

Application Number:	P/OUT/2021/04802		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land West of Little Elms Elm Hill Motcombe Shaftesbury SP7 9HR		
Proposal:	Develop the land by the erection of up to 6 no. dwellings (2 no. detached houses & 4no. semi-detached bungalows) (Outline application to determine access).		
Applicant name:	Mr & Mrs Hurd		
Case Officer:	Cass Worman		
Ward Member(s):	Cllr Walsh; Cllr Potheary; Cllr Ridout		
Publicity expiry date:	15 December 2021	Officer site visit date:	Previous
Decision due date:	11 January 2022	Ext(s) of time:	

1.0 Nominated Officer:

I wish to refer this application to the planning committee in light of the concerns raised by Motcombe Parish Council and the requests for committee referral made by Dorset Council members. I note that the site is located outside the defined settlement boundary, and the proposal conflicts with the Motcombe Neighbourhood Plan, albeit that this is considered to be out of date for the purposes of paragraph 14 of the National Planning Policy Framework. Overall, in my view, there is merit in this application being considered in a public forum at the planning committee.

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation:

- The latest Housing Land Supply position statement sets out that the supply has risen to 5.17 years for 1st April 2021, however the latest Housing Delivery Test for North Dorset, published January 2022, is 69%. The tilted balance is therefore still engaged, meaning that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- The Neighbourhood Plan became part of the development plan more than 2 years ago and therefore this Policy must be regarded as out of date and the presumption applies:

- 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 of the site is at the edge of the settlement boundary, connected by the existing highway. The site is identified as being suitable for housing (albeit for affordable and open market housing in the now out of date Neighbourhood Plan) and the proposal would be acceptable in its design and general visual impact subject to suitable details being provided at reserved matters.
- The scheme could be delivered without significant harm to neighbouring residential amenity, subject to suitable details being provided at reserved matters.
- The scheme is considered acceptable to Highways & Flood Risk Engineers, subject to conditions
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	<p>The site is located in a sustainable location and would provide for a small but important addition to housing numbers.</p> <p>The Neighbourhood Plan became part of the development plan more than 2 years ago and therefore Policy MOT14 of the Neighbourhood Plan must be regarded as out of date and the presumption applies:</p> <p>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</p> <p>Housing Land Supply has risen to 5.17 years however the latest Housing Delivery Test for North Dorset, published January 2022, is 69%: The tilted balance is therefore still engaged.</p>
Economic benefits	<p>6 market dwellings would contribute to the housing supply, in a sustainable location, on the edge of the defined settlement boundary.</p> <p>Related economic benefits would be from employment created during construction phase (supporting local jobs in</p>

	the construction sector) and would bring about added value in the local area through associated spending and economic activity from the residents of the dwellings – this would support the local economy and long-term economic growth in the area, with new residents spending on goods and services.
Access and Parking	Access is considered acceptable to Highways Engineers; reserved matters of layout would detail parking provision - indicative drawings demonstrate sufficient parking for 6 dwellings can be achieved.

5.0 Description of Site

The application site is situated on the southern side of Elm Hill, in the rural parish of Motcombe. It is outside the defined settlement boundary. A linear strip of detached bungalows lie to the north of Elm Hill.

The proposed development is positioned in the northern most section of a large field that slopes gently to the south. Glimpsed views of open agricultural land can be obtained from the current western field access, and whilst this has not been identified as a local view within MOT7 of the Motcombe Neighbourhood Plan, it is still considered to contribute positively to the rural character of Elm Hill.

6.0 Description of Development

Erection of 6 dwellings: 2 No. detached houses, 2 No. detached bungalows and 2 No. semi-detached bungalows. The application is in outline to determine access only, a new access road is proposed from Elm Hill to the east of the site.

7.0 Relevant Planning History

2/1992/0491 Decision: REF Decision Date: 19/08/1992

Develop land by erection of 2 no. cottages, form joint vehicular access

2/1998/0610 Decision: REF Decision Date: 23/09/1998

Develop land by erection of 9 No. detached dwellings

2/2020/0924/OUT Decision: REF Decision Date: 20/11/2020

Develop the land by the erection of up to 6 No. dwellings (2 No. detached houses, 2 No. detached bungalows and 2 No. semi-detached bungalows. (Outline application to determine access).

8.0 List of Constraints

North Dorset Local Plan Part 1 (2011-2031); Adopted; Settlement Boundary (inside); Policy 2; Motcombe

North Dorset Local Plan Part 1 (2011-2031); Adopted; Outside settlement boundaries (countryside); Policy 2, 20; NULL

Type: Neighbourhood Plan - Made; Name: Motcombe NP; Status Adopted
10/12/2019;

EA - Areas Susceptible to Groundwater Flooding; Superficial Deposits Flooding; < 25%;

NE - SSSI impact risk zone;

NE - SSSI (5km buffer): Breach Fields ;

NE - SSSI (5km buffer): Gutch Common ;

9.0 Consultations

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

Consultation Responses	No Objection	Object	Brief Summary of Comments
Town or Parish Council		X	<ul style="list-style-type: none"> - Outside the Motcombe Settlement Boundary - Contrary to Motcombe Neighbourhood Plan Policy MOT14 designated as a Rural Exception Site for affordable housing
Ward Member(s)			No response
Wessex Water	x		<p>LPA will need to be satisfied that soakaways will work and arrangements are clear for any shared obligations.</p> <p>Soakaways will be subject to Building Regulations</p>
Flood Risk Management	x		<p>Surface Water Drainage Strategy document is comprehensive and acceptable.</p> <p>Details of the proposed drainage scheme should be agreed by condition following investigative works</p> <p>Applicant is reminded that Land Drainage Consent from the Council will be required.</p>

Highways Officer	x		Conditions required for Vehicle access construction; Outline estate road construction; Cycle parking scheme; No gates; visibility splay provision; construction method statement
Natural Environment Team	x		Certificate of biodiversity mitigation and enhance has been issued
Housing Enabling Team		x	There is a demonstrable housing need on the Housing Register from applicants requiring affordable homes in Motcombe
Building Control	x		<p>Species of proposed hedging, some being of high water demand should be taken into consideration when designing house foundations.</p> <p>It is presumed the foul drainage will be connected to the public sewer and not treatment plants.</p> <p>The proposed road should comply in every aspect for access or the fire rescue service as B5 of ADB Vol 1</p> <p>Attenuation storage area beneath the road to be designed by geocell.</p> <p>Guidance from SSE should be sought when building below power lines.</p>
Waste Policy	x		Ensure sufficient access and turning head / area for an RCV for waste collection

Representations received

11 objections from Motcombe Residents were received on the following summarised grounds:

- Contrary to Neighbourhood Plan Policy MOT14
- Overdevelopment outside the defined settlement boundary, would set undesirable precedent
- Poor access to village's facilities, too distant from shops, no footway, dangerous walking conditions for pedestrians

- Proposed access is dangerous and will be disturbing to neighbouring residents
- Overbearing, overshadowing, overlooking, loss of light, and loss of privacy to neighbouring residents
- Concerns re surface water flooding: assumptions made in the drainage report that the existing nearby culverts are satisfactory for the current circumstances are incorrect
- Not enough parking provided & the turning circle would become a car park
- Applicant should stop attempts at speculative development after refusals
- Loss of agricultural land and green space
- Increased traffic and impact on highway safety and increase in congestion
- Light pollution from vehicle movements and the new dwellings
- Impact on local character in edge of village location, the proposed design and layout is not in keeping with local area and indicates the beginning of a larger housing estate as opposed to a small infill
- Proposal undermines Neighbourhood Planning Policies & aspirations of the local community - No affordable houses proposed, mix is not as per that specified in the NP, no local requirement for 4-bedroomed units, no justification for mix proposed
- Adverse impact on biodiversity
- Loss of hedgerow & impact on important wildlife corridor
- Plans are misleading and proposed pedestrian access too close to existing neighbouring properties
- Impact on non-designated heritage assets (Grosvenor Cottages)
- The existing access is not existing, the gateway into the site has not been used for years

10.0 Relevant Policies

North Dorset Local Plan Part 1 2011-2031

- Policy 1 – Presumption in Favour of Sustainable Development
- Policy 2 – Core Spatial Strategy
- Policy 4 – The Natural Environment
- Policy 5 – The Historic Environment
- Policy 6 – Housing Distribution
- Policy 7 – Delivering Homes
- Policy 8 – Affordable Housing
- Policy 9 – Rural Exception Affordable Housing
- Policy 13 – Grey Infrastructure
- Policy 14 – Social Infrastructure
- Policy 15 – Green Infrastructure
- Policy 20 – The Countryside
- Policy 23 – Parking
- Policy 24 – Design
- Policy 25 – Amenity

Motcombe Neighbourhood Plan 2017 to 2027 Made 10 Dec 2019

MOT14 - Rural Affordable Housing Exception sites

National Planning Policy Framework 2021

1. Introduction
2. Achieving sustainable development
3. Plan-making
4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting Sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

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.

Officers have not identified any specific impacts arising from the development on those persons with protected characteristics.

13.0 Financial benefits

What	Amount / value
Material Considerations	
Housing	6 market dwellings
Employment during construction phase	Support local construction sector
Spending in local economy	Residents of dwellings would support economic growth
Non Material Considerations	
Contribution to Council Tax	As per appropriate charging bands

14.0 Climate Implications

The buildings would need to comply with modern Building Regulations standards. Details of renewables & other details (such as electric car charging points) would be expected at reserved matters.

15.0 Planning Assessment

15.1 Principle of Development

The site falls outside, but is on the edge of, the adopted settlement boundary of Motcombe, one of the 18 larger villages in North Dorset. The site therefore sits in ‘the countryside’ where development is only permitted in a limited number of circumstances or where there is a demonstrated overriding need.

The application site is identified as a rural exception site (Site 18) in Policy MOT14 of the Motcombe Neighbourhood Plan (NP), which was made in December 2019. The NP policy states that the site is allocated “for up to 6 dwellings, of which at least 4 should be affordable homes.” The policy sets out further criteria, including that any proposals should accord with the requirements for rural exception affordable housing as set out in the Local Plan.

The proposal consists of 6 market dwellings and offers no affordable housing, and is therefore contrary to the spatial strategy set out in the North Dorset Local Plan Part 1 and the locally specific policies set out in the Motcombe Neighbourhood Plan.

15.1.1 Monitoring

The North Dorset local plan area has until recently been unable to demonstrate a 5-year deliverable housing land supply (DHLS); However, the latest Housing Land

Supply position statement published by the Council sets out that the supply has risen to 5.17 years for 1st April 2021.

The latest Housing Delivery Test (HDT) for North Dorset, published January 2022, is 69%. A year before it was 59% - so while delivery is underperforming, there is evidence that it is improving as the deliverable supply improves.

Between 2011 (the beginning the LPP1 plan period) and 2021, 22 net additional dwellings were completed at Motcombe. The Council is of the view that there are 33 dwellings in the 5-year supply at Motcombe, and that there are a further 9 dwellings on allocated sites which are not currently in the deliverable supply (this includes 6 dwellings on the site of this application).

15.1.2 Housing Delivery

NPPF paragraph 7 states that the purpose of the planning system is “to contribute to the achievement of sustainable development. Paragraph 8 sets out the three overarching objectives to achieving sustainable development (economic, social and environmental). Paragraph 9 then states:

These objectives ... are not criteria against which every decision can or should be judged. Planning ... decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Paragraph 10 states that at the heart of the NPPF is a presumption in favour of sustainable development. This is set out in paragraph 11. Sub-sections (c) and (d) of paragraph 11 relate to decision-taking. Part (c) relates to development proposals that accords with the development plan. As set out above, this development proposal conflicts with the development plan, and therefore part (c) does not apply and part (d) should be referred to instead.

According to NPPF paragraph 11(d) footnote 8, a Housing Delivery Test (HDT) result less than 75% indicates that the policies which are most important for determining the application are out-of-date. As stated above, the latest HDT result for North Dorset is at a delivery rate of 69% over the last three years. Paragraph 11 states that this means granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 7 states:

The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68 in chapter 16); and areas at risk of flooding or coastal change.

Paragraph 14 states:

In situations where the presumption (at paragraph 11(d)) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

- a) the neighbourhood plan became part of the development plan 2 years or less before the date on which the decision is made;*
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;*
- c) the local planning authority has at least a 3 year supply of deliverable housing sites (against its 5 year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and*
- d) the local planning authority's housing delivery was at least 45% of that required over the previous 3 years.*

15.2 Discussion of Principle

Until December 2021, NPPF paragraph 14 would have been a key consideration for determining schemes such as this one (e.g. residential development at Motcombe which does not comply with the development plan), and it was on this basis that the same scheme was refused in November 2020, reference 2/2020/0924/OUT .

However, while there is more than 3 years' supply of deliverable housing sites, housing delivery is above 45%, and the neighbourhood plan contains policies and allocations to meet its housing requirement, **the neighbourhood plan is now more than two years old**. This being the case, protection under NPPF paragraph 14 no longer applies.

NPPF para 60 states that it is the Government's objective to significantly boost the supply of homes and therefore *"it is important that a sufficient amount and variety of land can come forward where it is needed..."*

As the most recent Housing Delivery Test Result is below 75%, means that the 'presumption in favour of sustainable development' applies; under the 'presumption', permission should be granted unless policies in NPPF provide a clear reason for

refusal or the adverse impacts would significantly and demonstrably outweigh the benefits.

15.2.1 Housing Need

There is a demonstrable housing need on the Housing Register from applicants requiring affordable homes in Motcombe:

Motcombe – 2021 (last quarter)	Count
Couple/single requiring 1 bedroom	5
Family requiring 2 bedrooms	6
Family requiring 4 bedrooms	2
Grand Total	13

15.3 Impact on local character

The outline application is made for “up to 6 no. dwellings (2 no. detached houses & 4no. semi-detached bungalows)” to determine matters of access only.

The existing dwellings on the north side of Elm Hill are a linear strip of detached dwellings, mostly bungalows, set back from the road, each with their own driveway.

An illustrative layout for the new dwellings has been provided, which demonstrates that six dwellings can sit on the site without resultant overcrowding or overdevelopment.

The proposal is to create a new estate road on the eastern side of the site which would run parallel with Elm Hill behind the hedgerow, with the new dwellings to be sat behind this access road to the south.

It is acknowledged that due to the presence of the roadside hedgerow (which is important to maintain for ecological connectivity and habitat retention), that it would be impossible for each dwelling to feature its own driveway which is the prevailing character opposite the site.

It is therefore recognised that a liner ‘estate-road’ is the most suitable design response here bearing in mind the desire to retain the hedge, and to reflect the characteristic liner layout opposite the site.

As a currently open field with no strong design themes on either side of the site, it would be feasible to design a linear scheme that is in keeping with the overarching character of the setting as dictated by the access point and proposed estate road.

The illustrative layout shows the two 4-bed dwellings to ‘bookend’ the scheme, with bungalows in between. The supporting statement describes how this proposed layout came about following conversation with the Parish Council, the reasoning being to keep the higher profile dwellings on the edges of the site away from the ridge. Matters of design/appearance, scale, and layout are all reserved, and officers

consider that 6 dwellings could be accommodated on the site without adverse impact on the character of the area.

15.4 Biodiversity, trees & hedgerows

The new access road would require the removal a section of approximately 10 metres of existing species rich hedgerow, and trimming back to facilitate the required visibility splays

Hedgerow protection methodology is detailed in the approved Biodiversity Plan, in addition to the proposal to plant approximately 130m of species rich hedgerow along the southern boundary of the site.

Dormice are present in the hedgerow, and a protected species licence would be sought from Natural England to undertake works impacting on the northern hedgerow. Other mitigation measures (including timings and methodologies) for Great Crested Newts, Badgers, Birds, and Hedgehogs are included and agreed in the certified Biodiversity Plan.

The Biodiversity Plan also includes suitable biodiversity enhancement measures such as fruit tree & hedgerow planting; bee, bird & dormouse boxes; suitable lighting strategy for foraging bats.

Biodiversity mitigation & enhancements contained in the Biodiversity Plan would be secured by condition, and as the details are currently identified on the indicative layout, the applicant is reminded that if this layout is different to what is subsequently submitted at reserved matters, then an updated Biodiversity Plan would be required.

15.5 Impact on Neighbouring Amenity

Concerns have been raised that the new dwellings would result in overlooking, overshadowing and overbearing to existing dwellings to the west, and adversely impact on the outlook that occupants of dwellings opposite the site currently enjoy.

The indicative site plan shows an acceptable degree of separation between the site and existing dwellings can be achieved and it is considered that with a suitable layout and design presented at reserved matters, a scheme which preserves the amenity of the surrounding existing dwellings could be achieved.

Concerns have also been raised that the new vehicular access to the east would be disturbing to occupants immediately opposite. It is acknowledged that there would be a notable change in the character of the area with vehicles from six dwellings using this access. The dwellings opposite the site, and opposite the proposed estate road entrance, are set well back from the road, buffered by front gardens more than 10 metres deep. It is therefore considered that this increase in vehicular movements from the new access road would not result in a significant degree of disturbance to warrant refusal of the application.

With regards to possible disturbance and overlooking from users of the proposed pedestrian access into the site on the west side of the site, taking into account that

the window of the neighbouring property serves a ground floor bathroom only in a single storey lean-to, it is considered that with suitable landscaping/planting/fencing, privacy of occupants of this adjacent dwelling could be suitably protected.

15.6 Access and parking

The concerns of nearby residents are noted as to the safety of the proposed vehicular access, and the potential for congestion; however the Council's Highways Engineer has considered the proposals and has no objection to the scheme, subject to conditions. It is considered that the proposals would not adversely impact highways safety, nor result in adverse impacts on the surrounding highway network.

The indicative layout demonstrates that there is sufficient space on the site to provide parking spaces for 6 dwellings; the indicative layout showing driveway space for two cars per dwelling, and the 4-bed dwellings also showing on the indicative layout garage parking in addition to driveway parking. Concerns are raised that additional cars may park on and around the estate road, and whilst noted, suitable parking provision would be secured at reserved matters where layout would be agreed.

Concerns are also raised that there is no path or pavement which links the site to the village centre, and this is acknowledged – however the site is within the 30mph speed limit, and existing dwellings opposite access the village without the provision of a pavement. In addition, provision of a footway is simply not feasible along Elm Hill – as a relatively modestly sized proposal, the provision of a footway in this location is not considered to be feasible nor viable and in this instance, and therefore the lack of footpath provision would not warrant refusal of this application.

15.7 Flood risk

Concerns have been raised with the potential for increase surface water flooding and impacts on existing culverts which currently underperform.

The application is accompanied by a detailed surface water drainage strategy. This document has been scrutinised by the Council's Engineer in the Flood Risk Management Team, who is satisfied that the report is comprehensive and prepared by suitably qualified persons. The strategy outlines a number of options which are available for dealing with surface water, and a recommended SuDS strategy is outlined, which is supported. A condition requiring the applicant to submit details of the proposed surface water drainage works would be sought for agreement of the LPA, and this scheme shall also include a management & maintenance plan which would detail who shall be responsible for the ongoing maintenance of the surface water drainage scheme – this will ensure that the proposed drainage scheme is fit for purpose and suitably maintained in perpetuity

The Council's Flood Risk Engineer also reminds the applicant that Land Drainage Consent would be required for any proposed interventions with the existing culvert.

Wessex Water have no objections to the proposals, who confirm with the proper implementation of the proposed SuDS and soakaways, (which would be regulated

via Building Control Regulations, and details to be agreed with the LPA), the scheme is considered to be acceptable.

15.8 Other matters

Grosvenor Cottages

Concerns have been raised with regards to the impact of the scheme on the character and appearance of the adjacent Grosvenor Cottages which are considered non-designated heritage assets. Taking into account the distance of the application from these buildings, and the fact that matters of appearance, scale and layout are reserved, it is Officer opinion that a suitable scheme design which responds positively to local character of the area could be achieved which would respect the setting in proximity to these characterful buildings.

16.0 Planning Balance

The site is on the edge of, and connected by the existing highway, to the defined settlement boundary of Motcombe. It is identified in the NP as a site suitable for housing, NP Policy MOT14 requiring the site to deliver at least 4 units of affordable housing out of a maximum of 6. However as discussed above, the neighbourhood plan became part of the development plan more than 2 years ago and therefore this Policy must be regarded as out of date and the presumption applies - NP MOT14 is therefore afforded less weight in the planning balance.

The latest Housing Land Supply position statement published by the Council sets out that the supply has risen to 5.17 years for 1st April 2021, however the latest Housing Delivery Test for North Dorset, published January 2022, is 69%: The tilted balance is therefore still engaged, meaning that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The benefits of the scheme would be 6 market dwellings contributing to the housing supply, in a location on the edge of the defined settlement boundary. Related economic benefits would be from employment created during construction phase (supporting local jobs in the construction sector) and would bring about added value in the local area through associated spending and economic activity from the residents of the dwellings – this would support the local economy and long-term economic growth in the area, with new residents spending on goods and services.

The application is made in outline, for consideration of access only. The Highways Engineer has no objection to the proposals, subject to conditions.

Indicative drawings showing design, scale and layout demonstrates sufficient space to deliver six dwellings without overcrowding or overdevelopment of the site, and it is envisaged with a suitable design reflecting the local vernacular being presented at reserved matters, that the scheme could be delivered sympathetically to respect the local landscape character. The indicative layout demonstrates that the scheme could

be delivered with no significant harm to neighbouring residential amenity. The outline application is accompanied by a certified biodiversity plan which would deliver biodiversity mitigation, compensation and enhancements. The Flood Risk Engineer is satisfied that a suitable surface water management scheme can be achieved on the site, and details would be agreed via condition.

16.1 Summary

In view of the Housing Delivery Test result, the tilted balance should therefore be applied, given that the policies referred to in footnote 7 of the NPPF are not engaged. In accordance with paragraph 11 d) of the Framework, as directed by Footnote 8, policies which are most important for determining the application are considered out-of-date, and subsequently planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Weighing against the proposal, is that fact that the scheme would provide no affordable housing, contrary to NP Policy MOT14, which requires that 4 out of the 6 homes should be affordable. However, as the Policy is regarded as out of date, less weight should be afforded to this policy in the planning balance. As outlined above however, there is a demonstrable need for affordable housing in Motcombe.

Weighing in favour of the proposal, is the site's location where the provision of housing is considered acceptable in principle taking into account the NP allocation on the edge of the settlement boundary. The scale of growth proposed (6 dwellings) would be commensurate to the scale of growth that the settlement could sustain.

Subject to conditions, the scheme is acceptable with regards landscape and visual impact, design, residential amenity, highway safety, biodiversity flooding and drainage.

In the planning balance therefore, the benefit of the provision of the market dwellings outlined above, are afforded significant weight in the overall balance. These benefits are not considered to significantly or demonstrably be outweighed by adverse impacts of lack of delivery of 4 affordable housing units, as required by NP Policy MOT14, which should be afforded less weight now that the NP is more than 2 years old.

17.0 Recommendation

Grant subject to the following conditions:

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

Site Survey 12110-1

Location Plan 12110-4

Site Layout Plan Proposed 12110-5

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

2. No part of the development hereby approved shall commence until details of all reserved matters (layout, landscaping, scale and appearance) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory development of the site.

3. An application for approval of any 'reserved matter' must be made not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990.

4. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

5. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 21 October 2021 ref DBAP08921NH, must be strictly adhered to during the carrying out of the development.

The development hereby approved must not be first brought into use unless and until the mitigation, compensation and enhancement/net gain measures detailed in the approved biodiversity plan have been completed in full, unless any modifications to the approved Biodiversity Plan as a result of the requirements of a European Protected Species Licence have first been submitted to and agreed in writing by the Local Planning Authority.

Thereafter approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

6. Prior to commencement of groundworks, details of the proposed surface water drainage works, including a management & maintenance plan, detailing who shall be responsible for the ongoing maintenance of the surface water drainage scheme, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved drainage scheme shall be completed in full before first occupation of the development hereby approved, and maintained thereafter in perpetuity accordance with the agreed maintenance scheme.

Reason: To avoid drainage problems as a result of the development with consequent pollution or flood risk.

7. Before the development hereby approved is first occupied the first 10.00 metres of the vehicular access, measured from the nearside edge of the carriageway, including the visibility splays, shall have been laid out, constructed, and surfaced, to a specification which shall have been submitted to, and agreed in writing by, the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

8. Notwithstanding the information shown on the plans approved by this application, no development must commence until precise details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Local Planning Authority.

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

9. The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the development is commenced and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes

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

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

11. Before the development hereby approved is first occupied or utilised the visibility splay areas as shown on the Drawing Number 12210-5 must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, the visibility splay areas shall thereafter be maintained and kept free from all obstruction above this height.

Reason: To ensure that a vehicle can see or be seen when exiting the access, in the interest of highway safety.

12. Before the development hereby approved commences a Construction Method Statement (CMS) must be submitted to and approved in writing by the Local 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.