

# Western & Southern Area Planning Committee

6 January 2022

## Written Submissions

### **P/RM/2021/00630 - Land off Cattistock Road, Maiden Newton, Dorchester**

#### **1 Malcolm Lofts**

I wish to object.

#### **Harm to residential amenity and privacy of my home, Church Barn**

The Parameters Plan is definitive as to area on which 9 houses can be built. It is not definitive as to the 9 houses' precise location.

No house should ever be built in contravention to Planning Policy, such as harm to the residential amenity or privacy of existing nearby buildings. Accordingly, my rights of residential amenity and privacy must override the Parameters Plan's location of Plot1.

The 2020 Appeal Inspector's 3rd main issue with the Application was the harm to Church Barn. Also the Planning Department emphasised this harm, quoting ENV16 and NPPF127. Following minimal (and inadequate) changes to the fence since, the harm persists.

Plots1-3 are raised above the natural field level thus dominating, unnecessarily, nearby properties at Manor Farm Close.

Despite the slope in the field, the roof line of Plots1-3 remains on the same level as that of Plot5 (higher up the slope).

The existing proposal continues to detrimentally harm the residential amenity and privacy of Church Barn. Further substantial changes are needed.

#### **Surface water**

Run-off along my boundary wall is totally unacceptable, as my floor level is below the field.

Attenuation tanks. The proposed location (close to Plots1-3 gardens and Church Barn) is contrary to RSK's original proposal, between footpath and river:

There are dangers and disadvantages of open ponds.

Pond overflow, back towards Church Barn, is unacceptable.

GAP state it is unlikely that all site surface water drainage can be served by soakaways, due to the clayey nature of the ground and high groundwater levels; a similar view to RSK.

Conditions 9 and 10 are so crucial that the detailed report should be carried out now, before any decision on the Reserved matters.

### **Design Statement**

The Applicant confirms "The tradition of boundary walls would be continued in the new development". Yet proposes an incongruous "Traditional Parkland railing" on the western side where walls are aesthetically more appropriate, marrying in with the "character and appearance" of the existing Manor Farm Close when approaching from Frome Valley Trail footpath.

The garages for Plot3 should be next to Plots2-4.

### **Conclusions**

No changes have been made after the many substantive objections since 8.10.21 (including Historic England, District Councillor, Parish Council and many local residents).

The seriousness of flooding risks is so important that the detailed surface water drainage report must be prepared before other Reserved matters are approved.

The plan continues to breach Planning Policy with regard to the residential amenity and privacy of Church Barn.

Accordingly I urge you to reject this Application.

## **2 Richard Hallett**

I wish to object on the grounds that the application does not ensure a well-planned development in the interests of visual amenity (Schedule of Conditions point 5) and fails to provide a Detailed Surface Water Management Scheme (Schedule of Conditions point 9 and 10).

### **Visual Amenity**

This development will be the first indication of modernity when travelling along the Frome Valley Trail (and Wessex Way and Great Chalk Way) from the river's source at Evershot.

On entering the village this suburban development will greet the visitor and it's visual impact will be detrimental and out-of-keeping with our village surroundings.

The development would be far more suitable as bungalows, lessening the visual impact, height, blending sympathetically into our environment with trees, hedging and stone walling.

### **Attractiveness**

The west elevation to properties 1-7 and the entire development are unknown, without which an informed decision is not possible. This is the view when approaching Maiden Newton along the Frome Valley Trail towards the church and is an essential detail.

### **Height**

Houses shall overwhelm the entire area by their height. The application does not show the height of the development alongside the height of the grade 1 listed church tower.

### **Boundaries**

The building and walling stones of the village are flint, chalk, Purbeck limestone, Ham Hill stone with brick. The 15th and 19th century parts of the church are built from flint and Purbeck limestone.

Buildings and boundaries should be stone walled, not timber/metal.

### **Garages**

The garages are proposed to be oak framed and clad and fencing timber boards. There are no wooden framed and clad structures in the village, nor should there be. Traditional building stones (point iii) are common in this Conservation Area.

### **Surface Water Management**

Furthermore, I wish to object on the grounds that the application fails to meet Schedule of Conditions point 9 and 10, Detailed Surface Water Management Scheme. It is unacceptable these details are unavailable to those affected by this development.

Variations in discharge of ephemeral floods are controlled by combinations of i) rock/soil type, ii) gradient morphology and iii) land use.

However, in the absence of the Detailed Surface Water Management Scheme, the effect of the gradient profile and change of land use to flooding the area to the south (Church Barn, Church Lane and War Memorial – this area floods often) is unknown.

Please consider rejecting this application since it fails to ensure a well-planned development in the interests of visual amenity and attractiveness (Schedule of Conditions point 5) in this Conservation Area and also fails to comply with Schedule of Conditions point 9 and 10, in this sensitive flood-risk area.

### **3 Steve Bevis**

I am generally supportive of new housing development in the village provided it is to a high standard. I wrote in favour of the neighbouring Manor Farm Close development when it was first proposed some years ago. I was also initially prepared to be positive about this current development but with the strong proviso that it should be to an excellent standard complementing its location in the heart of the old village; in the Conservation Area and neighbouring three significant Listed Buildings, (the Church, Maiden Newton House and Manor Farm).

The site is also crossed by a public footpath, part of the Macmillan Way leading to the River Frome water meadows which are within an Area of Outstanding Natural Beauty and also an SSI. The footpath is well used by villagers and ramblers alike and for those arriving from the North affords a marvellous view of the Church and an impressive first sight of the village. What a pity if the first glimpse in the future should be the somewhat mundane housing estate currently under consideration.

I wasn't alone in the expectation that the site deserved a more sympathetic treatment; the Conservation Officer, English Heritage and many villagers shared the same ambition. In this we were encouraged by the fact the neighbouring Manor Farm Close development was able to fulfil the same high design standard with vernacular detailing whilst still delivering a commercially attractive scheme.

The developers of the present scheme have already made several attempts at delivering an acceptable proposal but on each occasion Council Officers and public opinion have rejected the revised schemes which consistently sets the design bar too low. The point has been made more than once that if the developers needed an exemplar of good practice, they need only look at the neighbouring site, in fact it is hard to understand the logic in not delivering design continuity by matching its treatment of paved surfaces, hard landscaping and the proven diversity of external finishes that has worked so well.

As a retired Chartered Quantity Surveyor I am aware that the enhancement of this scheme to make it more varied, interesting and with rural, rather than suburban, character would have cost implications but I am equally confident that these would be offset by the increased house prices in today's buoyant market.

I hope that it does not seem impolite to finish by saying that the proposed development, as it stands, it would look very well in the suburbs of Bournemouth or Poole but this beautiful corner of Maiden Newton deserves something better, something to be proud of and a legacy for future villagers.

Thank you for listening.

## 4 Quarr Action Group

As concerned/affected residents of Maiden Newton we respectfully request that the committee seek a fair and reasonable development plan that does not create a danger to pedestrians, ruin the only open space left in the village with public access, a solution that adheres to West Dorset's published planning stipulations and addresses the greater good, in this very sensitive area.

### In Keeping

We are not opposed to a sympathetic well built reasonable development in keeping.

This proposal creates a very poor visual street scene, terraces of small cramped dwellings dominated by the road layout and parking (Contravenes LP2015 ENV 11).

### *Policy:*

*ENV10 i) "All development proposals should contribute positively to the maintenance and enhancement of local identity and distinctiveness. Development should be informed by the character of the site and its surroundings."*

*NPPF paragraph 130 "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area".*

This poor plan is dominated by the waste of space around the gated house No. 9.

the area of plot 9 is equal to the area allocated to houses numbers 4-7. The lead property (plots 1-3) should be detached and built sympathetically to the approach properties in Manor Farm.

We would request that house 9 is placed at the entrance where Nos. 1-3 are and a terrace of 4 affordable houses form a terrace north south on plot 9. (In Keeping).

This will allow plots 4-8 to be reduced to 4 houses link detached and the turning to be where 8 presently is. This is a much better balance and removes the need for remote garages which will allow for a wild life corridor to the east and tree planting.

This development bears no similarities at all to the original scheme put forward by Clr. J. Haynes, which was agreed with the residents a scheme that cleverly created two cull de sacs improved the sight lines in the Cattistock road and made a very safe pedestrian zone. (Unlike this present scheme before you)

The new development by Magna Housing of 14 affordable homes at Webbers Pc. (WD/D/19-0002190) had pedestrian access on to the Cattistock road and we understood that a path into the Quarr was to be formed at the north of the Bramble Bush into the Quarr for safe passage to the School etc. but this again is not possible as No 9 in the Quarr closes off clear passage.

The foot fall of some 36 people will be asked to exit on to Norden Hill or divert into the shared surface road at Manor Farm where an extra 50 car movements are predicted through the single file pinch point between 5 and 14 Manor Farm again on illegal shared surface widths.

#### WDDC Guidance

The access as agreed ignores both paragraph 6.5.5 and COM 7iv at pages 124/5 of the Local Plan. 6.5.5 states that "New development should not create significant highway safety problems and committees MUST consider first pedestrians".

COM7iv argues that Development will NOT be permitted unless it can be demonstrated that it would not have a severe detrimental effect on road safety.

#### Question

Why was planning given subject to reserved matters excluding access by Mr. B. Burden over a short period of time without consultation, submitted December 2016 and Granted on the 19th January 2017. The planning officers were in the full knowledge that the result of the public enquiry was due out in mid February 2017??

The judgement of the appeal hearing was against the applicant DISMISSED!!

#### Inconsistent

The new road marking at the junction of the Cattistock road and Norden lane has increased the danger of speed, completely disregarding their ethos of less road markings reduces speed (Bailey shared surfaces).

Traffic heading up Norden Hill from the village has clear signal to race on encouraged by the markings.

A small drive over round would have changed the right of way granting the left the right of way, the Cattistock blind turning and the station road blind turning. This simple cheap move would have made pedestrian movement a lot safer, as passage from Station road and the doctors surgery to the village does not have any pavement or shared designation at this dangerous approach.

## **5 Maiden Newton Parish Council**

Maiden Newton Parish Council does not wish to revisit the original outline planning for this development which was approved.

The Parish Council wishes to reiterate the comments previously made and those following amended plans on 5<sup>th</sup> Nov 2021.

Ensuring that there is a suitable scheme for construction traffic for the development given the access is via a housing development and the issues of large vehicles and pedestrians who use this route for school and recreation.

To ensure a suitable flood risk scheme has been put in place given the flooding to properties further into the village where any rain and surface water will end up eventually has been investigated.

## **6 Councillor Anthony Alford (Dorset Council – Eggardon)**

Local Plan Policy ENV16 is a model of clarity:

“i) Proposals for development should be designed to minimize their impact on the amenity and quiet enjoyment of both existing residents and future residents within the development and close to it. As such, development proposals will only be permitted provided:

- They do not have a significant adverse effect on the living conditions of occupiers of residential properties through loss of privacy;
- They do not have a significant adverse effect on the amenity of the occupiers of properties through inadequate daylight or excessive overshadowing, overbearing impact or flicker;”

Despite a nominal modification to the plan, these negative environmental impacts remain overwhelming and severe. This impact is proposed by the blockage outside the windows of the neighbour (Church Barn) by a fence and blocking out the light.

Not only that, but no benefit has been identified from creating these negative impacts on the neighbour. It should be noted that the substantial fence will not prevent overlooking from the first house in the development due to the substantial difference in the levels. Occupants in the first house will easily see over the fence towards Church Barn giving further evidence that the fence is in the wrong place.

If there is any doubt that such negative (and contrary to policy) impacts would be created, the committee should make a site visit to examine it.

2. The proposal is unsuitable in character for a development in the vicinity of the listed church.

It is suburban in style and dominated by the estate road and hard standing.

The hard standing will lead to surface water run-off and potential environmental damage and there is no reason to believe that this risk has been adequately assessed and ameliorated.

The extent of the development site allocated to motor vehicles is contrary to policy.

According to the Local Plan 2015 ENV11. “Places are ... “not dominated by the road layout and parking”...

With the levels and slopes referred to above, damage from running water to a property at a lower level such as Church Barn could potentially be severe.

## 7 Richard Burgess (Agent)

Mr Chairman,

You have a long report on this application. However the matter is quite straightforward.

Key points are:-

1. The site has outline planning permission for up to 9 dwellings
2. That permission **requires** that we comply with the approved Parameters Plan. This specifies the extent of development, the area of open space retained, the access to the site, the alignment of the road, the position and orientation of the houses and that they be two storeys.

The requirement to observe strict compliance with this plan was reinforced by a previous appeal decision.

We have therefore sought to comply strictly with **all** these matters.

We have also met the parish council's and your own wish for 'green' elements such as air source heating, electric vehicle charge points and wildflower areas.

The 'planning gain' resulting from this development should also be emphasised. As well as an Affordable housing contribution the community will gain an area of **3 acres** being the larger part of the Quarr for use as riverside parkland. We have discussed this with the Parish Council.

Two points arise in the representations received. One is the understandable concern that this development should not worsen the existing highway flooding that occurs off site near the church. We would submit that we have demonstrated by means of our preliminary drainage study that this will not happen.

We have not sought to discharge the drainage condition at this stage (and there is no requirement for this in planning law). The proper sequence of events is

- (a) Ecological translocations
- (b) Archaeological investigations
- (c) Dig test pits to finally establish ground porosity
- (d) Complete drainage calculations then formally seek to discharge drainage condition.

Clearly there is a need for a highways surface water drainage scheme in Church Rd to resolve the highway flooding problem. I trust the parish council and ward councillors are pressing for this.

The second point concerns the relationship of the development, to Church Barn.  
Our position is

1. The relationship of the development and of the first house to the barn is as shown on the Approved Parameters Plan.
2. Your case officer has visited the property and come to the judgement that light or amenity would not be unduly affected.
3. Conditions are recommended to prevent this relationship being altered. We would conclude therefore by emphasising that

1. We have followed your officers advice all along re design amendments, materials etc
2. We have worked with the Parish Council.
3. Your Conservation Officer supports the scheme.
4. We have no objections to the conditions suggested.

**We ask that approval be granted for these reserved matters**