more modest development with vehicular access off Cattistock Road. A pedestrian link would benefit the plans for affordable housing at Webbers Piece.

Not in keeping with character/appearance of area. Materials of low quality.

Maintenance access alongside Church Barn inadequate.

Should limit working hours on-site under s60 or 61.

Should restrict times and construction traffic/parking through Manor Farm close.

Plot 9 house will over-dominate skyline seen from Cattistock Road and overshadow properties. Heights of buildings is of concern. Detrimental effect on setting of listed building including church. Excessive garages. Lesser quality than Manor Farm Close.

Contrary to Historic England comments. Materials not in keeping with the conservation area. Consider not in accordance with appeal inspectors comments December 2020 or Planning Officer Report August 2020. Pedestrian safety risk from the lack of pavements and busy traffic on Cattistock Road.

Light pollution.

Greener energy included-good.

Parameter plan should not dictate effect of Plot 1 on Church Barn.

Concern over late publication of supporting letter re: amended plans (24/9/21); should re-consult on this as was not on put website close to that date.

Insufficient change to fence on amended plan to protect amenity of Church Barn.

Surface water- concern over potential proximity of attenuation tanks to neighbouring properties and if strategy adequate; needs professional assessment.

Note that Historic England still do not support changes made.

Plots 1-3 should be stepped with Plot 1 lowered to reduce impact on Church Barn

Garages for Plots 1-3 should be re-located to between those for Plots 2 and 4.

## 10.0 Relevant Policies

### Development Plan

#### **West Dorset Weymouth and Portland Local Plan (2015)**

INT1 Presumption in favour of sustainable development  
ENV1 Landscape seascape and sited of geological interest  
ENV2 Wildlife and Habitats  
ENV4 Heritage Assets  
ENV5 Flood risk  
ENV10 Landscape and Townscape setting  
ENV11 The pattern of streets and spaces  
ENV12 The design and positioning of buildings  
ENV15 Efficient and Appropriate Use of Land  
ENV16 Amenity  
COM1 Making sure new development makes suitable provision for  
Community Infrastructure  
COM7 Creating a safe and efficient transport network  
COM9 Parking standards in new development  
SUS2 Distribution of development  
HOUS1 Affordable Housing

#### **Material Considerations**

#### **National Planning Policy Framework 2021 (NPPF)**

2 Achieving sustainable development  
5 Delivering a sufficient supply of homes  
6 Building a strong, competitive economy  
8 Promoting healthy and safe communities  
9 Promoting sustainable transport  
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

#### **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**

Design and Sustainable Development Planning Guidelines 2009 SPD  
Policy (a) Work in harmony with the site and its surroundings  
Policy (h) Maintain and enhance local character

West Dorset Landscape Character Assessment 2009  
AONB Management Plan 2019-2024  
Bournemouth, Dorset and Poole Parking Standards

**Evershot, Maiden Newton, Frampton, Cattistock, Frome St Quinton and Bradford Peverell Conservation Area Appraisal:**

The appraisal identifies the following important characteristics of the Maiden Newton Conservation Area.

A reasonably intact plan, with main road and subsidiaries, recognisable market space, church, large houses, bridges and mill; Townscape progressions of buildings, spaces and details, enlivened by subtle changes in level and road lines; A large area of attractive water meadow along the Frome and mill stream, together with mature trees, visible from the bridge crossing and the NW parts of the Conservation Area;

20 Listed Building entries, including a Grade I church, several C17-C19 gentry houses, a large water mill complex, railway buildings, two bridges, Victorian village school and vernacular farm buildings;

A considerable number (50+) unlisted buildings or structures of, at least, group value, displaying vernacular details and materials and complementing and connecting Listed Buildings;

Interesting details, such as ironwork, clocks, remnants of older shop fronts, lettering and traditional road signs;

The use of local materials, notably flint, chalk block, cob, brick clays and Greensand, together with certain limestones, often combined with building traditions to give a sense of place;

Several groups of Listed and unlisted buildings, flint walls, railings and trees, of coherent quality;

Some examples of sensitive modern development, which reflect local traditions.

**Maiden Newton & Frome Vauchurch Neighbourhood Plan** - In preparation – limited weight applied to decision making.

## **11.0 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.

## **12.0 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 Public Sector Equalities Duty. Car parking provision on the site has been laid out as far as practicable close to the relevant dwelling to assist the persons who suffer from limited mobility due to age and/or disability. The site is also in a sustainable location close to facilities and services for occupiers.

### **13.0 Financial benefits**

#### Material considerations

Affordable Housing contribution from the relevant outline planning permission

#### Non material considerations

CIL contributions

### **14.0 Climate Implications**

Construction of the scheme will involve the use of plant, machinery and vehicles, together with any non-electric vehicles post-construction. These will generate emissions including greenhouse gases. However, this has to be balanced against the benefits of providing housing in a sustainable location. It is pertinent to note that an electric vehicle charging scheme is included in the development.

### **15.0 Planning Assessment**

#### **Principle of development-**

15.1 The principle of this development has already been established by outline planning permission WD/D/2021/001598. This is the reserved matters application relating to that outline which seeks approval specifically for the appearance, landscaping, scale and layout of the scheme.

15.2 Condition 5 of the outline permission includes reference to an approved parameters plan received 22/11/16. It is a requirement of this reserved matters application that it complies with that parameters plan. (This requirement was also endorsed by an Appeal Inspector on a previous (dismissed) scheme on the site for 12 dwellings; he/she indicated that the scheme must comply with the parameter plan requirements).

15.3 Following negotiations revisions have been made to this scheme: The main changes are summarised below:

-Calor gas heating now replaced by air source heat pumps (wildflower planting now proposed on the former calor gas tank site).



- All dwellings to have an electrical charge point.
- Re-positioned Plot 1 fence to take away from side windows of Church Barn.
- Boundary stone walls increased in height/parkland railings and native hedgerow planting to define edge with the Quarr.
- Simplified the use of paving materials, including reducing area of hardstanding for cars.
- Design refinements to Plots 8 and 9 including more prominent chimneys, lead porches and revised detailing.
- Summary drainage statement provided ( for information).
- Confirm use of natural slate on roofs and windows to be “heritage” light green.
- Re-examined levels on site to minimise any underbuilding.
- The removal of French doors to the gardens of units 4-7 facing The Quarr with traditional cottage windows being used instead.
- The use of identical highway drainage channels on either side of the road formed from granite setts.
- The use of Purbeck stone walling to all property boundaries facing the roadway.
- The use of charcoal grey block paving to surface private drive areas (reflecting the colour and texture of farmyards).

### **Layout-**

15.4 The approved parameters plan on outline permission WD/D/16/001598 clearly indicates that vehicular and pedestrian access to the site will be from Manor Farm Close. The associated Committee report of 19/1/2017 also indicated that access would be from Manor Farm Close. Some representations have been received urging vehicular access direct from Cattistock Road, but that would not be in accordance with the terms of the outline permission in respect of which this reserved matters application has been received.

15.5 The access road forms a logical continuation of Manor Farm Close extending in a northerly direction across the site with an eastwards turn at its end, and with a spur to the west allowing access to the adjacent field. The road is 5m wide with a 2m wide footway. The built development follows the requirements of the parameters plan with development fronting either the road or facing the field to the west. This development pattern follows broadly traditional development principles with built development generally parallel to the road. All dwellings have 2 car spaces mainly in garaging, and with two car spaces. An additional space has also been provided for “Valley View” at the entrance to the site. For the terraces garaging provision is mainly provided opposite the associated dwelling or within curtilage. For dwellings 8 and 9 it is in the form of a shared garage block. Pedestrian access to the terraces is available from front and rear. The Highways Officer has been consulted and has no objection to the layout. It is considered that the layout proposed is acceptable.

### **Scale-**

15.6 The scale of development proposed is of two storey form. This accords with the parameters plan which indicates “development up to two storeys in height”. The approach to the site through Manor Farm Close is predominantly characterised by two storey housing, thus giving a visual continuity of scale. There are two existing bungalows to the east of the site which front Cattistock Road. It is not considered single storey dwellings would be appropriate here given that the now more established character of the area stems from two storey or similar height

development. The Councils Senior Conservation Officer and Historic England considered development at two storey scale was acceptable in principle.

15.7 The site rises gently in a northerly direction. The development consequently is higher than dwellings at the nearest end of Manor Farm Close. The terrace 1-3 is about 1.9m higher than Bell Cottage to the south with a height of 9.4m above finished floor level. Moving further northwards the terrace 4-7 is “stepped” as it ascends the slope to the site of the detached dwellings at 8 and 9. In terms of span most of the dwellings are of 8.6m depth or less, with terrace 1-3 and 4 being slightly deeper.

Plot 9 is 3m higher than the bungalow 11 Cattistock Road which is about 7.8m away. It is considered that the scale of the dwellings is acceptable on this site.

### **Appearance-**

15.8 The site lies within the designated conservation area and affects the setting of the Grade 1 listed St Marys Church. As such it is a sensitive site where the appearance of development needs to be carefully considered. The Maiden Newton Conservation Area and the listed St Marys Church are designated heritage assets.

15.9 The *principle* of this development in terms of its impact on the heritage assets has already been explored in the outline permission which was supported by a Heritage Statement. Negotiations on the outline application led to approval of a scheme of 9 up-to-two storey houses located in the eastern part of the site (the least sensitive part of the site in terms of impact on heritage assets). This defined the location of the built development within the site.

15.10 This reserve matters submission needs to be assessed in terms of the design details presented. Historic England remain of the view that there is still too great a provision of garaging/car ports, and the location of these often opposite rather than associated with dwellings. They also have concerns that the road width is too great and concerns over the length and width of the turning head. This has been discussed with the Highways officer, however he could not support further reductions in these elements. However, one car space was removed and the hardstanding car spaces alongside garaging to the east were replaced by charcoal paving blocks in parallel “wheel-track” lines- so reducing the areas of hard-surfacing on the site.

15.11 Regarding the design of dwellings, this seeks to resonate with the character of traditional buildings in the village. Historic England acknowledge this albeit they would like to see a little less uniformity in the shorter terrace. They considered the detached dwellings (Plots 8 and 9) could be improved to more organic footprints and appearance. The applicant has amended the designs with Plot 8 now having a lead porch, water-tabling detail to the roof, revised fenestration and a more prominent chimney internal to the gable end. Plot 9 now has an internal more prominent chimney, string coursing, quoins and a leadwork porch. Whilst these revisions did not alter Historic England’s position, the Councils Senior Conservation Officer considers the changes beneficial and he supports the overall scheme subject to conditions. Some representations consider this scheme to have a suburban feel; whilst the road is relatively uniform in dimensions it is considered that the overall “feel” of the scheme is more strongly associated with a rural origin due to the vernacular cottage designs, reinforced by a traditional materials palette; the scheme

proposes use of render, flint-block, brickwork, timber-clad outbuildings and slate roofs.

15.12 The outline permission stipulated the location and the development parameters concluding that as the built development was positioned on the least sensitive part of the site it would cause less than substantial harm to the conservation area and setting of the listed building. This harm being outweighed by the public benefit of housing provision. The outline permission contained a Heritage Statement. A further Heritage Statement is not a formal requirement of the reserved matters but the applicant has usefully provided one. The Heritage Statement includes appraisal of how this detailed scheme is influenced by the nature and location of heritage assets. The built development location ensures the views to the church from the water meadows in the western part of the site are retained. The village-scape of the new built development follows on as a logical progression of Manor Farm Close. The scheme also relates satisfactorily to non-designated heritage asset buildings in the immediate locality of the development such as Church Barn. Traditional material palettes extend not just to the buildings but to other structures such as the use of natural stone boundary walls, parkland railings and wall mounted street lamps.

15.13 Thus, in terms of this reserved matters submission this adheres to a traditional grain of development with houses largely parallel to the road, utilises two-storey vernacular designs and a traditional materials palette. As such, it picks up on important aspects of the character of the conservation area. Paragraph 199 of the NPPF provides that great weight should be given to the conservation of a designated heritage asset, irrespective of whether any harm amounts to substantial harm, total loss or less than substantial harm to its significance. The more important the asset, the greater the weight should be. Regarding the effect of this application on the listed Church setting, the nearest dwelling (on Plot1) is about 48m from the actual church building; the combination of this distance, the general development location and its nature and height leads to the conclusion that the reserved matters causes less than substantial harm to both the setting of the church and the character of the conservation area in accordance with paragraph 200 of the NPPF. In the context of Para 202 of the NPPF this harm is considered to be outweighed by the provision of 9 houses in a sustainable location and by a financial contribution towards affordable housing (secured by section 106 agreement on the outline permission).

15.14 In assessing these proposals, particular consideration has been given to the Councils duties under section 66 and section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended); the scheme is considered to preserve the character and appearance of the conservation area and to comply with policy ENV 4 of the adopted Local Plan.

#### **Effect on Area of Outstanding Natural Beauty-**

15.15 The site lies within the Area of Outstanding Natural Beauty (AONB). The outline permission established the principle of built development in this location as acceptable. In considering this reserved matters application great weight has been given to conserving and enhancing the landscape and scenic beauty of the AONB in accordance with paragraph 176 of the NPPF. The details of this scheme based on

the layout, design and materials are considered to have an acceptable visual effect on the AONB.

### **Landscaping –**

15.16 The landscaping scheme submitted with this application includes retaining planting to the Cattistock frontage, together with new hedgerow planting to the built development boundary with the Quarr and the tree planting within the site. The Tree Officer has recommended some adjustments to the scheme and a final landscaping plan is expected shortly to address this.

15.17 Regarding hard landscaping the range of surfaces has been reduced to aid coherence; the access road/footways are in tarmac with light grey concrete setts to the channels, tegular charcoal paving to the “wheel-track” car spaces, and grey coloured paving slabs to the patios and private driveways. These surface treatments are considered acceptable.

### **Residential Amenity-**

15.18 The houses themselves have been positioned in such a way as to avoid unacceptable over-looking of existing neighbouring properties. An area which requires careful attention is the relationship of the rear garden of Plot 1 to the living room side windows in the dwelling known as Church Barn to the south. The case officer has inspected the site and has met with the occupiers of Church Barn to assist with assessing this aspect. The plans have been amended by the applicant to create a “step-back” in the 1.8m high boundary fence alignment of Plot 1 relative to side windows in the neighbouring property. Rather than being positioned 1 metre from these two windows, at the point where the fence reaches opposite the Church Barn building it turns sharply north-north-east, such that the resultant distance from the nearest window in Church Barn is 3.5m, before the fence then turns west/south-west running parallel with the facing elevation of Church Barn. Church Barn is set at a reduced ground level with the garden level of Plot 1 being slightly higher.

15.19 There was an inaccuracy in the level details submitted so the agent has now provided adjusted drawings to accurately reflect the existing and proposed levels. The revised location of the 1.8m high fence (the normal height to generally prevent overlooking) is considered to have an acceptable relationship with the two side windows in Church Barn in residential amenity terms; it would not in the case officers judgement have an overbearing oppressive effect on this dwelling, nor would it result in loss of privacy due to overlooking. Hence the relationship in residential amenity terms is considered acceptable. (Church Barn is also served by ground floor windows on the south side and higher level windows to this part of the building).

15.20 The development of 9 houses would generate additional traffic movements along Manor Farm Close and Church Street. There would be some degree of noise and disturbance from traffic movements. However, this principle was established by the outline permission.

### **Other Matters-**

#### **Surface Water Drainage –**

15.21 A number of representations have raised concerns over the potential for flooding from surface water. This reserved matters application does not include

consideration of surface water drainage because approval of a surface water management scheme is covered by conditions 9 and 10 of the outline permission. However, the applicant has provided a summary drainage strategy *for information purposes only* to indicate the matter is in hand. (The site is mainly in Flood zone 1 with a small area in Zones 2 and 3 on the western site boundary).

#### Renewable Energy-

15.22 Air source heat pumps- Some concerns have been raised over the initially proposed use of use of calor gas heating and the associated underground storage area. The applicant has responded to these concerns by replacing this with air source heat pumps. (The site that was reserved for the gas tanks is now proposed to be planted with wildflowers instead).

15.23 Electric Vehicle Charging- The applicant is also proposing to install an electric vehicle charging scheme, with each of the properties having access to a charging point.

#### **Officer Comments on Parish Council Responses-**

15.24 The Parish Council have concerns over surface water and whether this will be adequately dealt with. This aspect is covered by conditions 9 and 10 of the outline permission which will require a surface water scheme to be approved and implemented *before* development commences. It is *not* required to be submitted as part of this reserved matters application, however, to give some re-assurance the applicant has provided a summary of the strategy for information purposes.

15.25 The Parish Council express general concern for residents views to be taken into account. Their wish for calor gas heating to be replaced has been done with air source heat pumps. The Parish Council are also concerned regarding potential disruption and damage to buildings from construction vehicles using the narrow and tortuous Manor farm Close access. This matter was addressed on the outline application which included conditions 14 and 15 requiring the submission of both a Construction Environment Management Plan and a Construction Traffic Management Plan. These are required before development commences.

15.26 The Parish Council also refer to the section 106 agreement on the outline permission. They indicate a wish to adopt the open water-meadow land on the west part side of the site. They indicate the play area here in the s106 is not required -and suggest the money to fund that be gifted to the Parish council to produce a community garden project on the land instead. As these relate to the outline permission these are matters for consideration outside the remit of this reserved matters application.

## **16.0 Conclusion**

16.1 The principle of 9 dwellings on this site was established by the outline permission. This reserved matter application provides a scheme that would add a characterful development to this part of the conservation area whilst also helping to address the councils 5 year housing land supply. Regarding the three threads of sustainable development, from an economic viewpoint construction of the scheme would provide employment, and after occupation the residents are likely to help

support local village shops and facilities through spending. From a social perspective, residents may contribute to supporting local community facilities in the village, and the affordable housing financial contribution from the scheme would help support affordable housing. In environmental terms the scheme has an appropriate layout, design and materials and is considered appropriate for the conservation area. The scheme is considered in accordance with the policies of the West Dorset, Weymouth and Portland Local Plan 2015 and in accordance with the National Planning Policy Framework.

## 17.0 Recommendation

That the committee be minded to delegate authority to the Head of Planning to approve the reserved matters, subject to receipt of a satisfactory landscaping plan and subject to conditions, and that the Head of Planning determine the application accordingly.

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

Site and location plan 51380 1X  
Street elevations 5138 02P  
Houses Plots 1,2,and 3 plans/elevations 5138.03H  
Houses Plots 3,4,5,6 and 7 elevations 5138 04G  
Houses 4,5,6, and 7 floor plans 5138.03H  
House Plot 8 plans and elevations 5138 07H  
House Plot 9 plans and elevations 5138 08G  
Garage plans/elevations 5138 090F  
Sectional site elevations 5138 03H  
Landscaping plan (to be added in)

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

2. Prior to development above ground level, a sample panel of the proposed external facing material(s) measuring at least 1 metre by 1 metre, demonstrating the proposed coursing, masonry bonding, mortar mix and pointing detail, shall be erected on site, and approved in writing by the Local Planning Authority. Colour photographs/product details of the wall materials shall also be provided at the time of the sample panel construction. The submitted details shall include details of the stone boundary walls, chimneys and pots. Thereafter, the development shall proceed in accordance with details of the sample panels and photographs/product details as have been agreed and the sample panels shall remain on site until the external walls have been constructed to eaves height.

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

3. Prior to development above damp proof course level, details and samples of all external facing materials for the roof(s) shall be submitted to, and approved in writing by, the Local Planning Authority. All roofing shall be of natural slate and fixed with

nails. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

4. All new windows and external doors in the development (including frames) shall be of timber and set in reveal to a depth of at least 90mm. All external doors soffits, fascias and bargeboards shall be in timber. The external surfaces of the windows shall be finished and retained a colour which shall first have been agreed in writing by the Local Planning Authority. All windows and doors shall be retained as timber in the agreed colour thereafter.

Reason: To protect the external appearance of the building.

5 All rainwater goods shall be constructed of half round profile and painted black unless otherwise first agreed in writing by the Local Planning Authority. Thereafter, the development shall be retained as such thereafter.

Reason: To preserve or enhance the character and appearance of the conservation area.

6. All roof lights shall be top hung with vertical glazing bar(s) and fitted flush to the roof plane. They shall be permanently retained as such thereafter.

Reason: To preserve or enhance the character and appearance of the conservation area.

7. The landscaping shall be carried out in accordance with the planting and details shown on approved plan ...(to be inserted). ... No development above damp proof course level shall be carried out until a landscape management schedule shall, by reference to site layout drawings of an appropriate scale and shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented prior to first occupation of any dwelling unless otherwise agreed in writing by the local planning authority. The subsequent management of the development's landscaping shall accord with the approved plan.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by the landscape features of communal, public, nature conservation or historical significance

8. Prior to the commencement of development above damp course level, a schedule of landscape maintenance covering a minimum period of five years following substantial completion of the development (including details of the arrangements for its implementation) shall be submitted to and approved in writing by the Local Planning Authority. The subsequent maintenance of the development's landscaping shall accord with the approved schedule.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features.

9. The dwelling on Plot 1 shall not be first occupied until its boundary fencing as shown on approved site plan 5138 01X shall first have been erected. The close-board timber fencing of this plot shall be permanently retained at 1.8m height thereafter. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no further means of enclosure or structures shall be erected or constructed in the "protected area" between the off-set fence and the facing side elevation of Church Barn. No planting other than grass shall be carried out in this "protected area".

REASON: In the interests of safeguarding the residential amenity of occupiers of Church Barn.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no extensions, outbuildings, sheds, raised platforms or decking (Classes A and E) shall be erected or constructed in the rear garden of Plot 1 without the prior written permission of the Local Planning Authority.

REASON: In the interests of safeguarding the residential amenity of occupiers of Church Barn.

11. No development above damp-proof course level shall be carried out until a detailed scheme based on the 9 location positions as shown on approved site plan 5138 01X 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.

12. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on the submitted plans must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

13. The garages to Plots 5 and 6 shall be fitted with roller-type doors only and they shall be permanently retained as such thereafter for the lifetime of the development.



REASON: In the interests of highway safety.

**Informatives:**

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

2. This reserved matters approval shall be read in conjunction with the conditions attached to outline permission WD/D/16/001598 and the section 106 agreement dated 8/5/2017.

3. Street Naming and Numbering

The Council is responsible for street naming and numbering within our district. This helps to effectively locate property for example, to deliver post or in the case of access by the emergency services. You need to register the new or changed address by completing a form. You can find out more and download the form from our website [www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering](http://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering)

**4. INFORMATIVE NOTE: Dorset Highways**

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at [dorsethighways@dorsetcouncil.gov.uk](mailto:dorsethighways@dorsetcouncil.gov.uk), or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

**5. INFORMATIVE NOTE: Development team**

The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under **Section 38 of the Highways Act 1980**, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at [dli@dorsetcc.gov.uk](mailto:dli@dorsetcc.gov.uk), or in writing at Development team, Infrastructure Service, Dorset Council, Hall, Dorchester, DT1 1XJ.

#### **6. INFORMATIVE NOTE: Privately managed estate roads**

If, however the new road layout does not meet with the Highway Authority's road adoption standards or is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.

#### **7. INFORMATIVE NOTE: Advance Payments Code**

The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making-up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at [dli@dorsetcc.gov.uk](mailto:dli@dorsetcc.gov.uk), or in writing at Development team, Infrastructure Service, Dorset Council, County Hall, Dorchester, DT1 1XJ.