

Delegated Officer Report

Application Number:	2/200/0577/FUL
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land At E 386515 N 116640 South Street Fontmell Magna Dorset
Proposal:	Erect 30 No. dwellings with garages, form vehicular access, parking and a school drop off area. Carry out landscaping works including the diversion of the public footpath at the northern end of the site.
Applicant name:	Pennyfarthing Homes Ltd
Case Officer:	Marcus Shingler
Ward Member(s):	Cllr Jane Somper

1.0 Delegated decision.

2.0 Summary of recommendation:

Approve subject to s106 and appropriate conditions as set out in the recommendation.

3.0 Reason for the recommendation: as set out in Section 15 below.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The settlement boundary has been extended to include the site, which is allocated within the Fontmell Magna Neighbourhood Plan (Policy FM19) for a maximum of 30 dwellings and incorporating a car park/school drop-off area.
Scale, design, impact on character and appearance	The scale of development and its design is in accordance with that anticipated in the Fontmell Magna Neighbourhood Plan. A detailed consideration is set out within Section 15 of this report. In summary, it is not considered that it would be inappropriate in this location and there will be no significantly detrimental impacts on the character and appearance of the locality.

Impact on amenity	The development is distant from other dwellings other than those forming part of the development site and as such there will be no significant impacts on amenity. The nearest existing properties to the east (Home Farm and development at The Mead) are greater than 100m distant and there will thus be no impact on light, privacy, or outlook to these dwellings as a result of this development.
Impact on landscape or heritage assets	The site is well screened from the historic core of Fontmell Magna and is not intervisible with any of the historic buildings in the village. Therefore, any residential scale development within the study site would not result in significant harm to the significance of those buildings or the conservation area. The submitted heritage assessment has identified no known archaeological heritage assets within or adjacent to the study site which would be adversely impacted by the proposed development.
Flooding	The site lies within flood zone 1. The risk to the site and surrounding areas are therefore considered low. Surface water is to be attenuated on site and discharged at greenfield rates into an existing land drainage ditch network on the south west edge of the site. The applicant has provided a plan (titled 'Existing offsite Drainage Infrastructure') showing how this ditch network connects into a mapped ordinary watercourse to the south west of the site. Conditions requiring the submission of a surface water management scheme and details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system are included within the recommendation.
Economic benefits	It is acknowledged that the development would bring economic benefits through jobs in construction and the local economic benefits that additional occupiers would bring. These benefits need to be balanced and considered with other planning matters that pertain to the case.
Access and Parking	The access to the development is to be sited centrally at the south eastern boundary and

	<p>taken from the A350. Each dwelling has its own garage and hardstanding for parking and at the north eastern section of the site a communal parking/drop off area is provided for the adjacent St Andrews School.</p>
<p>Other Matters – 5-year housing land supply</p>	<p>The Council cannot currently demonstrate a five-year housing land supply and therefore the presumption in favour of sustainable development, as set out in paragraph 14 of the National Planning Policy Framework is engaged in respect of this application.</p> <p>The Council at present can only demonstrate 4.0 years of housing land supply of the requisite 5.0 years of housing land supply as set out in the NPPF.</p> <p>One reason that the 5 year supply has fallen (despite an increase in approvals) is that there is an amended definition of ‘deliverable’ in the latest NPPF, which means that the Council can no longer automatically include major development with outline permission in its 5 year supply. The definition states that Councils can only include such sites “where there is clear evidence that housing completions will begin on site within five years.” This means that the approval of outline applications such as the ones for the Gillingham SSA would not immediately improve the Council’s 5-year supply.</p>
<p>Affordable Housing and Other Contributions.</p>	<p>Policy 8 of the NDLP seeks the provision of 40% of the total number of dwellings as affordable units on developments delivering eleven or more additional dwellings. The policy advises 70%-85% should be affordable rent with 15%-30% provided as intermediate housing. The Policy also requires that affordable units are indistinguishable from market housing and should be grouped in small clusters amongst the market housing.</p> <p>The application provides 12 affordable units with not less than 50% of the units being Affordable Rented Units with the remainder being Discount Market Units (or such other form</p>

	<p>of affordable housing as approved pursuant to the affordable housing scheme) and secured by the negotiated section 106 agreement.</p> <p>The section 106 agreement also secures the following contributions:</p> <ul style="list-style-type: none"> Community, Leisure, and Indoor Sports Facilities Contribution Destination Play Area Contribution; Destination Play Area Maintenance Contribution; Footpath Maintenance Contribution; Right of Way Maintenance Contribution; Right of Way Upgrading Works Contribution; Pre School Education Contribution; Secondary Education Contribution; Outdoor Sports Area Contribution; Outdoor Sports Area Maintenance Contribution; Transfer of School drop-off area and open space.
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5.0 Description of Site

The site has an area of approximately 2.2 hectares and is located at the south western edge of Fontmell Magna. Presently an agricultural field, it bounds South Street (A350) to the south east but with no vehicle or field access from this road. A public right of way (PROW) enters the site from the north east and runs through it north east to south west, and another PROW splits from this to head south on the perimeter on its northern section. There is a field access to the east of the site at the southernmost section of the unnamed lane off the A350.

The site is broadly flat with hedgerow to the A350 boundary to south east and mature trees to its northern boundaries. The surrounding area is formed of residential to the east, St Andrew's Primary School to the north east, a football pitch immediately to the north with land in agricultural use to the west and south.

6.0 Description of Development

This planning application seeks full planning permission for the construction of 30 dwellings on the site with associated parking, access, landscaping, and the diversion of the public footpath at the northern end of the site.

The development will be accessed via a new vehicular access onto the A350. The access will lead to two cul-de-sacs of development, and housing will consist of a mix of detached, semi-detached and terraced dwellings, each with its own parking and private garden. The buildings will be arranged on the site in an informal arrangement in order to respect the character of the village core. The layout will also provide for significant areas of landscaping, including at the front of the site.

It is proposed that of the 30 homes to be provided, 40% will be affordable homes as is required under the Council's adopted planning policy. The affordable homes are in a mix of affordable rented and intermediate tenures. The affordable homes will be secured through a Section 106 obligation should planning permission be granted.

In addition to the proposed housing, the proposals include a new school drop off area at the northern eastern corner of the site to serve the adjacent primary school. The provision of a school drop-off is a requirement of the Neighbourhood Plan policy for the site and the proposals therefore deliver on that aim.

Concurrent with the application proposals a section of public right of way that crosses the northern edge of the site will be diverted to a minor extent as indicated on the submitted site plan. The diversion is intended in order to enable the development, but the extent of the diversion on the ground is limited and for the most part is accommodated on a new public footpath that is free of traffic and maintains a landscaped setting. The footpath diversion links with the existing footpath at each end.

7.0 Relevant Planning History

2/2018/0338/OUT - Develop land by the erection of 30 No. dwellings, form vehicular access, parking, a school drop off area and landscaping. (Outline application to determine access) – under Officer consideration.

8.0 List of Constraints

Name: North Dorset District
 Policy: 1.33
 Assets of Community Value ACV
 Policy: 1.33 LP053
 REFVAL: 2/2001/0526 PLN2
 REFVAL: 2/2004/0558 PLN2
 REFVAL: 2/2008/0743 PLN2
 REFVAL: 2/2019/0810/FUL PLN2
 REFVAL: 2/2020/0577/FUL PLN2
 Grade: GRADE 2 AGR
 Grade: GRADE 3 AGR
 Name: North Dorset District LP028
 REFVAL: 2/2005/0714 PLN2
 POLICY: 1.33 N LP032
 REFVAL: 2/1997/0253 PLN2
 REFVAL: 2/2000/0524 PLN2
 REFVAL: 2/2001/0095 PLN2
 REFVAL: 2/2005/1179 PLN2
 Route Code: N63/6 Path Type: FootpathN PROW
 Route Code: N63/7 Path Type: FootpathN PROW
 Ward Name: Beacon
 The Fontmell Magna Conservation Area CON1
 : Fontmell Magna CP PARI
 REFVAL: 2/2018/0338/OUT PLN2
 REFVAL: 2/2001/0526
 REFVAL: 2/2004/0558

REFVAL: 2/2008/0743
REFVAL: 2/2019/0810/FUL
REFVAL: 2/2020/0577/FUL
Grade: GRADE 2
Grade: GRADE 3
REFVAL: 2/2005/0714
POLICY: 1.33
REFVAL: 2/1997/0253
REFVAL: 2/2000/0524
REFVAL: 2/2001/0095
REFVAL: 2/2005/1179
Route Code: N63/6 Path Type: Footpath
Route Code: N63/7 Path Type: Footpath
Ward Name: Beacon
The Fontmell Magna Conservation Area
Fontmell Magna CP
REFVAL: 2/2018/0338/OUT

9.0 Consultations

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

Consultees

Conservation Officer

Considers broadly that the scheme will result in less than substantial harm to the character and appearance of the Conservation Area insofar as it will slightly erode its historic rural context (Conservation Area Appraisal, pp. 23-24). However, taking into account the nature and extent of this harm, in this case it is considered that the public benefits of the scheme have the potential to outweigh the harm caused. This arises mainly from the fact that the site is allocated in the Neighbourhood Plan (Policy FM19), which suggest the acceptability of development on this site to the proposed quantum. However, we stress the importance of appropriate and complementary materials selection, if the scheme is to preserve the character of the Conservation Area. Conditions suggested to ensure this is the case.

Head of Flood Risk Management

No objections subject to suggested conditions.

Transport Development Management

No objections subject to conditions and an appropriate legal agreement securing a contribution to upgrade the pedestrian link to West Street.

Fontmell Magna Parish Council

The Parish Council consider the revised plans to be an improvement on the earlier submitted scheme and support the application.

Historic England

Commented on the original proposals that the conservation area appraisal provides useful observations on the aspects of twentieth century housing developments within the village which militate against their successful integration with its more historic areas, and should not, therefore be replicated in any new development. These include:

- A tendency not to follow the characteristic streetscape of the village, with its dwellings either parallel or at right-angles to the road
- An incorporation of standard streetscape elements of the age, such as pavements, drives, fences and building lines, just as one would find in a suburban setting
- Uncharacteristic architectural elements and building types such as bungalows.

Further comment that overall, they were not convinced that the layout, form, and design of this development successfully meet those criteria. Historic England have not commented on the revised proposals, but the Council's Senior Conservation Officer supports the proposals as revised.

Natural England

No objections subject to appropriate mitigation.

Head of Flood Risk Management

No objections subject to conditions included within the recommendation.

Tree Officer

No objections subject to conditions incorporated within the recommendation.

Rights of Way Officer

Please note that the proposed works directly affect Footpath N63/6 &7, as shown on the enclosed plans, and I strongly advise that the conditions below are included in any planning approval:

- The footpath must be diverted by legal order and that order must be confirmed before any works obstructing the path are commenced. If the path is obstructed in the absence of such a legal order this department will carry out enforcement action as deemed appropriate. This diversion can be done under the Town and Country Planning Act.
- The footpath N63/6 within the site must be surfaced to current DCC specification;
- The footpath N63/7 must be surfaced if it is to be used by the development if it is to be used for construction access or as I believe is suggested to create better access to and from the school and wider village. This again must be to DCC specification.
- Any stiles that are present on the perimeter of the site must be changed for gates to British Standard (BS5709:2006);
- The width of all footpaths is to be 2 m.

Dorset Education Authority

No objections subject to suitable section 106 agreement to secure school drop off and other relevant contributions.

Southern Academy Trust

There are currently pressures on the road infrastructure at school drop off and pick up times including parking on narrow village lanes and access for the school transport bus, which is currently very restricted. The current proposal does not fully address these pressures. The current carpark size and layout appears too small for bus access and turning but we are keen to work together to discuss alternative resolutions, along with the requirement of fencing, CCTV and automated gates to manage access and make it suitable for school use.

NB: Officer Comment: These issues, where appropriate have been addressed by further information submitted by the applicants, including a revised Transport Technical Note.

Representations received

Total Objections	Total No Objections	Total Comments
«7»	«1»	«0»

Petitions Objecting	Petitions Supporting
0	0

In total 7no. objections have been received whilst the Fontmell Magna Parish Council has confirmed its support. The concerns raised are summarised below:

- Concerns/queries relating to the part of hedging to be removed;
- Flooding issues;
- Adverse impact when viewed from The Downs AONB;
- Impact on biodiversity;
- Effect on the appearance of area
- Heritage impact;
- Noise/disturbance;
- Overlooking/loss of privacy;
- Road safety;
- Loss of rural landscape;
- Inadequate facilities to serve the development;

10.0 Relevant Policies

Local Plan: The North Dorset Local Plan Part 1 (LPP1) was adopted by North Dorset District Council (NDDC) on 15 January 2016. It, along with policies retained from the 2003 North Dorset District-Wide Local Plan, 1 and the 'made' Gillingham Neighbourhood Plan, form the development plan for the North Dorset Area within Dorset Council. Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant applicable policies in the adopted North Dorset Local Plan Part 1, January 2016 are as follows:

- Policy 1 – Presumption in favour of sustainable development
- Policy 2 - Core Spatial Strategy
- Policy 4 – The natural environment
- Policy 5 – The Historic Environment
- Policy 6 – Housing distribution
- Policy 7 – Delivering Homes
- Policy 8 – Affordable Housing
- Policy 13 – Grey Infrastructure
- Policy 15 – Green Infrastructure
- Policy 20 – The Countryside
- Policy 23 – Parking
- Policy 24 – Design
- Policy 25 – Amenity

Policy 1 reflects the approach in the NPPF and sets out a presumption in favour of sustainable development. Planning applications which accord with the plan will be granted without delay. In other cases, the Council will consider whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

All development should accord with the Core Spatial Strategy set out in Policy 2. Outside the defined boundaries of the four main towns (the settlement boundaries being retained from the 2003 Local Plan), the remainder of the District (including Stalbridge and all the District's villages) will be subject to countryside policies where development will be strictly controlled unless it is required to enable essential rural needs to be met. It is agreed that the appeal site lies outside the settlement boundary in an area which is defined as countryside. Policy 20 seeks to restrict development in such locations to specified categories or where there is a local need.

Policy 4 refers to the natural environment. Development will be expected to respect the natural environment and landscape character. This is consistent with paragraph 170 b) of the NPPF which recognises the intrinsic character and beauty of the countryside. Policy 5 seeks to ensure that heritage assets are not harmed by development with harm balanced against public benefits as also required by the NPPF.

Policy 5 relates to the historic environment and is consistent with the NPPF in requiring decision makers to apply great weight to the conservation of heritage assets. Clear and convincing justification will be required where harm is identified including any change to its setting. The policy also identifies the degree of harm: either substantial or less than substantial with harm weighed against the public benefits.

Policy 6 outlines the distribution of new housing within the District. The vast majority of growth will be concentrated in the four main towns. This also seeks the provision of 500 affordable new dwellings in the period 2011-2026. The type and delivery of new housing

is set out in Policy 7 and affordable housing in Policy 8. While Policy 9 sets out the details for rural exception sites and how dwellings in the countryside will be delivered.

Policy 7 States that all housing should contribute towards the creation of mixed and balanced communities. It requires the delivery of about 40% of market housing in North Dorset as one or two-bedroom properties and about 60% of market housing as three or more-bedroom properties. Further, the Council will support the delivery of about 60% of affordable housing in North Dorset as one or two-bedroom properties and about 40% of affordable housing as three or more-bedroom properties. The Council will support the provision of age-restricted housing for the elderly and will usually seek to control its occupancy by planning condition or planning obligation. Density of development should respect the character and distinctiveness of the locality.

Policy 8 sets out the Council's approach to the provision of affordable housing, subject to site-based viability testing. The revised threshold of ten published in the NPPG update on 28/11/2014 forms part of this policy approach. The policy compliant proportion of affordable housing in Blandford Forum is 30% on developments of more than 10 dwellings with a tenure split of 70% affordable rent and 30% intermediate housing.

Policy 13 refers to grey infrastructure which includes transport, utilities, and drainage. Social infrastructure (cultural, educational, health and leisure facilities) and green infrastructure (open space and wildlife corridors) are covered under Policies 14 and 15.

Policy 20 on The Countryside states that development outside settlement boundaries will only be appropriate outside defined settlement boundaries where, a) the type of development is set out in local plan policies or b) there is an overriding need for it to be in the countryside.

Policies 23, 24, and 25 are design related policies. These policies address matters related to parking, design, and amenity respectively.

Fontmell Magna Neighbourhood Plan 2017-2031

Policy FM1. Local Green Spaces

Policy FM2. Local Wildlife Corridors and Protected Species

Policy FM3. Important Views

Policy FM4. The setting of the AONB

Policy FM5. Local Landscape Features

Policy FM6. Dark Skies

Policy FM7. The Conservation Area and Locally Important Features

Policy FM10. Creating safer roads and pedestrian routes

Project P1. Delivering traffic management solutions

Policy FM11. Sustainable drainage

Policy FM12. Development impacting on the sewage treatment works

Policy FM13. Important community facilities

Project P2. Better Broadband and Mobile Telecommunications

Policy FM14. Social Infrastructure

Project P4. Local Housing Needs Assessment Review 45
Policy FM16. Housing Types
Policy FM17. Spatial strategy for new development
Policy FM18. Settlement boundary
Policy FM19. Land South of Home Farm (Site 20)

National Planning Policy Framework (NPPF), supporting documents & guidance

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
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

North Dorset Landscape Character Assessment (as amended) (2008).

Dorset County Council parking standards guidance.

Planning Practice Guidance: On 6 March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This includes the following statement:

“This guidance is intended to assist practitioners. Ultimately the interpretation of legislation is for the Courts, but this guidance is an indication of the Secretary of State’s views. The department seeks to ensure that the guidance is in plain English and easily understandable. Consequently, it may sometimes be oversimplified and, as the law changes quickly, although we do our best, it may not always be up to date”.

Elements of the Planning Practice Guidance relevant to this application have informed the “Planning Appraisal” section of the report.

11.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

12.0 Public Sector Equalities Duty

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

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

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

13.0 Financial benefits

Benefits	Quantum
Construction jobs	Approximately 1yr
Council Tax revenue.	Tbc
Spending in local economy by residents of 30 dwellings	Tbc
New Homes Bonus	Tbc
Community, Leisure, and Indoor Sports Facilities contribution	£2006.97 per dwelling
Destination Play Area contribution	£359.36 per dwelling
Footpath Maintenance contribution	£76.62 per dwelling
Open Space maintenance contribution	£1278.80 per dwelling
Outdoor Sports Area contribution	£1318.80 per dwelling
Outdoor Sports Area maintenance contribution	£128.73 per dwelling
Pre-School Education contribution	£190.50 per dwelling
Right of Way maintenance works contribution	£76.62 per dwelling
Right of Way upgrading works contribution + resurfacing to West Street	£1200.00 + £4127.50
Secondary Education Contribution	£4077.03 per dwelling
School drop-off area maintenance contribution	£1333.33 per dwelling

14.0 Climate Implications

The development is considered to be in a sustainable location with the services and facilities of the village within walking distance.

Energy would be used as a result of the production of the building materials and during the construction process. However, that is inevitable when building dwellings and a balance has to be struck between providing housing to meet needs versus

conserving natural resources and minimising energy use.

The development would be built to current building regulation standards at the time of construction. It is therefore likely that it would use renewable systems to lower the energy usage from the grid. The insulation values would lower the energy usage. A carefully designed landscape scheme to enhance the ecology of the site is to be provided as part of the overall development.

15.0 Planning Assessment

Principle of Development

Paragraph 124 of the NPPF states that *“Planning policies and decisions should support development that makes efficient use of land, taking into account:*

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive, and healthy places.*

In this instance, it is considered that the principle of development is acceptable, since the settlement boundary of Fontmell Magna has been extended in the Fontmell Magna Neighbourhood Plan to include the site and policy FM19 of the plan allocates the site for a maximum of 30 units.

There are no “in-principle” objections to the development of 30no. units in this location.

Scale, design, impact on character and appearance

The scale of development is in accordance with that anticipated in the within policy FM19 of the Fontmell Magna Neighbourhood Plan 2017-2031 which allocates the site for a maximum of 30no. units.

The design has been significantly amended as a result of discussions with Officers over the course of the application. The site layout plan has been updated to incorporate suggestions made in the consultation responses submitted. An area of public open space that had been shown between units 14 and 15 has been relocated southwards to be at the apex of where the two roads split, and in front of plots 17 and 18. This makes the space a focal point of the site together with the adjacent attenuation green and the two form a continuous footpath into the site from South Street.

The affordable housing units have been redesigned to incorporate short terraces rather than being all semi-detached pairs and plots 24-25 turned 90 degrees in order that they front onto the pathway leading into the site from South Street, creating an active frontage in that area and also improving surveillance of that space.

In response to feedback from Historic England and the Parish Council the plots on the south western boundary have been updated and some of the garages made integral rather than all being detached. There is also added chimneys to more of the houses. Plots 1-2 have been updated so that the garage to plot 2 is attached to the house. A window is shown on the elevation of the garage facing the street. Plot 3 is now a full two storey house. A chimney has been added and timber boarding to a part of the front elevation. Plot 4 is also of an updated design and its garage has been attached to the house as a single storey addition, finished in timber.

Plot 5 has been updated to include a chimney and the garage has been attached to the house. Plot 6 is now a full two storey house but with a smaller footprint than plot 3 has previously shown. A chimney has been added and timber boarding to a part of the front elevation.

Plot 7 has been updated including a chimney, part timber boarding on its front elevation and the garage attached to the house as a single storey addition. Plot 8 has been redesigned as a chalet bungalow. Plot 9 has had a chimney added to it and the garage attached to the house. Plot 10 is now a chalet bungalow with its garage attached to the house.

Plots 13 and 14 have been updated to show the elevations as painted brick. Plots 15 and 16 are unchanged but have been relocated northwards as described above. Plots 17 and 18 are unchanged but have relocated north and look over the relocated open space. Plots 19-26 have been redesigned from four pairs of semi-detached homes to a pair of semi-detached homes and two terraces of three. Plots 24-26 have also been turned by 90 degrees. Plot 27 has had a ground floor bay window added to its side elevation, again to face onto the open space and footpath leading into the site from South Street. Finally plot 30 has had the garage attached to the main house. The garage is to be finished in timber.

Overall, these improvements are significant and mean that it is not considered that it would be inappropriate in this location. There will be no detrimental impacts on the character and appearance of the locality in the Officers view. The development is thus considered to be compliant with the requirements of the NPPF and policy 24 of the North Dorset Local Plan.

Impact on Amenity

The development is distant from other dwellings other than those forming part of the development site and as such there will be no significant impacts on amenity. The nearest existing properties to the east (Home Farm and development at The Mead) are

greater than 100m distant and there will thus be no impact on light, privacy, or outlook to these dwellings as a result of this development. Some additional noise as a result of the development will be inevitable as the site is currently an agricultural field but again given the separation distances involved, any harm would not be so significant as to render the application unacceptable.

Impact on Landscape or Heritage Assets

The Fontmell Magna Neighbourhood Plan at policy FM8 identifies that 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.

The Neighbourhood Plan comments in respect of the site that a more attractive entrance to the village can be achieved by creating a substantial buffer zone alongside the A350 (with trees and hedges planted round the area designated for school parking and that this planting could be extended along the western boundary to make for an attractive transition from open field to settlement and will provide a significant mitigation measure to the new housing development.

As noted above, the scheme has been amended and the landscaped buffer to the site frontage has been enhanced. Much of the existing boundary hedging will be retained to the western boundary, supplemented with some tree planting. The school drop off parking area is proposed to be well screened with trees and a further central open space/attenuation green is provided. The tree belt to the northern boundary is retained also. Overall, the scheme is considered to minimise the visual impact of development as seen from outside the site and will provide an attractive entrance and edge to the village as seen from the approach along the A350.

In terms of heritage impact, the Conservation Officer has reviewed the amended proposals. Broadly, it is considered that the scheme will result in less than substantial harm to the character and appearance of the Conservation Area insofar as it will slightly erode its historic rural context. However, taking into account the nature and extent of this harm, in this case it is considered that the public benefits of the scheme have the potential to outweigh the harm caused. This arises mainly from the fact that the site is allocated in the Neighbourhood Plan, which suggest the acceptability of development on this site to the proposed quantum. However, it is stressed that the importance of appropriate and complementary materials selection is crucial if the scheme is to preserve the character of the Conservation Area. Accordingly, appropriate conditions have been included within the recommendation to address this.

It is considered that subject to appropriate conditions in respect of materials and finishes, the proposed development will be acceptable in terms of its impact on landscape and heritage. The development is considered to be compliant with the requirements of the NPPF and policies 4 and 5 of the North Dorset Local Plan.

Flooding

The application site lies within flood zone 1. The risks to the site and surrounding areas are therefore considered low. Surface water is to be attenuated on site and discharged at greenfield rates into an existing land drainage ditch network on the south west edge of the site. The applicant has provided a plan (titled 'Existing offsite Drainage Infrastructure') showing how this ditch network connects into a mapped ordinary watercourse to the south west of the site. Conditions requiring the submission of a surface water management scheme and details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system are included within the recommendation.

Economic Benefits

The development would bring economic benefits through jobs in construction and the local economic benefits that additional occupiers would bring. A section 106 agreement is being drafted securing additional infrastructure benefits along with affordable housing. These benefits need to be balanced and considered with other planning matters that pertain to the case.

Access and Parking

The access to the development is to be sited centrally at the south eastern boundary and taken from the A350. Each dwelling has its own garage and hardstanding for parking and at the north eastern section of the site a communal parking/drop off area is provided for the adjacent St Andrews School as required by policy FM19 of the Neighbourhood Plan.

The Council's Highways Officer has raised no objections to the amended scheme subject to appropriate contributions to upgrading rights of way and conditions included within the recommendation. The development is considered to be acceptable in terms of access and parking arrangements.

Affordable Housing and Other Contributions

Policy 8 of the NDLP seeks the provision of 40% of the total number of dwellings as affordable units on developments delivering eleven or more additional dwellings. The policy advises 70%-85% should be affordable rent with 15%-30% provided as intermediate housing. The Policy also requires that affordable units are indistinguishable from market housing and should be grouped in small clusters amongst the market housing.

The application provides 12 affordable units with not less than 50% of the units being Affordable Rented Units with the remainder being Discount Market Units (or such other form of affordable housing as approved pursuant to the affordable housing scheme) and secured by the negotiated section 106 agreement.

The section 106 agreement also secures the following contributions:

Community, Leisure, and Indoor Sports Facilities Contribution
Destination Play Area Contribution;
Destination Play Area Maintenance Contribution;
Footpath Maintenance Contribution;
Right of Way Maintenance Contribution;
Right of Way Upgrading Works Contribution;
Pre School Education Contribution;
Secondary Education Contribution;
Outdoor Sports Area Contribution;
Outdoor Sports Area Maintenance Contribution;
Transfer of School drop-off area and open space.

The Planning Balance

There is currently a lack of a 5-year housing land supply in the North Dorset area. This proposal would provide much needed housing, in a sustainable location. This weighs strongly in favour of the proposal. In view of the lack of any other harms identified, officers consider that the proposal complies with all relevant policy, and having regard to the guidance within the NPPF, permission should be granted without delay.

16.0 Conclusion

For the reasons set out in this report, the application is considered to be acceptable, subject to an appropriate section 106 agreement to secure the obligations set out above and to the conditions within the recommendation below.

17.0 Recommendation

Grant planning permission 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:

12 Affordable Housing Units;
Community, Leisure, and Indoor Sports Facilities Contribution;
Destination Play Area Contribution;
Destination Play Area Maintenance Contribution;
Footpath Maintenance Contribution;
Right of Way Maintenance Contribution;
Right of Way Upgrading Works Contribution;
Pre School Education Contribution;
Secondary Education Contribution;
Outdoor Sports Area Contribution;
Outdoor Sports Area Maintenance Contribution;
Transfer of School drop-off area and open space

And the following conditions: -

Time Limit

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

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

Drawings

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

Location Plan - 5939-WLA-ZZ-XX-DR-A-1001 Rev A
Block Plan - 5939-WLA-ZZ-XX-DR-A-1002-Rev C
Proposed Site Layout - 5939-WLA-AF-XX-DR-A-1005 Rev G
Proposed Street Scene & Section - 5939-WLA-XX-XX-DR-A-1010
Materials Drawing - 5939-WLA-ZZ-XX-DR-A-1013 Rev A
House Type A1 – Plans - 5939-WLA-OM-XX-DR-A-1110 Rev A
House Type A1 – Elevations - 5939-WLA-OM-XX-DR-A-1111 Rev B
House Type A2 – Plans - 5939-WLA-OM-XX-DR-A-1150 Rev B
House Type A2 – Elevations - 5939-WLA-OM-XX-DR-A-1151 Rev B
House Type B1 – Plans - 5939-WLA-OM-XX-DR-A-1210 Rev A
House Type B1 – Elevations - 5939-WLA-OM-XX-DR-A-1211 Rev A
House Type B2 – Plans - 5939-WLA-OM-XX-DR-A-1220 Rev A
House Type B2 – Elevations - 5939-WLA-OM-XX-DR-A-1221 Rev A
House Type C1 – Plans - 5939-WLA-OM-XX-DR-A-1300 Rev B
House Type C1 – Elevations - 5939-WLA-OM-XX-DR-A-1301 Rev B
House Type C2 – Plans - 5939-WLA-OM-XX-DR-A-1400 Rev B
House Type C2 – Elevations - 5939-WLA-OM-XX-DR-A-1401 Rev B
House Type C3 – Plans - 5939-WLA-OM-XX-DR-A-1410 Rev A
House Type C3 – Elevations - 5939-WLA-OM-XX-DR-A-1411 Rev A
House Type D – Plans - 5939-WLA-OM-XX-DR-A-1310 Rev B
House Type D – Elevations - 5939-WLA-OM-XX-DR-A-1311 Rev B
House Type E1 – Plans - 5939-WLA-OM-XX-DR-A-1530 Rev A
House Type E1 – Elevations - 5939-WLA-OM-XX-DR-A-1531 Rev A
House Type E3 – Plans - 5939-WLA-OM-XX-DR-A-1540 Rev A
House Type E3 – Elevations - 5939-WLA-OM-XX-DR-A-1541 Rev A
House Type E4 – Plans - 5939-WLA-OM-XX-DR-A-1550 Rev A
House Type E4 – Elevations - 5939-WLA-OM-XX-DR-A-1511 Rev A,
House Type E4 – Elevations - 5939-WLA-OM-XX-DR-A-1551 Rev A
House Type F – Plans - 5939-WLA-OM-XX-DR-A-1520 Rev A
House Type F – Elevations - 5939-WLA-OM-XX-DR-A-1521 Rev A
House Type E&G – Plans - 5939-WLA-OM-ZZ-DR-A-1600 Rev A
House Type E&G – Elevations - 5939-WLA-OM-XX-DR-A-1601 Rev A
House Type K1 – Plans - 5939-WLA-SH-XX-DR-A-1900 Rev B
House Type K1 – Elevations - 5939-WLA-SH-XX-DR-A-1901 Rev B
House Type K2 - Plans - 5939-WLA-SH-XX-DR-A-1910 Rev A

House Type K2 – Elevations - 5939-WLA-SH-XX-DR-A-1911 Rev A
House Type L2-3-2-Plans - 5939-WLA-AF-XX-DR-A-2300 Rev B
House Type L2-3-2-Elevations - 5939-WLA-AF-XX-DR-A-2301 Rev B
House Type L4-5-4-Plans - 5939-WLA-AF-XX-DR-A-2400 Rev A
House Type L4-5-4-Elevations - 5939-WLA-AF-XX-DR-A-2401 Rev A
House Type M1 – Plans - 5939-WLA-ST-XX-DR-A-2500
House Type M1 – Elevations - 5939-WLA-ST-XX-DR-A-2501
Single Garage - 5939-WLA-MS-XX-DR-A-3000 Rev A
Double Garage - 5939-WLA-MS-XX-DR-A-3001 Rev A
Twin Garage - 5939-WLA-MS-XX-DR-A-3002 Rev A
Double Garage – 5939-WLA-MS-XX-DR-A-3003 Rev A
Tree Protection Plan reference no 17271-7

Reason: For the avoidance of doubt and to clarify the permission.

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

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

4. 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 should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

5. Prior to commencement of any highway works, details of the access, geometric highway layout, turning and parking areas shall have been submitted to and agreed in writing by the Local Planning Authority.

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

6. Before the development is occupied or utilised the first 15.00 metres of the vehicle access, measured from the rear edge of the highway 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.

7. Before the development hereby approved is occupied or utilised the following works must have been constructed to the specification of the Local Planning Authority:

a. The upgrading of the existing footpath on the site's eastern boundary , providing access to the village hall, primary school and recreation ground, to provide an all-weather surface suitable for use, in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority.

b. right turn lane access as shown in indicative form on plan IMA-17-163 Plan 2 Rev A within the Transport Statement (IMA Transport Planning, April 2020 IMA-19/124) the full details of which must be submitted to and agreed in writing with the Local Planning Authority.

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.

8. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on plan IMA-17-163 Plan 2 Rev A within the Transport Statement (IMA Transport Planning, April 2020 IMA-19/124) must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

9. No development hereby approved above damp proof course shall commence until samples and product details of all proposed materials for roofing, chimneys, walling and external surfacing are to be provided along with sample panels (min. 1m x 1m), to be constructed on site showing the proposed coursing and pointing of all types of external masonry walls. These details shall be approved in writing by the local planning authority and the development shall thereafter accord with the approved materials.

Reason: To safeguard the character of the locality.

10. All windows and external doors within the development shall be in timber, and rainwater goods shall have a black external finish. Details (sections at 1:5 and elevations at 1:10) of all new window (including cills, arches, and lintels) and external door types are to be provided and approved in writing by the local planning authority prior to commencement. Each type is to be clearly cross-referenced with its position on the respective plots throughout the development. The development shall be carried out in accordance with the agreed details.

Reason: To safeguard the character of the locality.

11. No development hereby approved above damp proof course shall commence until details of all boundary materials and treatments are to be provided and approved in writing by the local planning authority and the development shall thereafter accord with the approved details.

Reason: To safeguard the character of the locality.

12. Prior to occupation of any dwelling hereby approved, details of all tree, shrub and hedge planting (including positions, density, species and planting size) shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out before the end of the first available planting season following substantial completion of the development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.

Reason: In the interests of public amenity and ecology.

13. The development hereby permitted must not be occupied or utilised until a scheme showing details of the proposed cycle parking facilities is submitted to and approved in writing by the Local Planning Authority. The approved scheme and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

14. Prior to commencement of any works on site, a Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing by the Local Planning Authority. The CTMP shall include details of the following;

- o construction vehicle details (number, size, type, and frequency of movement)
- o a programme of construction works and anticipated deliveries
- o timings of deliveries so as to avoid, where possible, peak traffic periods
- o contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- o wheel cleaning facilities
- o vehicle cleaning facilities
- o a scheme of appropriate signing of vehicle route to the site
- o a route plan for all contractors and suppliers to be advised on
- o temporary traffic management measures where necessary

The development shall thereafter be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: to minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

15. The development shall be carried out in accordance with the submitted Biodiversity Mitigation and Enhancement Plan (BMEP) dated 21.06.21. The BMEP shall be implemented in full and in accordance with the timeframes stated therein.

Reason: To order to ensure that the ecology interests of the site are protected and enhanced where appropriate. 16. Prior to commencement of any works on site, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed LEMP.

Reason: To order to ensure that the ecology interests of the site are protected and enhanced where appropriate.

17. Prior to commencement of any works on site, a Construction and Ecological Mitigation Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed CEMP.

Reason: To ensure the protection of species and habitats during construction of the development.

18. Prior to commencement of works a site-specific Arboricultural Method Statement expanding on the heads of terms detailed within section 2.5 of the Barrell's report reference no. 17271-AA-CA-5.docx. shall be submitted to and approved in writing by the Local Planning Authority. This should also look to provide detail on the custom designed no-dig specification surfacing that encroaches into the root protection areas of G11 and G14. The development shall be carried out in accordance with the approved statement.

Reason: To ensure thorough consideration of the impact of the development and any mitigating measures on the existing trees.

19. The Tree Protection Plan reference no 17271-7, shall be adhered to in full subject to the pre-arranged supervision detailed within section 2.3 of the preliminary AMS reference no. 17271-AA-CA-5.docx which should be undertaken by a suitably qualified and pre-appointed tree specialist.

Reason: In order to protect trees on site which are to be retained and to protect and enhance the biodiversity interests of the site.