

Application Number:	WD/D/20/003259		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land North of Wanchard Lane, Charminster		
Proposal:	Erection of 30 dwellings, associated highways works, landscaping, public open space and associated infrastructure.		
Applicant name:	Wyatt Homes		
Case Officer:	Alex Skidmore		
Ward Member(s):	Cllr David Taylor		
Publicity expiry date:	04 July 2023	Officer site visit date:	4 July 2024 (latest visit)
Decision due date:	06 April 2021	Ext(s) of time:	Current EoT to 27 September 2024

Report for Scheme of Delegation

Referred to Planning Committee by the Service Manager for Development Management in light of the committee referral requests made by Dorset Council members and noting concerns raised by the Parish Council.

Summary of recommendation:

Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to:

A) Approve, subject to the conditions set out at the end of this report and 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 legal services manager to secure the following:

- provision of 10 Affordable dwellings on site;

- financial contribution of £32,430 towards off-site provision equivalent to 0.5 Affordable dwellings;
- provision of the informal open space in the central part of site, and its transfer to either a Management Company or Charminster Parish Council; and
- in the event that the applicant is unable or chooses not to secure nutrient mitigation credits, then provision of an off-site nutrient mitigation scheme.

Or,

B) Refuse permission if the agreement is not completed by 3 March 2025 (6 months from the date of committee) or such extended time as agreed by the Head of Planning

Reason for the recommendation: as set out below and expanded in Planning Assessment section of report: -

- 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 site is within designated countryside. However, in this instance the location is nonetheless considered to be sustainable in terms of its scale and access to/impact on services and facilities.
- The proposal is acceptable in its design and landscape impact. The less than substantial harm to the setting of the village Conservation Area is outweighed by the public benefits – principally the provision of 30 dwellings, including ten affordable dwellings.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

Key planning issues

Issue	Conclusion
Principle of development	Whilst the site lies outside the defined development boundary, it is considered to be in a sustainable location in terms of access to services.
Affordable Housing	The scheme includes 10 units for affordable housing, which would amount to 33.3% of the overall 30 dwellings proposed. This is slightly below the policy requirement of 35% and a financial contribution in lieu can be secured by means of s106 agreement.
Impact on character of area, including	The Conservation Officer agrees that the proposal will not impact harmfully upon the setting of nearby listed buildings. Less than substantial harm to the setting of the adjacent Conservation Area

surrounding heritage assets and landscape	has been identified and the scheme will impact on local views towards the Dorset National Landscape (AONB). However, with the reduction in dwelling numbers and building heights such harms are considered to be outweighed by the public benefits of the proposal.
Impact on residential amenity	No adverse impacts on surrounding neighbours. Future occupiers would be provided with sufficient living conditions.
Impact on highway capacity and safety	The Highway Authority has raised no objection, subject to provision of the visibility splay areas prior to occupation of the development. The off-site highways improvement works can also be secured by means of planning condition.
Flood risk and drainage	The Lead Local Flood Authority has raised no objection, subject to conditions.
Ecology and biodiversity	A Biodiversity Plan has been agreed with the Council's Natural Environment Team. Comments awaited from Natural England in response to revised nutrient calculator (nitrates).
Impact on infrastructure	The proposal would provide 10 dwellings on site and a financial contribution of £32,430 towards off-site provision equivalent to 0.5 dwellings. This can be secured by means of s106 Agreement, which will also secure public open space provision.
EIA	EIA not required

Description of Site

The 2.34ha application site comprises a field, currently in use as horse paddocks, on the northern side of Wanchard Lane, Charminster, between its junction with North Street to the east and a Council highway depot to the west. The width of the site along Wanchard Lane is fairly consistent, although the boundary moves around a treed area to the east adjacent North Street outside of the applicant's control. The ground level rises considerably from east to west, from the Cerne river valley floor up along Wanchard Lane - and then plateaus towards the depot and the Charminster Farm Phase 2 residential development on the opposite side of Wanchard Lane. The site contains a hedgerow and an agricultural access gate along Wanchard Lane, with the internal site boundaries also containing hedges/trees. There are no trees within the field itself.

The site lies adjacent to, but outside of, the Defined Development Boundary (DDB) for Charminster, directly adjoining the boundary to the east along North Street which contains linear residential development. The boundary of the Charminster Conservation Area (CA) also runs along the eastern boundary of the site. The northern site boundary comprises a more open landscape of undeveloped fields and loose modern residential development in large plots.

To the south on the opposite side of Wanchard Lane, there are two post-war detached dwellings with irregular building lines and plot sizes, with mainly hedge boundaries along the front. The Charminster Farm Industrial Estate lies to the southwest. To the southeast and within the CA boundary, the dwellings along North Street are generally

more regimented in appearance with two storey pitched roofs, side gable ends and low eaves levels. They are also more traditional and historic, which reflects the CA designation and the historic linear pattern of Charminster. This linear grain continues along the eastern side of North Street opposite the application site, with terraced dwellings sitting tight with the highway, although there is also a public house and a play area here. The application site is largely screened from this area of North Street by mature trees and hedging on the western side, extending up along the steep incline.

A public right of way (PRoW – S14/29) runs along the western site boundary between the hedgerow and the Council depot. The site is also visible from another PRoW (S14/2) which runs parallel on the opposite side of the valley from Charminster to Charlton Down village to the north.

Description of Development

Planning permission is sought for the erection of 30 dwellings, associated highways works, landscaping, public open space and associated infrastructure.

The proposed dwelling types would range from 1-bed flats to 4-bed detached houses. The proposed bed mix is set out below:

- 4 x 1-bed maisonettes
- 6 x 2-bed units (4 flats and 2 semi-detached dwellings)
- 15 x 3-bed dwellings (3x terraced, 2x semi-detached and 10x detached)
- 5 x 4-bed detached dwellings.

33% (10 units) of the proposed dwellings would comprise Affordable Housing. These would comprise 4x 1-bed maisonettes, 4x 2-bed flats and 2x 3-bed semi-detached dwellings.

The proposed housing is centred around an informal green space in a C shape and would be mainly two-storey in form, with dwellings on the higher ground containing lower eaves levels to facilitate first floor dormer windows and pitched gable ends. There are two smaller areas of open space to the east of the site which facilitate SuDs ponds. 2m wide footways will be provided throughout. A footpath link is also proposed at the south eastern corner of the site linking onto Wanchard Lane.

The proposal would be served by a new vehicular access off Wanchard Lane, opposite Charminster Farm Industrial Estate. Improvement works to Wanchard Lane and the Wanchard Lane/North Street junction are also proposed, including:

- Area of one-way traffic on Wanchard Lane – the section immediately to the east of the site entrance to limit vehicle movement to a westbound direction only up to the application site entrance, reducing the volume of traffic egressing Wanchard Lane onto the A352.
- One way and no entry signs to be installed
- New verge to be provided within redundant carriageway

- Dropped kerbs to facilitate access for active travel users across Wanchard Lane
- Raised table to be installed at uncontrolled pedestrian crossing adjacent site entrance
- Proposed footpath from this raised table to connect into existing Public Right of Way S14/30 to the south
- Wanchard Lane/A352 junction to be remodelled to reduce turning speeds and improve visibility for vehicles
- New uncontrolled crossing to facilitate pedestrians to cross A352 south of Wanchard Lane.

Parking is largely on plot, mainly with the addition of garaging. Five dedicated visitor spaces are also proposed alongside the highway routes. There is also an area of communal car parking serving the maisonette and apartment buildings. All units would be provided with two allocated surface parking spaces.

The scheme has been amended in response feedback from planning, design, landscape and conservation officers. The changes include reduced roof pitches and greater use of stone, flint, and slate. The amendments are described in further detail in the planning assessment below.

Relevant Planning History

The current application site is referred to as Phase 4 of the wider Charminster Farm development. The site itself does not have any relevant planning history, although pre-application advice was sought for Phase 3 and Phase 4 (ref: WD/D/19/001474) in 2019 and 2020. The other relevant Charminster Farm applications are as follows:

Phase 1:

WD/D/14/002784 - Outline application for residential development up to 70 dwellings and a multi-purpose community building. Decision: Approved 21/8/2015. (implemented)

WD/D/15/002639 - Reserved matters for appearance, landscaping, layout and scale. Decision: Approved 20/9/2016 (implemented).

Phase 2:

WD/D/18/000296 - Erection of 52 dwellings, access, landscaping, public open space and associated works. Approved 21/1/2019 (implemented).

Phase 3:

WD/D/19/003097 - Erection of 82 dwellings, access, landscaping, allotments, public open space and associated works. Approved 28/7/2021 (implemented)

List of Constraints

- Groundwater Source Protection Zone
- Minerals Safeguarding Area

- Poole Harbour Catchment Area
- Wessex Water Foul Sewer Consultation Area
- Adjacent the Charminster Conservation Area, and within the setting of Listed Buildings: Parish Church of St Mary (Grade I); Haydon Farmhouse (Grade II)
- (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Outside defined development boundary in adopted Local Plan

Consultations

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

Consultees

Dorset Police - Crime Prevention Design Advisor – Comments:

- Strongly recommend that the security and layout of the development meets the standards laid out in the Secured by Design Homes 2019 guide
- Also recommend that all garden gates, especially rear access gates are key lockable from both sides.

Dorset & Wiltshire Fire & Rescue Service – comments:

- Would need to be designed and built to meet current Building Regulation requirements
- Assessment of this proposal in respect of Building Control matters will be made during formal consultation
- Consideration should be given to ensure access to the site, for the purpose of fire fighting, is adequate for the size and nature of the development
- Consideration should be given to the National Guidance Document on the Provision of Water for Fire Fighting and the specific advice of this Authority on the location of fire hydrants

Natural England - No comments to make – Standing Advice on protected species should be applied

Wessex Water – No objection – can advise the following information for the applicant:

- There are no known Wessex Water Assets within the proposed site boundary
- Wessex Water will accommodate domestic type foul flows in the public foul sewer with connections made on a size for size basis, Developers fund the cost of connecting to the nearest 'size for size' sewer. The minimum diameter receiving sewer to meet size for size principles for a development of this magnitude is 150mm
- The nearest public foul sewer of suitable size or greater is the 150mm diameter on North Street
- There is limited capacity within the downstream network and cumulative development in this area may necessitate improvements to accommodate the additional foul flows
- Therefore, a capacity appraisal and detailed process review will be required to understand full impacts of the additional foul flows, this will also identify, what / if

any, improvement works necessary to accommodate any additional loading in the system and at the treatment works.

- They do not have capacity improvement schemes readily prepared for sites that do not have planning permission. Upon any grant of planning permission for this site, it will be necessary to undertake a modelling assessment and, if it is deemed necessary, plan, design and construct a scheme of capital works to meet the catchment growth
- Should this be the case, we advise that it will be necessary to reach agreement with both the applicant and the Local Planning Authority upon the timetable if a scheme of capacity works is required. In that circumstance the development should not proceed until Wessex Water has confirmed that capacity can be made available for these new connections.
- The point of connection to the public network is by application and agreement with Wessex Water.

[Officer Comment: The applicant's Flood Risk Assessment acknowledges that further discussion will be required with WW to ensure that the foul drainage system is resilient. This can be secured by means of planning condition.]

WPA Consultants Ltd - Comments:

- The site investigation and risk assessment does not indicate that there are any contamination issues requiring further investigation
- A watching brief should be maintained under a planning condition

DC - Environmental Health – No objection, subject to mitigation measures advised by the applicant's noise report

DC - Flood Risk Management Team – No objection, subject to conditions

DC - Highway Authority - No objection, subject to condition.

DC - Housing Enabling Team Leader – Comments [See Section 16 below]

DC - Mineral Planning Authority – No objection, subject to condition

DC – Natural Environment Team – No objection, subject to compliance with the agreed Biodiversity Plan and securing the delivery of nutrient neutrality mitigation measures

DC - Planning Obligations Manager – comments

- On the understanding that the phase is CIL liable, no comment from this perspective
- There will be a need for a s106 drafted to secure the affordable housing

DC – Senior Conservation Officer – Unable to support [See Section 16 below]

DC – Senior Landscape Architect – Further to review of the amendments I have only the following comments to make:

- Full Planting Plan with detailed specification and maintenance information has not been provided and is required to ensure the landscape strategy is developed appropriately
- Layout Plan including paving material information has not been provided. I am particularly interested in driveways and courtyard parking areas and encourage the use of permeable paving within these areas

[Officer Comment: The above can be secured by means of planning condition.]

DC – Senior Urban Design Officer – Comments:

The applicants have addressed the concerns that I had regarding the design and materials used on some of the dwellings and have made necessary tweaks to the layout to a point where I can remove my objection.

Charminster Parish Council: Objection raised at the meeting in July 2023:

- The Parish Council objected to the application on 9th February 2021 continues to strongly object for the reasons stated at the time and further information detailed below
- Would like to reference the recent Appeal dismissed for land South of Westleaze, Charminster and the points raised which we reference made regarding open landscape playing an identifiable role in framing the Charminster conservation zone etc. See extract below:

“Charminster Conservation Area:

- 22. Wolfeton House lies within the Charminster Conservation Area, which also includes the historic core of this settlement and the site of the deserted Medieval Settlement of Wolfeton, as well as large undeveloped areas. Within the Conservation Area Appraisal, West Hill and the A352 ribbon, the village core and East Hill are grouped under sub-area (i), whilst Wolfeton House and its surrounds form sub-area (ii).*
- 23. Having regard to the presented evidence, I find that the special interest of Charminster Conservation Area is primarily derived from the well-preserved layout of the village, with its rich collection of historic buildings, and its relationship with the Wolfeton estate, but also its rich archaeological heritage. The high quality landscapes and features adjacent to and within the Conservation Area, in particular the river and mill features, water meadows, mature trees and green spaces also make significant contributions to the special interest of this designated heritage asset.*
- 24. Within sub-area (ii), East Hill is characterised by its sense of enclosure, which is provided by the built forms and boundary walls lining the road, as well as the mature vegetation. This contrasts with the changing character to the southern end of East Hill which becomes distinctly more agricultural. Although they may not be publicly accessible, views out in this location constitute a key aspect of the Conservation Area’s character.*
- 25. By virtue of its undeveloped character, the land to the east and west of sub-area (ii) contributes positively to its significance and the special interest of the Conservation Area as a whole, by demarcating the historic*

settlement of Wolfeton and preserving a degree of separation from the settlement of Charminster. This open landscape also plays an identifiable role in framing the rural setting of the Wolfeton complex and the Charminster Conservation Area.”

Objection raised at the meeting in May 2022:

- Whilst members felt the revised scheme was an improvement in many ways and understood what the applicants were trying to achieve, they felt the proposed development was still very impactful on the local landscape. For some this meant the site should not be developed.
- There were also concerns about traffic (including how the restriction in Wanchard Lane would work), pedestrian safety in Wanchard Lane, the relationship between some existing properties and the new ones, and the massing of development on the skyline
- On the other hand the Parish Council appreciated the quality of the properties built by Wyatt Homes and their existing track record
- It was proposed the Parish Council object on the grounds of the damage to the landscape in close proximity to the conservation area and the incremental increase in traffic on top of other recent increases. Also, on the grounds that there is no footway being proposed along Wanchard Lane, mixing pedestrians with vehicles. The Parish Council also has concerns about the significant effect the development will have on Soder Hill/Drakes Lane in terms of increased traffic using the road

Objection raised at the meeting in February 2021:

- The Parish Council unanimously objected to the application on the following grounds:
- Although the Parish Council has supported Phase 1, 2 and 3 and it supports the quality of the developer, members believe that developing on the other side of Wanchard Lane is a step too far
- The area proposed for development is outside the defined development boundary and contiguous with the conservation area
- The proposal has an unacceptable effect on the Charminster conservation area, including dwellings closest to the development
- The proposal is unacceptably intrusive in the landscape particularly when viewed from the conservation area
- The views from various locations across the village are carefully chosen to mislead the impact of the development from across the valley
- The development is unacceptably intrusive against the skyline
- The concentration of social housing within specific area of the proposal does not follow current guidance for mixing it throughout the site
- The site will add further traffic to the Soder Hill/Drakes Lane heading northwards and hence is unacceptable on highways grounds
- There is other land which has less impact on the existing structure and layout of the village
- The impact of building close to a major industrial facility, the highway depot, has not been sufficiently assessed

- Concerns about drainage and sewage from the site. North Street is already affected by issues with flooding due to surface run-off and sewage regularly overflows into resident's gardens
- Overlooking of neighbours in adjacent properties often at first floor level
- The cumulative scale of the proposals
- Wider infrastructure provision, particularly middle school and secondary school as well as doctors, dentists and bus services.

Representations received

Support has been received from one residential property, including the following comments:

- Developer has made significant improvements to the layout and incorporated many of the local residents' concerns
- Suggest reducing the central green size to provide scope to enlarge gardens
- Biggest concern is how to provide affordable local houses for local people
- Dorset Highways should consult with local residents and Parish Council on proposed traffic plans linked to this and previous phases of Charminster Farm development

Objections and comments from 22 residential properties have been received, along with comments from the Dorset Ramblers. The objections/comments raise the following concerns:

- Phases 1, 2 and 3 of Charminster Farm have already provided more than enough new homes in this area and for West Dorset
- Site is outside of current development boundary of Charminster
- No new development should be allowed until new Dorset Local Plan is adopted
- Continued urbanisation will result in Charminster becoming a suburb of Dorchester
- Loss of green field and green views - valued open rural countryside within the village
- Will soon become over-developed thereby destroying village life and rural feel
- Increased pressure on local services – already stretched with recent developments
- Local school is oversubscribed with children
- Health services are under-provided
- Current bus service is inadequate
- Additional infrastructure is needed
- Proposal offers no benefits to the village
- Homes will not be affordable to many
- Negative impact on Conservation Area and historic character of village
- Site is on sloping land, very easily seen from footpaths and public viewpoints
- Impact on adjacent wooded area – should not be relied upon to screen proposal
- Potential for fly tipping and trespass
- Highly likely to lead to further building along the ridge northwards towards Sodern/Drakes Lane
- If the development goes ahead, there should be a pedestrian link from the public right of way west of the site to the development

- Loss of privacy
- Loss of light
- Overbearing impact
- Light and noise pollution
- Subsidence hazard
- Next to a Council Depot with heavy vehicle movements, noise, smells and light
- Increased traffic and pollution
- Small narrow village roads, with blind bends, often no footways, and already struggling with the volume of traffic
- Inadequate to accept any further large-scale volume of traffic
- Speeding and unsafe highway conditions
- Pedestrians are put in danger due to the poor provision of suitable pavements
- Already too dangerous for pedestrians, cyclists and horse riders etc
- Routes to Dorchester are unsafe for cyclists
- Proposed changes to road layout will impact on existing neighbouring access and parking – loss of off-street parking
- To change Wanchard Lane from being a two-way road to a one-way road will have disastrous rat-running impacts on residents in Phase 3, 2 and 1 and in Weir View
- Future improvements to pedestrian safety require changes to the junction between Wanchard Lane and North Street that are part of the current application
- Loss of wildlife habitat
- Current foul water system in North Street is insufficient for the existing properties and regularly floods foul water into properties
- Lack of surface water drainage on North Street as well as high groundwater levels in times of rain
- Proposed development would increase flood risks
- Homes are not designed to include sustainable measures
- Insufficient garden sizes
- Geological constraints due to the steep fall to street level - subsidence hazard
- Amended plans reducing dwellings from 41 to 30 do not overcome previous objections

Total - Objections	Total - No Objections	Total - Comments
31	1	7

Petitions Objecting	Petitions Supporting
1	

Relevant Policies

West Dorset, Weymouth and Portland Local Plan (2015)
INT1- Presumption in favour of Sustainable Development

ENV 1 – Landscape, Seascape and Sites of Geological Interest
ENV 2 – Wildlife and Habitats
ENV 3 – Green Infrastructure Network
ENV 4 – Heritage Assets
ENV 5 – Flood Risk
ENV 8 – Agricultural and Farming Land Resilience
ENV 9 – Pollution and Contaminated Land
ENV 10 – The Landscape and Townscape Setting
ENV 11 – The Pattern of Streets and Spaces
ENV 12 – The Design and Positioning of Buildings
ENV 13 – Achieving High Levels of Environmental Performance
ENV 15 – Efficient and Appropriate Use of Land
ENV 16 – Amenity
SUS 1 – The Level of Economic and Housing Growth
SUS 2 – Distribution of Development
HOUS 1 – Affordable Housing
HOUS 3 - Open Market Housing Mix
COM 1 – Making Sure New Development Includes Suitable Provision for Community Infrastructure
COM 7 – Creating a Safe and Efficient Transport Network
COM 9 – Parking Standards in New Development
COM 10 – The Provision of Utilities Service Infrastructure

National Planning Policy Framework (2023)

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed and beautiful 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
17. Facilitating the sustainable use of minerals

Dorset Council Local Plan (Consultation version January 2021)

Dorset Council has produced a draft Local Plan containing proposals for guiding future development over the whole of the Dorset Council area up to 2038. The initial consultation period ran until the 15 March 2021. Given its early stage of consultation the weight to be given to it is very limited.

Relevant Policies:

DEV3: Growth in the central Dorset functional area
DEV6: Development at villages with development boundaries in rural Dorset
ENV1: Green infrastructure: strategic approach
ENV2: Habitats and species

ENV4: Landscape
ENV5: Heritage Assets
ENV7: Achieving high quality design
ENV8: The landscape and townscape context
ENV11: Amenity
ENV13: Flood risk
ENV14: Sustainable drainage systems (SuDs)
HOUS1: Housing Mix
HOUS2: Affordable housing
COM4: Recreation, sports facilities and open space
COM8: Parking standards in new development
COM12: The provision of utilities service infrastructure
DOR14: Land to the West of Charminster

Other material considerations

National Character Areas (NCA) Profile: 134 Dorset Downs and Cranborne Chase
Dorset Landscape Character Type – Chalk Valley & Downland
West Dorset Landscape Character Assessment 2009 – Cerne and Piddle Valleys and Chalk Downland
West Dorset, Weymouth and Portland Strategic Landscape and Heritage Study Stage 2 Assessment 2018
Cerne Abbas, Charminster, Sydling St Nicholas and Godmanstone Conservation Area Appraisal 2007
West Dorset Design and Sustainable Development Planning Guidelines 2009
West Dorset Planning Obligations SPD 2010
Bournemouth, Poole and Dorset Residential Car Parking Study Residential Car Parking Provision, Local Guidance for Dorset 2011
Bournemouth, Dorset and Poole Minerals Strategy 2014
Nitrogen Reduction in Poole Harbour SPD 2017

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.

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.

The site is outside of the Charminster defined development boundary. However, as set out in Section 16 below, it is considered that the site is in a sustainable location in terms of access to services.

The proposed change in land use will not result in any disadvantage to people due to their protected characteristics. The form of development proposed will provide housing and a footpath connection to an improved junction crossing at Wanchard Lane. This ensures that the needs of some people with disabilities or mobility impairments or pushing buggies are met, whilst accepting that the existing steep topography will inevitably still present challenges for some. Access arrangements to the new housing would be subject to the requisite standards applied by Building Regulations.

Officers have considered the requirement of the duty, and it is not considered that the proposal would give rise to specific impacts on persons with protected characteristics.

Financial benefits

What	Amount / value
Material Considerations	
Affordable housing	10 dwellings on-site: 33% of total dwellings, and financial contribution to be also provided in lieu of 35% policy requirement.
Quantum of greenspace	Public open space will be provided within the middle of the site
Contributions	Proposed development is CIL liable
Employment created during construction phase	The proposal would assist in creating/maintaining construction jobs
Spending in local economy by residents of proposed dwellings	New residents will contribute to the local economy through additional expenditure.
Non Material Considerations	
Contributions to Council Tax Revenue	According to the appropriate charging bands

Climate Implications

In May 2019 Dorset Council declared a Climate Emergency and there is a heightened expectation that the planning process will secure carbon footprint reductions in new developments.

A Sustainability and Climate Statement has been provided by the applicant which outlines a fabric first approach to maximise energy efficiency and the use of renewable and low carbon technology to minimise energy consumption.

The masonry specification along with high levels of insulation will deliver homes with effective insulation and a high level of thermal mass that enables each home to retain heat during cold periods and conversely resist overheating during warm periods. Appropriate ventilation based on SAP calculations will further minimise the risk of summer overheating.

Dwellings will be designed to allow sufficient natural daylight to penetrate principle living rooms, to minimise the need for artificial lighting and to take advantage of passive solar gain where possible.

The incorporation of renewable / low carbon energy sources including air source heat pumps and EV charging facilities, along with energy efficient lighting and white goods will help to minimise energy consumption and overall resulting emissions.

Sustainable materials and construction methods will be used wherever possible and practicable as well as reusing existing materials on site to reduce the environmental impact of the scheme. All proposed dwellings will include water conservation measures.

Planning Assessment

The main issues of this proposal are considered to be:

- Principle of development
- Affordable Housing
- Impact on character of area, including surrounding landscape and heritage assets
- Impact on residential amenity
- Impact on highway capacity and safety
- Flood risk and drainage
- Ecology and biodiversity
- Impact on infrastructure
- Other matters

Principle of development

The spatial strategy in the Local Plan is set out in Policy SUS2, which aims to distribute development in accordance with a settlement hierarchy that focuses a greater proportion of development at larger and more sustainable settlements. This has a three-tiered approach, with the main towns of Weymouth and Dorchester as the highest

priority locations for new development and elsewhere, the market/coastal towns and the village of Crossways being a focus for future development at the second tier in the hierarchy. Charminster sits within the “third tier” of the spatial strategy, which states that: *“Development in rural areas will be directed to the settlements with defined development boundaries, and will take place at an appropriate scale to the size of the settlement. Settlements with no defined development boundary may also have some growth to meet their local needs.”*

The site is adjacent to but outside of the Charminster defined development boundary, and the proposed development (not being exclusively for affordable housing or rural workers housing) is not of a form supported by paragraph (iii) of Policy SUS2. The proposal is therefore contrary to policy SUS2.

Whilst the application site is outside the defined development boundary (DDB), it sits close to the recently built Charminster Farm Phase 1 (70 dwellings) and Phase 2 (52 dwellings), which have now been completed and occupied. Phase 3 (82 dwellings) is also further to the west. All these earlier sites lie outside the DDB in the adopted Local Plan, but were included in the Preferred Options Consultation document (2018).

Charminster has a bus service and good cycle/pedestrian links to Dorchester. It has various community facilities and services including two village/community halls, a first school, a small post office/convenience store, two public houses, a church and some employment facilities. The site is within walking distance of the above village facilities, and is also near to a Council local depot and a small industrial estate, which may provide some local employment opportunities - albeit at a limited scale. There is generally good footway provision to these facilities, with the exception of West Hill/East Hill towards the post office/convenience store, although there is an alternative public footpath route via Mill Lane that could be utilised by some. Having regard to all the above, and noting that 82 dwellings were recently granted further west at the settlement edge, the current proposal site is considered to be a sustainable location for the provision of 30 dwellings.

Following the latest 2021 Census, the ONS has recorded Charminster as having a population of 1,732. The ONS records a 2011 Census figure of 1,366, meaning that the population of the village has increased by approx. 27% between 2011-2021. This increase can probably be largely attributed to the completion within this period of Phase 1 (70 dwellings) and Phase 2 (52 dwellings). It is also noted that Phase 3 (82 dwellings) is near completion, which will increase the population further and possibly amounting to an approx. 40% increase from 2011. The current proposed Phase 4 would provide a further 30 dwellings.

Part of the criteria in Policy SUS2 is that where development takes place in the settlements in the rural third tier of the spatial strategy, this will *“take place at an appropriate scale to the size of the settlement.”* The Local Plan does not set any figure for the level of growth at the third tier of the spatial strategy. As such, there is a need to make this assessment on a case-by-case basis bearing in mind the settlement concerned. As set out above, the village has various services and facilities and as such, is a sustainable location. It is accepted that in recent years, the population of

Charminster has increased significantly as also outlined above. However, the current proposed provision of an additional 30 dwellings is considered to be reasonably proportionate to the settlement size and facilities.

Dorset Council published the new Local Plan Options Consultation document in January 2021, with the public consultation concluding in March 2021. The responses have now been summarised by the Council and an updated Local Development Scheme has now been published. Initial scoping and early engagement will take place in September 2024, before the bulk of the new Local Plan work beginning in November. There would be further engagement exercises in both 2025 and 2026, before submission for examination in November 2026. Subject to the result of this examination, adoption of the new Local Plan would be in May 2027.

As part of the new Local Plan process, the first Council-wide 'call for sites' commenced in October 2019 to identify sites that may have potential for development over the next 15 years and beyond. The application site was submitted for consideration and Dorset Council published its first Strategic Housing Land Availability Assessment (SHLAA) in September 2020. Although the SHLAA is a technical study to inform future policy development and is thus not a planning policy document, it indicates that the application site (SHLAA Ref: LA/CHTR/013) is potentially suitable for residential development. The SHLAA summarises that the site is adjacent to residential development and within walking distance of the school, but also adjacent to the Conservation Area with the potential for a negative impact. The site is relatively well hidden from wider views by the surrounding existing buildings and vegetation, except from the opposite side of the River Cerne valley. It is therefore a potentially developable site, subject to evaluation of heritage and visual impacts.

The site was subsequently included as a draft residential allocation in the 2021 Council-wide Options Consultation document, as part of DOR14: Land to the west of Charminster. While only limited weight can be afforded to this emerging plan, given its early stage of consultation, it does however outline a direction of travel regarding potential future development locations in Charminster.

Housing Land Supply

The revised National Planning Policy Framework (NPPF) 2023 introduced a reduced housing land supply requirement for local planning authorities that have met certain criteria as set out in paragraph 266 of the NPPF. This relaxes the requirement to demonstrate 5 years' worth of deliverable housing sites for Local Planning Authorities that meet certain requirements. As concluded in a recent appeal decision at Marnhull (planning ref. P/OUT/2023/00627), Dorset Council does not currently benefit from the provisions of paragraph 226 and therefore must demonstrate a five-year supply. In the West Dorset, Weymouth & Portland/North Dorset area, the published supply position of 5.28 years means the tilted balance in paragraph 11 of the NPPF is not engaged. The delivery of additional housing against the housing requirement should however be given weight in planning decisions as should the conclusions of the recent appeal decision at Marnhull.

The NPPF requires Local Planning Authorities to identify and update annually their supply of deliverable housing sites, in order to do this LPA's can prepare an annual position statement (APS). Dorset Council has recently submitted an APS to the Planning Inspectorate (PINS) for review and PINS is expected to issue their recommendations on this in October later this year.

As part of the submitted APS the Council has sought to change to a single Dorset Housing Land Supply Position rather than the current situation which goes by individual position statements for each of the legacy authorities that now make up Dorset Council. As set out within the APS, Dorset Council believes it can demonstrate a deliverable supply of new homes equivalent to 5.24 years across the entire Dorset Council area (or 5.32 years if PINS includes the land north and east of the Blandford Bypass, Blandford Forum which has recently been approved). Whilst PINS have acknowledged receipt, there is no decision on this matter at this point in time. It is also of note that the current Government consultation on changes to the NPPF propose to remove the ability for LPA's to fix their land supply.

Conclusion – principal of development

The proposed development, by reason of its location outside the defined development boundary, is contrary to policy SUS2 of the Local Plan. The proposal is also considered at a time when the Council is delivering a sufficient supply of new homes. However, in light of the current overall context outlined above, in terms of access to/impact upon services and facilities the proposed location and scale of development is nonetheless considered to be sustainable. In order to determine whether the proposed development is acceptable in principle, all other relevant material planning considerations are properly assessed as set out below. This is necessary to determine if the proposal complies with the Local Plan and the NPPF as a whole.

Affordable Housing

There is a significant need for quality affordable family housing in Dorset, particularly for rented homes. Where open market housing is proposed in West Dorset, Policy requires 35% affordable housing on site. The percentage of Affordable homes being offered would be policy compliant at ten dwellings (33%), subject to a 0.5 dwelling equivalent financial contribution in lieu of a full 35% on-site provision. The affordable housing provision can be secured through an appropriate Section 106 agreement. The applicant's Draft Heads of Terms advises that no less than 7 of the Affordable Housing Units shall be Affordable Rented Units and no more than 3 shall be Shared Ownership Units, unless otherwise agreed with the Council. This would meet Local Plan Policy HOUS1 requirements.

The Council's Housing Enabling Team (HET) remains concerned regarding the Affordable Housing being located in one area, and that eight out of ten properties being offered are flats. While the limited inclusion of two-bedroom flats can be appropriate for the needs of some applicants on the Housing Register, as a norm two-bedroom accommodation is required by families. The HET also commented that in providing affordable homes as two-bedroom flats, the proposal adheres to the spirit of the Local

Plan, but does not provide a balanced or equitable mix of accommodation. To be a more unified scheme and to more accurately reflect the needs of the housing register, the balance of family houses needs to be increased, providing outside space which would be more appropriate as family homes, integrated across the development.

However, the case officer notes that all four proposed one-bedroomed Affordable units would be served with their own direct access to private amenity space. While the four two-bed affordable units above on the first floor would not have their own private amenity space, they are within easy reach of the central open space area provided for the wider development. It is also considered that all these units would be provided with sufficient internal living space. Whilst the flatted layout inevitably differs from the open market dwellings, they are of similar two storey height. Additionally, the traditional design features and the maisonette layouts, comprising dual frontages and several private entrance doors, would give a similar visual appearance to the other dwellings. The proposed layout was also further amended to create a perimeter block, to remove the need for a turning head and to ensure that the Affordable Housing is sufficiently integrated with the rest of the scheme.

The proposal also includes two Affordable three-bed semi-detached dwellings. It is considered that these dwellings would be provided with sufficient internal living space and private amenity space. They would be sited alongside some detached open market dwellings forming the southern streetscene, along with a pair of open market two-bed semi-detached units to the rear, with the affordable flats/maisonettes on the other side to the east. The case officer considers that this layout and design would provide a sufficiently tenure-blind appearance and in light of all the above, the proposal complies with Local Plan Policy HOUS1.

Impact on character of area, including surrounding landscape and heritage assets

The proposed development site adjoins Charminster Conservation Area (CA), the boundary of which runs along most of its eastern and southeastern boundary. Due to its elevation, the site is also within the setting of the Listed Buildings of Haydon Farmhouse (Grade II – southeast of the site on the opposite side of North Street) and the Parish Church of St Mary (Grade I – approx. 170m southeast of the application site). Views of the proposal site from the opposite valley east of the River Cerne (including from Public Right of Way S14/2) includes the Dorset National Landscape (AONB) on a higher background approx. 950m to the southwest.

It is accepted that the current proposal site has a different context to the previous Charminster Farm development phases, due to its proximity to the Conservation Area and its elevated location on the River Cerne valley – where wider views are possible, particularly along PROW 14/2.

In order to mitigate the landscape and visual impact, and in response to the initial objections raised by the Council's Senior Landscape Architect and Senior Urban Design Officer, the quantum of development has been reduced from the initial 41 dwelling submission to 30 dwellings now proposed. This can be appreciated in the amended photomontages, including from within the adjacent Conservation Area, the grounds of St

Mary's Church and the opposite site of the valley. The heights of the dwellings on the highest section of land facing the valley have been reduced to 1.5 storey, and the roof pitches of many of the other dwellings have also been reduced. The provision of additional tree planting and a central green open space also assists in diluting the development from the abovementioned wider views. This provides a more loose and open form of development to reflect the rural edge setting. The design of new properties would now settle into the elevated landscape rather than being overly prominent.

The dwellings would be provided with an improved variety of external materials (including stone, flint and render elevations) that now significantly breaks up the amount of red brick. This is supported, as render, rough cast stone and flint are the most common building materials in the village. Roof tiles would now mainly consist of slate, which also reduces the visual impact, particularly from across the valley. This is also supported, as the use of red and plain roof tiles in the village is limited. Where brick has been used in the village, it is multi stock and muted, or in some cases more of a buff colour. Front boundary treatments mainly consist of hedge/shrub planting and the use of brick walls is limited. The precise external material specification can be secured by means of planning condition, to ensure that the final appearance respects the surrounding historic vernacular and local distinctiveness.

The proposed layout of 30 dwellings across the site, including a number of detached dwellings, will inevitably lead to a somewhat suburban appearance. However, terraced and semi-detached dwellings are also provided to reflect the more historic dwelling patterns. The current proposed variety of building designs and architectural elements is not considered to be excessive or incongruent. The designs are traditional and domestic in character and scale, with some references to the vernacular architecture and materials found in the village. The designs provide an appropriate balance of architectural variety and interest that does not lead to incoherence.

It must also be noted that from viewpoints along s14/2 (along the eastern side of the valley), previous phases of Charminster Farm are partially viewed beyond the site ridgeline to the south and west. Two storey red roof tiles are particularly visually prominent within Charminster Farm Phase 2 which, along with the Council depot facility, forms the immediate backdrop beyond the current proposal site to the west. As seen at further distance away to the north along Haydon Hill Close and Highfield Close, grey/slate roof tiles settle more easily into local views. This would now be replicated by the current proposal, as it consists predominantly of slate roofs. Along Haydon Hill, modern development up to 2.5 storey in height is located on the lower levels of the valley (within Hawdon Hill Close), and lower bungalow/1 ½ storey development exists on the higher levels on Highfield Close. This height reduction towards the higher valley ground is also now reflected in the current proposal.

The amended Landscape and Visual Appraisal assesses the visual effects from PROW 14/2 as being moderate adverse at completion, reducing to minor adverse after 10 years. However, as set out above, the large greenspace and low density of development now proposed is considered to form an appropriate village extension. The

value of the central open space is seen in the photomontage as it visually connects to the wider landscape. The proposal would also be visible in closer range along PRow – S14/29 (which runs immediately behind and along the western site boundary between its hedgerow and the Council depot) and from along Wanchard Lane. However, given the proximity to existing development, including recently constructed dwellings in previous phases, this would not lead to an adverse visual impact. The proposal would therefore not detract from the surrounding local landscape and therefore complies with Policy ENV1 of the Local Plan.

It is considered that the scale and design of the current proposed development has been informed by the character of the site and its surroundings and contributes positively to the maintenance and enhancement of local identity and distinctiveness. The overall design is high quality and the scale, mass, and materials used complements and respects the character of the surrounding area. In this respect, the proposal complies with the applicable urban design requirements of the Local Plan.

Full landscape plans with specification and maintenance information have not been provided at this stage. However, a comparison of the Illustrative Landscape Strategy Plan alongside the other submitted plans has not identified any fundamental conflicts or discrepancies between the proposed landscaping and the proposed development. As such, it is considered that the landscape strategy as indicated can be delivered in practice. However, this is subject to pre-commencement planning conditions requiring submission of a detailed planting scheme to protect existing planting, reflect local character, create a sense of place, enhance biodiversity and mitigate the landscape and visual impact of the scheme. This scheme should include a maintenance and management plan. The planting information should also include native species and a grid of medium/large standard native tree varieties and understorey, to provide a substantial buffer on the northern and western site boundaries.

An amended arboricultural assessment, method statement and tree protection plan has been provided. The proposed development will require partial removal of two sections of hedgerow to facilitate the vehicular access from Wanchard Lane, which will be replaced with new planting elsewhere within the site. Incursion into the root protection area of one tree will be mitigated by no-dig surfacing measures. All proposed tree protection measures (including protective fencing) can be secured by means of planning condition. It is therefore considered that the proposed works can be implemented without any long-term detrimental impact on tree health.

Impact on Heritage Assets

Within lower areas of the site close to North Street, it is considered appropriate to slightly intensify development. This is however adjacent to the Charminster Conservation Area (CA) boundary, meaning that the scale and design must reflect the village settlement pattern and the special character of the CA as much as possible. The mitigation planting along the site boundaries and adjacent the CA has been increased to reduce the visual impact of the development from across the valley and in more

closer views along the CA - including northwest from the grounds of the Grade I Listed St Mary's Church and from Haydon Farmhouse (Grade II).

Taking into account their respective settings which contribute to their significance, the Council's Senior Conservation Officer does not consider that the proposal will result in harm to the significance of the Parish Church of St Mary (Grade I), or Haydon Farmhouse (Grade II) which is to the northwest of the church closer towards the proposal site.

The undeveloped proposal site contributes to the appreciation and understanding of the historic linear development pattern along North Street, within the CA. This is particularly appreciable in views from the east side of the valley along PRow S14/2, with the CA and historic development sited below the undeveloped proposal site. The current proposed site layout still somewhat departs from this linear pattern by reason of its crescent form. That being said, the proposed central open space within this development form is of substantial size and, as already set out above, assists in providing a more open character and a looser form of development.

Plot 12 to the northeast nearest the Conservation Area has been reduced in scale to 1.5 storey, and would have modest pitched roof dormers immediately above the lowered eaves level. The row of six dwellings on the highest western end of the site have also been reduced to 1.5 storey, albeit some include larger front gable ends. Although the other proposed dwellings are two storey in form, many of their roof pitches have been reduced and many also have eaves levels near or immediately above the first floor windows, which reflects many of the historic dwelling forms within the CA. It is therefore considered that the proposal has minimised the impact on the CA as much as possible, whilst also ensuring an efficient use of land in terms of the delivery of housing.

It is nonetheless considered that purely by virtue of the current undeveloped nature of the proposal site and the residual extent of visibility from within the CA, the current proposed 30 dwellings will still result in less than substantial harm to the significance of the CA as a designated Heritage Asset. Any harm to Heritage Assets must be given great weight and then weighed against any public benefits arising from the scheme. The delivery of housing can be considered to form a public benefit and this matter is assessed in the overall planning balance section conclusion below.

An Archaeological Desk Based Assessment has been provided and the Council's Senior Archaeologist has confirmed that no further works are considered necessary pre-determination or as a condition of planning permission, as the proposed development of this area is unlikely to have a significant archaeological impact.

Impact on residential amenity

A number of proposed dwellings would face existing dwellings. The Council's adopted Design Supplementary Planning Document advises in Para 7.5.2 that 20m between facing buildings will normally give good privacy between the rear of buildings. Of particular note however is that the proposal site is significantly more elevated than the

neighbouring dwellings along North Street. This increases the on-the-ground impact of the proposed development on these neighbours.

The separation distances from the proposed two-storey Unit 17-20 building would be sited approx. 28-32m from the garden area of the two storey detached dwelling of No. 15 North Street to the east. The proposed Unit 21-24 buildings would be sited approx. 36m from this neighbour's elevation and first floor external balcony area at its northern end. These separation distances are considered sufficient to avoid adverse impact upon this neighbour in terms of loss of light, outlook, privacy and overbearing effects.

The north-south pedestrian pathway from Wanchard Lane through the proposed public open space would be approximately 11m at its closest point from the habitable rooms of No. 15. The separation distances increase further north as the path turns away northwest towards Units 21-24. A buffer of tree planting would be planted within the site, together with a scrub buffer along the site boundary. The planting would assist in mitigating overlooking towards No. 15. The pre-commencement landscaping condition would require precise details of the locations and specifications, to ensure that the mitigation would avoid any adverse loss of residential amenity, including potential overshadowing impacts.

The rear elevation of the proposed detached Unit 12 dormer bungalow dwelling would be sited approx. 35m from the front elevations of the two storey terraced dwellings of Nos 20-22 North Street to the east. These separation distances are also considered sufficient to avoid adverse impacts upon the amenities of these neighbours.

The rear elevations of four detached dwellings (Units 8-11) would face the side elevation of the detached split-level dwelling of No. 24a North Street to the north. This neighbour contains no side elevation windows facing the proposal site and given the width and depth of its rear garden along with the separation distances of approximately 21m-24m to its garden boundary, it is considered that no adverse impact on this neighbour's amenity would arise.

It is considered that the separation distances to the other nearby dwellings would be sufficient to avoid material harm to residential amenity.

The Council's Environmental Health Officer raised no objection, subject to mitigation measures advised by the applicant's noise report. This requires acoustic ventilation to ensure that fresh air flow can be achieved without the need for opening windows. This can be secured by means of planning condition.

The application includes an Air Quality Assessment report, which assesses potential construction phase air quality impacts from fugitive dust emissions as a result of earthworks, construction and trackout activities. It advises that the use of good practice control measures would provide suitable mitigation for a development of this size and nature and reduce potential impacts to an acceptable level. Based on the assessment results, the report concludes that air quality is not considered a constraint for the proposed development.

The case officer considers that it is necessary to impose a pre-commencement condition requiring the submission of a Construction Traffic and Environment Management Plan, so that the suggested mitigation measures can be agreed in detail and secured to protect the amenity of the area during construction. This approach is also consistent with the nearby Phase 3 construction. It is also considered necessary to impose a condition limiting construction hours to the hours of 8.00 am to 6.00 pm Monday to Friday, and 8.00 am to 1.00 pm on Saturdays, with no construction works at any time on Sundays or Bank Holidays.

It is considered that the separation distances between the proposed dwellings would be sufficient to avoid adverse impacts on future occupiers, and that sufficient amenity space will be provided.

In light of all the above and subject to the conditions as outlined, it is considered that the proposed development would comply with the amenity requirements of Policy ENV16 of the Local Plan.

Impact on highway capacity and safety

The proposal would provide a total of 62 allocated spaces, 21 garage spaces and seven dedicated visitor spaces - either on-street or within a dedicated parking bay. Space for secure cycle parking will be provided within the curtilage of each dwelling. 2m footways will be provided throughout and will link with Wanchard Lane to the east via a dedicated footpath, and to the west via footways abutting the vehicular site access. Swept path analysis has been undertaken to demonstrate that a large refuse vehicle is able to manoeuvre through the site.

The proposal includes a restriction to the east of the proposed site access off Wanchard Lane to limit traffic flow to westbound movements only. This arrangement will significantly reduce the number of vehicular movements out of Wanchard Lane onto A352 North Street, which has limited visibility, as only the existing residential dwellings fronting the eastern end of the street will in future be able to exit via this junction. All outbound traffic from origins west of the new restriction on Wanchard Lane, including the proposed development, would instead use the new street linking Wanchard Lane with the A37 through the consented Charminster Farm Phase 3 residential scheme south of Wanchard Lane (WD/D/19/003097).

The above highway works include the following:

- One way and no entry signs to be installed;
- New verge to be provided within redundant carriageway;
- Dropped kerbs to facilitate access for active travel users across Wanchard Lane;
- Raised table to be installed at uncontrolled pedestrian crossing adjacent site entrance;

- Proposed footpath from this raised table to connect into existing Public Right of Way S14/30 to the south;
- Wanchard Lane/A352 junction to be remodelled to reduce turning speeds and improve visibility for vehicles;
- New uncontrolled crossing to facilitate pedestrians to cross A352 south of Wanchard Lane; and
- New crossing facilities for pedestrians on both Wanchard Lane and A352 North Street

The Council's Highway Authority has assessed the impact on highway safety and capacity, and requested a survey plan clearly showing the available vehicular visibility splays from a 2.4m driver position at the access onto North Street. This has now been provided and the Highway Authority has now raised no objection, subject to provision of the visibility splay areas prior to occupation of the development. The off-site highways improvement works can also be secured by means of planning condition. The Wanchard Lane/A352 junction remodelling, including the pedestrian crossing, would likely remove the existing off-street car parking at this location. However, the proposed works include a remodelled vehicular access to No. 15 North Street off Wanchard Lane, which would allow for additional parking space for this dwelling.

Flood risk and drainage

The proposal site is within Flood Zone 1 (low risk of fluvial flooding), as indicated by the Environment Agency's (EA) indicative flood maps. According to the EA's Risk of Flooding from Surface Water mapping, the site is not directly affected by theoretical surface water flood risk up to the 1-in-1000 year rainfall event. Nearby, flood zones 2 & 3 (medium to high probability of fluvial flood risk) are found approximately 80m away at the nearest point to the east of the site - due to the proximity of the nearby River Cerne, which flows north to south. The EA's mapping also shows significant surface water flood risk off site to the east of the site along the length of the River Cerne.

No ground water emergence is expected. However, ground water is likely to be raised during winter periods, due to connectivity with the River Cerne and the underlying chalk geology. Equally, it is likely that ground water migrates towards this area and so even if ground water levels are not high, there may be seepage through the chalk, especially following storms. Whilst prevailing flood risk to the site is considered low, Charminster itself and surrounding areas have experienced flooding on a number of occasions. Consultation comments received from nearby residents highlight concerns over existing surface water and groundwater flooding on North Street.

A Flood Risk Assessment and Drainage Strategy has been provided, along with a Geophysical Survey of the ground conditions to support the proposed drainage strategy. Soakaways will not be located within areas underlain by potential dissolution features, as identified by the geophysical survey. The on-site attenuation for this proposed development will be sized to offer flood protection for the development and its downstream catchment throughout its lifetime, with the upper end allowance of 40% being utilised to present a worst-case scenario. The application of permeable driveways

(loose stone/gravel) and individual on-plot soakaways will also be prioritised to manage surface water runoff at source. Any residual dwellings unable to accommodate on-plot soakaways (due to topography, offsets from buildings or structures to deal with the level differences etc) will drain, together with the extents of public highway, towards new above ground features (including a rain garden/swale along the eastern open space boundary) and private belowground communal soakaways.

The applicant has also completed a ground assessment report of the slope stability in relation to soakaway-based drainage and has concluded that soakaway drainage will not cause slope instability. The report states that despite the relatively large fall in elevation between the site and North Street, the proposed soakaways in the lower eastern part of the site are considered to be too distant from the road to have any adverse effect on the bank or retaining walls adjacent to the road, as long as the soakaways are at sufficient depth and distance from the crest of the slope.

As all development runoff intercepted by the drainage strategy will be disposed of via infiltration, the residual greenfield runoff volume will be almost entirely mitigated by the proposals. This will reduce the residual rate and volume of surface water runoff that is received by North Street, offering a reduced flood risk at North Street and betterment to properties in the downstream catchment.

The Council's Flood Risk Management Team (FRMT) initially raised holding objections, requesting additional information. In response, the applicant, amongst other things, carried out a geophysical survey, which identified the areas within the site that are at highest risk of solution features within the chalk bedrock. Following the submission of this additional information and some other amendments, the FRMT have now commented that they have been provided with the necessary detail and assurances to substantiate the proposed surface water strategy.

The FRMT's holding objection has therefore been withdrawn, subject to a pre-commencement condition requiring the submission of a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and which includes clarification of how surface water is to be managed during construction. The finalised design should observe any recommendations made following the proposed 'confirmatory physical ground investigation' as advised by the applicant's consultant.

The FRMT also recommend a further pre-commencement condition requiring the submission of details of maintenance and management of both the surface water sustainable drainage scheme and any receiving system. Once agreed, the scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. This should 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. The pre-commencement landscaping condition would confirm the proposed surfacing specification, to ensure a sufficient provision of permeable features.

Ecology and biodiversity

The applicant has recently provided a Biodiversity Plan to accord with the revised proposal. This has been agreed upon by the Council's Natural Environment Team who issued a Certificate of Approval in March 2024. The implementation in full of the approved BP will ensure compliance with wildlife legislation, the biodiversity paragraphs of the NPPF and the Natural England Protected Species Standing Advice, and its implementation in full can be conditioned to any permission.

Key habitat of the wooded copse and individual trees are being retained. No lighting will be directed towards the copse, nor towards any part of the hedgerows or vegetated boundaries on site. A pre-commencement planning condition is necessary to require the submission of full details of the final proposed lighting scheme for the whole development. A buffer strip of 2m protecting the hedgerow will be maintained after construction. To mitigate for the loss of improved grassland, wildflower areas and scrub of a higher distinctiveness will be created within the public open space serving the scheme. No off-site biodiversity compensation measures are required.

Enhancement measures will include boundary hedgerow (away from Wanchard Lane) enhanced with additional native small tree and shrub planting. 50% of all new houses will include integrated bat boxes, tubes or blocks, and bird boxes. Any new fencing within the development must include hedgehog gravel boards/holes. Two bee bricks per dwelling must be included on a south-facing wall.

On 24 May 2024 the Secretary of State announced that additional sewage treatment works were required to be upgraded in the Poole Harbour catchment, following this announcement Natural England confirmed that residential development (overnight accommodation and other qualifying development) within this catchment area would no longer need to demonstrate phosphorus neutrality, however, nitrogen neutrality still applies.

In light of these updates the applicant has submitted an updated nutrient budget calculator for nitrogen which has been forwarded to the Council's Environmental Services for a bespoke appropriate assessment (AA) to be undertaken for consultation with Natural England. Natural England has confirmed that, subject to sufficient funding being secured to ensure the delivery of all necessary mitigation measures, they agree with the conclusions reached in the AA that the proposal will not result in adverse effects, either alone or in combination, on the integrity of the Poole Harbour catchment.

Up until recently, the delivery of such mitigation has been funded through the standard CIL (Community Infrastructure Levy) contributions. From 31 July 2024 this has changed and the onus for provision of mitigation has now shifted to the developer with the following approaches potentially being acceptable:

1. Delivery of sufficient nitrogen mitigation on site as part of the open space within the development. This can also assist with the delivery of Biodiversity Net Gain.
2. Delivery of mitigation off-site but on land under the control of a developer.

3. Provision of new WWTW to be managed by a NAV water company⁴ (only likely to be suitable for a larger development site).
4. The purchase of nutrient credits from a certified third-party mitigation provider such as Natural England's Lyscombe Farm mitigation project.
5. The purchase of nutrient credits from Dorset Council (when available).

In this instance, the applicant has confirmed their commitment to the delivery of the necessary mitigation to achieve nutrient neutrality for this development, and that they intend to do so through the following means:

- i) Purchase of credits from Natural England through the Lyscombe Farm mitigation scheme (which is now open), to be secured through a planning condition; or
- ii) Provision of off-site mitigation on land within the applicant's control, to be secured through a S106 agreement; or
- iii) A combination of i) and ii) above.

The exact method of mitigation will need to be agreed prior to the application being determined in order that this can then be secured through the appropriate mechanism.

Impact on infrastructure

The proposal would meet the Local Plan 35% affordable housing requirement through the provision of 10 dwellings on site and a financial contribution of £32,430 towards off-site provision equivalent to 0.5 dwellings. This can be secured by means of S106 agreement. The applicant has provided draft Heads of Terms to include the above, along with securing the provision of the informal open space in the central part of site and its transfer to either a Management Company or Charminster Parish Council. The applicant will provide a contribution of £15 per square metre of open space for open space maintenance, if it is transferred to the Parish Council.

The Council has adopted a CIL-charging regime and the adopted Regulation 123 list for West Dorset apportions the largest single proportion of the CIL contributions towards Education & Training Facilities. The next two largest apportionments are towards Transport and Culture & Leisure Facilities. Contributions are also made towards Flood Mitigation, Emergency Services, Green Infrastructure & Recreation, Healthcare, Poole Harbour Nutrient Management, Public Realm, Utilities and Waste Management. Therefore, contribution to mitigate the impact on such infrastructure will be made as part of the CIL contributions.

Planning balance and conclusion

Local Plan Policy INT1 states that there will be a presumption in favour of sustainable development that will improve the economic, social and environmental conditions in the area. Where relevant policies are out of date at the time of making the decision, the following matters will be taken into account:

- the extent to which the proposal positively contributes to the strategic objectives of the local plan;
- whether specific policies in that National Planning Policy Framework indicate that development should be restricted; and
- whether the adverse impacts of granting permission could significantly outweigh the benefits.

The proposed development, by reason of its location in the countryside outside the defined development boundary of Charminster village, is contrary to policy SUS2 of the Local Plan. Whilst the Local Plan is more than five years old, its most relevant policies remain in strong accordance with the current NPPF. The proposal is also considered at a time when the Council is delivering a sufficient supply of new homes for the Local Plan area. However, in light of the current context overall as outlined above, the proposed location and scale of development is nonetheless considered to be sustainable in terms of its access to and impact upon local services and infrastructure. The proposal is also in compliance with the relevant design, landscape and other technical requirements of the Local Plan. The weight that can be attached to the policy SUS2 spatial strategy conflict is therefore limited.

It has already been established that the current provision of 30 dwellings has minimised the impact on the Conservation Area (CA) as much as possible, whilst also ensuring an efficient use of land in terms of the delivery of housing. The residual less than substantial harm to the significance and setting of the village Conservation Area must then be weighed against the public benefits of the proposal, as required by Local Plan Policy ENV4 and the NPPF – which also states that great weight must be attributed to the conservation of heritage assets. The benefits that can be associated with the proposed supply of housing (including the on-site provision of ten affordable dwellings), and the local economy benefit from provision of jobs during construction and future residential expenditure, are in this case of substantial weight. Given the extent and nature of harm as already outlined further above, these public benefits outweigh the identified less than substantial harm to the Conservation Area.

Whilst the proposal is contrary to the Local Plan spatial strategy, the harm arising from this is limited and it accords with the other relevant policies and provisions of the Local Plan and the NPPF. In light of all the above, in this instance the material considerations indicate that planning permission should be granted.

Recommendation

Delegate authority to the Head of Planning and the Service Manager for Development Management and Enforcement to:

- A) Approve, subject to the conditions set out below and 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 legal services manager to secure the following:

- provision of 10 Affordable dwellings on site;
- financial contribution of £32,430 towards off-site provision equivalent to 0.5 Affordable dwellings;
- provision of the informal open space in the central part of site, and its transfer to either a Management Company or Charminster Parish Council; and
- in the event that the applicant is unable or chooses not to secure nutrient mitigation credits, then provision of an off-site nutrient mitigation scheme.

Or,

- B) Refuse permission if the agreement is not completed by 3 March 2025 (6 months from the date of committee) or such extended time as agreed by the Head of Planning.

Conditions:

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:*

- Location Plan (drawing no. LP.01 Rev P1)
- Site Layout Plan (drawing no. 161_DI_10.9)
- Scheme Masterplan (drawing no. 161_DA_12.4)
- Affordable Housing Plan (drawing no. 161_DI_14.2)
- Boundary Materials Plan (drawing no. 161_DI_12.4)
- Roof Plan (drawing no. 161_DI_15.2)
- Parking Layout Plan (drawing no. 161_DI_13.2)
- Site Sections (drawing no. 161_DI_16.3)
- Proposed On-Site Levels Plan (drawing no. 01-PHL-101 Rev B)
- Preliminary Drainage Cross-Sections (drawing no. 01-PDL-102 Rev E)
- Preliminary Drainage Layout (drawing no. 01-PDL-101 Rev D)

House types:

- 2-799-Beaminster-B-Cottage-Variant (drawing no. Bea-B-C-V Rev A)
- 3-1136-Glanvilles-B-Cottage (drawing no. Gla-B-C)
- 3-1136-Glanvilles-BF-Cottage (drawing no. Gla-BF-C Rev A)
- 3-1136-Glanvilles-BS-Cottage (drawing no. Gla-BS-C Rev A)
- 3-1207-Ibberton-BFS-Informal2 (drawing no. Ibb-BFS-12)
- 3-1349-Knowlton-BF-Cottage-Variant (drawing no. Kno-BF-C-V)

- 3-1350-Special 4-B-Cottage (drawing no. Special 4-B-C Rev A)
- 3-1150-Special 4-BFS-Cottage (drawing no. Special 4-BFS-C)
- 3-1350-Charminster IV-Terrace-BF-Cottage (drawing no. Terr-BF-C)
- 3-1363-Special3-BF-C Cottage (drawing no. Special3-BF-C)
- 3-1207-Ibberton-BFS-Informal1-Variant (drawing no. Ibb-BFS-I1-V)
- 3-1460-Special1-B-Cottage-Variant (drawing no. Special1-B-C-V)
- 3-5-894-HA-R-Variant (drawing no. 894-HA-R-V)
- 4-1360-Lytchett-BS-Informal2-Variant (Lyt-BS-12-V)
- 4-1403-Morden-BFS-Informal-Variant (drawing no. Mor-BFS-I-V Rev A)
- 4-1403-Morden-BS-Informal-Variant (drawing no. Mor-BS-I-V Rev A)
- 4-1569-Regis-BS-Cottage (drawing no. Reg-BS-C Rev A)
- 4-1669-Silton-BS-Cottage (drawing no. Sil-BS-C Rev A)
- 4-1771-Special2-BF-Cottage (drawing no. Special2-BF-C)
- Flat Block Type 3-HA-BF-V (drawing no. FBT 3-HA-BF-V Rev B)
- Flat Block Type 3-HA-BFR-V (drawing no. FBT 3-HA-BFR-V Rev B)
- Triple Garage 2-B-Variant (drawing no. TrG2-B-V)
- Twin Garage 2-B (drawing no. TwG2-B)
- Double Garage 2-B (drawing no. DG2-B)
- Twin Garage 2-B (drawing no. TwG2-B)
- Single Garage 2-B (drawing no. SG2-B)
- Bin Store-B (drawing no. BS-B)

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

3. No development shall commence until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The finalised design should observe any recommendations made following the proposed 'confirmatory physical ground investigation' as advised by Wilson Bailey Partnership (20/04/2023.) The surface water scheme shall be fully implemented in accordance with the agreed details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity.

4. No development shall commence 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 should 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.

5. Prior to the commencement of development details of a foul drainage scheme for the site shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed scheme.

Reason: To ensure adequate facilities are provided in the interests of flooding and pollution.

6. No development shall commence until a Construction Traffic and Environment Management Plan (CTEMP) is submitted to and approved in writing by the Planning Authority. The CTEMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- Inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary.

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and residential amenity.

7. Notwithstanding the details on the approved plans, prior to the commencement of any development hereby approved above damp proof course level, full specification details (including colour photographs) of all external facing materials (including the walls, roofs, windows, external doors and other external surfaces) shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: In the interests of visual and residential amenity and surrounding Heritage Assets.

8. Notwithstanding the approved illustrative landscape strategy (Drawing No. 813.14/411d HDA6), no development above damp-proof course level shall commence until full details of the hard and soft landscape proposals have been

submitted to and approved in writing by the Local Planning Authority (LPA). These details shall include: proposed finished levels or contours; planting plans; written specifications and schedules of plants noting species, planting sizes and proposed numbers/densities where appropriate; means of enclosure; all hard surfacing layouts and material specifications (including a sufficient provision of permeable features), and; implementation timetables. The landscaping scheme should reflect local character, create a sense of place, enhance biodiversity and mitigate the landscape and visual impact of the scheme. The scheme should also support the aims of the Illustrative Landscape Strategy and include native species and a grid of medium/large standard native tree varieties and understorey, to provide a substantial buffer on the northern and western site boundaries.

All hard and soft landscape works shall be carried out in accordance with the agreed landscaping scheme. The works shall be carried out in full prior to the completion of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Any trees or other plants indicated in the approved landscaping details which, within a period of ten years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. The hard landscape features shall be maintained in accordance with the details agreed by the Local Planning Authority for the lifetime of the development.

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

9. The development hereby approved shall at all times be undertaken in accordance with the tree protection and mitigation measures as set out within the arboricultural assessment & method statement (17222-AA7-Phase4-CA and tree protection plan (Drawing No. 17222-8)).

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity.

10. The development hereby approved shall be undertaken in accordance with the ecological mitigation and net gain measures as set out in the Biodiversity Plan dated 08th February 2024 and agreed by Dorset Natural Environment Team on 19th March 2024.

Reason: To conserve and enhance biodiversity.

11. Prior to commencement of the development hereby approved above damp-proof course level, a scheme showing precise details of all external lighting (including appearance, supporting columns, siting, technical details, power, intensity, orientation and screening of the lamps) shall be submitted to and approved in writing by the Local Planning Authority. Any such scheme shall comply with the

Bat Conservation Trust lighting guidelines (Guidance Note 08/18 Bats and Artificial Lighting in the UK. Bats and the built environment series) and the mitigation requirements as set out in the agreed Biodiversity Plan. The approved scheme shall be implemented before the development is fully occupied and shall be permanently maintained thereafter. No other external lighting shall be installed on site without the prior approval, in writing, of the Local Planning Authority.

Reason: In the interests of the visual and residential amenity of the area, public safety, protected species and biodiversity.

12. The construction hours of the development hereby approved shall be limited to the hours of 8.00 am to 6.00 pm Monday to Friday, and 8.00 am to 1.00 pm on Saturdays, with no construction works at any time on Sundays or Bank Holidays.

Reason: To safeguard the character and amenity of the area and living conditions of any surrounding residential properties.

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

Reason: In the interests of highway safety and capacity.

14. Before the development hereby approved is occupied or utilised the visibility splay areas shown on drawing number PHL-102 Rev F must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: In the interests of highway safety.

15. Prior to commencement of any works on site (other than those required by this condition), the first 15.0 metres of the proposed access road, including the junction with the existing public highway shall be completed to at least binder course level unless otherwise 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 in the interest of safety.

16. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on drawing number 01-SK-201 A must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: In the interests of highway safety.

17. Before the development hereby approved is occupied or utilised, the highway improvement works as shown on Drawing Number 0891-PHL-102F (contained within Appendix B of the Transport Assessment Addendum dated 17th February 2022) shall have first been carried out in accordance with a specification which shall first have been submitted to and agreed in writing by the Local Planning Authority:

Reason: The 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.

18. Prior to use or occupation of development hereby approved, a scheme showing details of the proposed cycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved details shall be maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure provision of adequate cycle parking to support sustainable transport; in the interests of highway safety and residential amenity.

19. The development hereby approved shall be undertaken in accordance with the noise mitigation measures as set out in the Noise Impact Assessment report (AC108294-1R3 March 2021).

Reason: In the interests of residential amenity.

20. Measures shall be taken to ensure the re-use on-site of all suitable sands or gravels raised during construction wherever viable, environmentally feasible and practicable to re-use them. Within 3 months of the substantial completion of groundworks a report setting out the quantum (or evidenced estimate) of material reused on site shall be submitted to the local planning authority.

Reason: To comply with national and local policy on mineral safeguarding and to ensure that any suitable materials raised during construction are put to their highest and best use, while minimising the need to import aggregate materials from beyond the site, in the interests of sustainability.

21. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

[THE FOLLOWING CONDITION TO BE ADDED IN THE EVENT THAT NUTRIENT NEUTRALITY MITIGATION IS TO BE DELIVERED THROUGH NUTRIENT CREDITS:

22. No development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour SPA and Ramsar have been secured from an accredited nutrient provider and a copy of the Nutrient Credit Certificate demonstrating that purchase, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour SPA and Ramsar.