

# Northern Area Planning Committee

## 7<sup>th</sup> March 2023

### Decision List

**Application Reference:** P/OUT/2021/05708

**Application Site:** Land South of Three Acres Musbury Lane Marnhull

**Proposal:** Erection of up to 7 dwellings with associated access, parking and landscaping (outline application to determine access only)

**Recommendation:** A) Grant subject to the conditions listed below, and the completion of a planning obligation under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Head of Legal Services to secure the following:

£41,692 – 32 to the Council as a Habitat Loss Compensation Payment.

Or,

B) Refuse permission if the agreement is not completed within 6 months of the date of decision or such extended time as agreed by the Head of Planning.

Decision: REFUSE

1. The proposal would lead to a significant adverse change to the character and appearance of the area, it would impact on public views of the countryside, and diminish the tranquillity of the lane, which would be contrary to policy 4, and 24 of the ND LP Part 1. The adverse impacts would significantly and demonstrably outweigh the benefits of providing 7 dwellings when assessed against the NPPF taken as a whole.

**Application Reference:** P/FUL/2021/04282

**Application Site:** Land West and South of Sandways Farm New Road Bourton  
Dorset

**Proposal:** Demolition of barns, form new vehicular and pedestrian access, erection of 30 No. dwellings, construct village hall with parking area and provision of wildlife area, attenuation pond and public open space.

**Recommendation:** Refuse planning permission for the following reasons:

- the proposed development would have a detrimental impact on the setting of the adjacent listed building, leading to less than substantial harm that is not outweighed by public benefits.
- the design and layout of the proposal does not meet the aims and objectives of the Bourton Neighbourhood Plan for delivering a new village hall,
- the proposed development site is in the countryside and would exceed the area needed to deliver the aims and objectives of Policy 5 – New Village Hall in the BNP,
- the proposed provision of 3no. affordable houses rather than the policy compliant 40% (12no. affordable houses) is contrary to LPP1 Policy 8.
- the absence of a completed and signed S106 legal agreement to secure any affordable housing and off-site planning contributions.

The reasons for refusal are set out in full at section 17.0 of this report.

#### Decision: **Recommendation**

##### **Refuse planning permission** for the following reasons:

1. The proposed development would have an adverse impact resulting in less than substantial harm to the setting of Sandways Farmhouse which is not outweighed by public benefits contrary to Bourton Neighbourhood Plan Policy 5, and Policy 5 of the adopted North Dorset Local Plan Part 1 (2016), and section 16 of the National Planning Policy Framework.

2. The proposed development site is located in the countryside adjacent to settlement boundary designated for Bourton in the adopted Local Plan and would greatly exceed the area needed to deliver the aims of the Bourton Neighbourhood Plan Policy 5. As such, the proposed development would create a relatively isolated development which would introduce an unnecessary suburbanising effect into this countryside location and would not be addressing local needs contrary to Policies 2 and 5 of the Bourton Neighbourhood Plan, Policies 2, 6 and 20 of the adopted North Dorset Local Plan Part 1 (2016), and paragraphs 79 and 105 of the National Planning Policy Framework 2021.

3. The proposed layout, appearance, and scale of the development fails to accord with the aims of Policies 5 and 8 of the Bourton Neighbourhood Plan, and is contrary to Policies 3, 7, 15 and 24 of the adopted North Dorset Local Plan Part 1 (2016), and paragraph 125 of the National Planning Policy Framework 2021.

4. In the absence of completed and signed Section 106 legal agreement to secure affordable housing, and community benefits (relating to education, affordable housing, ownership of village hall, parking land, and public amenity area, construction and completion of village hall, libraries, public rights of way, and health care) the proposal would be contrary to Policies 4, 8, 13, 14 and 15 of the adopted North Dorset Local Plan Part 1 (January 2016), and paragraph 55 National Planning Policy Framework (2021).

**Informative notes:**

National Planning Policy Framework

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.

**Application Reference:** P/VOC/2022/06349

**Application Site:** Huntley Down Milborne St Andrew DT11 0LN

**Proposal:** Erect 25 No. dwellings with garages, form vehicular access (with variation of condition 2 of planning permission 2/2018/1240/FUL to amend the approved plans in relation to Plots 19, 20 & 21)

**Recommendation:** Grant planning permission.

Decision: Grant planning permission subject to the following conditions and the completion of a deed of variation to tie the S.106 to this application.

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

- 17161.93 C Plots 19, 20 & 21 proposed floor plans & elevations
- Location and block plan (17161.79)
- Proposed Site Plan (17161.22)
- Plots 01 and 02 Plans and Elevations (17161.80)
- Plot 03 Plans and Elevations (17161.81)
- Plots 04 and 05 Plans and Elevations (17161.82)
- Plot 06 Plans and Elevations (17161.83)
- Plot 07 Plans and Elevations (17161.84)
- Plot 08 Plans and Elevations (17161.85)
- Plot 09 Plans and Elevations (17161.86)
- Plots 10 and 11 Plans and Elevations (17161.87)
- Plot 12 Plans and Elevations (17161.88)
- Plot 13 Plans and Elevations (17161.89)
- Plot 14 Plans and Elevations (17161.90)
- Plot 15 Plans and Elevations (17161.91)
- Plot 16, 17, 18 Plans and Elevations (17161.92)
- Plot 19, 20, 21 Plans and Elevations (17161.93)

- Plots 22 and 23 Plans and Elevations (17161.94)
- Plot 24 Plans and Elevations (17161.95)
- Plot 25 Plans and Elevations (17161.96)

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

2. The access, geometric highway layout, turning and parking areas as shown on drawing number 17161.22 shall be maintained, kept free from obstruction and made available for the purposes specified.

Reason: In the interests of highway safety

3. The approved cycle store scheme as shown on the General Arrangement Plan 813.27/08A dated March 2022 shall be maintained and kept free from obstruction, and made available for the purpose specified.

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

4. The approved drainage scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

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

5. The development shall be carried out in accordance with the approved details for the disposal of foul and surface water drainage. No part of the development shall be occupied or brought into use until the approved scheme has been fully implemented.

Reason: To minimise the risk of flooding and/or pollution.

6. The development shall be carried out in full accordance with the approved arboricultural method statement.

Reason: in the interest of public amenity and ecology.

7. Planting approved planting shall be carried out before the end of the first available planting season following substantial completion of the development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement

the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.

Reason: In the interests of public amenity and ecology.

8. The Biodiversity Mitigation Plan submitted with the application (from Clare Bird and Adrien Meurer (Hankinson Duckett Associates) dated 11th December 2017) shall be implemented in full

Reason: To mitigate the potential adverse effects of the development on the local ecology.

9. The development shall be carried out in accordance with the approved details of hard and soft landscaping as approved on the Landscape Planting Plan drawing number 813.27/09 dated March 2022.

Reason: Landscaping is an important feature of the local character. Additionally, unmitigated sound coming from the development hereby approved could result in a detrimental harm to the neighbouring residents.

10. The approved Heathland Infrastructure Project (HIP) of application ref: 2/2019/0843/FUL shall be made available in perpetuity for the purposes set out in the letter from Natural England dated 13 December 2018 adjacent to the site or in an agreed alternative suitable location within the Parish of Milborne St Andrew.

Reason: In the interest of wildlife habitat and ecology.

11. The development shall be carried out in accordance with the LAP layout, planting, implementation and maintenance responsibilities as shown in the approved LAP Implementation and Maintenance Plan.

Reason: In the interest of public amenity and ecology.

**Application Reference:** P/LBC/2022/04251

**Application Site:** The Little Keep Barrack Road Dorchester Dorset DT1 1SQ

**Proposal:** Works to the Orderly room only. Remove existing end grain wood block flooring and bitumen base. Lay new DPM and limecrete base supply and lay new end grain wood blocks to match removed blocks.

**Recommendation:** GRANT

Decision: **Grant** listed building consent subject to the following conditions:

1. The work to which this listed building consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

Reason: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. The works hereby consented shall be carried out in accordance with the following approved plans:

WD1B Wood Block Floor

Reason: To preserve the architectural and historical qualities of the building.

3. During the removal the original floor, the process shall be recorded/ documented, and a physical collection of example blocks, and the process of recording, shall be retained and stored at the museum.

Reason: To document and preserve the architectural and historical qualities of the building.