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| Application Number: | WD/D/19/001344 | | |
| Webpage: | https://planning.dorsetcouncil.gov.uk/ | | |
| Site address: | Land at, Littlefield, Sherborne | | |
| Proposal: | Erection of 10no. dwellings with associated amenity, landscaping and infrastructure including widening of access road. | | |
| Applicant name: | Mr Meadows | | |
| Case Officer: | Ollie Brewer-Hughes | | |
| Ward Member(s): | Cllr Crabb | | |
| Publicity expiry date: | 25 February 2021 | Officer site visit date: | July 2019 |
| Decision due date: | 20 May 2022 | Ext(s) of time: | 20 May 2022 |

1.0 Taking account of representations made during the Scheme of Delegation consultation with Members, the Head of Service considers that under the provisions of Dorset Council's constitution this application should be determined by the Area Planning Committee. The application also was previously considered by the Committee in December 2020 however was deferred due to further information surrounding the proposed access and parking being required. Following the previous Committee, further parking has been provided including additional community spaces.

2.0 Summary of recommendation:

Delegate authority to the Head of Planning to grant, subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure a 100% affordable scheme and conditions.

3.0 Reason for the recommendation: as set out in Section 17.0 at the end of the report

- Retain 5 Year Housing Land Supply
- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- 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

4.0 Key planning issues

| Issue | Conclusion |
|--|--|
| Principle of development | The site is the within defined development boundary (DDB). |
| Scale, design, impact on character and appearance | It would not have an adverse impact on the visual amenity of the site or locality. |
| Impact on the living conditions of the occupants and neighbouring properties | It would not have a significant adverse impact on the living condition of occupiers of residential properties. |
| Contamination | Acceptable subject to unexpected land contamination condition. |
| Flood risk and drainage | Flood Risk Management Team raised no objection subject to conditions. |
| Highway impacts, safety, access and parking | Highways raised no objection subject to conditions. Further information has been submitted in this respect following on from the previous presentation to the Committee. |
| Biodiversity | BMEP submitted and agreed. |
| Affordable Housing | 100% affordable scheme. |
| Community Infrastructure Levy (CIL) | CIL liable. |

5.0 Description of Site

The application site is accessed off Littlefield. The site previously consisted of a mix of hardstanding, and a small retained garage site however these have since been demolished during the process of the application. The site is primarily surrounded by residential plots which back onto the site to the north, south and west. To the east is the side elevation of the neighbouring properties and the playing field beyond.

The application site is located within the defined development boundary for Sherborne.

6.0 Description of Development

The proposed development involves the erection of 10 dwellings. It would consist of a mixture of one, two and three bed units. The dwellings would be 100% affordable with a mix of tenures.

7.0 Relevant Planning History

1/D/12/000449 - Decision: Approved - Decision Date: 14/02/2013

Demolition of existing garages and the erection of 8No. dwellings

8.0 List of Constraints

LP - Landscape Character Area - Distance:

WW - Wessex Water - Waste - Distance:

IMPO - Area Inside DDB - Distance:

WW - Wessex Water - Supply - Distance:

IMPO - Contaminated Sites Buffer - Distance:

IMPO - Groundwater Source Prot. Zones - Distance:

IMPO - Contaminated Sites - Distance:

LP - RANS Yeovilton Safeguarding Area - Distance:

IMPO - SSSI Impact Risk Zone - Distance:

IMPO - Section 106 - Distance:

Historic Contaminated Land - Description: Quarrying of sand & clay, operation of sand & gravel pits

9.0 **Consultation Responses**

Natural England: We have not assessed the application and associated documents for impacts on protected species.

Revised Comments Received March 2021: Somerset Levels and Moors Internationally and nationally designated sites – cumulative effect of further phosphorous discharges as a result of residential and tourism development.

Ministry of Defence: I can confirm the MOD has no safeguarding objections to this proposal

Dorset Police: I have reviewed the plans for the above proposed development and would like to make the following recommendations: Although a Secured By Design accreditation is not being applied for at this time, I strongly recommend that the security of the development meets the standards laid out in Secured By Design Homes 2019. This is the Police guidance on crime prevention and security in new developments and will assist with the sustainability of the development. www.securedbydesign.com I would also strongly recommend that any gate that leads to the rear of the property is key lockable as research shows that 85% of burglaries occur at the rear of the premises.

Environmental Health: No comment.

Revised Comments Received March 2021: It is noted a Ground Condition Appraisal has been submitted as part of the application. Please refer the application to suitably competent Contaminated Land Consultants for review and to advise on any planning conditions that are required to be applied to any permission granted.

It is noted in the application asbestos may be present. I recommend that the Environment Agency and Health and Safety Executive are made aware of this application and proposed demolition and any formal guidance produced by either enforcing body is referred to during the demolition phase of the development.

Due to the close vicinity of existing residential dwellings to this site, the Demolition Method Statement (where appropriate) and construction works should have regard to the following to protect residents from nuisance:-

- No bonfires to be held on site at any time.
- Hours of demolition and noisy construction are to be limited to
- Monday – Friday 0700 – 1900
- Saturday 0800 – 1300
- No activity on Sundays or Bank Holidays

Flood Risk Management Team: The submitted documents provide the necessary detail to substantiate the proposed Surface Water strategy. We therefore have no objection to the application subject to the conditions and informatives at the end of this letter being included on any permission granted

Further Comments March 2021: No Objection

Housing Enabling Team: There is a significant need for affordable housing in the west area of Dorset which the provision of 10 affordable dwellings in this development will assist in meeting. The development offers a good variety of one, two and three bedroom properties.

Highways: Now that it has been confirmed that the highway layout will remain private if you are minded to grant, the Highway Authority would recommend conditions and informatives

Planning Obligations Manager: Since this application is wholly for Affordable Housing, and will likely be eligible for Social Housing Relief Reg 49 etc (CIL Regs 2010 as amended) I have no comment from this perspective. Any consent will need to be accompanied by an appropriate s106 agreement ensuring that the housing remains affordable in accordance with Reg 53 et al. These comments are without prejudice to any other Consultee Comments Highways or Ecology for example.

Senior Landscape Architect: Objection

The scheme has gone through a number of iterations, but the proposed development now consists of 2No. two storey terraces consisting of 5No. and 3No. dwellings respectively; and one standalone building contain 2No. flats together with access landscaping and parking provision for 27No cars.

I am concerned that the evident demand for additional parking provision to be accommodated within the site area is leading to an awkwardly configured public realm that is overly dominated by parking provision to the detriment of good design and public amenity.

I consider the scheme to be unacceptable in its current form and that there needs to be a reduction in the number of units and the quantum of parking proposed and an increase in the areas of soft landscape and public amenity space in order for it to be acceptable.

Urban Design Officer: This is a full application for 10 dwellings, associated amenity, landscaping and infrastructure. The orientation of existing built form to all boundaries of the site presents a challenge to achieving a site layout with dwellings that relate well to the existing built form. The revised plans incorporate an improved sense of arrival into the scheme through the change of house type for plot 1 from a "Heather" unit to a "Holly" unit. The parking arrangement has been rationalised to include the same number of parking spaces (21) as the originally submitted plans while providing an improved parking to dwelling relationship. The introduction of street trees is another welcome change in order relieve the hard surfacing associated with parking. The plot boundaries have been amended for plots 1, 6 and 8 in order to avoid fencing off side elevations that interact with the public realm. The revised plans also show enhanced fenestration on the south elevation of plot 6 which allows for increased casual surveillance of the footpath.

Further Comments Received February 2021: The amended plans seek to make minor adjustments to the site layout. I have no further comment to make on adjustments to the positioning of proposed dwellings.

I support the amendments to the layout of parking and distribution of soft landscaping. The revised plans include an increase to the parking provision by six parking spaces which is of benefit to the scheme. This has been achieved by rationalising the layout of the internal street which would serve units 1-8. It is also achieved at the expense of part of the rear amenity space for plot 8 which is supported as the amenity space would still exceed the ground floor footprint of the proposed dwelling. Soft landscaping is proposed to be better distributed across the site, softening the hard surfacing at more appropriate intervals and this would therefore enhance the streetscene for units 1-8.

The parking spaces labelled 9 & 10 would need to be both allocated to a single plot, preferably plot 8 due to proximity. It would not be viable to have these spaces unallocated due to the in-tandem configuration.

Sherborne Town Council: The Town Council has no objection, subject to the provision of a traffic management plan as there is concern that access for emergency vehicles could be limited.

Revised Comments Received March 2021: Sherborne Town Council objects to this application as it does not consider that the development meets NPPF 127B – that ‘developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’. It also highlighted the following concerns:

- Lack of cycle rack provision
- Landscaping not suitable
- Residents may only access through their homes
- No electric points for vehicles
- Mobility issues with regards to the site as a whole
- The carbon footprint is not well thought out with insufficient insulation, and little thought to other green issues.
- It suggested the application is considered by the Northern Area Plans Committee.

Representations received

| Total - Objections | Total - No Objections | Total - Comments |
|---------------------------|------------------------------|-------------------------|
| 4 | 0 | 1 |

Summary of Comments of Objections:

- Overlooking and privacy concerns to neighbouring properties
- Increased traffic and the road layout currently is not suitable to cope with this
- Resulting in noise nuisance to neighbouring dwellings
- The potential for further highways safety issues due to residents not parking correctly on street and potential for emergency services to have increased difficulties accessing the area due to parked cars

- The loss of parking for Littlefield residents
- Overbearing and overshadowing impact on the neighbouring properties

Comments such as impacts on neighbouring property values and health concerns during construction are not material planning considerations.

Summary of Comments of Support:

- None Received

Summary of Comments (neutral response):

- Concerns surrounding impact on Highways safety

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Section 66 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

11.0 Relevant Policies

Development Plan

West Dorset, Weymouth and Portland Local Plan

ENV 1 – Landscape, Seascape and Sites of Geological Interest

ENV 2 – Wildlife and Habitats

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

COM 7 – Creating a Safe and Efficient Transport Network

COM 9 – Parking Standards in New Development

COM 10 – The Provision of Utilities Service Infrastructure

Other material considerations

Design and Sustainable Development Planning Guidelines (2009)

West Dorset Landscape Character Assessment 2009

National Planning Policy Framework

2. Achieving sustainable development

5. Delivering a sufficient supply of homes

11. Making effective use of land

12. Achieving well-designed places

Emerging Local Plans:

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

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

The draft Dorset Council Local Plan

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft Dorset Council Local Plan should be accorded very limited weight in decision making.

National Planning Policy Framework

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

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

12.0 Human Rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

As part of the proposed development two allocated disabled parking spaces would be provided, one unit would be provided with the all the accommodation on the ground floor with parking located to the side of the unit. The requirement of the duty has been considered, and it is not considered that the proposal would give rise to specific impacts on persons with protected characteristics’ if that is the case.

14.0 Financial benefits

The proposed scheme would be providing 100% affordable housing therefore no financial contributions would be made towards the provisions of affordable housing offsite.

The application site is however located within a CIL charge area and therefore would be subject to a CIL charge.

15.0 Environmental Implications

The proposed units would be modular homes constructed off-site, the design and access statement submitted as part of the application sets out the following sustainability benefits:

- Up to 67% less energy is required to produce a modular building compared to an equivalent traditionally built project
- Material usage can be reduced by up to 90%
- Up to 90% fewer vehicle movements means less environmental pollution
- Over 80% of waste is recycled in the off-site manufacturing process at the factory

The Case Officer comments that the construction phase will involve emissions from processes and vehicles/plant at the site. Once occupied any petrol/diesel vehicles of occupiers will produce emissions. However, this must be balanced against the fact that the site is sustainable with public transport access options available and would provide 10 affordable dwellings.

The proposed development would also have to accord with Building Regulations which require developers to consider and analyse the suitability of high-efficiency alternatives, such as heat pumps and renewable sources. Building Regulations also require new build dwellings to accord with certain levels of insulation and efficiency. The Town Council’s comments are noted in regard to insulation however the LPA

have no substantive evidence to suggest that the proposed dwellings would be poorly insulated or not 'green'.

16.0 Planning Assessment of Proposal

16.1 Principle of Development

The proposed development involves the erection of 10 dwellings. In terms of the principle of the development, the site lies within the defined development boundary (DDB) for Sherborne. Policy SUS2 of the adopted local plan seeks to direct development to the main settlements and to "strictly control" development outside DDBs, "having particular regard to the need for the protection of the countryside and environmental constraints".

Given the location of the site inside the DDB with good access to amenities the principle of the application is acceptable. It would also be seen in the wider context of the surrounding development.

Housing Land Supply

On the 26 September 2024, the Planning Inspectorate (PINS) confirmed that Dorset Council can demonstrate a Housing Land Supply (HLS) of 5.02 years. This covers the entire Dorset Council area and replaces all previous calculations for the former districts. The Inspector's Report and the finalised Annual Position Statement (incorporating PINS recommendations) are published online at Annual Position Statement - Five Year Housing Land Supply - Dorset Council. The Inspector's Report states that we are entitled to rely on this position until 31 October 2025. This is in accordance with Para 78 of the NPPF (December 2023) and Paras 012 and 018 of the PPG (Housing Supply and Delivery). The Council can therefore demonstrate a 5-year housing land supply. In addition, no areas in Dorset Council have a Housing Delivery Test result of less than 75% delivery, meaning that the two minimum criteria of footnote 8 of the NPPF are met. This means the presumption in favour of sustainable development (the tilted balance) does not apply. Full weight can therefore be given to relevant policies in the adopted Local Plans and Neighbourhood Plans.

As the confirmed housing land supply position is close to the required minimum of 5 years, this is a material consideration in planning decisions. Another material consideration is the Written Ministerial Statement issued by the Secretary of State on 30 July 2024, which makes clear that the government wish for the planning system to address the housing crisis and deliver significantly more homes. When making decisions, case officers should consider the benefits of an increase to the housing supply alongside other benefits of the scheme, against the impacts associated with the development. The application site consists of garages that served the properties located along Littlefield Close. Although the land has been formerly developed, as the land was considered to be a part of the Littlefield dwellinghouses, it is considered that this would represent greenfield land in a similar manner to how rear garden areas of dwellinghouses are considered to be greenfield.

For all of the Reasons set out above, Officers do not consider that the presumption in favour of sustainable development, as outlined in paragraph 11 of the NPPF, applies to the current application.

Nutrients

The application site is located within the Somerset Levels catchment area. The applicant proposes to mitigate the impacts of the proposed development by utilising an approved credit provider, Natural Capital, in Somerset. This would be secured via a Section 33 Agreement. The LPA are working towards an agreement that will facilitate securing the credits and the acceptability of the nutrients position is dependent on this being completed.

16.2 Visual Amenity

Policy ENV12 sets out that development will achieve a high quality of sustainable and inclusive design as well as other design principles in regard to the siting of buildings and their materials.

The proposed development involves the erection of 10 dwellings. The previous use of the site was garaging (now demolished). The garaging consisted of rows of flat roofed, concrete garages with areas of hardstanding. The site is primarily surrounded by residential plots.

The proposed 10 dwellings would be two storey, they would be positioned in two lines of terraces and one singular unit split into 2 maisonettes. The proposed units would be of a modular construction with Wetherby Cannon Blue, Anoreta Red and Wetherby London Multi Buff Facing brick external walls and Marley Edgemere roof tiles. Samples of the brick slips were provided as part of the application process. The proposed dwellings, although modular, have been designed to reflect the surrounding development and are considered to result in a visual improvement in this more urban setting on the vast amount of concrete of the garages previously on the site and the now hardstanding.

The Urban Design Officer was consulted on the amended plans submitted as part of the application and considered that the revised plans incorporate an improved sense of arrival through the change of house type for plot 1, the parking arrangement has been rationalised and the introduction of street trees which relieves the hard surfacing associated with parking. The proposed development will result in the site reflecting the surrounding development and will remove the incongruous feature of the hardstanding.

The Landscape Architects comments in regard to there being too many dwellings on the site and the parking layout resulting in a public realm that is dominated by parking. However, it should be noted that the proposed development is located within the urban part of Sherbourne where there are higher densities of dwellinghouses and a higher density development would not appear out of character with the surrounding area. In addition, the movement of the parking to the side of the development results in plots 6-10 having no parking in front of the proposed dwellings which in the opinion of the Officer results in a better design. The proposed dwellings would have small front gardens and there are a number of street trees located throughout the development which helps reduce the visual dominance of the parking.

Given the above the proposed development would not have an adverse impact on the visual amenity of the site or locality. This would be considered to be in accordance with Policy ENV12 as well as Policy ENV10 and ENV11.

16.3 Residential Amenity

Policy ENV16 sets out that proposals for development should be designed to minimize their impact on the amenity and quiet enjoyment of both existing residents and future residents within the development and close to it.

To the north of the application site are the rear of the properties of Ridgeway. The majority of the proposed parking would be located along this boundary. One unit consisting of two maisonettes (plots 9 and 10) would be located close to the boundary of nos.13 & 15. The rear elevation of the proposed plots 9 and 10 would have a window serving each of the maisonettes. The proposed windows would be small, with one at ground level facing the boundary treatment and both would serve bathrooms and would therefore be obscure glazing. The obscure glazing of these windows would be conditioned as such on any approval.

Concerns have been raised that these units would result in an overbearing impact on the two existing properties of Ridgeway located to the rear. The proposed unit would be two storey with the roof sloping away from the neighbouring properties. The proposed unit would not be located directly behind one property, expanding their full garden width. It would also be separated from the rear elevation of the existing properties by their gardens and the small patio to the rear of the proposed unit. On this basis, it would be considered that there may be some impact to the rear amenity areas of the two affected Ridgeway dwellings, however it is not considered that this impact would have a significant adverse impact on the amenity of these dwellings.

To the west of the site are the existing properties of nos. 1-15 Littlefield, the rear of these existing properties would face the rear of the proposed units 1-5. The rear of the properties would be separated by the gardens of both the existing and proposed and it would be considered to be sufficient distant between the two. To the south of the site are the rear of the properties of nos.10-16 Noake Road which would face towards the side elevations of units 5 and 6. There are no windows proposed on the side elevation of plot 5 and on plot 6 two small, narrow windows are proposed. The first-floor window would serve a bathroom, not a habitable room and would be obscure glazed and conditioned as such if this application is approved. As the side elevations of the proposed dwellings would be set back from the boundary and would be separated further by the rear gardens of the neighbouring dwellings, it would be considered that the proposed dwellings would not have a significant impact on the amenity of the neighbouring dwellings in terms of being overbearing or overshadowing.

The rear of the plots of 6, 7 and 8 would face the side elevation of the neighbouring property nos.18-23 Noake Road to the east however the properties would be set back from the boundary by the gardens of the proposed dwellings. There are side windows on the neighbouring property but these are small and secondary in nature.

The proposed development therefore may have some impact on the rear amenity areas of the neighbouring dwellings however it is considered that due to the proposed separation distances, that this impact likely would not be significantly adverse.

Given all of the above the proposed development would not have a significant adverse impact on the living condition of occupiers of residential properties in accordance with Policy ENV16.

In terms of future amenity for any occupiers of the proposed dwellings, if this application is approved, Local Plan Policy ENV 12 states that new housing should

meet and where possible exceed appropriate minimum space standards. The proposed dwellings meet the minimum space standards when looking at the minimum number of bed spaces for that size property (by bedroom number). Planning does not control the number of people occupying a dwelling and therefore on balance as they would meet the minimum requirement the units are considered acceptable. The proposed dwellings would also each have adequate private gardens which would allow for future occupants to extend the proposed dwellings, subject to any requirements for planning permission, to accommodate any potential future space needs.

Given the above the proposed development would not have a significant adverse impact on the living condition of occupiers of the proposed residential properties in accordance with Policy ENV16.

16.4 Contamination

The application site is located within a contaminated land buffer, however the site was previously domestic garaging and hard standing. Environmental Health were consulted on the application and they confirmed that due to the potential presence of asbestos on the site, the Applicant should inform HSE. In addition, to this Environmental Health recommend restricting the hours of construction works and ensuring no bonfires are held on site. The working hours recommended by Environmental Health have been amended by the LPA to reduce the potential disruption to the neighbouring dwellings. In respect of Contaminated Land, an unexpected land contamination condition would be placed on any approval granted in accordance with Policy ENV9.

16.5 Drainage

A Drainage Strategy was submitted as part of the application, amendments were made in response to the original comments from the flood risk management team. Further information was submitted and the Flood Risk Management Team raised no objection subject to conditions for a detailed surface water management scheme and details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system. These conditions would be placed on any approval granted. Overall, this would be considered acceptable in accordance with Policy ENV5.

16.6 Highway Safety

The application site would be accessed via an existing vehicular access from Littlefield. This access formally was used to access the garages that were located on the application site prior to their demolition before this application was submitted to the LPA.

The application in consideration would result in improvements being made to the existing access leading off Littlefield through the widening of the highway at the point where the access joins the application site. A dropped kerb pedestrian crossing would also be added adjacent to the access to the application site. The proposed works would be within the public highway therefore a Section 278 agreement would be entered into between the Applicant and the Highways Authority. A S278 is a separate process to Planning and it is applied for separately to the Planning Permission. A Grampian condition would, however, be attached to the decision to secure the proposed Highways works.

The proposed works within the Highway would overall result in a betterment of the existing. In addition, it should also be noted that the proposal is for a relatively small development of 10 dwellings and it would not be considered that the addition of a further 10 dwellings within this area would result in a significant increase in traffic and/or vehicular movements in particular when considering that the application site formerly was used as garaging where residents could park their cars. Therefore, on this basis it is considered that the proposal would not result in a significantly greater impact than the existing.

The proposal includes 27 parking spaces, of which 5 parking spaces are proposed to be for the use by the local community and these would be located on the edge of the application site by the vehicular entrance. The remaining 22 parking spaces would serve the proposed units. Given that the proposed development is within a highly sustainable location within the development boundary of Sherbourne which has a number of services within walking distance and it also has public transport links to allow access to the wider District, it is considered that this parking provision would be more than sufficient for a development of the proposed size. Dorset Council Highways raised no objections in regard to the parking provisions for the proposed development.

The concerns raised by the Town Council and third parties are noted in particular in regard to the submission of a Traffic Management Plan. However, in this instance the Highways Authority reviewed the application and considered that based on the information submitted that the proposed development would be considered acceptable from a Highways Safety perspective and raised no objections subject to conditions. In this instance, based on the Highways Authority response and the fact that the proposed development would be of a relatively small scale and would be utilising an existing vehicular access in a residential area where speeds are considered to be low, the LPA consider that there would not be sufficient justification to require a Traffic Management Plan to be submitted.

The Town Council's comments in regard to a lack of cycle rack provision are noted. Policy COM9 criterion ii sets out that 'Cycle parking facilities should be provided where suitable private storage is not provided'. In this instance, each of the proposed dwellinghouses have their own private shed which could be used for the storage of a bicycle and there is direct external access to the sheds which would mean a future occupier would not have to take a bicycle through the house. The proposed apartments would not have a shed however the apartments have a patio area and a private garden each which could provide secure cycle storage. In this case, the proposed development is considered acceptable.

The Town Council also raised concerns in regard to mobility issues with the site and the residents may only access through their homes however no further expansion has been provided on these points so the LPA are not clear on the concerns here. However, from the LPAs perspective, Officers consider that the proposed development would be in accordance with Policy COM9 and access would be provided to each of the proposed units via an external gate to the private gardens in addition to the main entrance to each unit.

The Town Council also raised about EV charging points for BEV and PHEV vehicles. Whilst not specified within the proposal, Building Regulations require the installation of EV chargers for parking spaces associated with new developments under

Approved Document S (introduced June 2022). Therefore, there is no need for Planning to replicate the requirements of Building Regulations.

Overall, it is considered that the proposed development would be in accordance with Policy COM7 and Policy COM9 and the guidance set out in the Bournemouth, Poole & Dorset Residential Car Parking Study.

16.7 Biodiversity

The proposed development involves the erection of 10 dwellings on the site. Natural England were consulted and considered that a Biodiversity Mitigation & Enhancement Plan (BMEP) was required. In response to the comments received a BMEP and an associated certificate of approval from NET were submitted. A condition would be placed on any approval for the development to be carried out in accordance with the agreed BMEP.

Concerns were raised following the previous presentation of this application to the Committee by Natural England in regard to the impact of the proposed development on Nutrients on the Somerset Levels. On 25 January 2024, the Secretary of State designated the Somerset Levels and Moors as a nutrient sensitive catchment for phosphorus. To mitigate any potential impacts from Phosphates, the Applicants have agreed to enter into a Credit Scheme whereby Credits are purchased from an appropriate approved provider to then deliver mitigation works within the River Parrett catchment in Somerset District.

The proposed credits would be secured via a legal agreement between the LPA and the Applicant if this application is approved. Overall, subject to compliance with the proposed conditions, the proposed development would be considered acceptable in accordance with Policy ENV2.

16.8 Affordable Housing

Para 65 of the NPPF sets out that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). This application involves the erection of 10 dwellings and therefore meets the threshold for major development. To comply with local plan policy HOUS 1, the proposal would need to provide 35% affordable housing. However, the proposal in consideration is seeking permission for a 100% affordable scheme and the provision of 10 affordable units which would be secured through a s106 agreement if this application is approved.

16.9 Community Infrastructure Levy

The adopted charging schedule only applies a levy on proposals that create a dwelling. All other development types are therefore set a £0 per square metre CIL rate.

The development proposal is CIL liable. The rate at which CIL is charged is £100 per sqm. The CIL charge would be confirmed when the liability notice is issued. Confirmation of the final CIL charge will be included in a CIL liability notice issued prior to the commencement of the development. Index linking as required by the CIL Regulations - (Reg. 40) is applied to all liability notices issued, using the national All In Tender Price Index (TPI) of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. CIL

payments are index linked from the year that CIL was implemented (2016) to the year that planning permission is granted.

As the proposed development is for affordable units the applicant would be able to claim affordable housing relief on the dwellings.

17.0 Conclusion

The application in consideration, if approved, would provide 10 units of affordable housing within a sustainable location that is within the development boundary of Sherbourne. Therefore, principally due to its location, the proposed development would be considered to be policy compliant in accordance with Policy SUS 2. Significant weight should be afforded to these benefits.

The application in consideration would also provide a meaningful contribution towards maintaining the Council's 5-year Housing Land Supply. As the contribution towards this would be relatively modest, it is considered that moderate weight should be afforded to this benefit. The proposal would also provide some economic benefits to the local area if this application is approved through future residents spending within the locality. Moderate weight should also be provided to this benefit. The proposal would also provide some short-term economic benefits to the local area during the construction of the development, if this application is approved, through the employment of local trades and spending within the local area. As these benefits would be short-term little weight could be afforded to these.

The proposal would not have a significant visual impact on the surrounding area and the proposed designs would be in-keeping with the surrounding area. The concerns in regard to the layout of the proposed development are noted and its lack of green space however on a relatively small development of 10 dwellings, there are limited options in regard to providing green space on-site. Officers consider that the proposed landscaping would be appropriate for the size of the development and its location which is within an urban area. The proposed levels of car parking would also be considered appropriate for the size of the development and in terms of Highways impact, the Highways Authority were satisfied in regard to its impact on the local Highway network.

The proposed development may result in some impact to the amenity of the neighbouring dwellings in terms of overshadowing however it is considered that the impact is likely to not be significant and it would not result in an overbearing level of overshadowing to any neighbouring dwellings.

Overall, therefore, on balance it is considered that the proposed development would be in accordance with the development plan taken as a whole and is not outweighed by any other material considerations, the proposed development would be regarded as sustainable development and planning permission should be granted.

18.0 Recommendation

A) Grant, subject to the completion of a legal agreement under section 106 of the Town and Country planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

- The proposed affordable housing and its tenure
- The proposed Somerset Levels Catchment Nutrient Neutrality Credits

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 and documents:

Location Plan - Drawing Number 2001 (May 2019)

Proposed Site Plan - Drawing Number 2004 K (February 2021)

Proposed Roof Plan - Drawing Number 2005 F (February 2021)

Proposed Floor Plan Plots 1-5 - Drawing Number 2030 B (November 2020)

Proposed Elevations Plots 1-5 - Drawing Number 2031 C (November 2020)

Proposed Floor Plan Plots 6-8 - Drawing Number 2032 B (November 2020)

Proposed Elevations Plots 6-8 - Drawing Number 2033 C (November 2020)

Proposed Floor Plan Plots 9-10 - Drawing Number 2034 B (November 2020)

Proposed Elevations Plots 9-10 - Drawing Number 2035 C (November 2020)

Proposed Biodiversity Plan - Drawing Number 2007 B (April 2019)

Proposed Drainage Strategy - Drawing Number A108246-1300 A (April 2019)

General Arrangement of Surface Water Impermeable Areas - Drawing Number 103 P1 (January 2020)

Affordable Housing Statement (May 2019)

Biodiversity Mitigation & Enhancement Plan (February 2020)

Biodiversity Mitigation & Enhancement Plan Certificate (February 2020)

Design & Access Statement Part 1 (May 2019)

Design & Access Statement Part 2 (May 2019)

Ecological Impact Assessment (September 2018)

Ground Condition Appraisal (August 2018)

Soakaways 55SqM (August 2020)

Soakaways 84SqM (August 2020)

Soakaways 125SqM (August 2020)

Soakaways 156SqM (August 2020)

Soakaways 206SqM (August 2020)

Soakaways 364SqM (August 2020)

Soakaways 455SqM (August 2020)

Statement of Community Involvement (May 2019)

Statement of Compliance with DCLG Technical Housing Standards (May 2019)

Transport Statement (May 2019)

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

3) Prior to the commencement of the development, hereby approved, the necessary nutrient mitigation credits to mitigate the impacts of the development on the Somerset Levels and Moors Ramsar catchment 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 Somerset Levels and Moors Ramsar.

4) The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:-

- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway.
- Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc).
- The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
- Details of any temporary construction accesses and their reinstatement.
- A highway condition survey, timescale for re-inspections, and details of any reinstatement.

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the Local Planning Authority.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety.

5) Prior to the commencement of works above ground/foundation level on the development, hereby approved, details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system shall be 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. The details shall include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding in accordance with Policy ENV5 of the West Dorset, Weymouth and Portland Local Plan 2015.

6) Prior to the commencement of works above ground/foundation level on the development, hereby approved, a detailed surface water management scheme for the site, which accords with the principles outlined in the following documents:

- Drawing: General Arrangement of Proposed S104 Foul & Surface Water
- Drainage – Littlefield Development, Barnaby Assoc. – Jan 2020 – Ref No: 191110-101-P3
- Report: Soakaway Ground Investigation Report – Proposed Development at Littlefield, Sherborne – TerraFirma (South) – Rev 00 (July 2020) – Ref No: 5075/SR,

and is based upon the hydrological and hydrogeological context of the development and includes 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 surface water scheme shall be fully implemented in accordance with the submitted details before the development is completed and retained as approved thereafter.

Reason: To prevent the increased risk of flooding, to improve and protect water

quality, and to improve habitat and amenity in accordance with Policies ENV2 and ENV5 of the West Dorset, Weymouth and Portland Local Plan 2015.

7) Prior to the first occupation of the development, hereby approved, the turning and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon in accordance with Policy COM7 of the West Dorset, Weymouth and Portland Local Plan 2015.

8) The development, hereby approved, shall be carried out in accordance with the external material details set out within Section 5.1 of the Design and Access Statement which was submitted with this application and dated May 2019.

Reason: In the interest of visual amenity and ensuring high-quality design in accordance with Policies ENV10, ENV11 and ENV12 of the West Dorset, Weymouth and Portland Local Plan 2015.

9) 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). If any contamination is found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved by the Local Planning Authority in writing. On completion of the approved remediation scheme a verification report shall be prepared and submitted to the Local Planning Authority in writing for the approval of the Local Planning Authority within two weeks of completion.

Reason: To ensure risks from contamination are minimised.

10) The measures of the Biodiversity Mitigation & Enhancement Plan signed by Mat Gee and dated 20/02/20, and agreed by the Natural Environment Team on 24/02/2020 shall be implemented in full prior to first occupation of the dwellings hereby approved.

Reason: In the interests of biodiversity mitigation and enhancement in accordance with Policy ENV2 of the West Dorset, Weymouth and Portland Local Plan 2015.

11) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the first floor window on the side elevation of plot 6 hereby approved shall be permanently glazed and maintained thereafter with obscured glass of a minimum obscuration of Pilkington Level 3 or equivalent and non-opening up to 1.7 metres above the finished floor level of the room before the dwelling house is first brought into use.

Reason: To protect amenity and privacy of the nearby neighbouring dwellings in accordance with Policy ENV12 of the West Dorset, Weymouth and Portland Local Plan 2015.

12) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the first-floor window on the

rear elevation of plot 9 hereby approved shall be permanently obscure glazed and maintained thereafter with obscured glass of a minimum obscurity of Pilkington level 3 or equivalent and a permanent fixed restrictor installed only allowing the window to be opened by 10cm at the bottom of the window before the dwelling house is first brought into use.

Reason: To protect amenity and privacy of the nearby neighbouring dwellings in accordance with Policy ENV12 of the West Dorset, Weymouth and Portland Local Plan 2015.

13) The development hereby approved shall not be first occupied until a pedestrian dropped kerb located on the south side of Littlefield to be positioned as shown on the Proposed Site Plan, drawing number 2004 K shall first have been installed.

Reason: In the interests of highway safety.

14) Prior to the first use of the site, details should be submitted to and approved in writing by the Local Planning Authority to confirm that all residential doors are dual certified for both security, smoke and fire, the doors should security standard PAS24:2022 or equivalent and have the appropriate fire rating.

Reason: To ensure that the proposed development provides an appropriate level of security in order to help design out crime.

15) No demolition or construction works shall take place outside the hours of:

08:00-17:30 Monday to Friday;

09:00-13:00 Saturday; and

No Activity on Sundays or Bank or Public Holidays

Reason: In the interests of the amenity of the area.

16) Full details of any soil or soil forming materials brought on to the site for use in garden areas, soft landscaping, filling and level raising shall be submitted to and approved in writing by the Local Planning Authority. Where the donor site is unknown or is brownfield, the material must be tested for contamination and suitability for use on site. Full donor site details, proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) must be submitted to and approved in writing by the Local Planning Authority prior to import on to the site.

The approved testing must then be carried out and validatory evidence (such as laboratory certificates) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought on to site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informative Notes:

1. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place and follow the

correct CIL payment procedure.

2. With regard to the indicative alterations to the public highway close to the site access, whilst these may in principle be acceptable, separate permissions are required and must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

3. As the new road layout does not meet with the Highway Authority's road adoption standards or is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.

4. The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making-up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Infrastructure Service, Dorset Council, County Hall, Dorchester, DT1 1XJ.

5. The applicant is advised that, notwithstanding this consent, before commencement of any works Dorset Highways MUST be consulted to agree the precise position of the boundary. They can be contacted by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ.

6. If the applicant wishes to offer for adoption any highways drainage to DC, they should contact DC Highway's Development team at DLI@dorsetcouncil.gov.uk as soon as possible to ensure that any highways drainage proposals meet DCC's design requirements.

7. The applicant is advised that, notwithstanding this consent, it is intended that the new pedestrian dropped kerb is to be offered for public adoption under Section 278 of the Highways Act 1980, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ.

8. The pedestrian dropped curb required by condition 11 must be constructed to the specification of the Highway Authority. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcc.gov.uk, or in writing at Dorset Highways, Dorset Council,

County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

9. Details of measures to limit the potential consumption of wholesome water use by persons occupying the new dwelling to 120 litres per person per day as measured in accordance with regulation 36 of the Approved Document for Part G2 of the Building Regulations 2010 (or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) shall be submitted to and approved by the Local Planning Authority before the dwelling is occupied. The submitted details shall include a water consumption calculation for the dwelling in accordance with the Approved Documents referred to above. The approved measures shall be implemented and maintained to the satisfaction of the Local Planning Authority thereafter.

Reason: To secure nutrient neutrality through effective mitigation in the interests of protected Habitat Sites.

A) Refuse permission for the Reasons set out below if the agreement is not completed by (6 months from the date of committee) or such extended time as agreed by the Head of Planning.

- No mechanism (section 106 agreement) has been entered into to secure a legal obligation to provide for a policy compliant scheme to secure the provision of affordable housing. As such the application is contrary to Policy HOUS1 of the West Dorset, Weymouth and Portland Local Plan 2015.