

FMPC – Neighbourhood Plan Monitoring Group

Date	27/02/23
Application Details	Land at Mill Street Development - P/OUT/2023/00667 Erection of 25 no. dwellinghouses with associated access, drainage infrastructure, LAP, public open space & landscaping (outline application to determine access, layout & scale only)
Planning Working Group Members	All
Recommendation to Parish Council	OBJECT to this application

Policies	Application details	Policy Compliance	Further Action
Policy FM1. Local Green Spaces p11	Middle Mill is barely 80m from the site and Springhead is 300m further.	Conflicts See notes below	
Policy FM2. Local Wildlife Corridors and Protected Species p13	Removes two pastures and tracks of hedging	Conflicts See notes below	
Policy FM3. Important Views p14	Site is highly visible from Fontmell Down and the Strip Lynchets	Conflicts See notes below	
Policy FM4. The setting of the AONB p15	Site is adjacent to AONB and just 50m from the boundary	Conflicts See notes below	
Policy FM5. Local Landscape Features p18	Loss of grade 2 agricultural land	Conflicts See notes below	
Policy FM6. Dark Skies p19	No information given on lighting plans	May Conflict See notes below	
Policy FM7. The Conservation Area and Locally Important Features p22	Visible high roof lines from elevated site. Detrimental impact on Grade II listed Fernlea Cottage.	Conflicts See notes below	
Policy FM8. Development layout p25	Houses would overlook neighbouring properties.	Conflicts See notes below	
Policy FM9. Building design p28	Illustrative designs have full height windows	May Conflict See notes below	
Policy FM10. Creating safer roads and pedestrian routes p31	Safety risk to more pedestrians having to cross A350 to access village facilities.	Conflicts See notes below	
Policy FM11. Sustainable drainage p35	Upgrade needed to local pump station and main sewer along West St	May Conflict See notes below	
Policy FM12. Development impacting on the sewage treatment works p36	Proposed swale would increase flow into road drain and potential flooding of road	May Conflict See notes below	
Policy FM16. Housing Types p48	Mix of 2, 3 and 4-bed homes with affordable homes	Conforms See notes below	
Policy FM17. Spatial strategy for new development p50	There is no need for an additional 25 homes in Fontmell under the current plans.	Conflicts See notes below	
Policy FM18. Settlement boundary p52	The site lies outside the settlement boundary of the village.	Conflicts See notes below	
Is the Applicant known to members of the Group?	No		

Land at Mill Street Development - P/OUT/2023/00667

Erection of 25 no. dwellinghouses with associated access, drainage infrastructure, LAP, public open space & landscaping (outline application to determine access, layout & scale only)

Assessment of compliance with the policies of the Fontmell Magna Neighbourhood Plan:
<http://www.fontmellmagnapc.co.uk/UserFiles/Files/Neighbourhood%20Plan/FMNP%20Refendum%20Version%2010Sep2018%20NDDC%20Approved.pdf>

Summary

The planning application is found to **conflict** with 10 policies in the Neighbourhood Plan:

- FM1. Local Green Spaces
- FM2. Local Wildlife Corridors and Protected Species
- FM3. Important Views
- FM4. The Setting of the AONB
- FM5. Local Landscape Features
- FM7. The Conservation Area and Locally Important Features
- FM8. Development Layout
- FM10. Creating Safer Roads and Pedestrian Routes
- FM17. Spatial Strategy for new development
- FM18. Settlement Boundary

The planning application **may conflict** with four more policies but there is insufficient information at this stage:

- FM6. Dark Skies
- FM9. Building Design
- FM11. Sustainable Drainage
- FM12. Development impacting on the Sewage Treatment Works

The planning application is found to **conform** to one policy:

- FM16. Housing Types

Objections and Comments by NP Policy

FM1. Local Green Spaces

- 1.1 Whilst most Local Green Spaces are some distance from the proposed site, the designated Green Spaces at both Middle Mill and Springhead Trust, would be impacted by increased traffic movements. Middle Mill is barely 80m from the site, Springhead is 300m further on.

FM2. Local Wildlife Corridors and Protected Species

- 2.1 The proposed development will remove two important pastures and many metres of hedging, which will undoubtedly damage wildlife and disrupt wildlife corridors. Although mitigation measures are proposed the net effect must be significant harm to wildlife.

- 2.2 In relation to wildlife, ducks are seen regularly flying over the fields and a bat colony has been documented nearby at the Mill Pond. On Middle Mill pond (which belongs to the Dorset Wildlife Trust) there are mallards, swans, sometimes tufted ducks and a small white egret; a grey heron and kingfishers are all regular visitors. In the site's two fields the visitors include roe deer and heard red grouse, tawny owls and a barn owl. Increased traffic in the lane from new dwellings would potentially disturb these habitats.

FM3. Important Views

- 3.1 The applicant's Landscape & Visual Impact report concludes "that the site and the immediate landscape is of medium/high landscape value". It further concludes the development will have a "moderate/major visual effect" from the public right of way N63/9 to the north of the site, from the Strip Lynchets and footpath N63/10 to the south-east of the site, from Brandis Down to the south-east, and from the elevated Fontmell Down within the AONB. The proposed development will undoubtedly harm these views.
- 3.2 The photos in Appendix A. show the view from Fontmell Down within the AONB and how the site is clearly visible, and so the proposed development would cause significant harm.

FM4. The Setting of the AONB

- 4.1 The site is adjacent to the West Wiltshire and Cranborne Chase AONB and barely 50m from its boundary. Currently the site provides an important buffer zone between the edge of the village settlement and the AONB. Clearly the development, by removing this buffer, would cause significant harm to the setting of the AONB.
- 4.2 Dorset Council's refusal of the previous planning application for this site, 2/2017/2014/OUT, cited the harm to the setting of the AONB from developing this site amongst its reasons for refusal (see Appendix B).

FM5. Local Landscape Features

- 5.1 The close proximity of the development to Collyer's Brook in Mill Street would have a detrimental impact on this historic landscape feature.
- 5.2 The proposed development would obliterate the ancient high hedges along the west side of Mill Street which contribute an important feature of the rural landscape, particularly for pedestrians using the lane to access adjacent countryside.
- 5.3 Traditional field and plot boundaries would be lost, reducing the aesthetic value of this open rural landscape on the edge of the Fontmell Magna settlement.
- 5.4 The applicant argues the land quality for agricultural is poor at level 4; this is disputed. Natural England provides an agricultural land classification (ALC) for England, dated April 2019, which shows the land at level 2.

Agricultural Land Classification https://naturalengland-defra.opendata.arcgis.com/datasets/5d2477d8d04b41d4bbc9a8742f858f4d_0/explorer?location=50.950219,-2.186712,17.00

5.5 In April 2016 consent was given for relocating access to the site for the purposes of ongoing agricultural use, 2/2015/1929/FUL. It follows then that this Level 2 land has agricultural merit and should not be taken out of production.

5.6 Dorset Council's refusal of the previous planning application for this site, 2/2017/2014/OUT, cited "the permanent loss of grade 2 agricultural land which is some of the best and most versatile agricultural land" amongst its reasons for refusal (see Appendix B).

FM6. Dark Skies

6.1 The submitted documents provide no information on plans for lighting, nor any assurance that dark night skies will be protected.

FM7. The Conservation Area and Locally Important Features

7.1 The Fontmell Magna Conservation Area was designated in May 1977, but at the time only a rudimentary appraisal was documented. As part of developing the Fontmell Magna Neighbourhood Plan and its Strategic Environmental Assessment, a Conservation Area Appraisal document was prepared:

<http://www.fontmellmagnapc.co.uk/UserFiles/Files/Neighbourhood%20Plan/CAA%20Amended%20Adopted%20Fontmell%20Magna%20CAA%2021Aug18.pdf>

and subsequently approved and adopted by Dorset Council in February 2018.

7.2 The site lies entirely within the Conservation Area and is elevated, meaning that the rooflines of dwellings will be visible from several points in the village, such as Collyer's Rise and The Knapp. The rooflines would tower above neighbouring properties and be highly visible above any screening provided.

7.3 The elevated roof lines of new dwellings would also be highly visible from Middle Mill, an important local feature.

7.4 The development would have a highly detrimental impact on the setting of Fernlea Cottage (previously Glyn Gift Cottage), a Grade II listed building and an important historic feature in the conservation area. The connection between the cottage and the agricultural pastures to its east would be lost.

FM8. Development Layout

8.1 This policy states: "The design, layout and orientation should be appropriate to the character of the surrounding area and should avoid adverse impacts of overlooking or loss of privacy to neighbouring properties. Particular regard should be had to the layout and landscaping of schemes proposed within the sensitive transitional areas lying between the village and the open countryside."

8.2 Access to the site is proposed some metres westwards of the agricultural access approved via 2/2015/1929/FUL, to a position directly opposite the dwelling 33 Mill Street. This would result in loss of privacy and amenity, and cause immense harm, to this property as vehicles egress from the site.

8.3 Properties on the east side of Collyer's Rise would suffer loss of privacy given the much higher rooflines and upper storey windows of dwellings on the west side of the site.

- 8.4 The quantum of proposed houses at 25 has few south-facing roofs which will impinge on the use of PV panels for electricity generation.
- 8.5 The proposed layout is not consistent with a village streetscape and should be re-considered.
- 8.6 Private access from the gardens of Nos. 5 and 8 Collyer's Rise onto the proposed site have been in place since the houses were built in 1979. The layout would need to be re-designed to enable these accesses and presumed rights of way to continue.

FM9. Building Design

- 9.1 Whilst building design is a reserved matter, it's worth noting that the full height windows included in the illustrative designs for dwellings are not in keeping with the local vernacular.
- 9.2 No P/V panels appeared to be included in the designs offered.

FM10. Creating Safer Roads and Pedestrian Routes

- 10.1 The proposal includes realignment of the Mill Street frontage of the site, in order to create the required splays and provide a connecting pavement for pedestrians. This will require the applicant to acquire a strip of land from Fernlea Cottage: there is no understanding this will be possible.
- 10.2 Furthermore this re-alignment will not remove the pinch point in the road at the east end of the site, between Fernlea Cottage and the garden of 33 Mill Street.
- 10.3 The footpath N63/9 running through the site, takes pedestrians out onto Mill Street. It does not in itself create a safe route to village facilities.
- 10.4 Mill Street is a single-track lane with no designated passing places. It is difficult to navigate for pedestrians and car drivers, with frequent blockages from tractors, utility vehicles and HGVs.
- 10.5 The intersection of Mill Street with the busy A350 is a known danger point, presenting a high-risk to pedestrians attempting to cross to Crown Hill and thereby access to village facilities. The A350 has S-bends to the south and a pinch point to the north, which severely restrict the time available for pedestrians to see and avoid oncoming vehicles when crossing the road (see photos in Appendix C).
- 10.6 A local study estimated the time interval available to safely cross the A350 at the Mill Street intersection at approximately 5 seconds for a vehicle travelling at 30mph (see Appendix D). This short time presents a severe challenge for elderly pedestrians and for vehicles crossing the A350.
- 10.7 Buses stop at the A350/Mill Street junction, in both directions, further reducing visibility. There is no pelican crossing at the junction to aid pedestrians.
- 10.8 The A350 is a dangerous road without pavements or verges for pedestrians to use along narrow stretches. Ten near-misses have occurred in the last 3 years and been reported to Dorset Highways. Local Speedwatch have recorded a 30% increase in speeding incidents along the A350 at the south entrance to the village.

- 10.9 Undoubtedly the proposed development will increase the traffic volume using Mill Street, from commuting, online shopping deliveries, traders and contractors, etc.

FM11. Sustainable Drainage

- 11.1 A new swale is proposed along the Mill Street boundary of the site. The swale water will need to pass into a road drain, the capacity of which is already frequently overwhelmed in periods of heavy rainfall. Excess water will flood across the Mill Street road surface into Collyer's Brook. Thus excess run-off water from the development could potentially pollute the clean spring water in Collyer's Brook.

FM12. Development impacting on the Sewage Treatment Works

- 12.1 The Planning Statement document makes no reference to the treatment of sewage and foul water. The Drainage Strategy provided has very limited information on how sewage will be managed. It states that according to Wessex Water substantial works will be required to upgrade existing facilities:
- Panel and pump upgrades to Fontmell Magna No. 1 Pump Station
 - 4.35m³ of additional storage to be provided at Fontmell Magna No. 1 Pump Station
 - Upgrade of the existing 80mm dia. rising main from Fontmell Magna No. 1 Pump Station to Fontmell Magna main sewage works in West View Road.
- 12.2 If item 3 becomes necessary it will cause major disruption to the village along West Street and West View Road, impacting residents and the school.
- 12.3 Four properties being developed at Middle Farm are already set to add to the volume of sewage passing through the current sewage infrastructure.

FM16. Housing Types

- 16.1 Fontmell Magna is currently on track to deliver 12 affordable homes, via the Spring Meadows development in South Street, which is more than sufficient to meet the identified need for affordable home in the parish.
- 16.2 The proposed development on Land at Mill Street shows a mix of 2, 3 and 4 bed dwellings with 10 affordable dwellings, a mix of shared ownership and rented accommodation. This conforms to the policy.

FM17. Spatial Strategy for New Development

- 17.1 The current made Neighbourhood Plan includes provision for up to 40 dwellings to be built in Fontmell Magna parish over the period 2017-31, which is regarded as a sustainable level of growth.
- 17.2 The Fontmell Magna Parish Council is currently reviewing and updating the Neighbourhood Plan. The Housing Needs Analysis has been updated, (Housing Target Paper, Jo Witherden, 24 February 2023) showing that the requirement for housing target for the Neighbourhood Plan does not need to change.
- 17.3 Housing supply in Fontmell Magna for the period up to 2031 is on track to deliver well in excess of 40 homes, with 45 homes from completions and permissions plus up to 10 homes from the Blandfords Farm Barn site allocation (policy FM20).

- 17.4 Policy FM17 is clear that unless a countryside location is essential, new open-market development should take place within the Settlement Boundary on allocated sites, or through the re-use of existing buildings in line with national policy where their existing use is no longer required. It states that new built development must be focused on sites that lie to the west of the A350. The proposed Mill Street development conflicts with this policy.
- 17.5 Dorset Council planners have confirmed that no further allocations for housing are needed at this time in Fontmell Magna.

FM18. Settlement Boundary

- 18.1 The Neighbourhood Plan, made in 2018, included an adjustment to the settlement boundary to accommodate a site allocated for housing development - Land South of Home Farm, South Street (policy FM19).
- 18.2 Pennyfarthing Homes are currently developing the site known as Spring Meadows to provide 30 new homes, of which 12 are affordable homes in line with Dorset Council policy.
- 18.3 There is no mention of the Spring Meadows development in the Planning Statement submitted by the applicant. This is a serious and misleading omission.
- 18.4 The proposed site along Mill Street lies outside the settlement boundary defined by policy FM18. Thus any development here should be categorised as countryside development on a wholly inappropriate scale.
- 18.5 The site has been previously put forward to the SHLAA process of Dorset Council in 2021 Ref: LA/FONT/001
<https://wa.dorsetcouncil.gov.uk/ShelaaWebsite/pages/Site.aspx?i=1083>
The site was excluded with the appraisal concluding: "There is potential for landscape and visual impacts upon the Conservation Area and AONB landscape. An unsuitable site."

Policies not relevant to the Planning Application

- FM13. Important community facilities
- FM14. Social Infrastructure
- FM15. Facilitating home working
- FM19. Land South of Home Farm
- FM20. Land at Blandfords Farm Barn

Appendix A. Important Views from Fontmell Down and Strip Lynchets

View from Fontmell Down



View from Strip Lynchets



REFUSAL OF OUTLINE PLANNING PERMISSION

Application No: 2/2017/2014/OUT **Date Registered:** 2 January 2018

Location of Development: Land At, Mill Street, Fontmell Magna, Dorset,

Description of Development: Develop land by the erection of 29 No. dwellings, form vehicular access. (Outline application to determine access).

APPLICATION No. 2/2017/2014/OUT Land At, Mill Street, Fontmell Magna, Dorset, REASON(S) FOR REFUSAL

1. The proposed development by reason of its location in the countryside is considered to be unsustainable development and this particular location would also have a detrimental impact on setting of heritage assets, the character and appearance of the Fontmell Magna Conservation Area, would harm the setting of the Cranborne Chase Area of Outstanding Natural Beauty, and would not improve the character and quality of the area contrary to Policies 1, 2, 4, 5, 6, 20 and 24 of the adopted North Dorset Local Plan Part 1 (January 2016), Policies FM3, FM4, FM17 and FM18 of the made Fontmell Magna Neighbourhood Plan, and the advice contained in the National Planning Policy Framework 2019 (as amended).
2. The proposed development by reason of its location would result in the permanent loss of grade 2 agricultural land which is some of the best and most versatile agricultural land contrary to Policy 4 of the adopted North Dorset Local Plan Part 1 (January 2016), and the advice contained in the National Planning Policy Framework 2019 (as amended).
3. The proposed development would not contribute to the provision of affordable housing, nor would it ensure that the necessary 'grey', 'social', and 'green' infrastructure is put into place to support the development through provision on site and, or, contributions to provisions off site contrary to Policies 8, 13, 14, and 15 of the adopted North Dorset Local Plan Part 1 (January 2016), and the advice contained in the National Planning Policy Framework 2019 (as amended).

National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

The applicant/agent did not take the opportunity to enter into pre-application discussions.

Appendix C. Photos of the Intersection of Mill Street and the A350

Visibility from the corner of Mill Street looking North along the A350; approx. 5 seconds to cross the A350 from this point.



Visibility from the corner of Church Hill looking north along the A350; approx. 5 seconds to cross the A350 from this point.

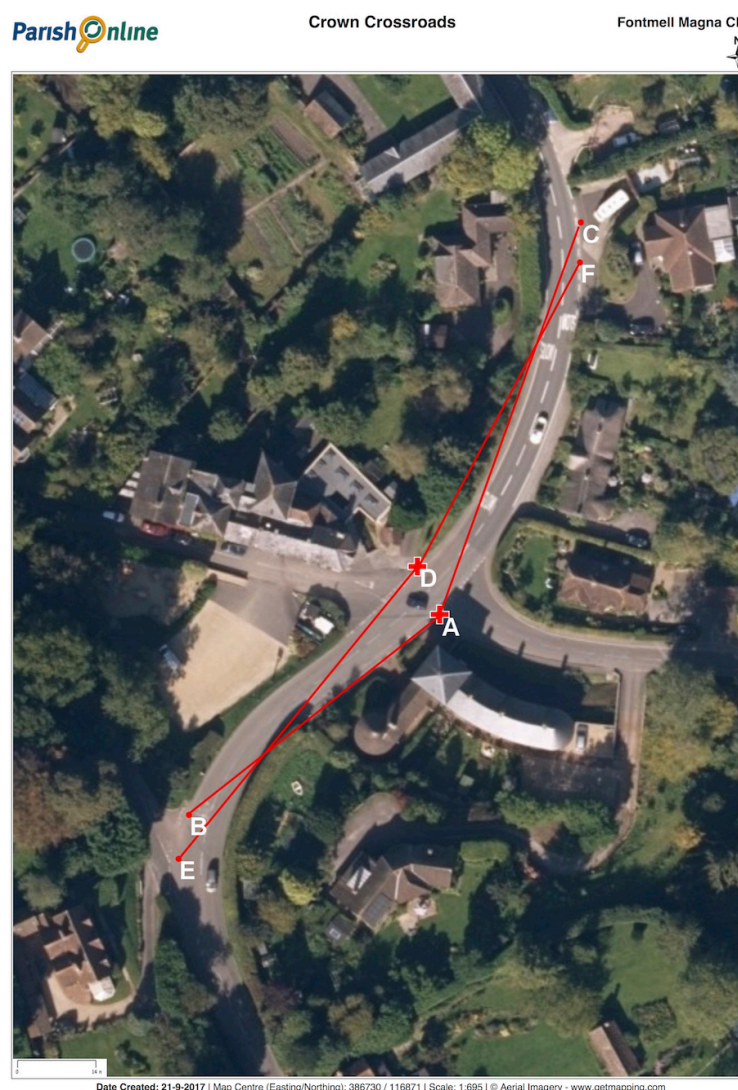


Visibility from the corner of Mill Street looking south along the A350; approx. 5 seconds to cross the A350 from this point.

Appendix D: Sight-lines and Crossing Times for the Mill Street/A350 Intersection

The diagram shows the sight lines from Point A, at the corner of Mill Street and the A350, and Point D, at the corner of Crown Hill and the A350, to the point at which a vehicle becomes visible coming from the south and from the north.

The length of sight lines AB, AC, DE and DF was measured using Parish Online mapping software. The table below shows the time taken for a vehicle travelling at 30mph and 20mph to travel these distances.



Sightline	Length	Time taken to travel to crossroads	
		At 30mph	At 20mph
AB	62.03yds	4.23secs	6.34secs
AC	79.87yds	5.45secs	8.17secs
DE	73.46yds	5.01secs	7.51secs
DF	66.73yds	4.55secs	6.83secs

