

Reference No: P/FUL/2022/06095
Proposal: Erect 12 No. dwellings, form vehicular access from Motcombe Road and carry out other associated works
Address: Land South of Motcombe Road Motcombe Dorset
Recommendation:
Case Officer: Jim Bennett
Ward Members: Cllr Ridout
CIL Liable: N

Fee Paid:	£5544.00		
Publicity expiry date:	11 November 2022	Officer site visit date:	7 th February 2023
Decision due date:	12 January 2023	Ext(s) of time:	27 October 2023

1.0 The application is reported to Committee as the recommendation is contrary to the view of the Parish Council.

2.0 Summary of recommendation:

Recommendation A: Minded to **GRANT**, subject to the completion of a legal agreement 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:

- Destination Play - £843.50 per dwelling.
- Formal Outdoor Sports contribution - £708.34 per dwelling.
- Education – £6,094 per dwelling for primary and secondary – based on the level of development across the Shaftesbury planning area at secondary and insufficient primary capacity at Motcombe Primary.
- Library contribution - £241 per dwelling.
- Off-site public open space - £117 per dwelling.
- Public rights of way £50 per dwelling to cover the change from stiles to gates for the adjacent footpath.
- Compensatory Habitat Contribution - £7,366.39
- NHS - £722 per Dwelling Index Linked to be used towards the cost of acute, community and primary care branches of the NHS in the vicinity of the site;

And the conditions and their reasons outlined at the end of this report.

Recommendation B; **Refuse** permission for failing to secure the obligations above if

the agreement is not completed by 24th April 2024 or such extended time as agreed by the Head of Planning.

3.0 Reason for the recommendation:

- The site is allocated in the Motcombe Neighbourhood Plan and benefits from outline permission for 12 dwellings
- Other than provision of affordable housing, the proposal meets the criteria set out in Policy MOT11;
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise;
- The location is considered to be sustainable and the proposal is acceptable in its design, scale, layout and landscaping and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity, flood risk, highway safety or biodiversity.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The site falls within the settlement boundary for the village as amended by the Motcombe Neighbourhood Plan (NP) and is allocated under the NP Policy MOT11. The principle of development was previously considered to be acceptable by an outline approval ref. 2/2019/1603/OUT.
Impact on the character of the area and landscape	The proposal follows the established pattern of development and character of the locality. It is acceptable in terms of layout, design and scale. It would provide an appropriate setting, including perimeter landscaping, natural surveillance, relationships between dwellings and parking areas and links to public footpaths and the countryside, subject to conditions.
Highway safety	Vehicular access, parking and turning arrangements are acceptable. The Highway Authority raise no objections on highway safety, policy or capacity grounds.
Residential amenity	The proposal would not lead to adverse impacts on the residential amenity of surrounding neighbours or future occupiers.
Affordable Housing	The development fails to provide a policy compliant affordable housing offer, which weighs against the proposal.
Ecology	Surveys undertaken and the impact upon protected species can be mitigated to avoid adverse effects in line with the completed Biodiversity Mitigation and Enhancement Plan.

Housing Delivery	The development will provide 12 dwellings making a modest contribution to the housing land supply.
Drainage and the water environment	The proposed surface water drainage can be adequately dealt with on and off the site to prevent flooding, subject to conditions.
Economic benefits	Benefits would be derived from the delivery of this scheme, including the provision of jobs during construction, operation of the commercial unit, future residential expenditure and income from Council Tax and Business Rates
Other matters	The proposed planning conditions address, amongst other things, tree protection, construction and environment methodology and potential contamination

5.0 Description of Site

The application site comprises part of an arable field between the residential properties of Shire Meadow and One Oak on the south eastern edge of Motcombe. It lies to the south of and fronts Motcombe Road, the main route into the settlement from the east and is 1.9 acres (0.8 hectares) in area.

The ground within the site gradually slopes upwards in a south easterly direction away from the road. The roadside boundary comprises an established mature hedgerow set behind a grassed verge. There is an existing access into the field from Motcombe Road on the eastern end of the road boundary. A separate field access lies to the west of the site which serves an agricultural track and is also the route of public footpath (N69/10).

To the east of the site, beyond a hedgerow, is One Oak, a chalet bungalow on slightly elevated ground in relation to the site. To the west of the site, again beyond a hedgerow, are Shire Meadows, a chalet bungalow and FP N69/10, on slightly lower ground in relation to the site. To the north, detached bungalows and houses lie on the opposite side of the road and are generally set-back from Motcombe Road. To the south of the site is the remainder of the field which slopes upwards towards a belt of trees.

6.0 Description of Development

This is a full planning application for 12 no. dwellings, access and associated works. It follows the grant of outline planning permission for the same number of dwellings on the site in March 2022, but for a different applicant. The site is also allocated for residential development of ten dwellings within the Motcombe Neighbourhood Plan.

A single point of access leading off Motcombe Road is proposed to serve the development which is centrally positioned along the site frontage. A footway running east to west is also proposed within the site in front of the development and behind the roadside hedgerow. An attenuation area is proposed at the western extent of the site, with open space around it.

The housing comprises 3 blocks of 3 no. barn style terraced dwellings and 3 no. detached dwellings. Garages and car ports are proposed between each of the dwellings with parking in front and further parking bays alongside the access drive, which are intended to be permeable. All dwellings would be 2-storeys and of mixed materials including red brick and timber cladding. Roofs would be slate/clay tiles (or 'effect').

Landscaping comprises selected tree planting alongside the existing road boundary with the existing hedge retained, lower-level planting adjacent to the dwellings and a new rear boundary hedge planting with trees to the southern boundary. The Proposal is supported by a Landscape and Visual Appraisal.

None of the dwellings would be affordable, a departure from the previous outline approval, which would have delivered four units. The lack of affordable housing offer is a fundamental driver for the application and a viability appraisal has been submitted to justify this.

7.0 Relevant Planning History

2/2019/1603/OUT - Decision: GRA - Decision Date: 01/03/2022 - Develop land by the erection of up to 12 No. dwellings, form vehicular access from Motcombe Road and carry out other associated works. (Outline application to determine access).

8.0 List of Constraints

Within settlement limit

Housing Allocation – MOT11

Right of Way: Footpath N69/10; - Distance: 2.14m

Risk of Surface Water Flooding Extent 1 in 1000 - Distance: 0

9.0 Consultations

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

Cllr B Ridout - Motcombe Parish Council have requested this application be heard by the Northern planning committee. In view of the significant public and parish concerns raised, this application should be heard by the planning committee.

Motcombe Parish Council - Object on the following grounds:

- Drainage needs to be viewed and verified as being fit-for-purpose by the Dorset flood prevention team, as reports predate two flood events last October.
- Responsibility for maintaining drainage infrastructure (e.g. attenuation pond) is queried.
- The report describes the current ditch from the site being obstructed, in particular under the hedge at Shire Meadows. Failure to rectify this will result in the outflow from the attenuation pond flowing down Motcombe road increasing the flood risk to properties further down the road.

- The proposal indicates that surface water from the land south of the houses will be channelled around the development and bypass the attenuation pond which will result in an increase flood risk to other properties on Motcombe Rd. This is NOT acceptable.
- The impact on the village sewage & foul water drains. Wessex Water seem to have endorsed the plan, but due to fresh concerns around Turnpike/Church Walk etc, this also needs to be reviewed in terms of whether in fact the current system can cope with more flow from the new houses.
- The landscape plans in the outline application are not replicated
- The verges in Motcombe Road must be kept clear of all site related vehicles during construction as this is a busy road, used a lot by pedestrians & would potentially block access on this narrow road for properties facing the site.
- All conditional details must be agreed before commencement of construction.
- Rescinding both the affordable homes and 106 funding that was part of the original outline is unacceptable and justification for this change must be examined. The development will intensify use of the small play area and open space area at Motcombe Meadows. The Parish Council seek to improve the play area next to the Village Hall, by replacing a multi-unit used for children of all ages and recreational and open spaces at the Meadows in Motcombe is always being updated. Contribution is sought from this development towards improving these areas for families moving into the homes and the village as a whole and make the area more attractive to families.
- Access to the right of way along the track and across the fields must be preserved at all times during construction and must not be used by construction vehicles.
- The need for access to the field behind the site is queried. More housing would lead to a large development, seen as unacceptable to residents supporting the Neighbourhood Plan, cut off from village amenities, put adverse pressure on local infrastructure, with poor pedestrian links.
- The traffic report was based on traffic counts undertaken in 2019 and concludes that Motcombe Road is lightly trafficked. We don't support that view & a new count is needed, conducted on a school day(s) & include all peak times (school & commuters). This could affect the design of the access to the development.
- Parking must meet the standards in the Neighbourhood Plan and must not lead to residents parking on Motcombe Road. A parking space in front of a garage is not sufficient and there is not enough visitor parking.
- The design of the multi-unit dwellings is not acceptable and does not meet the guidelines in the Neighbourhood Plan. Black facings are not acceptable as it is on rising land facing other properties with the sun behind the site. The large windows proposed are not conducive of energy conservation.

Housing Development and Enabling Manager - The outline permission granted in March 2022 included 40% affordable homes. With a well-documented housing crisis in Dorset, it is vital that developments such as this contribute towards the affordable need in Dorset. The scheme should offer a policy compliant level of affordable accommodation.

DC Urban Design – While the revised plans have not addressed concerns fully a refusal based on design and character would be difficult to substantiate. The layout and access to the POS is still not ideal but Landscape will cover this in their comments. It will be key to ensure that the approach to landscape helps to soften what is still quite a formal approach to design on a sensitive village edge. In addition, I have read the PC's comments about the timber cladding. There is a great mix of materials in the surrounding dwellings and at least 2 of the buildings on the opposite side of the road are clad in dark grey timber. We would struggle to refuse this on the grounds that it is out of character.

DC Landscape – The scheme fails to provide the 40% affordable homes required within NP Policy. The submitted Landscape and Visual Appraisal was prepared at Outline Stage has not been updated to reflect current National Planning Policy. The Application Layout drawing is not supported by a Landscape Strategy.

Natural Environment Team – Biodiversity Plan under completed.

Natural England – No comments received

Dorset Police Architectural Liaison Officer - No comments received

Lead Local Flood Authority (LLFA) - The applicant has provided adequate detail to demonstrate that a viable and deliverable surface water management scheme can be designed for the proposed development. No objection to the application subject to conditions and informatives to address surface water management.

Wessex Water - No comments received

Education Officer - No comments received

Building Control – Give informatives

DC Highways – No objection, subject to vehicle access construction, estate road construction (private), gate restriction, visibility splay, cycle parking, footway details and construction method statement conditions. Also give informatives.

Planning Obligations - No objection subject to securing s106 contributions.

Rights of Way Officer - No objection, but give informatives.

Environmental Health Officer - No objection subject to conditions (as outline) to address potential for contamination and hours of construction.

Tree Officer - A hedgerow shields the site from the Motcombe Road, which is not of high species diversity and not of a quality to warrant the imposition of a Hedgerow Retention Notice. There are a number of varying quality off-site trees, the finest being two Oak trees, although no trees will need to be removed or pruned. New tree planting is shown within the site and a landscaping scheme and post planting management plan for the period of 5 years must be provided. No objections subject to arboriculture and landscape conditions.

Representations received

Ninety one comments have been received from notified parties, objecting to the proposal on the following grounds:

- Stress on the local school caused by additional pupil numbers
- Increased traffic on Motcombe Road during peak times
- Detriment to highway safety, particularly The Hollow
- Inadequate parking provision will lead to parking on Motcombe Road
- Construction traffic will generate further highway risk
- Footpath links to the village are poor and a link to The Street is not provided
- Flooding has been an issue in the village and the development will make it worse.
- Drainage and flooding attenuation measures are inadequate and not finalised
- Inadequate sewage capacity, due to surface water connections
- There is little clarity on how the spring in the field to the south will interact with the proposed drainage measures
- Increased risk of flooding during construction phase
- Local health care services in the area are at capacity
- Increased pressure on local infrastructure and services
- There is no need for more houses in the village and its housing quota is met
- House designs are poor and out of character with the village
- Use of inappropriate design and materials (black imitation cladding not of the local vernacular)
- Poor landscaping
- Clarification is sought over future management of landscaping
- Overshadowing of One Oak and opposite
- Overlooking
- Lack of affordable housing offer contrary to Policy MOT11
- Contrary to Neighbourhood Plan which allocated the site for ten dwellings
- Lack of contributions for village infrastructure
- Lack of green space in the village
- The application (vehicular spur) suggests land to the south will be developed
- The proposal must be considered by Committee and not delegated to officers
- Detriment to wildlife

10.0 Relevant Policies

North Dorset Local Plan Part 1 (adopted 2016)

Policy 1 - Sustainable Development

Policy 2 - Core Spatial Strategy

Policy 3 - Climate Change

Policy 4 - The Natural Environment

Policy 6 - Housing Distribution

Policy 7 - Delivering Homes

Policy 8 - Affordable Housing

Policy 13 - Grey Infrastructure
Policy 14 - Social Infrastructure
Policy 15 - Green Infrastructure
Policy 23 - Parking
Policy 24 - Design
Policy 25 – Amenity

Motcombe Neighbourhood Plan 2017-2027 (Made 10 December 2019)

Policy MOT2. Local Flood Alleviation
Policy MOT6. Protecting and Enhancing Local Biodiversity
Policy MOT7. Local Views
Policy MOT8: Dark Skies
Policy MOT9. Meeting the area's housing needs
Policy MOT10. Locational criteria for new development
Policy MOT11. Housing site: land at Bittles Green (Site 4)
Policy MOT17. Building Patterns, Density and Landscaping
Policy MOT19. Street Layout

North Dorset Local Plan 2002-2010

Saved Policy 1.33 - Landscape Character Areas (North Blackmore Rolling Vales)

National Planning Policy Framework (NPPF)

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted. Relevant NPPF sections include:

Section 4 - Decision taking
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land'
Section 12 - Achieving well designed places
Section 14 - Meeting the challenges of climate change, flooding & coastal change
Section 15 - Conserving and Enhancing the Natural Environment

Supplementary Planning Document/Guidance

Dorset Parking Standards

Emerging Local Plans:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in 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. This includes ready access to the proposed dwellings, open space and environs of the development for people with mobility issues.

13.0 Financial benefits

- Destination Play - £843.50 per dwelling
- Formal Outdoor Sports contribution - £708.34 per dwelling.
- Education – £6,094 per dwelling for primary and secondary – based on the level of development across the Shaftesbury planning area at secondary and insufficient primary capacity at Motcombe Primary.
- Library contribution - £241 per dwelling
- Off-site public open space - £117 per dwelling
- Public rights of way £50 per dwelling to cover the change from stiles to gates for the adjacent footpath.

- Compensatory Habitat Contribution - £7,366.39
- NHS - £722 per Dwelling Index Linked to be used towards the cost of acute, community and primary care branches of the NHS in the vicinity of the site;

14.0 Climate Implications

In May 2019, Dorset Council declared a Climate Emergency and there is a heightened expectation that the planning department will secure reductions in the carbon footprint of developments. The Climate Change Statement addresses the Council's current planning policy requirements and advises that electrical vehicle charging points will be provided. A planning condition is proposed to ensure they are located in appropriate locations and to an appropriate standard.

The dwellings would need to meet current building regulations. The applicant outlines the following sustainability measures will be incorporated into the development:

- Passive design- facing south to benefit from solar gain;
- Use of thermally efficient materials;
- Low energy boilers and lighting;
- Use of heat pump and PV technology;
- Low use water fittings;
- Green Infrastructure to enhance biodiversity
- Sustainable Urban drainage system to manage surface water run-off;

15.0 Planning Assessment

The main issues of this case are considered to relate to:

- Principle of development
- Impact on the character and appearance of the area
- Access and Highway safety
- Residential Amenity Impacts
- Affordable housing and Viability
- Ecology
- Drainage, flood risk and the water environment
- Housing Delivery
- Other matters

Principle of development

The Motcombe Neighbourhood Plan was adopted in December 2019 and forms part of the development plan. Neighbourhood Plan Policy MOT11 allocates the site for about 10 dwellings, including at least 4 affordable homes. In March 2022 outline planning permission was granted for 12 new homes on the site. The principle of residential development on this site has therefore been established. Nevertheless, determination of the current proposal is subject to the material planning considerations outlined in the following sections.

Impact on character and appearance of the area

Policy MOT11 allocates the site for housing and, among other things, seeks to secure a layout that respects the linear pattern of roadside development, the design and scale of which should create a soft landscaped edge with the countryside and minimise the visual impact of development in wider views from public rights of way.

The development will undoubtedly change the character of the area, as the site is currently an open field. However, the development would be book-ended by existing residential development to the east and west, with existing dwellings opposite the application site, so it is reasonably well related to existing built form. In view of this, the principle of housing development would not be at odds with the overall character of development in this part of the village, reflected in the site's allocation for housing development.

The application site is slightly smaller than the allocated site as shown on the policies map within the Neighbourhood Plan and equates to a gross density of 15 dwellings per hectare, but this is consistent with Policy MOT17, which identifies comparably higher density for the settlement as densities in excess of 20 dwellings per hectare.

The layout shows that a development can be accommodated on the site in a linear arrangement to reflect that on the opposite side of the road in accordance with Policy MOT11. The Policy also requires the design and scale of dwellings combined with landscaping arrangements to minimise the visual impact of development in wider views. The plan shows how this could be achieved with tree and hedge planting bounding all the sides of the site including the southern boundary, to ensure soft edge to the development.

While the Landscape Team consider it would have been preferable for an up-to-date Landscape and Visual Assessment (LVA), to be submitted with images to represent the 'worst case' scenario during the dormant period for trees/hedges, they do concur with the summary and conclusions of the submitted LVA, which concludes that the potential landscape and visual effects associated with the proposed development would primarily be localised, with little potential to significantly impact upon visual amenity. While an updated LVA was not requested, due to the extant permission for twelve dwellings on the site and its allocated status, amended plans and a landscape plan were submitted to address concerns over the vehicular access stub to the south, dwelling designs and materials and landscaping arrangements, which will be ensured by condition.

Landscaping now incorporates native tree, hedge and shrub planting on the site's eastern and southern boundaries that are consistent with local character to establish a soft edges to the scheme; removal of the internal hedging adjoining the footway, a SuDS pond designed and managed to maximise amenity and wildlife benefits, which cumulatively can improve connectivity of hedgerows to enhance wildlife and habitats. Once established, landscaping would soften and filter views of the scheme and reflect the established treed settlement edge. The proposal comprises relatively low density housing, set back behind an existing hedgerow, which will be bolstered by

new tree planting with breaks to allow views into the wider landscape; and the proposed development edge will be planted with new hedge, shrubs and trees.

A number of concerns have been raised by residents regarding the impact of development beyond the existing limits of the settlement to the detriment of the character and appearance of the area. However, the site will not be prominent in distant views and the use of appropriate materials and landscaping will further soften its visual impact. The application site falls within the settlement boundary for Motcombe, following changes made by the Neighbourhood Plan to accommodate site allocations. The application site is an allocated housing site in the Motcombe Neighbourhood Plan as made on the 10 December 2019, following a successful referendum where a majority of residents voted in favour of it.

The layout shows how a development of 12 dwellings can be successfully accommodated on the site without significantly encroaching into the open countryside. It meets the objectives of Policy MOT11 in terms of landscaping, provision of footway and drainage strategy and as such it is considered to be in character and not detract from the visual amenity of the area, in accordance with Policy MOT11 and Local Plan Policy 24.

Access and Highway Safety

Policy MOT11 requires that a suitable safe site access is secured and provision is made for a footway along the site frontage to facilitate safe connection, as far as practical to The Street. There are no pavements along the road and consideration should be given to what improvements could be made to allow for safer pedestrian access into the centre of the village. Policy MOT17 also advises that the design and width of new footpaths and pavements should be sufficient to allow safe passage for mobility scooters, prams and pushchairs, without creating an urbanised character out of keeping with the area and all properties should have a front footpath access.

The vehicular and pedestrian access positions and associated access works are the same as were agreed for the previous consent on this site under ref. 2/2019/1603/OUT. The footway identified within the Neighbourhood Plan would be provided running parallel to the highway behind the frontage hedge. Consequently, the Highway Authority considers that the residual cumulative impact of the development cannot be thought to be "severe" when consideration is given to paragraphs 110 and 111 of the NPPF and raise no objections, subject to conditions and as such it is considered that a suitable safe site access is secured in accordance with Policies MOT11 and MOT17 of the Neighbourhood Plan.

The proposal would provide 26 allocated parking spaces, including garages, which may be treated as allocated spaces being 6m x 3m units. Seven visitor/unallocated spaces are proposed. The Dorset Parking Standards for new dwellings within villages in North Dorset, suggest the optimum level of residential car parking provision is 24 allocated car parking spaces, 3 visitor spaces and 3 unallocated spaces. Allocated and visitor parking are both slightly over the requisite standard, which is reflected in the comments of the Highway Authority. Consequently the proposed parking, for both cycles and cars, is considered to be appropriate for this location.

Further sustainable transport measures could be secured through the necessary enhancements to the local footpath network, which will be secured by contribution under the section 106 agreement, in accordance with Local Plan Policy 13 to provide and enhance walking facilities in rural areas.

Residential Amenity Impacts

The application site is sufficiently set away from the boundaries with the neighbours on either side. The layout shows that the western end of the site would remain undeveloped to provide an attenuation pond and soft landscaping. Consequently, this would provide a gap of approximately 40 metres between the proposed development and Shires Meadow to the west. A gap of 27 metres would remain between the eastern site boundary and the boundary serving One Oak to the east, with an overall gap of 47m from the nearest new dwelling to the existing dwelling.

It is noted that concerns have been raised regarding the impact of the development on the dwellings to the northern side of Motcombe Road. Whilst there would be a noticeable change in the outlook to the properties on the other side of the road, it would not be to the detriment of their private enjoyment of these dwelling houses. The layout shows that buildings would be set back from the road which along with the setbacks of properties to the north would provide a separation of between 35-40m between the front elevations, where the accepted rule of thumb is 21m. There is sufficient separation to ensure that the proposed development would not have an overbearing impact on these dwellings. Furthermore, the proposed dwellings would face towards the frontages of these properties. It should also be noted that there is no legal right to a view from private properties.

The submitted plans demonstrate that the proposal would have no adverse impact on the amenity of adjoining occupiers by way of overshadowing, overlooking, overbearing impact or disturbance, in accordance with Policy 25.

Affordable Housing and Viability

The previous outline permission was granted subject to a S.106 legal agreement, which secured the following:

- Four affordable dwellings on site.
- Education Contribution
- Library Contribution
- Public Rights of Way Contribution
- Off-site Public Open Space Contribution
- Formal Outdoor Sports Facilities Contribution
- Destination Play Facilities Contribution
- Payment of a financial contribution towards offsetting the loss of semi improved grassland as set out within the approved BMEP
- The provision, management and maintenance of informal open space on site.

A fundamental driver for the current application is that it cannot be viably implemented if all of the contributions outlined above are forthcoming. The Council

have therefore been presented with evidence by the applicant that the proposed scheme is not currently viable, particularly in respect of affordable housing and this has been independently endorsed by the District Valuer (DV), who concludes that a scheme delivering the full suite of contributions would not be viable.

The Motcombe NP was made on 10 December 2019. Policy MOT11 allocates the site for “about 10 dwellings including at least 4 affordable homes, at a density appropriate to the village’s character”. It is important to understand that no new viability evidence was prepared to support the NP. The requirement for “at least 4 affordable homes” is essentially derived from Policy 8 of the North Dorset Local Plan Part 1 (January 2016), which required 40% AH in rural areas on sites that deliver 11 or more dwellings. Paragraph 4.3 of the Motcombe NP acknowledges that the viability evidence underpinning the AH requirements originated from the NDLP, by stating:

The viability assessments underpinning the adopted Local Plan suggested that in villages like Motcombe, it should be possible to build 40% of homes on larger sites as affordable. If site-specific constraints or circumstances mean this amount of affordable housing is not possible (confirmed by an ‘open book’ economic appraisal), then a different mix that maximises the number of locally needed affordable homes may be accepted.

The viability evidence supporting policies in the NDLP was the North Dorset Whole Plan Viability and CIL Study (Feb 2015). Instead of site specific testing, the study looked at wide range of site/scheme typologies. Usefully, one of those typologies is 12 dwellings in a rural location. Table 6.1 shows that without any policy requirements, it was viable. Table 6.2 shows that with all the policy requirements, including 40% AH, it was not viable and that a scheme of 20 dwellings on a rural site would be necessary before viability becomes marginal, and a scheme of 150 dwellings before a scheme was definitely viable. The fact that a scenario involving 12 dwellings in a rural location was not considered to be viable was not a stumbling block for the LP, as it is not reliant on schemes of this nature, doesn’t allocate any rural sites and places the main focus of development on the 4 main towns. Since adoption of the LP, there are few examples of schemes just within the AH threshold in rural areas. Generally residential development in rural areas has either been smaller (less than 10 dwellings), or significantly bigger (20+ dwellings). The majority of rural schemes supporting AH are over 20 units. The two exceptions built out are a scheme for 14 dwellings at Pimperne, and one for 18 dwellings at Winterborne Kingston, both developed by Wyatts, who secured the original outline permission for the Motcombe site.

More recently, the Dorset Local Plan Viability Assessment (May 2022) was prepared to support policies in the emerging Dorset Council Local Plan. This hasn’t been tested at examination and carries limited weight. The study found that the far north and far south of Dorset are the least viable areas, and therefore recommended 20% AH in these areas, including at Motcombe, broadly confirming what was found in the 2015 Study.

NPPF paragraph 58 states:

Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

Given the age of the viability evidence underpinning the adopted LP, it is difficult to argue that it is “up to date”. In addition to that, the evidence, both then and more recently, suggests that the viability of a small, rural sites such as this one is likely to be poor. Therefore, considerable weight is given to the more recent and site specific viability evidence, which has been independently verified. Simply put, small rural sites, on the threshold of affordable housing provision do not benefit from the economies of scale that larger sites benefit from.

Local Plan Policy 8 does include a potential exemption for viability reasons. It states that an ‘open book’ approach should be taken, and an independent assessor should be used “to secure the maximum level of provision achievable at the time of the assessment.”

The DV has suggested incorporation of a claw back mechanism to account for an instance where the development may in fact prove to be viable. However, this is more commonly applied to larger sites, built out over 5-10 years, not small-scale sites such as this one, likely to have a relatively short construction phase (under 2 years). Consequently it is not considered reasonable to apply such a clause to this proposal.

It is important to note that the financial benefits outlined in Section 13.0 above will still be delivered and secured by a s.106. However, in light of the above and on the basis of the evidence provided by the applicant and verified by the District Valuer, it is concluded that the proposed development is currently unable to support any affordable housing provision.

Ecology

Policy 2 of the Local Plan advises that developments that offer gains in biodiversity whether through the restoration of habitats or the creation of linkages between existing sites, will be looked upon favourably in the decision-making process. In addition, Policy MOT6 of the Motcombe Neighbourhood Plan which deals with Protecting and Enhancing Local Biodiversity states that development should protect and wherever practicable, enhance biodiversity through an understanding of the natural assets that may be affected by development and the inclusion of measures that will secure an overall biodiversity gain. Criterion d) of the site allocation Policy MOT9 requires a net gain in biodiversity to be secured through any measures that

may be required as part of an approved biodiversity mitigation and enhancement plan prepared in the light of policy MOT6.

A Biodiversity Plan (BP) has been submitted with the application and has been finalised with the Council's Natural Environment Team (NET). The BP indicates that there will be net gain measures, some incorporated into the full landscaping scheme for the site. In addition, there will also be compensation funding, secured through a s106 agreement, to account for the loss of species-poor semi-improved grassland. The measures outlined in the BP and Certificate of Approval will be a condition of any approval. In light of this it is accepted that the impact on biodiversity and wildlife can be made acceptable. Therefore, the proposed development complies with Policy 2 of the adopted local plan, Policy MOT6 and criterion d) of Policy MOT11 of the Neighbourhood Plan.

Natural England have not commented on this application, but raised no objection to the previous outline application, subject to an approved BMEP and accompanying Certificate of approval.

Drainage, flood risk and the water environment

Policy MOT11 allocates the site for housing and requires a surface water drainage strategy is secured to ensure drainage from the site is designed so as to avoid (and ideally reduce) flood risk to properties adjoining the site.

The Lead Local Flood Authority (LLFA) notes that the site of the proposal falls within Flood Zone 1, as indicated by the Environment Agency's (EA) indicative flood maps. Whilst nearby (less than 100m from the site) the EA flood maps show areas downstream that are within Flood Zone 3. Actual fluvial flooding has been recorded downstream of the site around Church Walk and Turnpike Lane (as described in the Motcombe Neighbourhood Plan - Aug 2019 and more recently in the Motcombe Flood Investigation Report for the 20th/21st Oct 2021 flood event).

According to the EA's Risk of Flooding from Surface Water mapping no pluvial flooding is predicted on site up to the 1-in-1000 year modelled rainfall event. However downstream and to the west of the site there is shown to be a risk of surface water flooding along the route of the nearby watercourses from the 1-in-30 year rainfall event and upwards. Also a surface water flow path is shown near to the west boundary of the site during the 1-in-1000 year rainfall event and this flow path joins with another modelled surface water flow path along Motcombe Road. Although these theoretical flow paths are only shown at the 1-in-1000 year event anecdotal reports along with photos and video footage have been provided to the LLFA that clearly show that these flows occur during more frequent events.

The site is not modelled as being directly affected by pluvial flooding as indicated by the EA's mapping. However, information of actual surface water flooding was provided by local residents following the LLFA's initial consultation responses to outline application ref: 2/2019/1603/OUT. An existing, but un-modelled surface water flow path runs across the site from the south-east corner to the north-west corner, which is fed by a spring behind the property known as the Elms and is said to appear at relatively frequent rainfall events. A defined channel carries the spring-water to a point

behind an existing raised bund at the top of the south-east corner of the field behind the Motcombe Road development site. When the spring is active water builds up behind this bund and gradually seeps underneath it where it then flows across the site. Video footage of these flows have also been provided to the LLFA, where surface water can be seen to spread out and collect in the north-west corner of the site before overflowing onto Motcombe Road.

Regardless of prevailing risk, any development has the potential to exacerbate or create flood risk, if runoff is not appropriately considered and managed as evidenced by a substantiated surface water strategy. Ordinarily therefore and in keeping with the requirements of the NPPF, all major development proposals must take due consideration of surface water management and should offer a drainage strategy that does not create or exacerbate off site worsening and should mitigate flood risk to the site.

The submitted drainage documents provide details regarding drainage from the site, which establish that soakaway tests indicate that the soil types found on site will not be suitable for infiltration SuDS. The SuDS hierarchy has been followed with the developer intending to discharge surface water at an attenuated rate and a number of outfall options have been identified by the applicant. The developer has considered existing overland flows with a raised bund proposed to redirect surface water flows around the development. In addition, they have also included a possible diversion channel to redirect spring-fed flows away from the site and direct to the watercourse to the south of the site. An open SuDS feature is proposed, which could promote multifunctional benefits (eg water quality, amenity and biodiversity improvements) within the final design.

The LLFA confirms the proposal provides adequate detail to demonstrate that a viable and deliverable surface water management scheme can be designed for the proposed development. There is consequently no in-principle objection to the application subject to conditions being attached to any permission to address surface water management. The LLFA points out that at the discharge of condition application stage, the applicant will need to fully consider and address the following: 1) Selection of outfall option - 2) Management of existing spring-fed surface water flows - 3) New site layout - 4) Climate change allowances - 5) Exceedance plans. These details will need to be fully clarified by the details submitted seeking the discharge of conditions 4-6 outlined below.

The submitted drainage strategy states that 'the public sewer map indicates there is an existing 150mm diameter public foul water sewer located in Motcombe Road to the north of site, and Wessex Water have confirmed that there is currently sufficient capacity in the existing public foul sewer network to receive the foul flows from the site. On this basis it is proposed that foul flows from the site would discharge to the existing foul water sewer to the north located in Motcombe Road. In terms of foul water drainage, it has been demonstrated that a suitable means of drainage can be provided to serve the proposed development'.

Wessex Water have yet to comment on the current application, but commented on the previous outline proposal, stating; the developer proposes to discharge foul only flows to the public foul sewer, which is acceptable to us. Acknowledge that further

downstream in Motcombe there have been network issues reported which are being investigated. The additional foul flows from 12 households will be minimal in comparison to surface water flooding that can inundate foul sewers in high rainfall events. The surface water strategy and discharge rate from the site must be agreed with the Dorset lead local flood authority.

Housing Delivery

There has been an undersupply of new homes delivered in North Dorset over the first 10 years of the Local Plan period 2011 to 2031. However, as of 19th September 2023 this situation changed. The new housing land supply is 5.74 years and the Housing Delivery Test is at 110%. Consequently the Council now benefits from a five year housing land supply and delivery test. Paragraph 74 of NPPF states that there should be a minimum of five years' deliverable housing supply (plus a buffer) against the housing requirement, which is now met. The deliverable housing supply for North Dorset consists of 1,585 dwellings at the four main towns, and 662 dwellings at Stalbridge, the 18 larger villages and the countryside. This means that the total deliverable supply for North Dorset is 2,247 dwellings. Nevertheless, there is still a presumption in favour of directing new housing development to allocated sites such as MOT11, within one of the 18 larger villages.

16.0 Conclusion and the Planning Balance

Policy MOT11, allocates the land subject of this application for a mix of housing for around 10 dwellings. It is considered that the proposed development for up to 12 dwellings would comply with this Policy. The proposed development would be acceptable and complies with Local Plan policies 1, 2, 3, 4, 6, 7, 8, 13, 14, 15, 23, 24, 25 and policies MOT1, MOT6, MOT9, MOT10, MOT11, MOT17, MOT19 of the Motcombe Neighbourhood Plan and the NPPF. There are no material considerations indicating the decision should be taken otherwise than in accordance with the development plan. Consequently, the application is therefore recommended for approval.

17.0 Recommendation

Recommendation A: Minded to **GRANT**, subject to the completion of a legal agreement 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:

- Destination Play - £843.50 per dwelling.
- Formal Outdoor Sports contribution - £708.34 per dwelling.
- Education – £6,094 per dwelling for primary and secondary – based on the level of development across the Shaftesbury planning area at secondary and insufficient primary capacity at Motcombe Primary.
- Library contribution - £241 per dwelling.
- Off-site public open space - £117 per dwelling.
- Public rights of way £50 per dwelling to cover the change from stiles to gates for the adjacent footpath.
- Compensatory Habitat Contribution - £7,366.39

- NHS - £722 per Dwelling Index Linked to be used towards the cost of acute, community and primary care branches of the NHS in the vicinity of the site;

And subject to the following conditions and their reasons:

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

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

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

Drawing number 9642/100 - Site Location and Block Plan
 Drawing number 9642/101 RD - Proposed Site Plan
 Drawing number 9642/102 RC - Proposed Plot 1 Plans and Elevations
 Drawing number 9642/103 RC - Proposed Plots 2, 3 and 4 Plans and Elevations
 Drawing number 9642/104 RC - Proposed Plot 5 Plans and Elevations
 Drawing number 9642/105 RC - Proposed Plot 6 Plans and Elevations
 Drawing number 9642/106 RC - Proposed Plots 7, 8 and 9 Plans and Elevations
 Drawing number 9642/107 RC - Proposed Plots 10,11 and 12 Plans and Elevations
 Drawing number 338-1-R6 - Landscape Plan
 Drawing number 338-2-R4 - Planting Plan
 Drawing number 9642/109 RA - Proposed street scene and indicative SuDS
 Drawing number W554/02 RE – Preliminary Drainage Strategy
 Drawing number W554/05 RB – Proposed Site Access Arrangements

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

3. Prior to development above damp proof course level, details and samples of all external facing materials for the wall(s) and roof(s) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been approved.

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

4. No development shall take place until a detailed and finalised surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the approved details before the development is completed.

REASON: To prevent increased risk of flooding and to improve and protect water quality.

5. No development shall take place until details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These shall include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

6. No development shall take place until a Surface Water Construction Management Plan, which shall include measures to prevent turbid run-off from the construction site reaching the road and/or discharging into the public sewer system, has been submitted and approved, in writing, by the Local Planning Authority. The agreed measures shall be implemented and maintained throughout the construction phase of the development.

Reason: To prevent increased risk of flooding during construction, prevent pollution and protect water quality.

7. Before the development is occupied or utilised the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved 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. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 9642/100 must be constructed. 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.

9. 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.

10. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number W554/05 Rev B must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained accordingly and kept free from all obstructions.

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

11. 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 and approved by the Planning Authority. The approved scheme must be constructed before the development is occupied 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.

12. Before the development hereby approved is occupied details of the construction of a footway within the site, running parallel with Motcombe Road, as shown on Dwg No W554/05 Rev B (or similar scheme) shall have been submitted to and agreed in writing with the Planning Authority. Thereafter the footpath shall be constructed and retained in accordance with the approved details.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

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

- Details for the access and parking of vehicles of site operatives and visitors
- Details of loading and unloading of plant and materials
- Details of the storage of plant and materials to be used in constructing the development
- Confirmation that construction and delivery hours will be limited to Monday – Friday 0700 – 1900 Saturday 0800 – 1300
- Confirmation there will be no noisy activity on Sundays or Bank Holidays during construction
- Confirmation that there will be no bonfires on site at any time during construction

The approved Construction and Environment 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.

14. Prior to the commencement of any development hereby approved, an Arboricultural Method Statement (AMS) prepared by a qualified tree specialist providing comprehensive details of construction works in relation to trees that have the potential to be affected by the development must be submitted to, and approved in writing by the Council. All works must be carried out in accordance with the approved details. In particular, the method statement must provide the following:

- a) a specification for protective fencing to trees and hedges during both demolition and construction phases which complies with BS5837 (2012) and a plan indicating the alignment of the protective fencing;
- b) a schedule of tree work conforming to BS3998;
- c) details of the area for storage of materials, concrete mixing and any bonfires;
- d) details of the supervision to be carried out by the developers tree specialist.

Reason: This information is required to be submitted and agreed before any work starts on site to ensure that the trees and hedges deemed worthy of retention on-site will not be damaged prior to, or during the construction works.

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be submitted to and approved by the Local Planning Authority. Following completion of measures identified in the approved risk assessment, a remediation scheme shall be undertaken and a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, having regard to the National Planning Policy Framework March 2012.

16. All hard and soft landscape works shall be carried out in accordance with the approved Landscape Plan number 338-1-R6 and Planting Plan number 338-2-R4, both dated 11.10.2023. No part of the development shall be occupied until work has been completed in accordance with the approved details. Any trees or plants that within a period of five years after planting are removed, die, or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced as soon as it is reasonably practical with others of species, size and number as originally approved and in accordance with the approved Landscape Management plan number 338-3 dated 31/01/2023

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

17. The development hereby approved shall be carried out in full accordance with the approved Biodiversity Mitigation and Enhancement Plan and Certificate of Approval dated 10th October 2023.

Reason: To minimise impacts on and enhance opportunities for biodiversity.

Recommendation B; **Refuse** permission for failing to secure the obligations above if the agreement is not completed by 24th April 2024 or such extended time as agreed by the Head of Planning.

Informative Notes:

1. The Rights of Way Officer advises that the proposed works are in the vicinity of the N69/10, PARISH of Motcombe on the site's western boundary. Use of this footpath by vehicular traffic without lawful authority is an offence contrary to the Road Traffic Act 1988. Any damage to the surface of the path attributable to the development must be repaired to Dorset Council's specification, in accordance with Section 59 of the Highways Act 1980. During construction the full width of the public footpath must remain open and available to the public, with no materials or vehicles stored on the route.

The proposed works only directly affect the Footpath if the SUDS requires an outflow into the ditch on the western side of the footpath /field access track. At which point a temporary closure will be required. This can be applied for through this office, but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application.

2. The LLFA advise that in order for them to recommend the discharge of the above conditions, the finalised and detailed drainage strategy will need to include an approval in principle for a connection into the chosen receiving system from the relevant management authority.

Whilst we accept that the applicant may have provided preliminary calculations within the submitted drainage strategy, we emphasise that a finalised detailed design and maintenance schedule is to be subsequently supplied to discharge requested planning condition/s.

Please note that DC accept no liability for the checking of any preliminary calculations / estimations submitted in support of such proposals and provide only an overview in terms of best practise & compliance with the requirements of the NPPF.

•If the applicant wishes to offer for adoption any highways drainage to DC, they should contact DC Highway's Development team at DLI@dorsetcouncil.gov.uk

as soon as possible to ensure that any highways drainage proposals meet DC's design requirements.

- Prior Land Drainage Consent (LDC) may be required from DC's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquires can be sent to floodriskmanagement@dorsetcouncil.gov.uk.

- An Environmental Permit may be required from the EA, as relevant regulator for all works to a designated Main River that take place in, under or over, or as prescribed under relevant byelaws in accordance with section 109 of the Water Resources Act 1991. To clarify the Environment Agency's requirements, the applicant should contact the relevant department by emailing floodriskpermit@environment-agency.gov.uk.

- The applicant is advised to have early discussions with Wessex Water in relation to the possible adoption of SuDS features in order to ensure that the final design of the attenuation basin is in line with their design requirements.

Please do not hesitate to contact me should you require further clarification of our position or the scope of additional information that is required. To assist in this respect, I suggest the applicant review our generic guidance note, which can be found at: www.dorsetcouncil.gov.uk/localfloodrisk.

Whilst we are willing to recommend conditions at this time, the applicant will need to at Discharge of Conditions (DoC) application stage, consider and address the following:

- 1) Selection of outfall option - The applicant has proposed 4 different outfall options but the SuDS hierarchy must continue to be followed with a direct connection to a watercourse to be prioritised. The LLFA will need to see an approval in principle (AIP) from the relevant risk management authority for any new outfall connection once the surface water management scheme for the development has been finalised.

- 2) Management of existing spring-fed surface water flows - The proposed redirection of the spring-fed surface water flows to the watercourse to the south of the site would appear to present a feasible option for management of these flows. However, the applicant will need to provide, at discharge of conditions stage, evidence to demonstrate that this proposal will not increase downstream flood risk. Details will need to be submitted to show that increased volumes of surface water will not be sent downstream at a higher rate than current and therefore some modelling may be required as evidence of this. Similarly, the design of the proposed bund along the south edge of the site must be considered carefully in order to ensure that surface water flood risk is not increased elsewhere. Also, the LLFA recommends that the applicant updates

its assessment of the prevailing flood risk to the development site (from all sources of flooding) possibly through the production of an updated Flood Risk Assessment (FRA). This assessment should include analysis of the risk from the unmodelled spring-fed surface water flow path described above which has been shown to affect the site in photos/videos supplied to the LLFA. Further analysis of the existing surface water flood risk to the site could help the applicant to improve their understanding of the existing flood risk and in turn inform the production of the finalised surface water management scheme design.

3) New site layout shown on latest proposed site plan (Oct 2022) - the 'preliminary drainage strategy drawing W554/02 (Oct. 2019)' features an access road that intersects the site from Motcombe Road all the way to the open field south of the site. This plan differs to the previous layout by introducing this link road from one side of the site to the other but does not include the proposed bunding. This potentially impermeable hard surface risks creating a conduit for surface water. The existing un-modelled spring-fed surface water flows could end up being redirected straight onto Motcombe Road increasing the speed at which surface water could travel downstream of the site and potentially increase flood-risk elsewhere. As described above an increased understanding of these existing flows will allow for appropriate mitigation measures to be put in place. However, it is also not clear from this drawing alone whether the bund is still proposed for the whole length of the site which would mitigate for this risk.

4) Climate change allowances - Proposed attenuation volumes must be updated to current standards so that 1-in-100 year rainfall event plus 45% must be considered in the calculation of attenuation volumes.

5) Exceedance plans should be included with final submission.

3. Dorset Highways advise that 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 in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at 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.

As 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.

The highway (footway) improvements referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Development team. They can be reached by

email at dli@dorsetcc.gov.uk, or in writing at Development team, Infrastructure Service, Dorset Council, County Hall, Dorchester, DT1 1XJ.

The applicant is advised that, notwithstanding this consent, before commencement of any works Dorset Council Waste Services should be consulted to confirm and agree that the proposed recycling and waste collection facilities accord with the "guidance notes for residential developments" document ([https://www.dorsetcouncil.gov.uk/bins-recycling-and-litter/documents/guidance-fordevelopers-](https://www.dorsetcouncil.gov.uk/bins-recycling-and-litter/documents/guidance-fordevelopers-a4-booklet-may-2020.pdf)

[a4-booklet-may-2020.pdf](https://www.dorsetcouncil.gov.uk/bins-recycling-and-litter/documents/guidance-fordevelopers-a4-booklet-may-2020.pdf)). Dorset Council Waste Services can be contacted by telephone at 01305 225474 or by email at bincharges@dorsetcouncil.gov.uk.

4. Building Control advise that the depth of foundations in clay may need to be deeper than normal, subject to distance from existing trees and proposed planting. Consideration to be given to radon in this area and a BRE radon level report is recommended.

Case Officer Signature:	Jim Bennett	Authorising Officer Signature:	
Date:	4 th October 2023	Date:	