

Application Number:	P/OUT/2024/00603		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land At E 376630 N 130225 Chaffeymoor Farm New Road Bourton		
Proposal:	Erection of up to 50 dwellings with new cycle/pedestrian link to West Bourton Road and the provision of public open space (outline application to determine access only) (amended plan received).		
Applicant name:	Landstrom Group Ltd		
Case Officer:	Alex Skidmore		
Ward Member(s):	Cllr Pothecary, Cllr Ridout, Cllr Woode.		
Publicity expiry date:	15 October 2024	Officer site visit date:	Latest site visit 1 October 2024
Decision due date:	7 February 2025	Ext(s) of time:	7 February 2025

1.0 Reason application is going to committee

Referred to Committee in view of concerns raised by the Parish Council (Bourton), in accordance with the Scheme of Delegation.

2.0 Summary of recommendation:

Grant, subject to condition and the completion of a satisfactory S106 agreement.

3.0 Reason for the recommendation:

- The benefits of the development outweigh the identified harms;
- 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 terms of its impact on the character of the settlement and local landscape;
- The development would provide ecological benefits as set out in the Biodiversity Plan;
- The development could be designed to avoid any significant harm to neighbouring residential amenity;
- The proposal would result in less than substantial harm to the setting of nearby heritage assets, however, this is outweighed by the public benefits of the scheme, principally the provision of; 50 dwellings, including 20 affordable dwellings; public open space; play facilities; and, a contribution towards the provision of a new village hall or refurbishment of the existing hall;

- There are no material considerations which would warrant refusal of this application.

4.0 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 local services.
Affordable Housing	The scheme includes 40% affordable housing (20 units), and is in compliance with Policy 8 of Local Plan.
Impact on infrastructure	A range of obligations and contributions are to be secured through a S106 agreement to ensure the impact of the development on local services is acceptably mitigated. There would be benefit to the local community through contributions towards facilities within the village including village hall facilities.
Impact on character of area, surrounding landscape and Cranborne Chase National Landscape (AONB)	The development respects the spatial pattern of the existing settlement and relates well to existing built form. The proposal will not notably alter the landscape or visual character of the area and will not impact negatively on views from or towards the AONB.
Impact on heritage assets	Less than substantial harm to the setting of nearby heritage assets has been identified, however, this is considered to be outweighed by the public benefits of the proposal.
Impact on the living conditions of the occupants and neighbouring properties	No harm to the amenity of neighbouring properties has been identified. It is considered that an acceptable layout can be achieved that allows for future occupiers to have an acceptable level of amenity without causing harm to neighbouring properties.
Highway safety	A new vehicular access is proposed that is considered by the Highway Authority to be a safe and suitable means of access to serve the development. An additional cycle/pedestrian link is proposed on to West Bourton Road to further enhance the accessibility of the site to the wider settlement and promote active travel.
Flood risk and drainage	The developable area of the site is not located within any designated Flood Zones. The Lead

	Local Flood Authority has raised no objection, subject to condition.
Trees	A temporary Tree Preservation Order (TPO) has been placed on the site. The proposal seeks to retain the existing trees and hedgerows.
Ecology and Biodiversity	A Biodiversity Plan has been agreed with the Council's Natural Environment Team and which would bring a net benefit to the ecological value of the site. The site is not located within any nutrient sensitive catchments.

5.0 Description of Site

The proposed development site sits on the western edge of the settlement of Bourton and is outside but partly adjoins the village's defined settlement boundary. The site is identified as one of two potential sites for accommodating a new village hall under Policy 5 of Bourton's adopted Neighbourhood Plan.

This is a greenfield site comprising two fields, totalling 7.17 hectares, of unfettered agricultural land bounded predominantly by a mix of native hedgerows interspersed with trees and post and wire fencing. The land slopes away from New Road to the west / southwest with the lowest reaches comprising the southern parcel of land, and which includes two mature specimen trees growing within the field itself, and which is bounded by the A303 along its southern extremity. Each field is served by an existing vehicular access, with the access for the northern field leading on to New Road and the southern field access leading on to West Bourton Road to the southeast.

The site is surrounded by irregular development and farmland, with predominantly residential properties to the east. On the opposite side of New Road are several residential properties and also Voscombe Farm, which has extant consent for a development including 8 dwellings, the access for which is to be positioned opposite that proposed for the current application. To the west is Grove Cottage and Chaffeymoor Farm which also has extant consent for residential development.

The farmhouse at Chaffeymoor Farm is Grade II listed. There are a number of other heritage assets within the vicinity most notably Church View located to the northeast and the Church of St George located approximately 100m to the east of the site, both of which are Grade II listed. Cranborne Chase National Landscape (AONB) is located approximately 520m to the northwest of the site. No Public Rights of Way (PROW's) pass through the application site however they are numerous within the local vicinity. The site does not sit within any nutrient sensitive catchments.

6.0 Description of Development

This is an outline application for the erection of up to 50 dwellings and includes the formation of a new access, provision of associated onsite public open space, LEAP (local equipped area of play) and drainage attenuation. The quantum of development has been reduced during the course of the application from 55 dwellings.

Access is the only other matter to be considered at this stage. In this respect a new access is to be formed approximately 5m to the west of the existing field access leading on to New Road. The new access would serve a primary internal spine road and is the only vehicular access serving the site. A new pedestrian / cycle link is also proposed on to West Bourton Road.

7.0 Relevant Planning History

Site History:

2/2019/0077/OUT: Withdrawn 08/04/2022

Develop land by the erection of a village hall and 9 No. dwellings, form vehicular and pedestrian access. (Outline application to determine access).

P/PAP/2022/00255: Responded 03/02/2023

Residential development of 3 parcels of land (Pre-application enquiry).

Adjacent Site History – Chaffeymoor Farm

P/FUL/2023/00247: Granted 04/01/2024

Change of use and conversion of barns to 3 no. dwellings and home office. Demolish modern barns. Erect garage block.

P/LBC/2023/00248: Granted 03/01/2024

Refurbish Chaffeymoor Farmhouse, convert barns to 3 no. dwellings and home office. Demolish modern barns.

Adjacent Site History – Voscombe Farm

P/OUT/2022/00060: Allowed at appeal 20/01/2023

Demolish existing barn and erection 8 no. dwellings, new vehicular access and ancillary works (outlain application with all matters reserved).

8.0 List of Constraints

Settlement Boundary – Bourton (outside)

Neighbourhood Plan – Bourton NP (Made 26/01/2018)

Surface Water Flood Risk

Existing and Higher Potential Ecological Network

Site of Special Scientific Interest (SSSI) impact risk zone:

- NE - SSSI (5km buffer): Dead Maid Quarry
- NE - SSSI (5km buffer): Heath Hill Farm

- NE - SSSI (5km buffer): Whitesheet Hill

Adjacent to Public Rights of Way (PROW)

Within setting of listed buildings (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Setting of the National Landscape (formerly AONB) – Cranborne Chase & West Wiltshire Downs (statutory protection in order to conserve and enhance the natural beauty of their landscapes – National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

9.0 Consultations

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

Consultees

Bourton Parish Council – Objects. They state that they have considered the revised S106 consultation response table (updated September 2024) and the recently received indication that a further contribution of £2,000 per dwelling towards either the provision of a new village hall or the refurbishment / improvement of the existing village hall, would be forthcoming. Despite the possible benefits to Bourton of several S106 contributions, should they materialise, Bourton PC continues to object to this application for the following reasons:

- Located in the open countryside and greatly exceeds the area needed to deliver the aims of Policy 5 of the Neighbourhood Plan (NP).
- Bourton PC is poised to revise its NP as there is no longer any desire to obtain the site for a new village hall, since securing the necessary funds (>£900k) to build a village hall will not be achievable. As such, Village Hall trustees have recently voted to cancel plans for a new village hall and are now minded to steadily update the existing village hall.
- Contrary to Policies of the adopted North Dorset Local Plan, including those of housing distribution (LP policy 2, 6 and 20), as well as LP policies 3 (climate change) and 4 (the natural environment).
- Lack of local need for this housing.
- Impact on local services. The scheme would place immense strain on local infrastructure and assets, especially the local health centre (Silton Surgery) which will be unable to accept the additional 100+ residents, and St George's primary school for which no financial contribution is included within the S106 requirements.
- Amounts to the inappropriate extension of the village boundary which would have an urbanising effect to the rural character of the settlement, contrary to Bourton NP policy 1a.

- The development would significantly harm the relevant ‘important views of the countryside’, contrary to Bourton NP policy 1b.
- Negative landscape impact and harmful to the setting of the village and Cranborne Chase National Landscape. Would close an important green space that separates Bourton from Chaffey Moor hamlet and erode characteristic spatial patterns.
- Harmful to the setting of nearby heritage assets.
- Harmful to biodiversity due to urbanisation, light pollution, habitat destruction.
- Environmental impact. Lack of bus services, the associated car movements will increase the village’s carbon footprint.

In their latest set of comments, the Parish Council state that should the Planning Committee decide to approve this application regardless of the aforementioned objections, that it is essential that the list of financial contributions, beneficial to Bourton PC and Bourton’s residents should be prioritised within the final S106 agreement.

Silton Parish Council (adjacent parish) – No comments received

Cucklington Parish Meeting (adjacent parish) – No comments received

Gillingham Ward members - No comments received

Dorset Police Architectural Liaison Officer – No comments received

Somerset Council – No comments

DC Highways – No objection subject to conditions. The access will be provided with acceptable levels of visibility splays based on a speed survey. Trip analysis is considered to be robust and it is accepted that the cumulative impact of the development cannot be thought to be ‘severe’, when considered against paragraphs 114 to 115 of the NPPF.

DC Public Transport – Request a contribution towards improvements of bus stops close to the development. There is currently only limited bus service at this location, so we would ask only for some poles and flags as some of the stopping places are unmarked.

DC - Dorset Waste Team – No comments received

Dorset Fire & Rescue Service - The development will need to be designed and built to meet current Building Regulations requirements.

DC - Rights of Way Officer – No comments received

DC Flood Risk Management – No objection subject to conditions

DC Environmental Protection – No objection subject to conditions relating to potential site contamination, noise assessment and mitigation, and a construction method statement (to protect neighbour amenity). They note that the submitted noise assessment has outlined noise mitigation measures to achieve internal noise levels compliant with BS 8233:2014, but that further detailed noise modelling will be required at reserved matters stage to secure the details of the scheme.

DC Building Control North Team – No comments received

DC Section 106 – In order to make the development acceptable in planning terms, applications for major housing development are expected to maintain and enhance the level of grey, green and social infrastructure as set out in Policies 13, 14 and 15 of the LPP1. The following obligations and contributions are therefore required:

- 40% affordable housing;
- £2,000 per dwelling towards provision of a new village hall or improvement/refurbishment of the existing village hall in Bourton;
- £722 per dwelling to support infrastructure for Primary, Secondary and Community care within the NHS system;
- £4,077.03 per dwelling towards improvements at Gillingham High School;
- £1,487.62 per dwellings towards improvement or provision of SEN (Special Educational Needs);
- £190.50 per dwelling towards improvements at Bourton and Zeals Preschool;
- £2,006.97 per dwelling towards facilities in Bourton Parish;
- £308.16 per dwelling towards allotments;
- Onsite provision of Informal Open Space;
- £1,278.80 per dwelling towards maintenance of the Informal Open Space;
- Onsite provision of a LEAP (Locally Equipped Area of Play);
- £359.36 per dwelling towards maintenance of the LEAP;
- £1,318.80 per dwelling towards formal outdoor sports facilities;
- £128.73 per dwelling towards maintenance of the outdoor sports facilities;
- £75 per dwelling to Gillingham Library;
- £3,165 contribution towards new bus stop flag poles with timetable cases on New Road.

DC Public Health Dorset – The provision of open space and commitment to sensitive housing construction is welcome. However, more detail in relation to mitigating the impact of the main A303 on future residents would also be welcome in terms of air quality and noise. Improved acoustic design and tree and hedge planting could contribute towards this.

DC Housing Enabling Team – As at 21st February 2024 there were more than 5500 households on the Dorset Council housing register. The housing register demonstrates not only a high level of recorded housing need across the area but that a variety of dwelling sizes are required across a range of sizes. The Local Plan

requires 40% of the total number of dwellings be affordable homes. As per government guidance we would seek for 25% First Homes rather than the 30% proposed by the applicant and the remaining affordable homes split as 70% affordable/social rent and 30% intermediate housing (shared ownership).

DC Urban Design Officer – Unable to support. The proposed development site lies outside the development boundary for the village and is contrary to policies within the Bourton Neighbourhood Plan. The quantum of development and density of housing is considered to be unsympathetic to local character and will not add to the overall quality of the area, contrary to NPPF para 135, National Design Guide para 41 and North Dorset Local Plan Policy 24 (design).

DC Conservation Officer – Unable to support. Identified a less than substantial harmful impact on the setting of Chaffeymoor Farmhouse, a Grade II listed farmhouse with associated outbuildings. Whilst mitigation is acknowledged by way of separation through the introduction of a natural buffer between the farm and proposed development, the scheme, in its elevated and prominent situation (E), will erode the farm's containment and clear agricultural setting.

DC Landscape Officer – Unable to support. Defers to the National Landscape Officer with regard to impact on the setting of the Cranborne Chase National Landscape (NL) but notes that views from publicly accessible sites within the NL are likely to be screened or filtered by intervening vegetation and mitigated by distance. However, the siting is not sensitive in this regard. The site is legibly part of the countryside and the scheme will erode the current clear distinction between countryside and settlement. The extension of built development as shown would likely have a significant landscape and visual impact on visual receptors to the west, northeast and south of the site. No indication that the impact of street lighting has been considered.

Further comments - The latest changes, addition of an orchard, additional trees with the POS, more central position of the LEAP and frontages on to New Road etc, are welcomed however the scheme is still contrary to the Local and Neighbourhood Plans.

DC Trees Officer – No objection, subject to arboricultural detail including method statement, tree protection plan, schedule of supervision and provision of tree and hedge planting being provided at reserved matters stage. Further noted, there are a number of fine trees on site and in order to prevent indiscriminate tree removal to is considered expedient to apply a provisional Tree Preservation Order (ref. TPO-2024-0016). This TPO has been made as an area but is likely to be modified at a later stage to include only the best individual and groups of trees.

DC Natural Environment Team (NET) - No further comments

DC Environment Mitigation Delivery Team – No comments received

Bournemouth Water Ltd (South West Water) – No comment

Wessex Water – No comments received.

Representations received

Cranborne Chase National Landscape Officer – The issues raised by DC's Landscape Officer should be addressed in advance of a decision. Great weight should be given to the Neighbourhood Plan and it should be noted that PPG's (Planning Practice Guidance) emphasises the importance of setting and views to and from National Landscape's (NL's). Views from the PROW's that provide access to the NL are likely to be relevant. The further recreational pressures on the NL arising from this development should be considered.

Campaign to Protect Rural England (CPRE) – Object. This is a greenfield site outside the settlement boundary, contrary to Bourton NP Policy 1. Since there is no overriding need for the development to be located in the countryside it is also contrary to Local Plan Policy 20. It would have a serious impact on views from the south in the setting of the AONB, the boundary for which lies to the north of the site. Lack of public transport and employment opportunities means occupants will be car dependent, with associated increase in Bourton's carbon footprint. The site comprises well-drained, versatile agricultural land and is therefore contrary to Local Plan Policy 4. It would have an adverse impact on views from the western approach to Bourton of the Grade II listed St George's Church.

Dorset Wildlife Trust – No comments received

Ramblers Association – Welcomes the proposed elements of public open space and formation of a new publicly accessible route through the site connecting West Bourton Road to New Road. At present there is a 'No Footway' sign on West Bourton Road, the safety of pedestrians must be considered.

Total - Objections	Total - No Objections	Total - Comments
73	0	0

Petitions Objecting	Petitions Supporting
0	0

Summary of comments of objections:

- Development is too large for the village
- Outside settlement limits, contrary to Policies of the Bourton NP and Local Plan
- Lack of an overriding need or justification for the development, contrary to Policies 2 and 20 of the Local Plan
- Would constitute unsustainable development
- The S106 appears to offer no benefits to the village
- We have some poor low cost/social housing already. We need real affordable housing not that which only profits housing associations.
- Would set a precedent for building outside the established settlement boundary and open the doors to further opportunistic development
- Will have a negative effect on the community
- Harmful to settlement pattern and character
- Would have an urbanising effect on this rural village
- Loss of a green space to the detriment of the environment and well-being of the community
- Bourton has seen rapid expansion and is becoming overrun with expensive and often unsightly houses, ruining its natural beauty and the enjoyment of the village by all.
- Layout and density is out of keeping
- Obstruct important views (identified within Bourton's NP)
- Will have a harmful impact on views into and from the AONB to the north
- Harmful to setting of nearby heritage assets, including Chaffeymoor Farmhouse. Will erode gap between the hamlet of Chaffeymoor and having an urbanising impact. Intrude into views of the Church when entering the village from the west.
- Should be much more planting, including tree planting if approved
- Loss of natural environment. Harmful to wildlife, including protected and priority species and biodiversity more generally
- Loss of agricultural land
- Will disturb the peace of the village
- Highway safety concerns arising from increase in traffic and hazardous access arrangements which is located in a dip with restricted visibility. Traffic speeds through the village exceed the limit and the development could lead to parking issues on the road.
- Danger to pedestrians and cyclist in area of West Bourton Road where cycle/ped link is proposed
- Insufficient public transport, likely to be a high level of car dependency
- Inadequate facilities in the village to support development
- Will put additional pressure on existing local services, which are already strained
- The village school is already at capacity

- There are already two other significant developments underway in Bourton. The village has no employment opportunities and lacks public transport. This is not the right location for further homes.
- Noise, traffic, mess due to construction works
- The site is prone to flooding which could be problematic for the home owners and make the open space unusable
- Potential for surface water issues to nearby properties and land
- Loss of amenity (privacy, light, view and overshadowing) to neighbouring properties
- Will give rise to light and noise pollution

Summary of comments of support:

No comments of support received

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

North Dorset Local Plan Part 1 (2016)

Policy 1	-	Presumption in Favour of Sustainable Development
Policy 2	-	Core Spatial Strategy
Policy 3	-	Climate Change
Policy 4	-	The Natural Environment
Policy 5	-	The Historic Environment
Policy 6	-	Housing Distribution
Policy 7	-	Delivering Homes
Policy 8	-	Affordable Housing
Policy 11	-	The Economy
Policy 13	-	Grey Infrastructure
Policy 14	-	Social Infrastructure
Policy 15	-	Green Infrastructure
Policy 20	-	The Countryside
Policy 23	-	Parking
Policy 24	-	Design

Bourton Neighbourhood Plan ('Made' 26 January 2018)

The Bourton Neighbourhood Plan was 'made' on 26 January 2018, and forms part of the Development Plan. Relevant policies applicable to this outline application are:

- Policy 1: Landscape setting
- Policy 2: Settlement Pattern and Character
- Policy 3: Building Design and Form
- Policy 4: Traffic and Parking
- Policy 5: New Village Hall
- Policy 6: Biodiversity
- Policy 7: Protection of Habitats
- Policy 8: Mitigating and adapting to Climate Change
- Policy 9: Local Green Spaces
- Policy 10: Green Fingers
- Policy 11: Footpaths and Bridleways

Material Considerations

Emerging Local Plans:

Paragraph 49 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 plan proposals that accord with an 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.

Other relevant NPPF sections include:

1. Introduction
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 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

Other material considerations

Annual Position Statement – Five Year Housing Land Supply

Members will be aware that 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 233 of the NPPF (December 2024).

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 that in most cases, the presumption in favour of sustainable development 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.

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.

Bourton Village Design Statement (BVDS) adopted by North Dorset DC as a Supplementary Planning Document on 30 September 2011.

National Design Guide (January 2021)

Cranborne Chase National Landscape Management Plan 2019-2024

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.

The application site is considered to be in a sustainable location where it connects to existing dedicated footways that provide an accessible and walkable route, in terms of distance, to the locally available facilities and services.

The proposed change in land use will not result in any disadvantage to people due to their protected characteristics. While there is no specific provision for lifetime homes or accommodation specifically for those with protected characteristics, the development proposed will provide housing, including 40% affordable housing, open space and play facilities, that will be designed to ensure the needs of people with disabilities or mobility impairments or pushing buggies are met. This will be through

the accommodation of appropriate off road footpath links and by ensuring that the access arrangements to the new housing and open space are subject to the requisite standards applied by the Building Regulations and Highway Authority.

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.

14.0 Financial benefits

A Section 106 agreement will form part of any grant of planning consent to secure the following obligations and contributions:

- 40% affordable housing
- £2,000 per dwelling towards provision of a new village hall or improvement/refurbishment of the existing village hall in Bourton;
- £722 per dwelling to support infrastructure for Primary, Secondary and Community care within the NHS system;
- £4,077.03 per dwelling towards improvements at Gillingham High School;
- £1,487.62 per dwellings towards improvement or provision of SEN (Special Educational Needs);
- £190.50 per dwelling towards improvements at Bourton and Zeals Preschool;
- £2,006.97 per dwelling towards facilities in Bourton Parish;
- £308.16 per dwelling towards allotments;
- Onsite provision of Informal Open Space;
- £1,278.80 per dwelling towards maintenance of the Informal Open Space;
- Onsite provision of a LEAP (Locally Equipped Area of Play);
- £359.36 per dwelling towards maintenance of the LEAP;
- £1,318.80 per dwelling towards formal outdoor sports facilities;
- £128.73 per dwelling towards maintenance of the outdoor sports facilities;
- £75 per dwelling to Gillingham Library;
- £3,165 contribution towards new bus stop flag poles with timetable cases on New Road.

15.0 Environmental Implications

A Sustainability Statement and Checklist has been provided by the applicant which outlines a fabric first approach to maximise energy and water efficiency and the use of renewable and low carbon technology to minimise energy consumption. The Sustainability Statement sets out sustainable design measures to be considered during the future detailed design of the proposed homes.

The development would result in change to the nature of the site with increased vehicle movement, domestic noise and general activity. However, it is adjacent to existing residential development and bounded by New Road to the north and the A303 to the south and it is considered that the proposed development is compatible

with the surrounding uses and would not lead to any new significant air quality, noise or other environmental disturbances.

The scheme seeks to enhance the existing green infrastructure of the site and to incorporate new tree planting and augmentation of the existing field hedgerows. The Biodiversity Plan demonstrates that the scheme will lead to an enhancement of the ecology and biodiversity value of the site.

The development site is in a sustainable village location with good pedestrian connectivity to the services and facilities to be found within the settlement. A new pedestrian/cycle route is to be provided through the site linking New Road to West Bourton providing enhanced walking/cycling options and improved access to the onsite open space and play facilities by the wider village. The scheme will be subject to a Travel Plan which along with a requirement for cycle parking and EV charging facilities will help to offset short range car trips and to facilitate low carbon emissions.

16.0 Planning Assessment

This is an outline application to agree the principle of development and the details of access for a scheme of up to 50 dwellings with public open space and play facilities. Matters relating to details of layout, scale, appearance and landscaping are not for consideration at this time. The main issues for consideration are:

- Policy context
- Principle of development
- Affordable housing and other planning obligations
- Impact on landscape, character and Cranborne Chase National Landscape
- Impact on heritage assets
- Highway safety
- Residential amenity
- Ecology and biodiversity
- Flood risk and drainage

Policy context

The statutory basis for decision taking in planning is that determinations must be made in accordance with the development plan unless material considerations indicate otherwise.

The spatial strategy set out within the North Dorset Local Plan Part 1 (NDLP) seeks to focus development towards 4 main towns of Blandford, Gillingham, Shaftesbury and Sturminster Newton. Beyond those towns, the focus of growth is towards 18 of the larger villages, including Bourton. As a larger village, the focus is on meeting local rather than strategic needs, and outside of these areas countryside policies apply.

Policy 4 of the NDLP advises, amongst other things, that landscape character will be protected through retention of the features that characterise the area. Where significant impact is likely to arise as a result of a development proposal, developers will be required to clearly demonstrate that the impact on the landscape has been mitigated and that important landscape features have been incorporated into the development scheme.

Policy 5 advises that any development proposal affecting a heritage asset (including its setting) will be assessed having regard to the desirability of sustaining and enhancing the significance of that asset.

Policy 6, which guides housing distribution, indicates that during the plan period at least 825 dwellings will be provided in the countryside including in the larger villages. The supporting text to Policy 6 confirms that the overall level of housing in the countryside will be the cumulative number of new homes that have been delivered to meet local and essential rural needs as defined by neighbourhood plans, rural exception sites and the functional need for rural workers' dwellings.

Policy 20 further sets out that in the countryside, development will only be permitted if it is a type appropriate in the countryside, as set out in the relevant policies of the plan; or, for any other type of development, if it can be demonstrated that there is an 'overriding need' for it to be in the countryside.

In this context, it is noted that there is a conflict with the development plan insofar as the site falls outside of Bourton's defined development area and the applicant is not claiming to meet any of Policy 20's criteria for locating development outside of settlement limits.

The site is identified by Policy 5 of the Bourton Neighbourhood Plan (NP) as being a potential site for a new village hall, to facilitate this, it also allows for a 'small housing development' to be included within the site. The other most relevant NP policies in relation to this application are Policy 2 (Settlement Pattern and Character), Policy 3 (Building Design and Form), and Policy 4 (Traffic and Parking).

In September 2024 the Planning Inspectorate confirmed that Dorset Council can demonstrate a Housing Land Supply of 5.02 years and that we are entitled to rely on this position until 31 October 2025. The two minimum criteria of footnote 8 of the NPPF have also been met meaning that the presumption in favour of sustainable development (the tilted balance) does not apply and therefore full weight can be given to relevant policies set out in the adopted local plans and neighbourhood plans.

Another material consideration is the Written Ministerial Statement issued by the Secretary of State on 30 July 2024 which sets out a clear intention for the planning system to address the current housing crisis through the delivery of significantly more homes. Given that Dorset Council's housing land supply is only slightly above the required minimum of 5 years, it is considered that the benefits of an increase to the housing supply alongside any other benefits should be considered against the associated impacts of the development in making decisions.

Principle of development

The proposed development site is a greenfield site, comprising agricultural land, that partly adjoins but is outside Bourton's defined development area. In policy terms the site is within the 'countryside' as set out in the North Dorset Local Plan (NDLP) Policies 2 and 20. Any development in the countryside would normally be strictly controlled unless it is required to enable essential rural needs to be met. Policy 5 of Bourton's NP represents an essential rural need and allows for a small housing development to facilitate the transfer of land for a new village hall and amenity space.

The proposed development is for a scheme of up to 50 dwellings and includes the provision of informal open space and an equipped play area (LEAP). The scale and nature of the development goes beyond meeting just local need and does not fall within the requirements of Policy 5 of Bourton's NP or the countryside policies of the NDLP. However, the current policy context is more complex than this with other material considerations needing to be drawn into the decision-making process.

At 5.02 years the Council's Housing Land Supply is only slightly above the required minimum of 5 years and whilst as a Council we are permitted to rely on this at the present time it is considered that the government's expectations for significantly increased housing supply should be weighed alongside this with the planning balance and sustainability considerations key to the decision-making process.

Bourton is served by a range of facilities including a primary school, village hall, church, filling station, small convenience store, public house and a doctor's surgery. It is acknowledged that public transport serving the village is limited. The site is connected to the wider village by existing lit footways along New Road which provide a safe and walkable route to the available facilities. On this basis the site is considered to be in a sustainable location in terms of access to local day-to-day services and facilities. The allocation of this site within Bourton's NP for development, including some housing, supports this view.

The application includes the provision of up to 50 dwellings, of which 40% (20 units) would be affordable. The mix of affordable would include 25% First Homes with the remainder split as 70% affordable/social rent and 30% intermediate housing (shared ownership). The quantum of affordable housing and mix of tenure types accords with NDLP Policy 8 and government guidance. Although the level of housing provision exceeds that required locally it would still nonetheless contribute towards meeting local need with housing allocation being weighted in favour of persons with a local connection.

Some local concerns have been raised about pressures on local services with claims that this development would exacerbate such issues. The application has been reviewed by the Council's S106 Officer and subject to the following obligations being secured through a S106 agreement, it is considered that any impacts of increased demand arising from this development could be acceptably mitigated:

- £722 per dwelling to support infrastructure for Primary, Secondary and Community care within the NHS system;

- £4,077.03 per dwelling towards improvements at Gillingham High School;
- £1,487.62 per dwellings towards improvement or provision of SEN (Special Educational Needs);
- £190.50 per dwelling towards improvements at Bourton and Zeals Preschool;
- £2,006 per dwelling towards facilities in Bourton Parish;
- £308.16 per dwelling towards allotments;
- Onsite provision of Informal Open Space;
- £1,278.80 per dwelling towards maintenance of the Informal Open Space;
- Onsite provision of a LEAP (Locally Equipped Area of Play);
- £359.36 per dwelling towards maintenance of the LEAP;
- £1,318.80 per dwelling towards formal outdoor sports facilities;
- £128.73 per dwelling towards maintenance of the outdoor sports facilities;
- £75 per dwelling to Gillingham Library;
- £3,165 contribution towards new bus stop flag poles with timetable cases on New Road.

In addition to the contributions set out above, the developer has agreed to a further contribution of £2,000 per dwelling (equating to £100,000 in total) to go towards the provision of either a new village hall or the improvement/refurbishment of the existing village hall in Bourton. Within their latest consultation response, Bourton Parish Council has stated that following a recent vote by the Village Hall Trustees that a new village hall is no longer sought and instead they will look to improve the existing village hall facilities. Whether for a new village hall facility or for the improvement/refurbishment of the existing hall, such a contribution would make a substantial contribution towards the village's aims of improving such facilities. This contribution is considered to be justified in seeking, being fair and reasonable in scale and kind to the proposed development and to meet the relevant CIL tests (Regulation 122(2) of the Community Infrastructure Levy Regulations 2010).

The village hall contribution, along with the more general contribution of £2,006 per dwelling towards facilities within Bourton Parish, represents a significant and direct benefit to the local community.

The resulting additional households would also have the potential to support existing local facilities, such as the shop and public house, through increased patronage, thereby aiding their longer-term vitality and viability.

The development would not comply with Policy 2 and 20 of the Local Plan. There are however material considerations in this case that will be discussed, that indicate that permission should be granted.

Impact on the character of the area and surrounding landscape

The site comprises two fields that sit on the western edge of the settlement of Bourton. The undeveloped and open aspect of the site is such that it plays a role in the perceived transition from the countryside to the village, especially as one approaches Bourton from the west along New Road. The site also has a discernible

presence in several other important local views including from the West Bourton Road bridge over the A303, as well as from public rights of way (PROW's) N57/5 and N57/6 which are elevated above the site approximately 300-400m to the north.

Bourton is distinctly rural in character with development dispersed along New Road in a number of clusters, interspersed by green gaps. The application site forms one of these green gaps separating the main built edge of Bourton and the farmstead of Chaffeymoor Farm and, as previously noted, contributes towards the edge of settlement transition from the village into the open countryside. The introduction of built form on the proposal site will lead to an erosion of this gap, however, the positioning of the built form within the northeast portion of the site only will limit such impacts. The provision of improved green infrastructure, in the form of hedgerow and orchard planting in the northwest portion of the site will ensure that a distinct gap at this location is maintained and that the porous pattern of development described above is respected.

As identified above, the proposed development will impact on a number of views within the surrounding landscape. The views identified are localised views and whilst the new built form will have a visual presence within them, it is not considered that the development will be unduly intrusive or out of keeping within the given context. Furthermore, the reduced quantum of development, the introduction of street trees and the wider green infrastructure proposed in the form of the new orchard and additional tree and hedge planting within the area of public open space, will further mitigate and help to assimilate the development within this local context.

It should be noted that the Cranborne Chase National Landscape (AONB) is located approximately 500m to the northwest of the site. The AONB is in an elevated position above the site and due to the topography and intervening planting there would not appear to be any views of the site from the AONB. The proposed development is likely to be visible within views looking towards the AONB from some distant public vantage points to the south, the impact of the scheme however in such distant views would be negligible.

For these reasons, it is considered that only very limited harm would arise to local character and landscape as a result of this development and that the development would not cause harm to the setting of the nearby AONB. The application complies with policy 4 of the Local Plan.

Impact on heritage assets

There are no designated heritage assets within the immediate extent of the application site however there are a number of heritage assets within the local vicinity, including Chaffeymoor Farmhouse, Church View and Church of St George, all of which are grade II listed. The application has been reviewed by the Council's Conservation Officer who has identified that no harm would arise to the setting of Church View and the Church, however, the development would result in less than substantial harm to the setting of Chaffeymoor Farmhouse.

A key characteristic of the setting of Chaffeymoor Farmhouse is its standalone position separate from other built form, surrounded by agricultural farmland. The proposed development will to a degree erode this encompassing 'agrestic' extent, however, the introduction of the landscape buffer, in the form of the orchard planting, between the built elements of the development and Chaffeymoor Farmhouse will limit and to a certain extent mitigate such impacts and it is considered that the agricultural setting and functionality of the farmstead will still be clearly legible.

Paragraph 205 of the NPPF is clear that great weight should be given to the conservation of heritage assets when considering the impact of a proposed development. In paragraph 206 it goes on to state that "any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification". With paragraph 208 clarifying that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal". Policy 5 of the Local Plan is consistent with these requirements.

As identified above, the proposed development would result in less than substantial harm to the setting of Chaffeymoor Farmhouse. The proposal would however result in significant public benefits through the provision of open market and affordable housing, public open space and play facilities, ecological benefits and contributions towards the provision of new and/or improved local facilities such as village hall provision, as set out earlier in this report.

It is considered that the public benefits of this proposal would outweigh the identified less than substantial harm that would result to the setting of the adjacent designated heritage asset. The proposal therefore complies with Policy 5 of the Local Plan and the requirements of the NPPF.

Highways

The application includes securing details of access at this stage. A new vehicular access, leading on to New Road, is proposed approximately 5m to the west of the existing field access. The access will be laid out as a priority T junction, will be 5.5m wide with 2m wide footways either side linking into the existing footways along New Road. The access egresses at a point where the speed limit is 40 mph.

The access will be served by visibility splays measuring 2.4m x 108m to the west and 2.4m x 125m to the east and relate to speeds collected through a speed survey carried out by the applicant. The Highway Authority are satisfied that the proposed access arrangements are a suitable and safe form of access to serve a development of this scale and nature. They have further confirmed that they are satisfied with the traffic generation analysis and that the development would not lead to any residual cumulative impacts on the local road network, in accordance with paragraph 116 of the NPPF.

The scheme also includes a new pedestrian / cycle link through the site utilising the new vehicular access on to New Road to the north and egressing at the southeastern corner of the site on to West Bourton Road. This link will allow greater

permeability and accessibility to and from the site to the wider village and local facilities and for nearby existing residents to utilise the public open space and new play area. Such a link will help to promote more sustainable forms of transport, especially for local trips.

The proposal would comply with Policy 13 of the Local Plan.

Residential amenity

The detailed design and layout of the development is not yet known, however, it is considered that an appropriate scheme is achievable that does not impact harmfully on the amenities of existing neighbouring properties and that ensures that future residents of this scheme will benefit from an acceptable level of amenity.

The location of the built form is in the northern parcel of land furthest away from the A303. A noise assessment has been provided as part of the application which has been reviewed by the Council's Environmental Protection Officer (EPU). They are satisfied with the details of this assessment for this stage of the scheme but note that once the layout is known further noise modelling will be required to ensure that acceptable noise mitigation is achieved. A condition is therefore proposed to secure such details and is included as part of the overall recommendation.

The EPU Officer has also advised the imposition of a precautionary 'contaminated land' condition in view of the current agricultural use of the land and the nearby presence of potentially contaminating land uses, such as the cemetery and a motor repair garage.

The proposal would comply with policy 25 of the Local Plan.

Ecology and Biodiversity

The applicant has provided an Ecological Impact Assessment and Biodiversity Plan (BP) with the application. The latter has now been signed by the Council's Natural Environment Team (NET) and a Certificate of Approval to verify the information is acceptable has been issued, as per the Council's protocol on such matters. Subject to the development being carried out in accordance with the BP, the existing ecology of the site will be safeguarded and, overall, the development will give rise to enhanced biodiversity status of the site.

The proposal would comply with Policy 4 of the Local Plan.

Flooding

The site is located within flood zone 1 with a very low probability of flooding and that it is at low risk from surface water flooding and groundwater emergence. The application is supported by a Flood Risk Assessment (FRA) and Sustainable Drainage Strategy.

The application has been reviewed by the Lead Local Flood Authority (LLFA) who has confirmed that, overall, the flood risk to the site is compatible with the proposed

development. They have confirmed that they are satisfied that the necessary detail to substantiate the proposed Surface Water Strategy has been provided and that an appropriate drainage strategy can be secured to ensure the development does not give rise to any increased flood risk elsewhere. Subject to a number of conditions (that form part of this recommendation), the LLFA has no objection to this application.

17.0 Planning Balance / Conclusion

Whilst the Council does currently benefit from a fixed Housing Land Supply (HLS) and we are permitted to rely on this at the present time, the government's expectations for significantly increased housing supply should be weighed alongside this. At just 5.02 years HLS, it is appropriate in the current circumstances that increased housing supply should be considered in the overall planning balance and sustainability arguments in the decision-making process.

The site is located adjacent to but outside the defined settlement boundary for Bourton where new development should normally be strictly controlled. The proposed development is seeking up to 50 dwellings, a scale that clearly exceeds that required to meet just local need, and the scale and nature of the development does not accord with the requirements of either Policy 5 of the Neighbourhood Plan (NP) or Policy 2 and 20 of the Local Plan (LP).

Bourton is served by a good range of services and facilities and as such has been designated as a larger village within the LP where some growth is permitted. The site adjoins existing built form and locationally relates well to the existing settlement with good levels of accessibility to the local services and facilities found within the village. Subject to the obligations and contributions identified earlier in this report being secured through an acceptable S106 agreement, the development will not impact harmfully on existing local services. In this regard the site is considered to be in a sustainable location and in principle an appropriate location for some new housing.

The scheme would deliver up to 50 dwellings, of which 40% (20 units) would be affordable housing, and would make a significant contribution towards increasing the choice of housing within the area, meeting the Council's strategic housing needs and responding to the government's call to increase housing delivery. These are significant benefits.

In recognition of the aims of Policy 5 of the NP to deliver a new village hall (and to allow for the change in stance by the village to opt to improve/refurbishment the existing hall rather than build a new hall), the applicant has agreed to make a financial contribution of £2,000 per dwelling (£100,000 in total) towards the provision either of a new village hall or the refurbishment / improvement of the existing village hall. This is in addition to a more general contribution towards providing new or enhanced facilities within Bourton of £2,006 per dwelling (£100,300). Such contributions represent a significant and direct benefit to the local community.

Bourton currently has limited designated open space and opportunities for children's play. The scheme includes the provision of a large area of public open space as well as an equipped play area which will benefit not just the residents of this development but also be accessible by the wider community. The development would also incorporate features that enhance the overall biodiversity value of the site.

Other residual economic and social benefits would arise from the scheme, including during the construction phase through the provision of associated jobs and once occupied through increased spend and patronage of the local shop and public house, which would aid the longer term vitality and viability of such businesses.

As identified earlier in this report, the proposed development would result in very limited harm to local character and landscape and no harm to the setting of the nearby National Landscape. It has been identified that the development would result in less than substantial harm to the setting of Chaffeymoor Farmhouse, a designated heritage asset. The proposal would, however, result in significant benefits through the provision of open market and affordable housing, public open space and play facilities, ecological benefits and contributions towards the provision of new and / improved local facilities, including village hall provision, as detailed above.

The development would conflict with the development plan taken as a whole, however there are material considerations that indicate that permission should be granted. When taking all of the above into consideration, the identified public benefits that would arise as a result of this development are considered to outweigh the harms. When considered against the development plan and other material considerations, as set out in this report, it is concluded that the proposed development represents a sustainable form of development for which there are no substantive reasons that would justify refusing this application.

For these reasons, the application is recommended for approval, subject to the completion of an acceptable S106 agreement to secure the necessary obligations and contributions, and the conditions set out below.

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:

- £2,000 per dwelling to go towards the provision of either a new village hall or the improvement/refurbishment of the existing village hall in Bourton;
- £2,006 per dwelling towards facilities in Bourton Parish;
- £722 per dwelling to support infrastructure for Primary, Secondary and Community care within the NHS system;
- £4,077.03 per dwelling towards improvements at Gillingham High School;
- £1,487.62 per dwellings towards improvement or provision of SEN (Special Educational Needs);
- £190.50 per dwelling towards improvements at Bourton and Zeals Preschool;
- £308.16 per dwelling towards allotments;
- Onsite provision of Informal Open Space;
- £1,278.80 per dwelling towards maintenance of the Informal Open Space;
- Onsite provision of a LEAP (Locally Equipped Area of Play);
- £359.36 per dwelling towards maintenance of the LEAP;
- £1,318.80 per dwelling towards formal outdoor sports facilities;
- £128.73 per dwelling towards maintenance of the outdoor sports facilities;

- £75 per dwelling to Gillingham Library;
- £3,165 contribution towards new bus stop flag poles with timetable cases on New Road.

B) Refuse permission if the Section 106 agreement is not completed by 04/07/2025 or such extended time as agreed by the Head of Planning.

Conditions:

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

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

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

Reason: To ensure the satisfactory development of the site.

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

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

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

- Location plan – 273_PL-100 Rev C
- Parameter Plan – 273_PL-002 (received 19/09/2024)
- Access Overview - PL01 Rev B
- Access Layout – PL02 Rev B
- Potential Footway/Cycleway Connection to West Bourton Road – PL07 Rev B

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

5. No development shall take place 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 surface water scheme shall be fully implemented in accordance with the submitted 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.

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

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

7. 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. The approved scheme shall subsequently be implemented prior to first occupation of the development and thereafter retained and maintained in accordance with these details.

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

8. Before the development is occupied or utilised the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

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

9. No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 15.00m of the proposed access road, including the junction with the existing public highway, has been completed to at least binder course level.

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

10. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number PL01 Rev. B must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any Order revoking or re-enacting that Order, the visibility splay areas shall thereafter be maintained and kept free from all obstruction above this height.

Reason: In the interests of highway safety, to ensure that traffic exiting the access can see or be seen.

11. Prior to first occupation of the development hereby permitted details of the access, geometric highway layout, turning and parking areas shall be submitted to and agreed in writing by the local planning authority. The development shall be completed in accordance with the agreed details and thereafter these areas shall be maintained for the lifetime of the development, kept free from obstruction and available for the purposes specified.

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

12. Before the development hereby approved is occupied or utilised provision must be made to ensure that no surface water drains directly from the site onto the adjacent public highway in accordance with details which shall have, prior to development above damp-proof course level, been submitted to and approved by the Planning Authority. The development shall be carried out in accordance with the approved details and when provided they shall be retained and maintained as such, and the approved drainage works shall be retained and maintained for the lifetime of the development.

Reason: To ensure that the site is properly drained, and that surface water does not flow onto the highway.

13. Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Planning Authority: The provision of a footway/cycleway access from West Bourton Road, as shown on Drawing Number 273_PL_101 Rev B (or similar scheme to be agreed in writing with the Planning Authority). Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any Order revoking or re-enacting that Order, once implemented the access details shall be maintained, kept free from obstruction and available for the purpose specified.

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

14. 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.

15. Prior to commencement of development hereby approved a Construction Environmental Management Plan and programme of works shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include construction vehicle details (number, size, type and frequency of movement), vehicular routes, delivery hours and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and vehicle/wheel wash facilities), temporary traffic management measures where necessary, hours of works, storage of waste materials prior to removal, confirmation that there shall be no bonfires on site, measures to protect nearby receptors from dust arising from construction activities. The development shall thereafter be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of highway safety and to safeguard the amenity of nearby residents.

16. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled EclA report version 2, by Quantock Ecology Environmental Consulting dated 28/06/2024, and certified by the Dorset Council Natural Environment Team on 02/07/2024. The development hereby approved must not be first brought into use unless and until:

i) the recommendations detailed in the approved ecology report have been completed in full, in accordance with any specified timetable, unless otherwise agreed in writing with the Local Planning Authority; and
ii) evidence of compliance has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved ecology report and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

Reason: To mitigate and compensate for impacts on ecological receptors, and to provide biodiversity gains.

17. Prior to commencement of any works on site a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved LEMP must be implemented in accordance with the approved details.

Reason: To protect the landscape character of the area and to mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

18. Prior to commencement of work on the site details of any proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy will reflect the need to avoid harm to protected species and to minimise light spill from lighting associated with pre-construction, construction and operational activities, and demonstrate how the current best practice guidance, including Guidance Note 8 Bats and Artificial Lighting (BCT/ILP, 2023) has been implemented. There shall be no lighting of the site other than in accordance with the approved strategy.

Reason: In the interests of on biodiversity

19. Prior to the commencement of development on the site, a Construction Environmental Management Plan (CEMP) (Biodiversity) must be submitted to and approved in writing by the local Planning Authority. The CEMP must include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".

- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs

The development shall take place strictly in accordance with the approved CEMP.

Reason: To protect biodiversity during the construction phase.

20. A tree survey which covers the entire development site (edged in red on the submitted location plan) shall be submitted with the subsequent reserved matters application relating to landscaping.

Reason: to identify those trees which provide a public amenity.

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

- a) a specification for protective fencing to trees and hedges during both demolition and construction phases which complies with BS5837 (2012) and a plan indicating the alignment of the protective fencing;
- b) a specification for scaffolding of building works and ground protection within the tree protection zones in accordance with BS5837 (2012);
- c) a schedule of tree work conforming to BS3998;
- d) details of the area for storage of materials, concrete mixing and any bonfires;
- e) plans and particulars showing proposed cables, pipes and ducts above and below ground as well as the location of any soakaway or water or sewerage storage facility;
- f) details of any no-dig specification for all works within the root protection area for retained trees;
- g) details of the supervision to be carried out by the developers tree specialist.

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

22. Prior to the commencement of the development hereby approved a Remediation Scheme dealing with contamination shall be submitted to and agreed in writing by the Local Planning Authority:

- 1) a 'desk study' report documenting the site history.
- 2) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment.
- 3) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed.
- 4) a detailed phasing scheme for the development and remedial works (including a time scale).
- 5) a monitoring and maintenance scheme to include monitoring the long term effectiveness of the proposed remediation over a period of time.

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted first comes in to use or is occupied. On completion of the development written confirmation that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

23. Prior to approval of any reserved matters application a scheme for protecting the proposed dwellings and amenity spaces (garden areas) from the existing external noise environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that, upon completion of the development, good acoustic design will be used to achieve good acoustic standards. Once approved in writing, all the noise mitigation measures shall be implemented and thereafter retained.

Reason: In order to safeguard the amenities of future residential occupiers.