

## Comment

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<b>Address</b>	1 Parkstone Road Poole BH15 2NN
<b>Event Name</b>	Purbeck Local Plan Pre-submission Draft
<b>Comment by</b>	Wyatt Homes ( - 1190024)
<b>Comment ID</b>	PLPP492
<b>Response Date</b>	03/12/18 17:30
<b>Consultation Point</b>	Policy V1: Spatial strategy for sustainable communities ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.1
<b>Files</b>	SHLAA Site Submission for Land at Frenches Farm, Upton (July 2018)
<b>Are you responding on behalf of a group?</b>	No
<b>Please tick the box(es) if you would like to be notified at an address/email address of the following:</b>	
<b>Which policy / paragraph number / policies map does your comment relate to?</b>	Policy V1: Spatial strategy for sustainable communities
<b>Do you consider that the Local Plan is legally compliant?</b>	Yes

Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

**Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)**

Policy V1: Spatial strategy for sustainable communities sets out the overall development strategy for Purbeck District to 2034. This includes a paragraph (number 2.) setting out how the needs of the district's elderly population will be catered for over the plan period. The proposal is to plan for two 65-bed care homes (Use Class C2), one at Moreton, within the far west of the district and one at Wool, broadly within the centre of the district.

Purbeck already has a significantly higher than average proportion of older people amounts its residents and this is projected to grow rapidly over the plan period, as it identified within paragraph 118 of the Council's 'Housing Background Paper' (October 2018) which states:

*"A key driver of change in the future housing market is the expected growth in the population of older people. ONS population projections for 2018 to 2034 estimate a 30% increase in people over 65 years old (2014 SNPP)."*

The Council's Strategic Housing Market Assessment (SHMA) Update 2018 did not include any details on the anticipated growth in the elderly population, but this was set out within paragraphs 3.16 to 3.22 of the Purbeck SHMA Update 2015. This demonstrated that the projected growth (between 2013 and 2033) in the age groups likely to be less independent, and therefore more likely to require care home accommodation, was substantial. For example, 75 to 84 year-olds were projected to grow by 45.3% by 2033 and those over 85 years by 111.6% over the same period. Each of these projections was higher than the average for the Eastern Dorset Housing Market Area, and would come on top of a large existing population within these age groups.

In light of the above evidence it is considered that the provision of two 65-bed care homes is insufficient to meet the projected needs for this type of accommodation. This is exacerbated by the focussing of planned provision within the west and centre of the district and the lack of any planned provision within the key population centres of the east of Purbeck District.

Our client has promoted a site at the south of Upton for mixed uses, including a 65-bed care home in Use Class C2. This site, known as 'Frenches Farm' has been positively assessed (as site SHLAA/0098) within the Council's Strategic Housing Land Availability Assessment (SHLAA) update (October 2018). The conclusions were that the site is well related to the edge of the Upton and existing services and facilities and would be acceptable in principle, subject to addressing the identified constraints.

Paragraph 87 of the Housing Background Paper (October 2018) clarified that the Council has considered the care home proposals at Frenches Farm in the context of its Green Belt location and considers that a case for 'exceptional circumstances' could be made to release the site for this purpose. It goes on to explain that the reason the site was not being taken forward as an allocation site within the Pre-submission Local Plan was that there were already two care homes located non-Green Belt sites being taken forward, but that: *"Should further need be identified then the site at Frenches Farm may come forward as the green belt study and SHLAA are supportive of development in principle."*

In light of the pressing need for a higher level of care home accommodation for the elderly over the plan period, paragraph 2 of Policy V1 is **not justified** and **not positively prepared** in relation to the 'tests of soundness' set out within the NPPE.

**Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)**

This issue can be rectified by amending paragraph 2 of Policy V1: Spatial strategy for sustainable communities to include a reference to a third 65-bed care home at Frenches Farm, Upton. This would

require consequential changes elsewhere in the local plan and these are covered in our client's other representations.

In the event that, on consideration of the detailed need-case for a third care home does not support the site at Frenches Farm coming forwards within the 2018 – 2034 plan period, the site should be released from the Green Belt and 'safeguarded' for care home and employment uses in line with paragraph 139c of the NPPF. This approach would be consistent with the Council's conclusion that the proposed use is acceptable in principle and that an exceptional circumstances case can be made. Safeguarding the site would not risk losing the opportunity to any future speculative application for general needs housing as the site is within the 400 metres 'exclusion zone' of the Dorset Heathlands Special Protection Area and is thus unsuitable for general needs housing.

**If you have any supporting documents please upload them here.**

SHLAA Site Submission for Land at Frenches Farm, Upton (July 2018)

SHLAA Site Submission for Land at Frenches Farm, Upton (July 2018)

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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Wyatt Homes has a range of interests across the north east of the district, a number of which are being proposed for allocation by the Pre-Submission Purbeck Local Plan. Whilst our client is generally supportive of the Local Plan, there are a number of areas where there is concern that the Local Plan, as drafted, is not yet 'sound' but can be made so through a range of plan modification that we have proposed. Our client considers it important to attend the hearing sessions to assist the Council in exploring the areas where the plan is not yet sound and reaching a position whereby it may become so.

12 July 2018

**Delivered by email**

Planning Policy Team  
Purbeck District Council  
Westport House  
Worgret Rd  
Wareham  
BH20 4PP

Ref: WYAW3014

Dear Sir or Madam

**PURBECK HOUSING AND ECONOMIC LAND AVAILABILITY ASSESSMENT CONSULTATION**

**– LAND AT FRENCHES FARM, POLICEMANS LANE, UPTON**

**INTRODUCTION**

Turley have been instructed by Wyatt Homes to prepare and submit a representation to the consultation and 'call for sites', which is being conducted to support updates to the Purbeck Housing and Economic Land Availability Assessment (HELAA). Wyatt Homes have submitted representations to previous Local Plan consultations, where we had promoted the subject site as part of a larger proposed southern expansion to the Frenches Green development. This included a proposal for a mixture of uses on the Frenches Farm site (see attached location plan), including the redevelopment of the two existing dwellings and provision of a new school and additional employment floor space. We do not seek to repeat the comments made in those submissions, which remain our client's preferred outcome for this site. However, below we set out our client's alternative proposals for the subject site which take account of a wider range of local needs and give scope to provide a range of benefits in the circumstances where the school did not come forward as currently proposed but where the site was released from the Green Belt as a consequence of the review of the Purbeck Local Plan.

The land subject to this representation currently comprises a range of disused agricultural buildings as well as two existing dwellings at the western part of the site. Further east, the site comprises relatively flat agricultural land which is currently laid to grass. This site has previously been identified as having potential to accommodate a new school, together with a quantum of employment land, with this being envisaged in connection with the proposed residential scheme to the west. Wyatt Homes continue to promote the uses previously identified for the site. However, following informal engagement with the Council, it is considered that an alternative mix of proposed uses should also be promoted to provide flexibility and to reflect a wider range of development for which a future need is likely to arise.

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2 Charlotte Place  
Southampton  
SO14 0TB

## **THE NEED FOR NEW CARE HOME DEVELOPMENT TO PROVIDE FOR THE ELDERLY**

The key difference in the current representation is the promotion of a part of the Frenches Farm site as a new care home for the elderly. This would represent an alternative beneficial use for the site to allow for circumstances where the local authority did not require the proposed school.

It is recognised that there is an ongoing requirement for additional care home provision within Purbeck. Paragraph 8.7 of the adopted Local Plan highlights a proven local need for such development, noting that Purbeck District has a higher percentage of population over retirement age (28%) than the national average (19.5%) and noting that the Council will support the provision of supported housing for all age groups as well as sheltered housing, extra care housing, care homes and nursing homes in order to meet the District's specific wider housing needs (paragraph 8.7.2).

More recently 'Preferred Option 9 – Care Homes' in the '*Partial [Local Plan] Review Options Consultation Report*' (January 2017) supported the provision of additional care home development. Further evidence of this need is set out at paragraphs 3.16 to 3.22 of the '*East Dorset Strategic Housing Market Assessment, Purbeck District Summary*' (October 2015).

Therefore, including a care home within the proposed development mix for the subject site would accord with the principles of the adopted Local Plan policy CF and the emerging local plan and its supporting evidence. It also accords with the NPPF sections 6 and 8 which support the delivery of a wide choice of high quality homes and the promotion of healthy communities.

## **THE DORSET HEATHLANDS SPECIAL PROTECTION AREA**

In considering the potential suitability of the site for the development now envisaged, regard is to be had to the Dorset Heathlands Special Protection Area (SPA), which is relevant as a consequence of its proximity to the subject site. Natural England takes the view that, in the absence of mitigation, any net increase in development in dwelling numbers within 5km of the protected heathland would potentially have a significant effect on the designation. However, it is of further importance that the subject site is located within the 400m buffer adjacent to the SPA. The '*Dorset Heathlands Planning Framework 2015-2020 Supplementary Planning Document*' (as adopted by the Dorset Local Planning Authorities, including Purbeck District Council) sets out at paragraph 3.4 that;

*"...in most cases it will not be possible for a local planning authority undertaking an appropriate assessment of a proposal for residential development (Use Class C3: Dwelling Houses) to be certain that any adverse effects could be avoided or alleviated. Further, other forms of residential use that is likely to have the same effect include;*

- *Residential Development within Use Class C4 (Appendix 1)*
- *Residential Institutions within Use Class C2 where the residents are not severely restricted by illness or mobility (Appendix 2)."*

### **Residential Dwellings (Use Class C3)**

Taking account of the advice provided by the Council, it remains envisaged that the existing farm buildings (which already includes 2 no. dwellings) would be redeveloped to provide 2 no. replacement dwellings. As there is no net increase the number of dwellings, there will be no adverse impact on the SPA.

### **Employment Floor space (Use Classes B1, B2 and B8)**

The provision of additional employment floor space formed a part of the mix previously promoted by our client. This remains the case and our client anticipates that there is a localised need for small-scale (1.5 to 2 storey) workshops and small business units, potentially laid out in a barnyard arrangement. Our client has taken advice from a local commercial agent as to the likely demand for such units and would be happy to enter into further discussions with the LPA as to the composition and mix of the employment generating aspect of the proposal.

Employment uses are not identified within the Dorset Heathlands SPD as being likely to result in significant adverse impacts on the SPA.

### ***Care (Nursing) Home for the Elderly (Use Class C2)***

The third aspect of the proposals is to introduce a care home for the elderly, which our clients currently envisage will provide 64 no. beds. This would be delivered as a nursing home focussing on the frail elderly, rather than a 'retirement living' development for the more independent elderly. The care home would be subject to age-restrictions on occupation (to be secured via a legal agreement as part of a future planning permission). Appendix D of the Dorset Heathlands SPD is attached to this letter for reference. This confirms that proposals for care / nursing homes will be considered on a case-by-case basis and Natural England will advise whether an appropriate assessment would be required. It also notes that certain types of Use Class C2 accommodation could be acceptable including 'purpose-built schemes for the frail elderly where there is an element of close care provided on site 24 hours a day' and 'purpose-built schemes for the accommodation of the disabled, for example a care home for people with dementia, where by the nature of the residents disabilities, they are unlikely to have any impact on the adjacent protected heaths'. Similarly, there is an expectation of a covenant being imposed to preclude the ownership of pets (and thus avert the potential for predation). In these respects, the potential for harm to the SPA can be avoided. Our client would certainly expect to meet the requirements set out within the Dorset Heathlands SPD with the form of C2 accommodation promoted.

As such, it is clear that care homes are indeed recognised as representing a potentially suitable form of development within the 400m buffer of the SPA. There is relevant local precedent for this in the form of the recent development of the Pine Martin Grange Care Home, off Sandford Road, Sandford (planning ref: 6/2015/0703). In that case, Natural England raised no objection to the scheme subject to the use of planning conditions to secure the types of safeguards referred to above. Similarly, we have also identified examples of appeal decisions relating to the Thames Basin Heaths SPA, where care homes have been considered as being unlikely to result in significant effects. The Thames Basin Heaths SPA experiences the very similar recreational and predation pressures, and Natural England imposes equivalent 400m 'exclusion zone' and 400m to 5km 'zone of influence' in relation to that designation.

**PINS Ref. APP/Y3615/A/09/2094932** – Concerned a site in Guildford (Guildford Borough Council) and a proposed extension to an existing residential care home, to provide additional bed spaces. The Council confirmed that the proposal would not have implications for the Thames Basin Heaths SPA.

**PINS Ref. APP/Y3615/W/15/3031321** – Concerned a called-in appeal decision (again, within the administrative boundary of Guildford Borough Council) which was ultimately refused. However, during the course of the appeal it was accepted that the proposed 40 bedroom care home would constitute an acceptable use within the 400m buffer of the Thames Basin Heaths SPA. However, the applicant had not concluded a S106 Agreement with the Council to confirm that impacts on the SPA could be mitigated, via restrictions on occupancy (by age) and the prevention of future care home residents from keeping pets.

Taking account of the above examples, we consider that a Use Class C2 care home development on the subject site, focussing on the less mobile elderly, would not result in significant adverse impacts on the Dorset Heathlands SPA.

### **CONCLUSION**

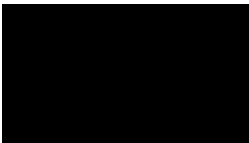
Our client considers that there exists an opportunity to achieve a sustainable development at Frenches Farm, Policemans Lane, Upton. However, it is important that the development of this site (which currently falls within the Green Belt) should provide uses which are beneficial to the local community and which will also preserve the biodiversity interests of the Dorset Heathlands SPA.

Our client's preferred outcome for the subject site would involve its use for additional employment floorspace and a new school. Nevertheless, in order to allow for a wider range of beneficial uses for the site, if the school were not required by the local authority, our client would like to promote the site for a mix comprising employment floorspace and a care home for the frail and elderly. We have included an layout diagram for the site demonstrating, in an indicative way, how these uses being proposed within this submission could come forward.

Our client has identified a localised demand for high-quality workshop-style units and continues to consider this an appropriate and suitable use for the site, were it to be released from the Green Belt. Similarly, there is a demonstrable need within the District for specialist accommodation for frail and elderly people, and therefore it is considered that the proposed care home would be suitable in this location.

We would respectfully request that the Council gives consideration to the benefits of these proposals and that it considers the site for allocation within the emerging Purbeck Local Plan. We would welcome the opportunity to engage in further discussions about these proposals with the Planning Policy Team.

Yours sincerely



Peter Home  
**Associate Director**



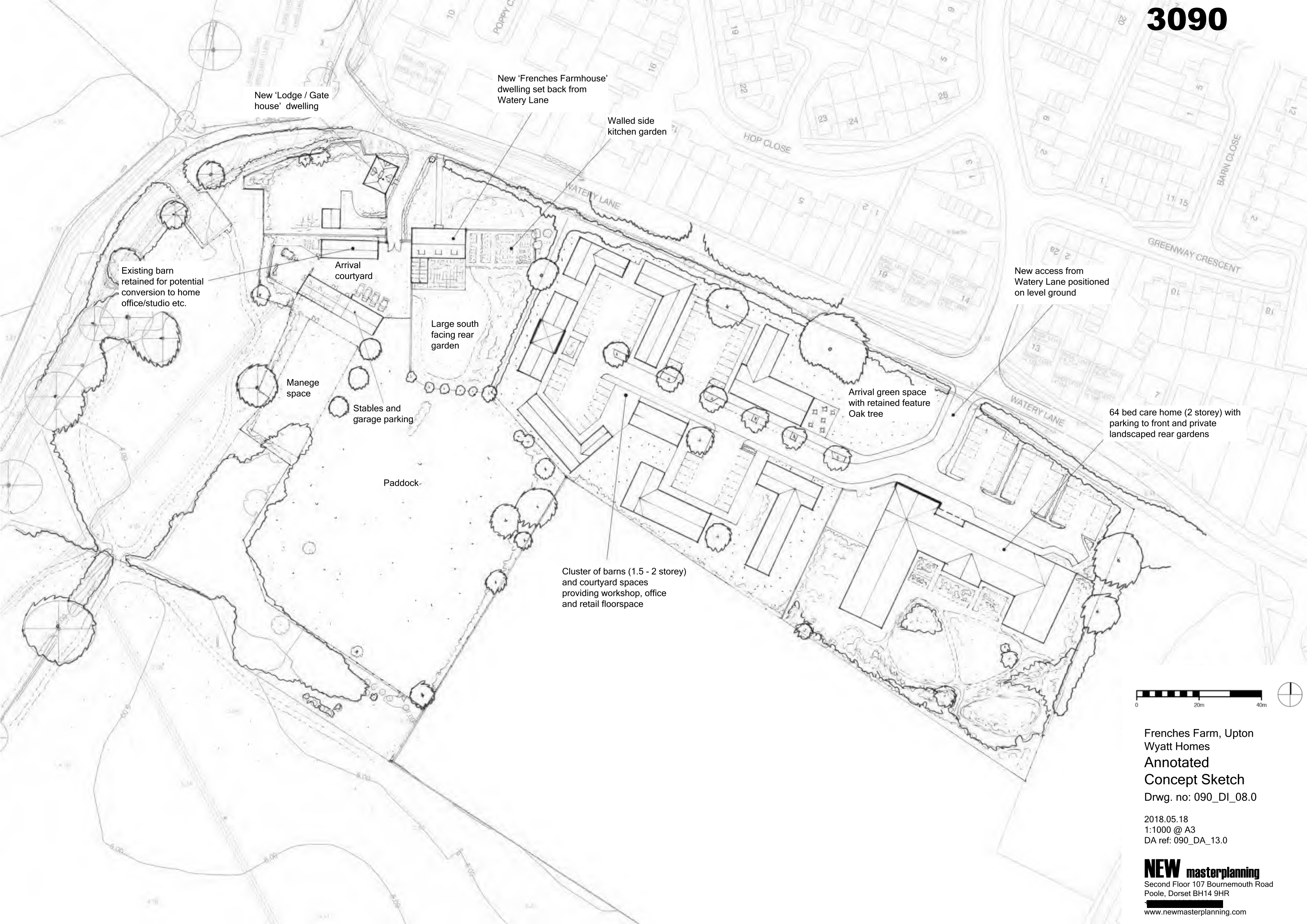




Frenches Farm, Upton  
Wyatt Homes  
Coloured  
Concept Sketch  
Drwg. no: 090\_DI\_07.0

2018.05.18  
1:1000 @ A3  
DA ref: 090\_DA\_13.0





New 'Lodge / Gate house' dwelling

New 'Frenches Farmhouse' dwelling set back from Watery Lane

Walled side kitchen garden

Arrival courtyard

Large south facing rear garden

Existing barn retained for potential conversion to home office/studio etc.

Manege space

Stables and garage parking

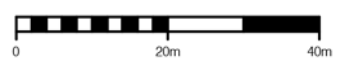
Paddock

Arrival green space with retained feature Oak tree

New access from Watery Lane positioned on level ground

Cluster of barns (1.5 - 2 storey) and courtyard spaces providing workshop, office and retail floorspace

64 bed care home (2 storey) with parking to front and private landscaped rear gardens



Frenches Farm, Upton Wyatt Homes  
Annotated Concept Sketch  
Drwg. no: 090\_DI\_08.0

2018.05.18  
1:1000 @ A3  
DA ref: 090\_DA\_13.0

## Comment

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<b>Comment ID</b>	PLPP493
<b>Response Date</b>	03/12/18 17:32
<b>Consultation Point</b>	Policy H7: Upton ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.1
<b>Files</b>	Delivery Framework for Policemans Lane, Upton (revised December 2018)
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<b>Which policy / paragraph number / policies map does your comment relate to?</b>	Policy H7: Upton
<b>Do you consider that the Local Plan is legally compliant?</b>	Yes



Do you consider that the Local Plan is sound? No

Do you consider that the Local Plan complies with the duty to co-operate? Yes

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

Our client is broadly supportive of Policy H7 (Upton) which proposes to provide up to 90 new homes at land at Policemans Lane. There are however, three specific elements within the policy and supporting text where our client wishes to comment and request that modifications are made.

*Expression of the housing delivery numbers*

It is noted that Policy H7 uses the phrase “up to” to describe the number of dwellings that are anticipated for the proposed allocation site. Our client sees no justification for this limit to site specific delivery numbers within a strategic-level local plan such as this. Indeed, when applied to all allocation sites the approach would appear to be at odds with Policy H1 (Local Housing Requirement) which establishes that, over the plan period, “at least 2,688 homes will be required”.

It is acknowledged that the Council may wish to guard against overly dense development schemes, but that objective should be achieved through appropriate design policies and not through seeking to place a ‘hard cap’ on delivery numbers within a strategic allocation policy. As drafted, that aspect of Policy H7 would appear to be inflexible and unsupported by robust evidence that sustainable development proposals for the Policemans Lane site cannot achieve any more than 90 dwellings. Therefore, the use of “up to” in Policy H7 is **not justified** in relation to the ‘tests of soundness’.

*Size of site allocation at Land Policemans Lane*

We note that the Council has opted to omit the land to the east of Watery Lane which has previously been promoted by Wyatt Homes as a part of the Policemans Lane scheme. The extent of the land promoted by Wyatt Homes is shown in the ‘Delivery Framework: Policemans Lane, Upton’ which was previously shared with the Council in 2017 and is submitted alongside these representations (see Appendix 1)

The Delivery Framework document supports our client’s proposals for development at the site off Policemans Lane and emphasises that the inclusion of land to the east of Watery Lane would allow for an increase in the overall capacity of the site to approximately 105 dwellings. In addition, the enlarged site would facilitate a much greater area of public open space and significantly enhanced pedestrian connections from the proposal site and from the Frenches Green development to the adjacent SANG area and beyond into southern Upton to the east.

It is acknowledged that the high-level modelling work undertaken for the Council’s Level 1 Strategic Flood Risk Assessment (SFRA) indicates that there may be a future risk from tidal flooding, on parts of the land east of Watery Lane. This anticipated risk is dependent on the sea level rise due to climate change occurring to the extent and within the timescales predicted by the Environment Agency.

*School Provision*

Criterion b) of Policy H7 sets out the need for the proposed development at Policemans Lane to make financial contributions towards education provision. Paragraph 142 above Policy H7 explains that the decision to seek financial contributions towards extending provision at existing schools was taken after consideration by Dorset County Council of the size and capacity of the existing schools. Although our client does not object to the principle of financial contributions for education, it is considered that there is a lost opportunity to provide for a new school at Upton, using the Frenches Farm site near to Policemans Lane in which my client has an interest.

It should be noted to the consultation report prepared following the 2016 Partial Review Options Consultation highlighted the issue of school places in Upton, including concerns from Dorset County Council. This was covered in paragraph 236 of the report as follows:

*“In addition to concerns over transport, the issue of school places was also raised by consultees. While individual consultees highlighted their concern that local schools were at capacity this was also supported by Dorset County Council, the lead authority for pupil place planning. It stated that a new primary school would be needed to support the housing coming forward in Lytchett Minster and Upton.*



*The Council will carefully factor the provision of schools places, and supporting school infrastructure, into the phased delivery of the development.”*

In light of the above it is surprising that the County Council appears to have changes its mind so markedly and is now confident that existing schools in Upton will be able to provide for sufficient places for to 2034.

**Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)**

***Expression of the housing delivery numbers***

*In order to address this, our client recommends that “up to” be replaced by “at least”, which would be consistent with the approach taken in Policy H1. If that proves not to be acceptable, the term “around” should be used in place of “up to”.*

***Size of site allocation at Land Policemans Lane***

*Whilst accepting the need to take account of the future potential risk of flooding in this part of the site, our client does not agree that the appropriate response to this is to remove the entire parcel from any proposed allocation. There are a number of ways in which any development to the east of Watery Lane could be designed to avoid and/or mitigate the anticipated flood risk. Such measures would be likely to facilitate development on at least part of this land parcel. Therefore, the appropriate policy response would be to retain the eastern parcel as part of the site but, to amend the allocation the text of Policy H7 in such a way as it precludes development from any areas of elevated flood risk, unless the detailed proposals incorporate sufficient measures to avoid and/or mitigate the risks to the satisfaction of the Local Planning Authority.*

***School Provision***

*The issue of the future requirement for school places in Upton needs to be explored further and that the County Council’s evidence for concluding that no new school is required should be published for this purpose.*

**If you have any supporting documents please upload them here.**

Delivery Framework for Policemans Lane, Upton (revised December 2018)

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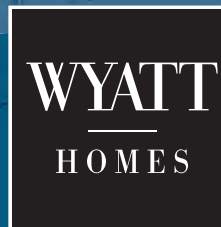
as drafted, is not yet 'sound' but can be made so through a range of plan modification that we have proposed. Our client considers it important to attend the hearing sessions to assist the Council in exploring the areas where the plan is not yet sound and reaching a position whereby it may become so.

# A Delivery Framework

# Land at Policemans Lane, Upton

Response to the Pre-submission Purbeck Local Plan Consultation

December 2018



Turley



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**Appendix 1: Supporting Documents**

# Introduction

This Delivery Framework has been prepared on behalf of Wyatt Homes to support the Council's identification of the Land at Policemans Lane in Upton as a proposed residential allocation in the emerging Perbeck Local Plan.

**1.1** The aim of this document is to articulate the development potential of the site, to support the proposed site allocation and to demonstrate the opportunity it provides to deliver sustainable growth comprising around 105 new high quality homes, as the next phase of development at Frenches Green\*, to help meet the District's housing needs during the emerging plan period to 2034.

**1.2** The document articulates:

- The Planning Context - a broad summary of the strategic development opportunity
- The Place - an appreciation of context and constraints, including key observations and responses
- The Proposal - the development potential and opportunities presented by the site, including a high level concept layout.

\* Frenches Green is a new development of 70 homes to the north of the proposed site, which was completed in 2018.



Aerial view of the site and the western edge of Upton including Frenches Green



FRENCHES GREEN

SETTLEMENT BOUNDARY

WESTERN PARCEL

THE SITE

EASTERN PARCEL

Approved SANG

Potential SANG Expansion



# Wyatt Homes

**1.3** Wyatt Homes is a long established and privately owned house building company, based in the South West. The company’s aim is to design and build properties of exceptional quality, without compromising on material or attention to detail. With this focus, the high quality homes and places designed and built by Wyatt Homes over the past quarter of a century have brought satisfaction to their occupiers and enhance the character of local communities. Wider recognition has also been achieved through the awards the company has won for exemplary quality, design and craftsmanship.

## The Delivery Framework

**1.4** It should be noted that the proposals set out in this document represent ‘work in progress’. They will continue to be refined and informed by ongoing and further technical work being carried out by Wyatt Homes’ appointed team of specialist consultants who have extensive experience in the promotion of sustainable new developments through the local plan process.

**1.5** Whilst this document can be read on its own it is supported by a range of technical assessments and reports which have informed the understanding of the site and its development potential. These documents were also previously submitted to the Council and a full list of the documents is set out in **Appendix 1**.

**1.6** From the outset, it is acknowledged that this Delivery Framework promotes land at Policemans Lane that includes an area to the east of Watery Lane that does not form part of the proposed site allocation identified within the Pre-submission Purbeck Local Plan.



Examples of high quality homes delivered by Wyatt Homes

# The Planning Context

Purbeck District Council adopted the Purbeck Local Plan Part 1 (PLP1) in November 2012 and commenced its Local Plan Review consultation process in late 2014 / early 2015.

**2.1** The PLP1 is already planning for the delivery of 2,520 new homes during the Plan's period of between 2006 - 2027, equating to an annual delivery target of 120 homes per year. The PLP1 sets a long term vision, objectives and planning policies to steer and shape development across the District.

**2.2** However, at the Examination of PLP1 the Inspector raised concerns that the Council had not sufficiently explored the full housing growth potential in the District to meet its objectively assessed housing need (as it was identified at the time). The PLP1 was therefore adopted on the requirement that a review of the Plan be undertaken by 2017 – specifically to look at the potential for delivering higher growth. The Council commenced work on Partial Review in late 2013 and between January and March 2015 consulted on an Issues and Options consultation document.

**2.3** In June, 2016 the Council formally carried out a further 9 week consultation on an Options Partial Review Local Plan document. The Options document confirmed that the adopted PLP1 was failing to deliver enough homes to meet the District's objectively assessed housing needs as identified by the Final Eastern Dorset Strategic Housing Market Assessment (SHMA) in the period 2013-2033.

**2.4** In January 2018 the Council undertook a consultation on a range of options for the local plan, including on broad areas for residential growth. The results indicated that that the local community were more likely to support housing options that spread development across Purbeck.

**2.5** An update of the 2015 Eastern Dorset SHMA was published in August 2018, indicating a local housing need of 168 homes per year, or 2,688 homes over the 2018 to 2034 local plan period. This housing need is now being proposed within the Pre-submission Purbeck Local Plan that was published in November 2018.

## Purbeck's settlements and its spatial areas



2.6 The approach set out within the January 2018 housing options consultation that was most preferred by the local community has been carried forward into the Pre-submission Purbeck Local Plan. This involves the proposed allocation of a range of sites across the District, including (as set out within Policy H7) Wyatt Homes' site at Policemans Lane, Upton.

2.7 The Pre-submission Purbeck Local Plan is supported by a considerable number of recent technical evidence documents, including the Sustainability Appraisal (2018), Environmental Capacity Study (2017), Green Belt Studies (2016, 2017 and 2018) and the Housing Background Paper (2018). Each of these documents supports the case for allocating the western part of the Policemans Lane site. The Pre-submission Local Plan identifies a capacity of 90 new homes within the western parcel of the site.

The site parcel west of Watery Lane was identified within the 2016 Options Plan (all three of the presented strategy options) as being a sustainable location with the capacity to deliver around 100 new homes. The farm buildings and adjoining field at Frenches Farm were previously identified as having potential as having potential for a new school and employment uses.



**3102**









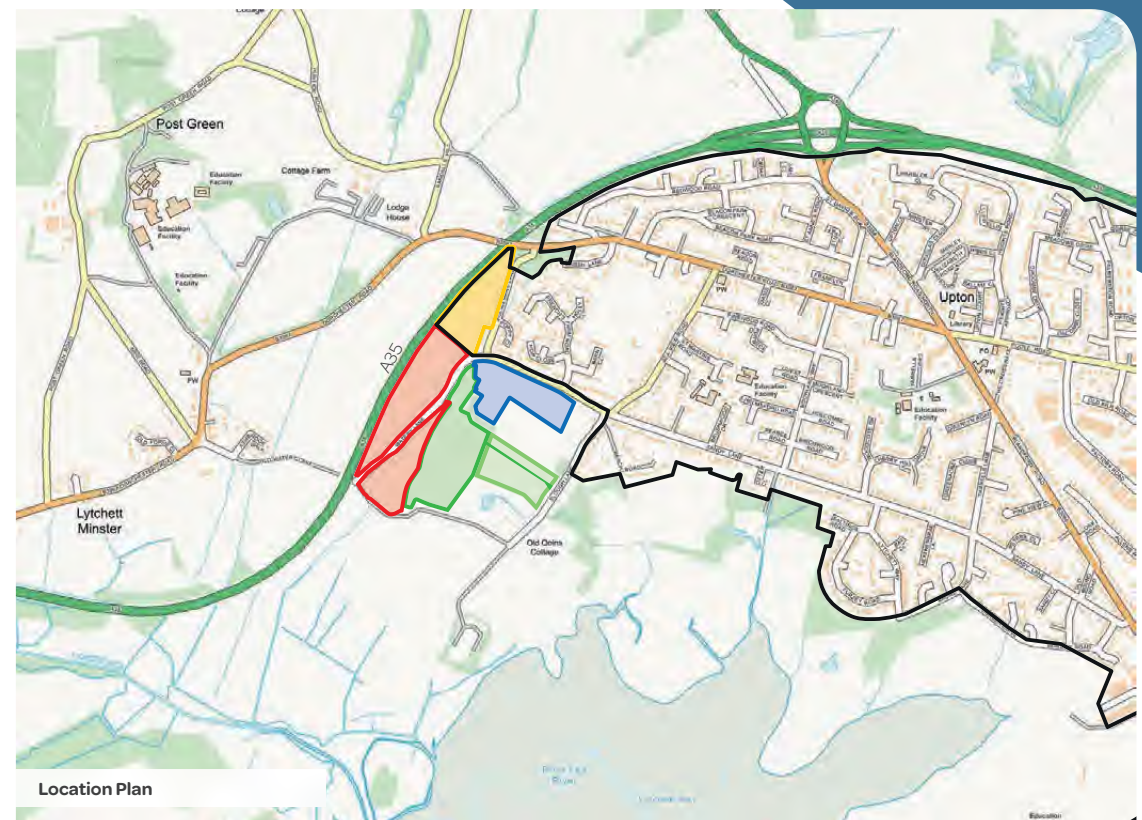
New development by Wyatt Homes at Frenches Green adjacent to the site



# The Place

The Land at Policemans Lane covers an area of 5.42 hectares. There is also further land with potential for school or care home, employment uses and public open space. It is located adjacent to the new Frenches Green development, the defined settlement boundary of Upton, and the A35.

- |   |                                 |   |  |
|---|---------------------------------|---|--|
|  | Proposed residential allocation |  | Approved SANG                                  |
|  | Frenches Green                  |  | Potential employment and school/care home site |
|  | Potential SANG Expansion        |  | Settlement boundary                            |



## Location

**3.1** The site is located approximately 1,300 metres (15 minutes' walk) west of Upton town centre and 600 metres east of the village of Lytchett Minster. Lytchett Matravers is situated 3.1km to the north-west. Further afield, the main conurbation of Poole/Bournemouth is located 5km to the south-east. To the south are Lytchett Bay and the Rock Lea River, which feed into Poole Harbour.

**3.2** Seventy new homes have recently been constructed by Wyatt Homes on the land immediately adjacent to the north of the site, within a development known as 'Frenches Green'.

**3.3** The site is traversed diagonally, from the north east to the south west, by Watery Lane, forming two distinct parcels, east and west of Watery Lane, as shown on the aerial photograph on page 2.

**3.4** The western parcel of the site was included in the planning application for the Frenches Green development and has facilitated the construction of Frenches Green. In particular an acoustic fence / bund has been constructed along the entire length of the western boundary, and the drainage infrastructure has capacity built in for additional development, in anticipation of this land coming forward.

**3.5** The eastern parcel comprises a smaller, triangular field in recent use for pasture grazing. This parcel is bound to the north-west by a mature tree belt and stream running parallel to Watery Lane. To the south, the parcel is bounded by a hedgerow and several mature oak trees lining Slough Lane. An overhead power line (11kV) traverses the eastern parcel, north to south, adjacent to the western boundary. At the eastern boundary of this parcel is a mature mixed native hedgerow, with occasional trees towards the north east. Running north-east to south-west through the centre of this parcel is an unmanaged ditch and an area of wet flush, surrounding which is rush pasture.

**3.6** Further to the east along Watery Lane, the farm buildings at Frenches Farm and the adjoining field have previously been identified as having potential for a new school and employment uses, although if a school is not required a care home development would also be considered suitable. The farm buildings include two residential units which offer potential for enhancement / redevelopment.







Aerial view showing the site being used for the construction compound and storage of topsoil for the Frenches Green development, with the farm buildings at Frenches Farm and the SANG land in the background.



## Key Features and Characteristics

### A Sustainable Place

**3.7** The adopted Local Plan includes a ‘settlement hierarchy’ to focus the distribution of development across the District and to define the role of its settlements. This established hierarchy is being carried forward as part of the Local Plan Review. Upton is identified as one of the District’s three towns and is the second largest settlement in Purbeck. It is therefore positioned at the top of the settlement hierarchy as one of the most sustainable locations where new development is to be focused given its close proximity to existing community, cultural, leisure and other types of development that are already present. In short, the site is in a sustainable location at the western edge of the town of Upton, which is capable of supporting additional development.

**3.8** Upton provides a range of existing services and facilities, with the potential for additional facilities to come forward in the next few years. These facilities (listed below) will help to ensure that development at the site will be sustainable.

- Upton town centre is located approximately 1,300 metres to the north east (15 minute walk) and has a number of facilities including; a recreation area, library, health centre, pharmacy, dentist, community centre, churches, post office, cafés and local shops, including two grocery stores.
- Employment opportunities are located at the Upton Industrial Estate and along Allen Lane, both of which are within a 30 minute walk or 8 minute cycle ride. Further employment opportunities are available in Poole less than 5 miles to the south-east and easily accessible by frequent bus services.
- Upton Infant and Junior Schools are located approximately 1,000 and 1,400 metres to the north-east of the site (12 and 17 minutes’ walk respectively). There is also the potential for a new primary school and an employment site to come forward on land adjacent to the site and within Wyatt Homes’ control (as identified on page 39 of the Options Plan, August 2016).
- The nearest secondary school is the Lytchett Minster School, situated 2,100 metres to the north-west (25 minutes’ walk or 7 minutes’ cycle ride).
- The adjacent village of Lytchett Minster is within a 10 minute walk of the site and also provides; a local shop, two public houses, and one church.
- There are two bus stops local to the site; one is located on Dorchester Road at the junction with Marsh Lane (approximately 750 metres to the north) and the second on Moorland Way (approximately 1,200 metres to the east). These bus stops are within a 15 minute walk of the site.

Bus stop in Upton town centre



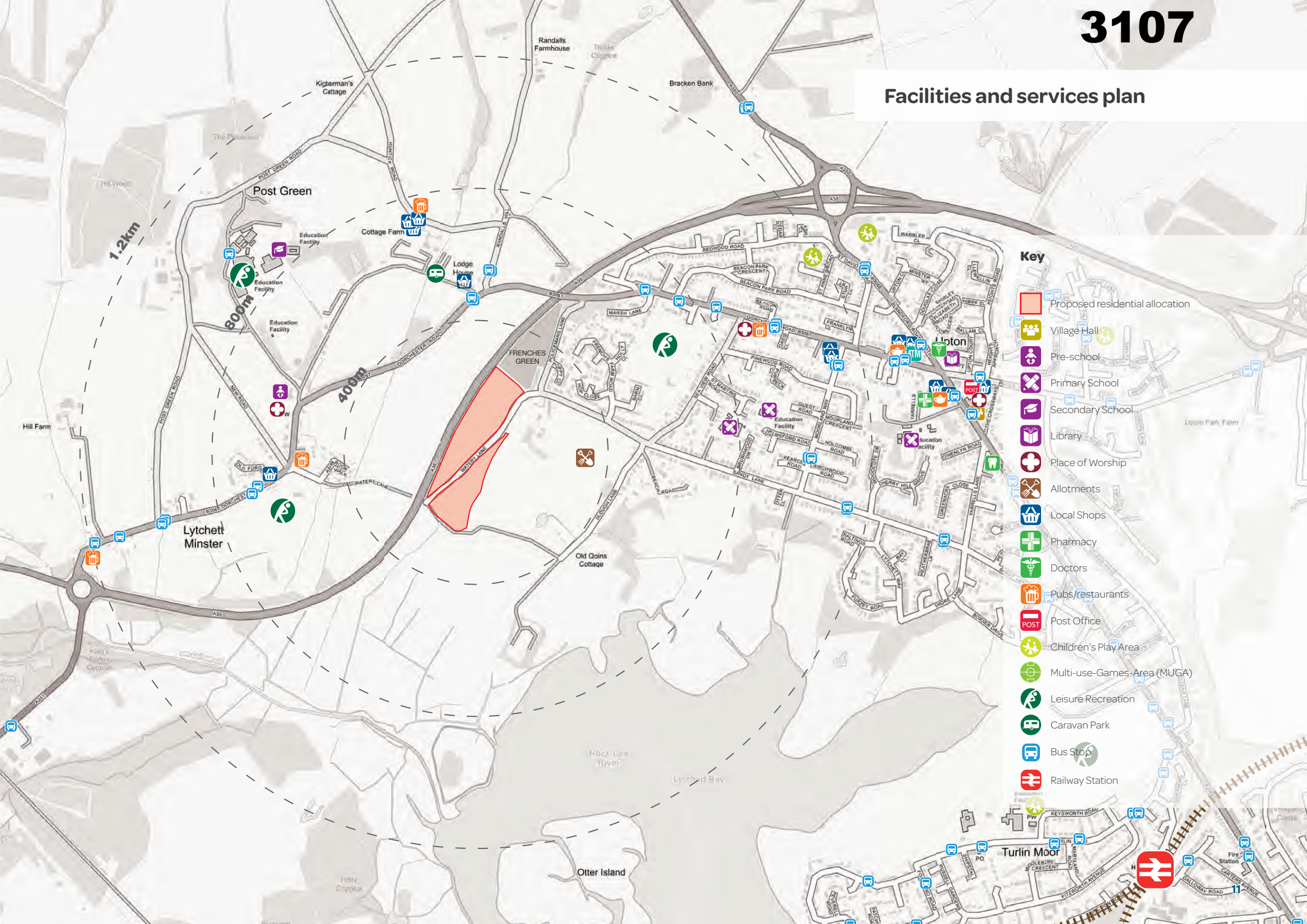
Upton Health Centre



Upton Library







## Facilities and services plan

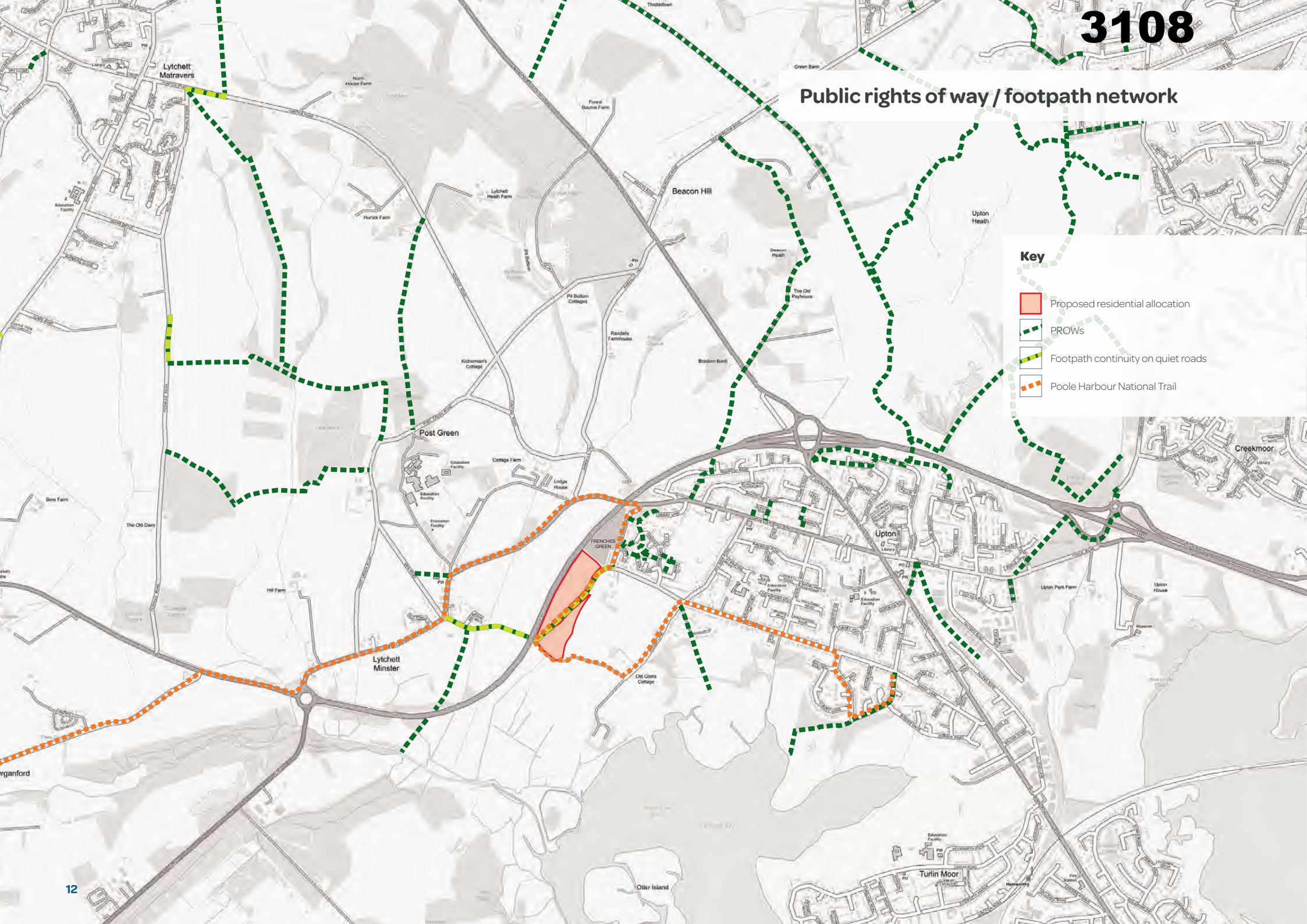




## Public rights of way / footpath network

**Key**

-  Proposed residential allocation
-  PROWs
-  Footpath continuity on quiet roads
-  Poole Harbour National Trail





## Connections



**3.9** PFA Consulting has assessed the connectivity and accessibility of the site in relation to the local highway network, pedestrian footpaths and cycle routes. The existing highway network within the locality of the site includes Policemans Lane and Watery Lane, which adjoin and dissect the site respectively. Further north, Dorchester Road connects Lytchett Minster and Upton town centre. The A35 curves around the north of Upton and bounds the site to the west. This strategic route provides links to Bournemouth (9.5 miles), Wareham (5.3 miles) and Poole (5 miles).

**3.10** The closest railway station is at Hamworthy, located 1.7 miles to the south east. This station provides connections between Weymouth and London Waterloo, with services operating every 30 minutes in each direction.

**3.11** The existing highway network, bus stops and Hamworthy railway station are shown on the Facilities and Services Plan on page 11. Additional factors supporting the connectivity of the site include:

- MoreBus No. 8/9 provides a frequent service (every 15 minutes during Monday - Saturday daytime, with less frequent services in the evenings and on Sundays) between Poole, Hamworthy, Turlin Moor, Upton and Creekmoor.
- Morebus No.10 bus provides a further service (hourly) to Poole, Sterte, Wessex Gate Retail Park, Upton and Lytchett Matravers (Monday-Saturday).
- Morebus 'Breezer 40' also provides an hourly service (Monday - Sunday) between Upton, Poole, Wareham and Swanage, whilst the X54 provides 4 services a day between Upton, Poole and Weymouth.
- The 'Poole Harbour National Trail' passes adjacent to the site, which links to Wareham, Sanford, Upton, Hamworthy and Poole, facilitating access to the countryside. There are a number of established public rights of way and other routes with public access surrounding the site and these are shown on the Public Rights of Way Plan on page 12.





## Landscape and Visibility

**3.12** Hankinson Duckett Associates (HDA) has carried out a comprehensive Landscape and Visual Analysis which has been submitted alongside this Vision Framework.

**3.13** The site is located adjacent and to the west of the defined settlement boundary of Upton. Upton itself is situated within the low lying landscape associated with the northern shore of Poole Harbour, located to the south and south-east. The A35 effectively encloses the settlement to the north and west, separating Upton from the Dorset Heathland to the north and the rural agricultural landscape to the west. To the south, Upton extends up to the edges of the wetlands and saltmarsh surrounding Poole Harbour, which provide a soft edge to the settlement. The eastern edge of Upton is well wooded, which provides containment to the industrial edge of the town. Upton County Park is situated further to the east of the town.

**3.14** Lytchett Minster is a historic village to the west of Upton. The central core of the village and the land surrounding the former Lytchett Manor (now a secondary school and caravan park) lie within the Lytchett Minster Conservation Area which features a number of Grade II Listed Buildings.

**3.15** The site and its immediate surroundings are located within the 'Sherford Valley Pasture' Landscape Character Area. The character area extends east to Slough Lane and west to include the land surrounding Lytchett Minster. The character area is associated with low lying landscape surrounding the Sherford River and other streams draining south into Lytchett Bay.

**3.16** The western parcel is contained by development to the north at Frenches Green, by the A35 to the west and by the mature vegetation lining Watery Lane to the east. The vegetation lining Watery Lane includes mature mixed native hedgerows, approximately 4 metres high and mature oak trees, between 15 and 20 metres high. These features, in combination with the stream to the east of Watery Lane, are key features within the local landscape.

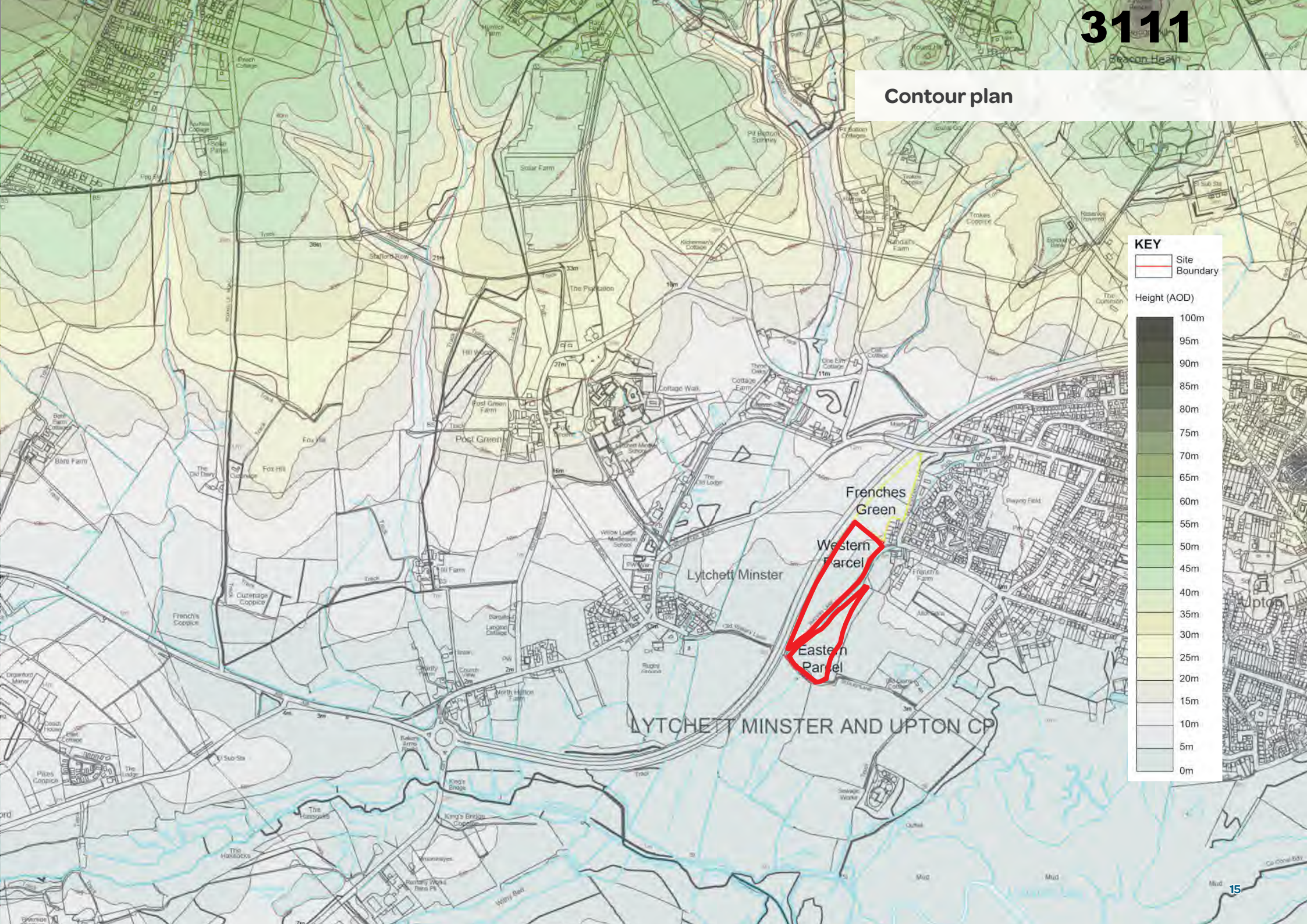
**3.17** The western parcel is heavily influenced by its disturbed land use and its proximity to the A35 dual carriageway. By contrast, the eastern parcel is sheltered from the main road and is more rural in character, with a ditch and wet flush running centrally north-south providing a local feature. A Suitable Accessible Natural Greenspace (SANG) allocation, approved as part of the development at Frenches Green, sits to the east and is well connected to the eastern parcel of the site.



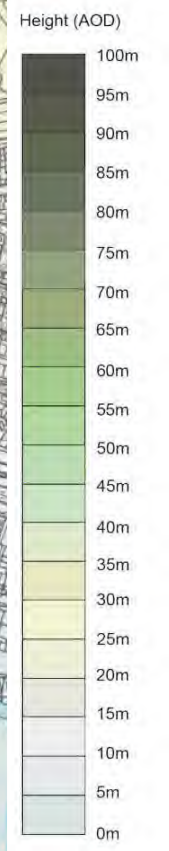
View looking south along Watery Lane



## Contour plan



**KEY**  
Site Boundary



LYTCHETT MINSTER AND UPTON CP



## Visibility

**3.18** The combination of topography, on-site vegetation around the site boundaries and mature trees result in the site being generally well contained from the wider landscape, with the existing settlement of Upton blocking all views from the wider landscape to the north-east.

**3.19** There are partial views into the western parcel from the A35, from Old Watery Lane and from the section of Dorchester Road located to the west of the site. Partial views of the site can also be seen across the intervening fields from the gate opposite South Lytchett Manor Caravan Park and the bridge crossing the A35 between Upton and Lytchett Minster. These views have been reduced through the completion of the acoustic fencing and noise attenuation bund at the site's western boundary as part of the development of Frenches Green. The views will be further reduced as new landscape planting at this boundary matures.

**3.20** Watery Lane, a public right of way, is located through the centre of the site and is enclosed to either side by mature hedgerows and trees, reducing visibility into the site to occasional glimpses and providing walkers with a high degree of enclosure. A small section of boundary vegetation in the south eastern corner of the western parcel has been removed to allow for the installation of a new pumping station associated with the development at Frenches Green, affording an open view of the site from this small part of Watery Lane. This area would be replanted as part of the development proposals for the site.

**3.21** There is limited visibility into the eastern parcel. Development within this parcel is likely to be visible from the allotments to the north-east, over the existing eastern hedgerow. Gaps in the vegetation along Slough Lane (usually field gates) to the south-east and east also provide occasional glimpses. Some glimpsed views would also be possible from properties to the north and east.

**3.22** There are limited views into the site from the Conservation Area in Lytchett Minster. The western-most properties of Ashbrook Walk have glimpses of the site and its boundary vegetation, although views are filtered by the mature trees that line the edge of the settlement and by the vegetated south-western boundary of the eastern parcel.



View south-east from a field gate opposite South Lytchett Manor Caravan Site



View north from the south-eastern corner of the western parcel showing part of the site and Watery Lane





View north of the eastern parcel from a field gate on Slough Lane

## Green Belt

**3.23** The Purbeck Local Plan Part 1 established the current extent of the South East Dorset Green Belt within the District. Upton is surrounded by Green Belt to the north, south and west, with Upton Country Park bordering the settlement's eastern boundary.

**3.24** As part of the Local Plan Review the Council carried out and published Green Belt Review updates in 2016, 2017 and again in 2018. The purpose of these reviews was to determine the contribution of assessed sites to the five purposes of including land within the Green Belt, as set by the National Planning Policy Framework (NPPF), and to establish the 'exceptional circumstances' required for the release of some sites to meet the District's development needs.

**3.25** Only the western parcel of the site was assessed within the 2016 Green Belt Review Update, although the eastern parcel was also assessed within later updates. The Council's overall findings for this assessment concluded that the site's sustainable location on the edge of Upton and the need for new homes in this part of the District could provide justifiable 'exceptional circumstances' for the Council to release the site from the Green Belt.

**3.26** In recognition of the Council's process of Green Belt review, HDA has carried out an independent assessment of the site's Green Belt contribution. This was previously submitted to the Council as part of this response to

the Options Plan Consultation (See Appendix 1). HDA has assessed both the western and eastern parcel's contribution to each of the Green Belt Purposes 1-4, as established by the NPPF. They have defined the outcomes on a five point scale, ranging from Very High to Very Low / None. The findings of HDA's assessment for the site can be summarised as follows:



View looking south towards the site and the A35



## Western Parcel

- HDA's assessment has concluded that the western parcel makes a lower contribution to the purposes of the Green Belt than was recorded within the Council's 2016 Green Belt Review Update, particularly with regards to Purposes 1-3.

### **Purpose 1: Checking unrestricted sprawl of large built-up areas**

- The development of the western parcel would extend the settlement edge of Upton to the south-west. However, the extent to which the settlement edge can expand is limited by permanent and identifiable features (the A35) and development restrictions including nature designations and floodplain. Assessed contribution: Medium.

### **Purpose 2: Preventing neighbouring towns merging into one another**

- The parcel has a very limited contribution towards the separation of neighbouring towns. The village of Lytchett Minster does lie in close proximity, but the land between Lytchett Minster and the A35, rather than land within site east of the A35, forms the critical separation between Lytchett Minster and Upton. Therefore the site does not form a critical part of the identified gap between these settlements. Assessed contribution: very low/ no contribution (with regard to neighbouring towns) or medium (with regard to the Upton / Lytchett Minster gap).

### **Purpose 3: Assist in safeguarding the countryside from encroachment**

- The parcel relates well to the development edge of Frenches Green to the north and is annexed from the rural landscape to the west by the A35, and from the east and south by mature tree belts and hedgerows. Development of the parcel would not affect the character of the surrounding landscape in the longer term. Assessed contribution: Low.

### **Purpose 4: Preserve the setting and special character of historic towns**

- The parcel has no direct physical, visual or historic relationship with the heritage assets at Lytchett Minster and development within the parcel would not adversely affect the appreciation or special character of the Conservation Area. Assessed contribution: Low.

## Eastern Parcel

### **Purpose 1: Checking unrestricted sprawl of large built-up areas**

- Development in this location would be consistent with the existing settlement pattern, rounding off the site and providing a connection to the adjacent SANG land. The development would be contained by that within the western parcel. The slight southwards expansion to the settlement edge caused by development within this parcel would be limited by identifiable and permanent features. Assessed contribution: Medium.

### **Purpose 2: Preventing neighbouring towns merging into one another**

- It is considered that development of the eastern parcel would not noticeably change the separation between Upton and any adjacent settlement. Assessed contribution: Very low / None.

### **Purpose 3: Assist in safeguarding the countryside from encroachment**

- The eastern parcel is largely contained and separated from the surrounding landscape by tree belts and hedgerows and this would be supplemented by additional planting as part of any development. The parcel is small and the area within it proposed for development is limited, so the amount of countryside being safeguarded by this parcel is limited. The SANG land to the east would be protected in perpetuity from any encroachment and will also define the extent to which development could encroach towards the south of Upton. Assessed contribution: Medium.

### **Purpose 4: Preserve the setting and special character of historic towns**

- The parcel has no relationship with the Lytchett Minster Conservation Area or other heritage assets. Assessed contribution: Very low / None.

## Biodiversity



Area of rush pasture, swamp and dry grassland within the eastern parcel



Hedgerows and trees along Watery Lane



Trees along the southern boundary adjacent to Slough Lane

**3.27** A Preliminary Ecological Assessment was undertaken by Ecological Planning and Research Ltd and is available to be submitted to the Council on request. The initial findings of the work carried out to date are summarised below.

**3.28** Large parts of the District are heathlands which are designated as Special Protection Areas (SPAs). There are SPAs situated to the south and north-east of the site, known as the Poole Harbour SPA and Dorset Heathlands SPA respectively. Both SPAs are also designated as Sites of Special Scientific Interest (SSSIs), with the Dorset Heathlands having an additional designation as a Special Area of Conservation (SAC).

**3.29** The western parcel has few features of ecological importance owing to disturbance caused by topsoil storage associated with the development of Frenches Green.

**3.30** Mature, diverse hedgerows and trees line both sides of Watery Lane. The tree belt along the boundary between Watery Lane and the eastern parcel is considered to be of high conservation value.

**3.31** The eastern parcel comprises a number of vegetation communities, including dry grassland, species poor rush pasture and swamp. The rush pasture and swamp are considered to be species poor Priority Habitats (Rush Pasture and Eleocharis swamp), as identified within the Dorset Biodiversity Strategy. Whilst they have the potential to be of local value they do not meet the criteria for designation as a Site of Nature Conservation Interest. The field's west and east flanks, beyond the rush pasture, comprise dry grassland associated with intensive dairy farming. The disturbed dry grassland present in the north of the parcel shows evidence of vehicle movements, agricultural waste tipping and small piles of spoil.

**3.32** The boundaries of the eastern part of the site that border Watery Lane and Slough Lane contain 12 aged oaks and other mature and semi-mature trees, which in terms of habitat status are recognised as a Priority Habitat (Parkland and Wayside Trees). To the south of Slough Lane is a large field under RSPB management.

**3.33** Given the findings of a previous Ecological Assessment, undertaken prior to the development of Frenches Green, it is considered unlikely that the development now proposed would be materially constrained by Protected and Priority Species such as Dormice, Water Voles and Wintering Birds.



## Flood Risk and Drainage

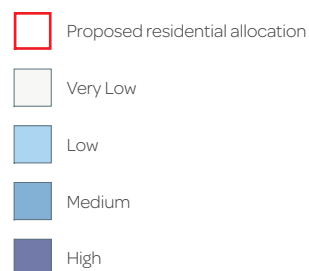
**3.34** The majority of the site is located within Flood Zone 1, which has the lowest probability of flooding (with a less than 1 in 1,000 annual probability of river or sea flooding). A small part of the site in the south-western corner of the eastern parcel is shown as falling within Flood Zones 2 and 3. Development will therefore be excluded from this area.

**3.35** The site is not within an area with critical drainage problems and is not within 20m of a main river. The GOV.UK's 'flood risk from surface water' mapping shows that small areas of the site have a medium to high (greater than 1 in 30 or 3.3% per year) chance of surface water flooding.

**3.36** An examination of the surface water flood maps shows that the site is not impacted by any surface water flow route from outside of the site and that the potential flood risk is caused by on-site surface water only. Therefore this can be dealt with as part of the proposed drainage strategy for the site, which will adopt a 'Sustainable Drainage Systems' (SuDS) approach.

**3.37** The Purbeck Level 1 Strategic Flood Risk Assessment (2018) indicates that there are no records of groundwater flooding at Upton.

**3.38** As part of the development at Frenches Green a new pumping station is currently under construction to the south of the western parcel. This is being constructed with additional capacity to accommodate future development on this parcel. Purbeck District Council's Strategic Flood Risk Assessment (2018) does not identify any incidents of sewer flooding affecting the site and therefore the potential risk from sewer flooding is low.



Aerial view: illustrative perspective sketch of the eastern parcel  
looking north from the southern boundary of the site





# The Proposal

## Wyatt Homes' development proposal provides an opportunity to expand the development at Frenches Green

**4.1** Wyatt Homes' proposal provides an opportunity to extend Frenches Green towards the south by capitalising on the additional infrastructure capacity that has been provided as part of the Frenches Green development. The same well-considered principles employed for Frenches Green will ensure that new development integrates well with Frenches Green and responds sensitively to the wider rural landscape setting through the incorporation of good design principles and improved access to a significant area of SANG adjacent to the site. The existing farm buildings at Frenches Farm and the adjoining field offer the potential to accommodate employment development and a new school or care home, along with enhancement / redevelopment of the two residential units within the farm building complex.

**4.2** The quality of the surroundings demands the right balance between landscape and built form. This is critical to delivering the most appropriate new place that will become a successful and positive addition to the town.

**4.3** An analysis of the site's constraints and opportunities has been undertaken, as summarised in the previous sections of this document, and from this a framework masterplan has been prepared. A number of particular themes have been identified that have helped to shape the master plan:

- Levels and Views
- Landscape Structure and Biodiversity
- Access and Movement
- Utilities and Drainage
- Noise

## Levels and views

### Key Observations

**4.4** The site is situated within the low lying landscape associated with the northern shore of Poole Harbour, located to the south-east, and is relatively flat featuring a gentle slope from north-west to south-east.

**4.5** The site sits within the Sherford Valley Pasture Landscape Character Area (LCA), which extends east along Slough Lane and west to include land surrounding Lytchett Minster. Key characteristics of the LCA include: a flat, intensively farmed landscape; narrow hedge lined lanes; and well wooded river corridors with some significant mature trees.

**4.6** Watery Lane dissects the site north to south and is enclosed on either side by a tree belt containing mature oak trees and understorey scrub. In summer, there are only occasional glimpses into the site.

**4.7** The western parcel is generally well contained from the wider landscape, particularly rural viewpoints to the east and north east which are blocked by the settlement of Upton. There are views into this parcel from the A35, Old Watery Lane and parts of the Dorchester Road, although these are transient in nature.

**4.8** Views into the eastern parcel are more limited as it is well contained, particularly along its western and southern boundaries, by a mixture of mature trees and hedgerows. Views of new development within the parcel are likely from the allotments to the north-east, over the existing hedgerow, and through gaps in vegetation along Slough Lane (notably the field gates).

**4.9** The eastern edge of the newly laid-out SANG is located within the eastern parcel and therefore there would be open views of the site from this area of the SANG.

### Responses

**4.10** The construction of a bund, acoustic fencing and additional tree planting has been completed along the entire western boundary of the site as part of the development of Frenches Green. This will mitigate views from the A35, Old Watery Lane and Dorchester Road.

**4.11** The proposed scheme layout and densities should respond sensitively to the character of the site. The western parcel will adopt a similar average dwelling density to Frenches Green, whilst the eastern parcel will reflect a lower density built form, allowing the creation of a soft edge and enabling development to integrate into its rural setting.

**4.12** Dwellings within the western parcel should be set back from the A35 to reduce visual impact.

**4.13** The existing mature trees and hedgerows along Watery Lane and Slough Lane should be retained and landscaping reinforced where appropriate. Dwellings and gardens should be positioned to allow for protection and retention of the mature trees.




**4.14** The access connection between the eastern and western parcels should be positioned to ensure minimal impact to existing trees and hedgerows along Watery Lane.

**4.15** The planting along the eastern site boundary should be strengthened to screen inward views, enhance the SANG setting and ensure the long term retention of the landscape boundary definition.



Site analysis plan: levels and views

KEY

-  Site boundary
-  Settlement extension - Frenches Green
-  Consented SANG
-  Developed edge
-  Existing landscape buffer
-  Potential landscape buffer
-  Intervisibility with the site
-  Public right of way
-  Heathland buffer



## Landscape Structure and Biodiversity

### Key Observations

**4.16** There are a number of high and moderate quality (Grade A and Grade B) tree specimens on either side of Watery Lane, particularly the side that borders the eastern parcel. Further Grade A and Grade B quality trees are located along the southern boundary of the eastern parcel, running parallel to Slough Lane. These trees have conservation potential and are of local value, so should be retained.

**4.17** The eastern parcel features two Priority Habitats - rush pasture and an area of swamp/runnel.

**4.18** Beyond the site's eastern boundary is an area of semi-improved grassland that has now become a SANG as part of the development of Frenches Green. This area has the potential to be extended onto improved grassland further to the east, should this land be no longer required for allotments.

### Responses

**4.19** Development within the areas of rush pasture and swamp should be avoided, with these areas being retained as open space.

**4.20** There is an opportunity to extend the SANG area by incorporating land to the east.

**4.21** Courtyard spaces with feature trees and green open spaces should be incorporated into the development to create an attractive landscape structure which complements the existing mature trees around the site's boundaries.

**4.22** The Grade A and Grade B quality trees along Watery Lane and Slough Lane should be retained and incorporated within the development. New homes could be positioned to overlook the SANG, with deep rear gardens ensuring protection of mature trees along Watery Lane.

**4.23** The access connection between the east and west parcels should be positioned to ensure minimal impact to Grade A and B quality trees along Watery Lane.

**4.24** The density of development within the eastern parcel should be lower than that in the western parcel, responding sensitively to the particular rural setting south and east of the site.



Views of high and moderate quality tree specimens along Watery Lane



## Habitat Survey Plan



- KEY
- Site boundary
  - Species poor rush pasture
  - Wet runnel / swamp
  - Disturbed ground
  - Agricultural spoil
  - Improved grassland
  - SI Poor semi-improved grassland
  - SI Semi-improved neutral grassland
  - SI Dry semi-improved grassland
  - Working area
  - Pond
  - Scrub
  - Broadleaved woodland
  - Allotments
  - Bare ground
  - Buildings & hardstandings
  - Trees of Conservation Potential - with DBH 100-149cm
  - Aged Trees with DBH of 150cm or greater
  - Fenceline
  - Intact species-rich hedgerow
  - Species-rich hedgerow with trees
  - Ditch with running water

## Access and Movement

### Key Observations

**4.25** The western parcel has two areas of frontage. The largest section is situated along the western boundary where it follows the alignment of the A35. The smaller frontage is along Watery Lane. The eastern parcel only has one highway frontage with Watery Lane following its western perimeter.

**4.26** Watery Lane connects with the southern end of Policemans Lane at the north east of the site and continues east towards Sandy Lane and central Upton. The section of Watery Lane running south west from the junction with Policemans Lane is very narrow, being only a single vehicle width. Policemans Lane runs on a north-south axis connecting with Dorchester Road to the north. It is lightly trafficked and the carriageway varies from around 6 metres, to the north on the approach to Dorchester Road, to around 4 metres to the south towards Watery Lane.

**4.27** There is an existing footway running along the north side of Sea View Road and Watery Lane, as far west as 40 metres beyond the junction with Frenches Farm Road. There are currently no further pedestrian footways on the western sections of Watery Lane or on Policemans Lane and neither route currently benefits from cyclist infrastructure or street lighting.

### Responses

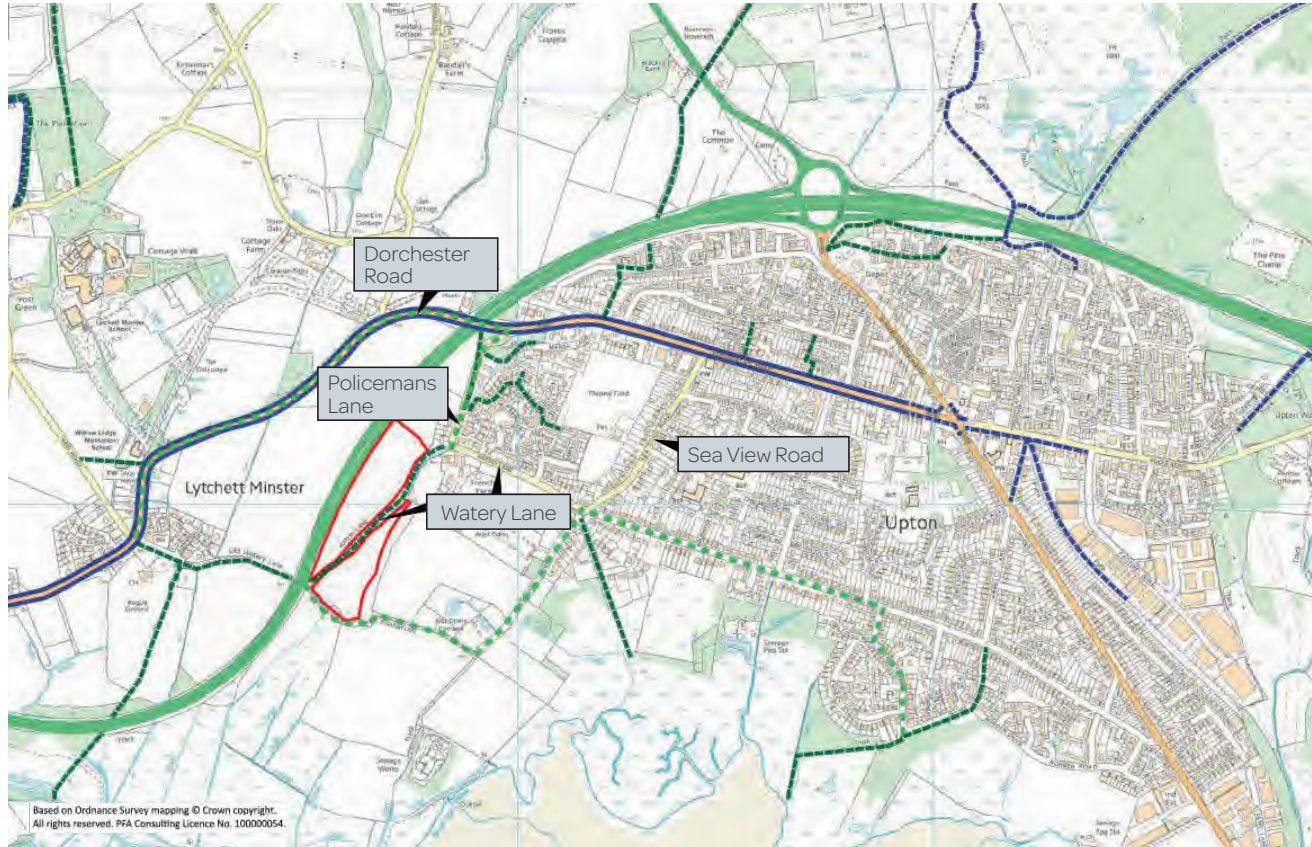
**4.28** As part of the development of Frenches Green a number of improvements have been made which assist in addressing access to the proposed site. These interventions are listed below and would also benefit any further phases of development;

- Coloured hatching has been implemented in the centre of the carriageway through the 90 degree bend where Policemans Lane meets Watery Lane. This segregates and slows traffic whilst manoeuvring the bend.
- A 2 metre pedestrian footway has been provided along the eastern side of Policemans Lane to connect with the existing footways and on-road cycle lanes along Dorchester Road and Poppy Close. There is the opportunity to extend and connect these new pedestrian links into the proposed development site.
- A Traffic Regulation Order has come into effect which reduces the speed limit of Policemans Lane to 30mph along its entirety, continuing eastwards onto Watery Lane.
- The 30mph speed limit on Dorchester Road has been extended to the west of its junction with Policemans Lane in order to ensure a continuous 30mph speed limit between Frenches Green and the town centre.






- There is an existing footway adjacent to the carriageway along Sea View Road and Watery Lane as far as French's Farm Road. There could be the opportunity to extend the existing footway along Watery Lane as far as and into the proposed development in order to improve pedestrian access into Upton .
- There is the opportunity to provide pedestrian and cycle routes through the proposed SANG travelling eastwards towards Upton.



## Connections plan



### Key

-  Proposed residential allocation
-  On-road cycle provision
-  Off-road cycle provision
-  Footpath
-  Poole Harbour National Trail

## Drainage and Utilities

### Key Observations

**4.29** A small part of the site within the south-western corner of the eastern parcel is shown as falling within Flood Zones 2 and 3.

**4.30** Small areas of the site have a medium to high (greater than 1 in 30 or 3.3% per year) chance of surface water flooding.

**4.31** An 11kV overhead cable travels southwards across the eastern parcel towards Slough Lane.

**4.32** Soil conditions on site are likely to preclude use of soakaways for surface water disposal.

### Response

**4.33** All development will take place only within Flood Zone 1 which has the lowest risk of flooding from rivers. The Sustainable Drainage Systems (SuDS) approach will be incorporated into the development of the site to effectively manage surface water run-off which will integrate with the wetter habitats within the site.

**4.34** The electricity transmission cables are only 11kV which is the voltage used for local distribution only and therefore development could take place with them in situ. If required, they could also be diverted underground or realigned.

**4.35** A sustainable drainage strategy involving the implementation of appropriate SuDS techniques should be implemented for managing the disposal of surface water runoff in ways that respond sensitively to the wetland habitats within the eastern parcel.



View looking north of overhead cable travelling southwards across the eastern parcel



## Noise

### Key Observations

**4.36** The proposed development site at Policemans Lane is affected by road traffic noise from the A35.

### Response

**4.37** The noise attenuation bund and acoustic fence constructed for Frenches Green will mitigate noise impact for the proposed development. This bund extends along the entirety of the western boundary of the site to mitigate noise levels associated with the A35. In order to reduce noise levels across the whole site to an acceptable level it will be necessary to provide further mitigation measures in addition to the bund. These may include design and layout considerations, such as closed windows on the facades closest to the road and alternative means of ventilation (such as mechanical ventilation) within these dwellings to compensate for this. These measures have successfully been implemented for Frenches Green and will be taken forward for the proposed development.



View looking north over noise bund under construction

## The Concept

**4.38** Having identified the site's key features and characteristics these have been applied to develop a framework masterplan for the site.

**4.39** The framework responds positively to the site constraints and key opportunities and the wider context to create a well-considered, attractive and sustainable development scheme. The site masterplan will deliver around 105 high quality new homes, with much improved connections to the new SANG area, which has the potential to be further extended.

Land Use	Area (ha)	% of site area
Total Site Area (excluding SANG and potential employment and school/care home area)	5.42	-
Approximate new residential developable area	2.80	52%
Approximate open space area within the development	1.71	31%
Access roads and footpaths	0.68	13%
Area for bunds and acoustic fence	0.23	4%
Approximate area of SANG as approved	4.80	-
Potential additional SANG area	2.37	-
Potential Employment and School/Care Home Site	approx. 3.0	-

**Land at Policemans Lane creates the opportunity to continue the delivery of high quality new homes and accessible green spaces with potential for around 105 new homes:**

- 1** New access connection created from the Frenches Green development with links through to Policemans Lane.
- 2** Dwellings set back to overlook the focal green space and retained feature Oak trees.
- 3** New homes front the access street and the green boundary to Watery Lane.
- 4** Courtyard spaces with feature trees and greens overlooked by new homes.
- 5** Dwellings back and side onto the A35 with planting and acoustic fencing forming a boundary screen to the bypass.
- 6** Focal public green space, linking with the SANG and continuing the character of a greens created around retained mature trees.
- 7** Rural 'barn' style apartment building addressing the rural edge to the site and feature pond created to support sustainable drainage requirements.
- 8** Pedestrian and cycle route connection along Watery Lane enclosed by retained trees and hedgerows.
- 9** Access connection positioned to ensure minimal impact to existing trees and hedgerows along Watery Lane.
- 10** New homes positioned to overlook a central green space (SANG) with deep rear gardens ensuring protection of mature trees along Watery Lane.
- 11** Larger dwellings with spacious gaps creates a rural low scale character.
- 12** Feature green space with habitat creation and enhancement and sustainable drainage systems.
- 13** Strengthened planting to screen inward views and enhance the SANG setting.
- 14** SANG area with potential for expansion on land south of the allotments.
- 15** Site previously identified for employment and school uses.







## Character

**4.40** A new vehicular access connection with pedestrian footpaths will be created from Frenches Green which links through to Policemans Lane. New dwellings in the western parcel will be laid out to overlook focal green spaces with mature trees and hedgerows along the northern and western site boundaries retained within rear garden spaces. A sequence of courtyards with feature trees and 'pocket greens' will front new homes within the western parcel and enable back and sides of properties to address the planted edge to the A35.

**4.41** More extensive green open space has been incorporated at the southern and eastern edges of the western parcel to provide informal recreation opportunities. The open space at the southern edge of the western parcel will provide for sustainable surface water drainage within an attractive enclosed setting, whilst that at the eastern edge will secure effective integration with the new SANG area, delivering an open recreation area for both new and existing residents.

**4.42** The part of Watery Lane which travels north-south through the centre of the site will provide an attractive pedestrian and cycle only route, enclosed by the retained hedgerows and mature boundary trees. Strengthened boundary planting will screen inward views and will enhance the setting of the green open space and SANG area to the east.

**4.43** There is the opportunity to extend the SANG so that it incorporates additional land to the east, if this is no longer required for allotments. The SANG as a whole would be enhanced through the addition of a network of footpaths and cycle ways that connect to existing routes and provide improved access to Upton town centre.

**4.44** The eastern parcel will incorporate sustainable drainage that will provide a gentle transition towards the SANG area further east. An informal edge to development within this parcel will be created through low density housing overlooking the SANG area and fronted by shared surface lanes and driveways. Front garden space to these new homes will allow opportunities for additional planting to further soften this edge and create a positive response to the wider rural landscape setting.

**4.45** The density of new dwellings will differ across the site to enable the development to respond sensitively to the different characteristics of the western and eastern parcels and allow the development to integrate with its surroundings. Development within the western parcel is proposed at approximately 38 dph to reflect the continuation of development southwards from Frenches Green, thus enabling delivery of up to 90 dwellings. The proposed density within the eastern parcel is much lower at 15-20 dph to reflect the rural character of the setting and to avoid development within the areas of rush pasture and swamp, thus allowing for the delivery of up to 15 dwellings.



Part of the western parcel showing how the proposed development will relate to the existing development at Frenches Green



## Landscape



Retention of trees and vegetation along Watery Lane to preserve the leafy and enclosed character of the lane; and also showing the new open space connecting with the SANG area

**4.46** Development within the western parcel would form a continuation of the Frenches Green development. The new bund and acoustic fence along the site's western boundary with the A35 will be planted with a native tree and scrub mix to attenuate noise and to screen and soften views of the proposed housing. A SuDS detention basin is proposed at the southern end of the parcel and the margins would be planted with native marginal and aquatic plants to enhance the habitat and landscape diversity of the site.

**4.47** An area of open space is located to the east of the western parcel, adjacent to existing vegetation along Watery Lane. This is intended as a focal public space for new and existing residents that links to the SANG area further east.

**4.48** The proposed development has been designed to retain key features within both parcels. The trees and vegetation along Watery Lane would be retained as far as practicable, preserving the leafy and enclosed character of the lane. The access between the two parcels across Watery Lane has been chosen at a location which would minimise feature loss and protect the high quality oak trees to the south of the crossing point.

**4.49** Additional tree and shrub planting would be incorporated throughout the development to provide an appropriate landscape structure, create different character areas and provide seasonal colour and variation. The scheme has been designed to sit comfortably within and reinforce the existing landscape structure, protecting valued existing features and introducing complementary planting, which would strengthen the overall character of the site. The existing boundary vegetation to the south and east of the eastern parcel will be retained and enhanced with new native planting. The wet flush and reed pasture areas to the south-east of the eastern parcel would also be retained and managed to improve species diversity.

**4.50** The proposed scheme would significantly improve connectivity between Frenches Green and the SANG area, by providing additional public open space as an attractive soft edge to the eastern part of the development.

## Site Access and Movement

**4.51** The new vehicular access for the development at Frenches Green would also serve as the access for the additional proposed development within this western parcel, with vehicular traffic being routed north through Frenches Green. A new vehicular access point created across Watery Lane will connect and provide access to the eastern parcel.

**4.52** A new 'egress only' exit onto Watery Lane from the north east corner of the western parcel will provide an alternative means of exiting the site. This was approved as part of the planning permission for Frenches Green and will be able to serve the additional development proposed. This route is 3.6 metres in width and 42 metres in length, therefore meeting standards for 'heavy vehicles' and for 'emergency vehicles'.

**4.53** The section of Watery Lane which dissects the site in a north-south direction is to become a pedestrian and cycle only route and will connect with new footpaths to be created within the western and eastern parcels. Additional pedestrian routes are also to be provided throughout the SANG area to improve access to natural green space and to connect to existing public rights of way along Slough Lane and Watery Lane, providing improved pedestrian and cycle routes into Upton town centre.

## Noise

**4.54** A bund with acoustic fencing and additional landscape planting has now been completed along the western boundary of the site and this will benefit the proposed development to the south of Frenches Green. As with the Frenches Green development, the proposed dwellings closest to the A35 may require an alternative ventilation system for habitable rooms with a view onto the road to allow windows to be kept closed in order to reduce noise within these rooms.



Preliminary site access arrangement and pedestrian routes



## Drainage and Utilities

### Surface Water Drainage Strategy

**4.55** As part of the proposals all new development will be built outside of the areas of highest surface water flood risk and wholly within Flood Zone 1.

**4.56** As part of the development of Frenches Green some surface water improvement works have already been undertaken to reduce localised surface water flooding in the vicinity. This involved replacing an existing 450mm diameter culvert near Number 1, Policemans Lane with a higher capacity 750mm diameter culvert.

**4.57** A sustainable drainage strategy, involving the implementation of appropriate SuDS techniques, is proposed for managing the disposal of surface water runoff from the proposed development on the site. The use of flow balancing methods, such as a detention basin for the western parcel and a swale for the eastern parcel, are proposed in order to attenuate surface water runoff to 'greenfield' runoff rates, with controlled discharge to the local watercourse and ditch system. The proposed swale runs parallel to the area of rush pasture within the eastern parcel and would have a controlled outfall into the swamp/runnel area, thereby maintaining the water feed into this habitat.

**4.58** The proposed drainage strategy would ensure that surface water arising from the site would be managed in a sustainable manner to mimic the surface water flows arising from the site prior to any development, whilst also reducing the flood risk to the site itself and elsewhere.

**4.59** The proposed drainage measures would ensure that there is little or no residual risk of property flooding occurring during rainfall events well in excess of the minimum acceptable standard for the protection of new property, which currently requires that no flooding of property should occur as a result of a 'one in 100 year' storm event.

**4.60** To mitigate high groundwater levels within the development at Frenches Green, further hydrological assessments were undertaken which informed a strategy for all new development across that site to be built above ground levels. It is anticipated that this approach will be adopted for the proposed development to mitigate any identified risk of groundwater flooding.

### Foul Water Drainage

**4.61** There are foul and surface water sewers within the western parcel which are currently under construction to support the development of Frenches Green. The new pumping station will also have the capacity to accommodate the additional development proposed for the western parcel.

**4.62** There will be a requirement to upgrade the existing foul rising main running from Lytchett Minster to the sewage treatment works in order to serve the proposed development within the site. This will be undertaken via a 'sewer requisition' procedure.

**4.63** Due to a difference in site levels, development within the eastern parcel will require a separate pumping station to be built. Wyatt Homes will work with Wessex Water to develop the best strategy for this.

### Utilities

**4.64** A utilities search conducted in July 2017 has established that Policemans Lane and Watery Lane have access to multiple services including: a low pressure gas main; telecoms provided by BT and Virgin Media; and Wessex Water services, (including water supply mains and foul and surface water sewers).

**4.65** Scottish and Southern Energy is the local electricity distributor for the area. Existing 11kV electricity transmission cables route southwards underground along Policemans Lane and continue eastwards along Watery Lane. Further 11kV overhead cables travel southwards across the eastern parcel towards Slough Lane.

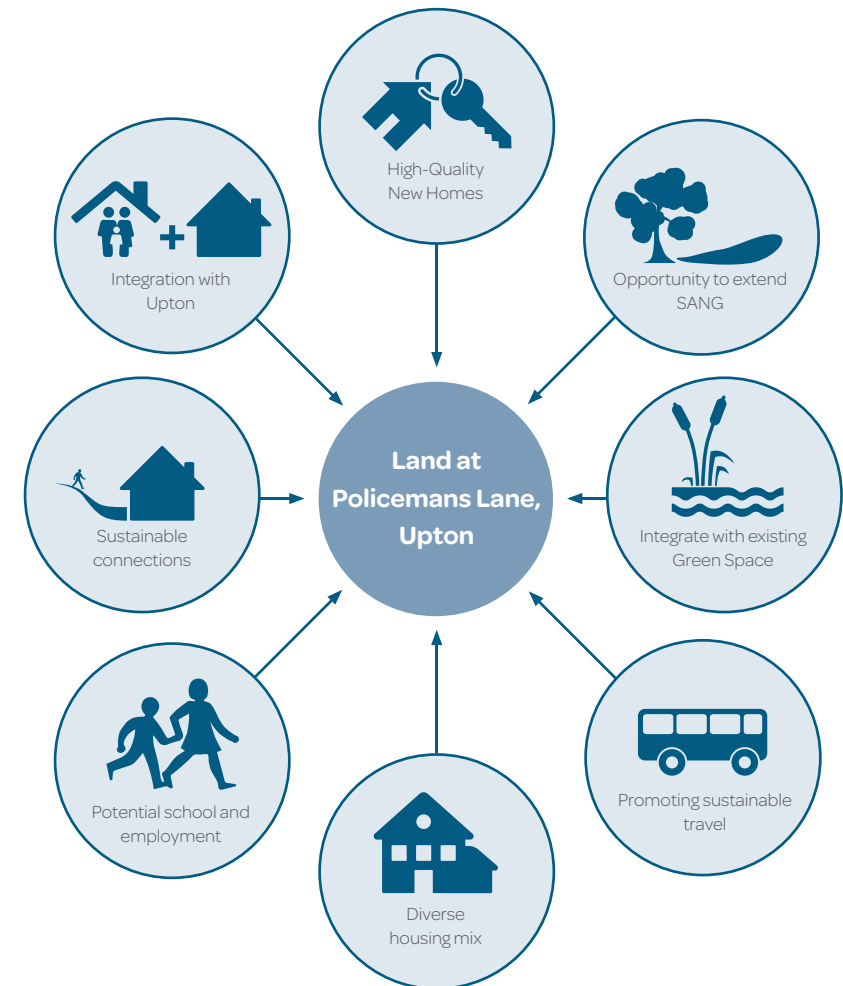
**4.66** The overhead cables are only 11kV, consistent with local distribution voltages and therefore development could take place with them in situ. If required, they could be diverted underground or realigned to follow the edge of a new road or footpath incorporated into the development.

## Sustainable Development

**4.67** The following features of the development will ensure sustainable development is achieved:

- The site provides the opportunity for a natural continuation of the scheme at Frenches Green, providing around 105 new homes to help meet the need for new homes within the District.
- The site is well-located for easy access to a wide range of local facilities within Upton, which are within walking distance, including: local shops; doctor's surgery; pharmacy; dentist; and junior and infant schools.
- The site is within walking distance of public transport links which provide connections to education, retail, employment and leisure facilities within the wider area.
- There is the opportunity for a new primary school and employment site to be built adjacent to the site at the same time as the proposed development.
- An effective sustainable drainage strategy mitigating flood risk and incorporating appropriate SuDS measures would be proposed, integrating with existing site features.
- The proposed development would include additional footpaths and cycle ways, providing improved access to the SANG area for and enhancing access to Upton town centre and the surrounding countryside.

- The potential for a significant extension to the SANG area, accompanied by improved signs and fencing to ensure that appropriate mitigation of the impact of the proposed development on the Dorset Heathlands and Poole Harbour SPAs can be achieved.
- Emphasis on high quality design, balancing traditional techniques with latest innovation to achieve attractive homes and spaces that will endure and bring delight for decades to come.
- Ensuring that new homes and spaces are resource efficient and embody a 'fabric-first' approach and can respond to the threat of climate change by minimising energy, carbon and water use.
- Allowing for sustainable waste management during construction and operation.
- Providing a wide range of housing types, size and tenures to help meet the local need for new homes in a sustainable location.
- Significant direct and indirect economic benefits for Upton and the wider District.
- Increase in Council Tax and New Homes Bonus revenue to support local services.





## Biodiversity and SANG Mitigation

**4.68** The proposed development will require appropriate SANG capacity to mitigate the adverse impact of increased recreational demand on the Dorset Heathlands and Poole Harbour SPAs. Natural England has previously agreed that the 4.66ha SANG, already consented and being delivered to mitigate the development of Frenches Green, has the capacity to mitigate the impact of an additional 100 dwellings proposed on the site south of Frenches Green.

**4.69** As part of the comprehensive scheme proposed within this document, around 105 dwellings could be delivered. Therefore, Wyatt Homes are also promoting the opportunity to extend the SANG area to incorporate additional land within their control to the east of the SANG. This extension would result in a total SANG area of 7.17 hectares, which is considered to be more than sufficient to mitigate the impact of 105 new dwellings on the Dorset Heathlands and Poole Harbour SPAs.

**4.70** The framework masterplan for the proposed development has been carefully designed to provide a significantly improved link from Frenches Green to the SANG area, through a new vehicular access point across Watery Lane and through the provision of a new network of footpaths and cycle ways through the proposed development site. The SANG area itself will also provide a network of footpaths and cycle ways which will connect to existing public rights of way along Slough Lane and Watery Lane in the north and east of the site, improving the connectivity to Upton town centre.

**4.71** A car park to accommodate visitors to the SANG has now been completed to the north east of the site opposite the entrance to Frenches Green and provides 4 parking spaces. Improvements to signs and fencing to promote the use of the SANG area have also been incorporated.

**4.72** The development of the site will accord with the guidance outlined within the adopted Nitrogen Reduction in the Poole Harbour Supplementary Planning Document (April, 2017).

**4.73** In order to avoid adverse impact on the Parkland and Wayside Trees along the boundaries of the eastern parcel that border Slough Lane and Watery Lane, new development is proposed at a lower density and set back from the tree line within the eastern parcel. New homes

are positioned to overlook a central green space with deep rear gardens ensuring that the existing trees along Watery Lane can be accommodated and protected.

**4.74** The Rush Pasture and Eleocharis swamp are also identified as species poor Priority Habitats and no development is proposed within these two habitat areas. Whilst further hydrological assessment needs to be undertaken to determine the extent of the catchment and feed into this wetland habitat, the SuDS approach incorporated into the framework masterplan for the eastern parcel is designed to support the continuation of the water supply into this wetland habitat.



Example of a SuDS feature incorporated into a new residential development.





Aerial view: Illustrative perspective sketch of the eastern parcel - view looking north-east



# Conclusions

## Summary

**5.1** The Land at Policemans Lane, south of Frenches Green is the last area available for development adjacent to the town of Upton that is outside of the 400 metre 'exclusion zone' that protects the Dorset Heathlands and Poole Harbour SPAs. It is therefore the most appropriate location for securing new residential development adjacent to the town, which is positioned at the top of the Council's settlement hierarchy, as set out within the adopted PLP1 and the Pre-submission Purbeck Local Plan..

**5.2** The proposals for Policemans Lane, set out within this document, have been informed by a more detailed understanding of the site and its context than that available to the Council at the earlier stages of local plan preparation. The site specific technical work commissioned by Wyatt Homes has established that the site is a sustainable location and has the capacity to deliver around 105 new homes as an extension to Upton that will create a high quality place, befitting Upton's identity and the quality of the wider landscape context.

**5.3** This site is capable of delivering much needed new homes within the District, in full compliance with the policies of the NPPF. The site represents the opportunity to continue the development at Frenches Green, making a positive contribution to the character of the west of Upton, without detriment to the wider landscape setting.

## The Way Forward

**5.4** Moving forward, in the coming months the site's technical attributes will continue to be assessed by Wyatt Homes and the development proposals for the site will continue to be refined. All technical work and survey findings will be shared with key stakeholders including the District Council and the Town Council. Input will also be drawn from local residents in the form of public engagement, the feedback from which will further inform the development proposal.

**5.5** Wyatt Homes are proud to be working on the delivery of much needed new homes at Upton and would like to fully engage with all relevant stakeholders as they progress their development proposal. As a local developer, Wyatt Homes seeks to consolidate its reputation and will deliver a high quality development to enhance the character of the town, creating a strong identity and sense of place.

# Appendix 1

## Supporting Documents

Supporting Document	Prepared by
Landscape and Green Belt Report	Hankinson Duckett Associates
Highways and Transport Appraisal	PFA
Utilities Report	PFA
Flood Risk Assessment	PFA
Tree Survey	Barrell Tree Care
Preliminary Ecological Assessment	Ecological Planning and Research Ltd





For further information contact

Peter Home

WYATT  
HOMES



## Comment

<b>Consultee</b>	Mr Nick Guildford (1190589)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Wyatt Homes
<b>Address</b>	1 Parkstone Road Poole BH15 2NN
<b>Event Name</b>	Purbeck Local Plan Pre-submission Draft
<b>Comment by</b>	Wyatt Homes (Mr Nick Guildford - 1190589)
<b>Comment ID</b>	PLPP160
<b>Response Date</b>	30/11/18 17:09
<b>Consultation Point</b>	Policy V1: Spatial strategy for sustainable communities ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.1
<b>Are you responding on behalf of a group?</b>	No

**Please tick the box(es) if you would like to be notified at an address/email address of the following:**

**Which policy / paragraph number / policies map does your comment relate to?** Policy V1

**Do you consider that the Local Plan is legally compliant?** Yes

**Do you consider that the Local Plan is sound?** No

**Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)**

### Introduction

Wyatt Homes supports the overarching approach to addressing the future development requirements of Purbeck district set out within the Pre-Submission Draft Local Plan (PSDLP) but has some concerns regarding specific aspects of the plan.

On the basis that the plan is intended to be submitted for Examination in February 2019 the comments outlined are set out in the context of the National Planning Policy Framework July 2018 (NPPF18), which the plan will be evaluated against at Examination, in accordance with paragraph 214 of NPPF18.

Overall, we are supportive of the plan as a whole. However, we consider that certain aspects of the PSDLP in its current form are unsound, but that with relatively minor modifications it could be found 'sound'.

These representations focus on the omission of land at Deans Drove, Lytchett Matravers from inclusion as a housing allocation within the plan. Our comments on other parts of the PSDLP, including the duty to cooperate, policy V2 (Green Belt), policy H1 (local housing requirement), policy H3 (new housing development requirements) and policy H9 (housing mix) are set out within separate representations, submitted on our behalf by Turley. Those representations also address our comments on the Council's updated Viability study (2018) and Revised CIL Charging Schedule (2018).

### **Policy V1: Spatial strategy for sustainable communities**

Wyatt Homes supports the general spatial strategy set out within policy V1 but to be consistent with policy H1 (local housing requirement), ensure compliance with paragraph 60 of the NPPF18 and ensure that the plan is **positively prepared** (in accordance with paragraph 35 of the NPPF18) reference to the number of dwellings proposed in each settlement identified should be 'at least'.

The precise number of dwellings on each site should be a matter that is addressed at the planning application stage in the context of detailed site considerations. To limit the numbers in the manner proposed through the current wording is **inconsistent with national policy**, specifically chapter 11 of the NPPF18, which highlights the need to make effective use of land and paragraph 35a) which requires local plans to meet the area's objectively assessed needs as a minimum.

**Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)**

References to housing numbers within the policy should be referred to as 'at least'.

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

**If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination?** Yes

**If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?**

Wyatt Homes have an interest in a number of sites within the local plan to which this policy is relevant therefore our participation is important to ensure full and proper consideration of the comments made.



## Comment

<b>Consultee</b>	Mr Nick Guildford (1190589)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Wyatt Homes
<b>Address</b>	1 Parkstone Road Poole BH15 2NN
<b>Event Name</b>	Purbeck Local Plan Pre-submission Draft
<b>Comment by</b>	Wyatt Homes (Mr Nick Guildford - 1190589)
<b>Comment ID</b>	PLPP161
<b>Response Date</b>	30/11/18 17:10
<b>Consultation Point</b>	Policy V2: Green belt ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.1
<b>Files</b>	<a href="#">Land at Deans Drove, Lytchett Matravers</a>
<b>Are you responding on behalf of a group?</b>	No

Please tick the box(es) if you would like to be notified at an address/email address of the following:

**Which policy / paragraph number / policies map does your comment relate to?** Policy V2

**Do you consider that the Local Plan is legally compliant?** Yes

**Do you consider that the Local Plan is sound?** Yes

**Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)**

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### **Policy V2: Green belt**

As set out within separate representations, Wyatt Homes supports the proposed removal of land from the Green Belt at Lytchett Matravers and Upton to contribute towards the housing needs of Purbeck, there being significant exceptional circumstances to justify a review of existing Green Belt boundaries.

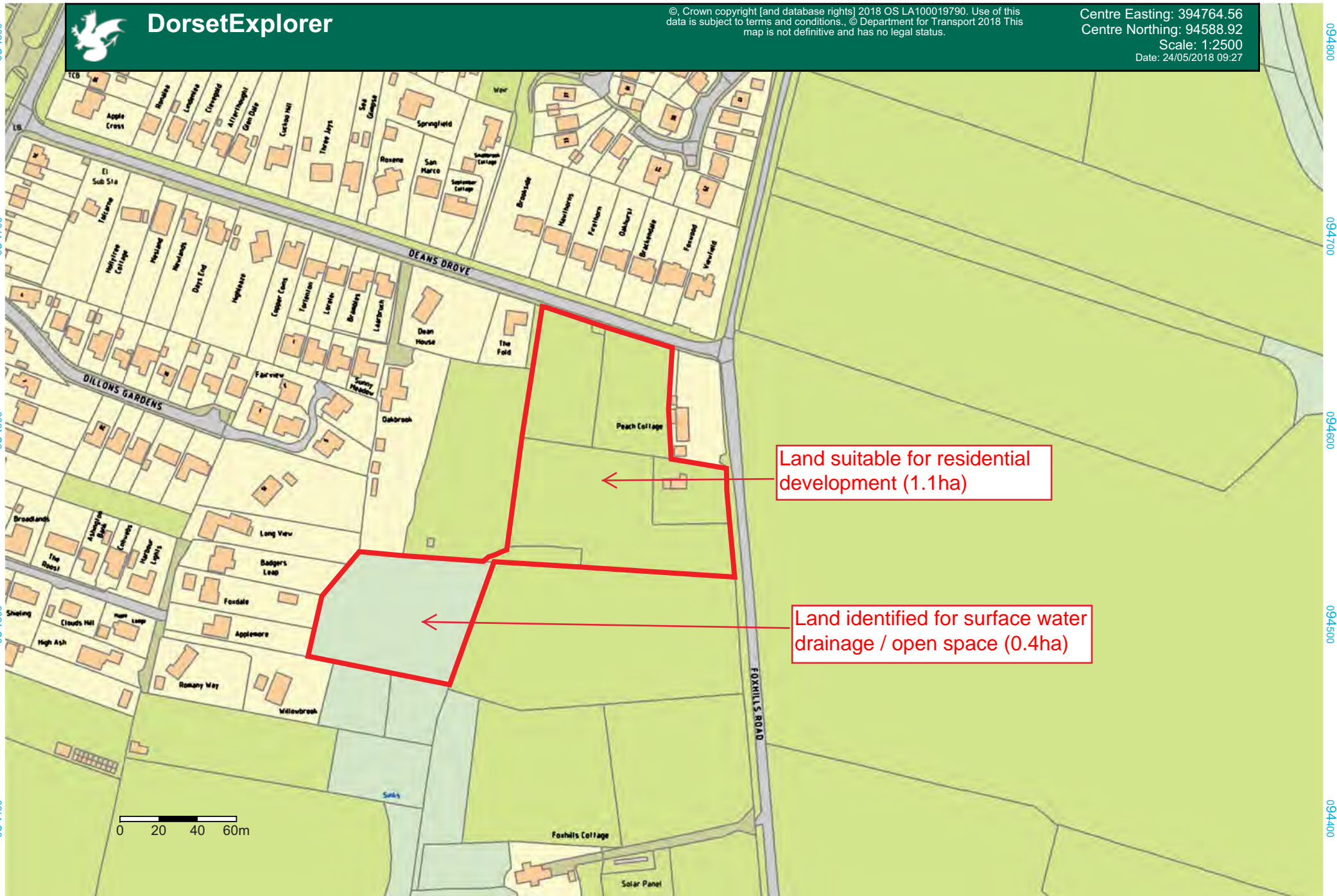
**If you have any supporting documents please upload them here.** [Land at Deans Drove, Lytchett Matravers](#)

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

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**If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination?** No





Land suitable for residential development (1.1ha)

Land identified for surface water drainage / open space (0.4ha)

0 20 40 60m

## Comment

<b>Consultee</b>	Mr Nick Guildford (1190589)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Wyatt Homes
<b>Address</b>	1 Parkstone Road Poole BH15 2NN
<b>Event Name</b>	Purbeck Local Plan Pre-submission Draft
<b>Comment by</b>	Wyatt Homes (Mr Nick Guildford - 1190589)
<b>Comment ID</b>	PLPP162
<b>Response Date</b>	30/11/18 17:11
<b>Consultation Point</b>	Lytchett Matravers - 150 homes and a SANG ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.1
<b>Files</b>	<a href="#">Deans Drove Site Location Plan and Comment Report 6-2016-0743</a> Officers report to committee (application 6-2016-0743) <a href="#">Land at Deans Drove, Lytchett Matravers (1)</a>
<b>Are you responding on behalf of a group?</b>	No
<b>Please tick the box(es) if you would like to be notified at an address/email address of the following:</b>	
<b>Which policy / paragraph number / policies map does your comment relate to?</b>	Policy H6
<b>Do you consider that the Local Plan is legally compliant?</b>	Yes
<b>Do you consider that the Local Plan is sound?</b>	No

Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)

**Introduction**



Wyatt Homes supports the overarching approach to addressing the future development requirements of Purbeck district set out within the Pre-Submission Draft Local Plan (PSDLP) but has some concerns regarding specific aspects of the plan.

On the basis that the plan is intended to be submitted for Examination in February 2019 the comments outlined are set out in the context of the National Planning Policy Framework July 2018 (NPPF18), which the plan will be evaluated against at Examination, in accordance with paragraph 214 of NPPF18.

Overall, we are supportive of the plan as a whole. However, we consider that certain aspects of the PSDLP in its current form are unsound, but that with relatively minor modifications it could be found 'sound'.

These representations focus on the omission of land at Deans Drove, Lytchett Matravers from inclusion as a housing allocation within the plan. Our comments on other parts of the PSDLP, including the duty to cooperate, policy V2 (Green Belt), policy H1 (local housing requirement), policy H3 (new housing development requirements) and policy H9 (housing mix) are set out within separate representations, submitted on our behalf by Turley. Those representations also address our comments on the Council's updated Viability study (2018) and Revised CIL Charging Schedule (2018).

## **Policy H6: Lytchett Matravers**

Wyatt Homes supports the allocation of land to the east of Wareham Road, at Blaney's Corner and to the east of Flowers Drove at Lytchett Matravers, as set out within the separate representations submitted on our behalf by Turley.

Following on from our comments on policy V1 and to assist in ensuring that the local plan is sound, particularly in the context of compliance with the Government's objective to significantly boost the supply of homes (as referenced at paragraph 59 of NPPF18) land at Deans Drove, Lytchett Matravers should also be identified for housing within policy H6.

As shown on the enclosed plan the site comprises two main areas, the north eastern parcel (1.1 hectares) the proposed location for new homes, with the south western parcel (0.4 hectares) identified for surface water drainage and open space.

The site was submitted to the Council in June 2018 for consideration as part of the Strategic Housing Land Availability Assessment (SHLAA) and given the reference: SHLAA/0027 – Adjacent to Peach Cottage, Foxhills Road, Lytchett Matravers.

The published SHLAA (October 2018) notes on page 191 that the site is well related to the edge of Lytchett Matravers and subject to addressing constraints its development is acceptable in principle. The site was however concluded to be *'unsuitable as a large site because of flood risk, access into the south western side of the site and trees protected by a tree preservation order.'* Reference is made within the SHLAA to large sites being those that have capacity for more than 30 homes however this threshold is not referenced within the PSDLP.

As noted within the SHLAA assessment a planning application for development of the site for 23 dwellings was considered by the Council in February 2018 (ref: 6/2016/0743). Despite an officer recommendation for approval the application was refused by the Council but with no technical grounds for refusal, all matters related to highways / access, drainage, impact on trees (including those covered by a Tree Preservation Order) having been satisfactorily addressed.

The officers report to committee (enclosed) confirms on page 4 that the site is on the edge of a sustainable settlement and located within walking distance of shops, bus stops, public house, public open space, employment, library, doctors surgery, chemist and a school catering for up to the age of 11.

The report also states on page 4 that officers were satisfied that development of the site would not lead to harm to the function or integrity of the Green Belt:

- 1 not representing the unrestricted sprawl of a large built up area;
- 2 not physically extending any closer towards the Bournemouth / Poole conurbation such that there would be an issue of coalescence;
- 3 thick boundary vegetation to the south and the east containing the site so as to prevent encroachment into the countryside;
- 4 not expanding the village towards Lychett Minster therefore not prejudicing its setting or character as a historic village; and
- 5 there being very limited opportunities on derelict or previously developed land such that urban regeneration would be undermined

In support of this position the refusal of planning permission included no reasons related to the Green Belt.

Paragraphs 70-73 of the PSDLP outline the reasons why, after detailed assessment, the Council considers that removing land from the Green Belt around Lytchett Matravers, Upton and Wareham will not irrevocably harm the strategic purpose and function of the Green Belt. It states:

*'All of the sites for which this study concludes there is a case for exceptional circumstances to alter existing boundaries so as to remove land from the green belt are modestly sized and positioned close to the town or village that they relate to. Aside from the site in Upton, most are positioned some distance from the large built-up area (Bournemouth, Poole and Christchurch conurbation) and some distance from any neighbouring settlements. Removing these sites from the green belt will not undermine the wider strategic objectives of checking sprawl from the large built up area and preventing settlements from merging...*

*Elsewhere...the clearly defined edges around the town or village (Lytchett Matravers) provide a clear basis for forming new boundaries which are likely to remain permanent in the future and contain further development.*

*The sites identified around Lytchett Matravers are positioned in pockets of undeveloped land between existing homes. Removing this land will allow clear, and consistent, boundaries to be formed around the edges of the village. These new boundaries are likely to be permanently retained as they will provide a consistent edge with boundaries elsewhere in the village.*

*The size and position of each of the sites recommended for removal from the green belt will not significantly undermine its purposes. Accordingly, the proposed changes to green belt boundaries would not fundamentally undermine the fundamental aim, purposes or function of the green belt.'*

While it was not subject to assessment as part of the Green Belt Study (October 2018) the references within paragraphs 70-73 apply equally to the land at Deans Drove, as concluded by officers in their consideration of planning application ref: 6/2016/0743.

The land at Deans Drove does not contribute positively towards the purposes of the Green Belt is suitable, available and deliverable. Indeed, it can deliver housing completions, including a contribution towards the districts significant affordable housing need within the first five years of the plan period. For all of the above reasons, not to allocate it within the local plan would be a wasted opportunity.



As set out within the SHLAA assessment we (Wyatt Homes) have identified land for Suitable Alternative Natural Greenspace (SANG) in Lytchett Matravers which would include sufficient capacity to address the effect of additional dwellings on this site and associated requirements with regard to mitigating the adverse effects on European sites in accordance with policy H3 (New housing development requirements). This would also offset the loss of Green Belt in accordance with policy V2.

For the reasons set out land at Deans Drove, Lytchett Matravers, as shown on the enclosed plan should be removed from the Green Belt to help meet the areas housing requirements. Alternatively, it should be identified as a reserve site should the district fail to deliver its housing requirement during the plan period, incorporating flexibility into the plan to respond to changes, thereby ensuring that it meets the requirement to be **positively prepared** as set out within paragraph 35 of the NPPF18.

**Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)**

We propose the following changes to policy H6 (additional wording underlined, deleted text struckthrough) with the proposed increase in number at Blaney's Corner addressed through separate representations submitted on our behalf by Turley:

'Land as shown on the policies map will help to meet the District's housing needs by providing at least 95 new homes on Land to the East of Wareham Road, 25 ~~60~~ homes on Land at Blaney's Corner and, 30 homes on Land to the East of Flowers Drove and 20 homes on Land at Deans Drove as well as supporting infrastructure and community facilities...'

Consequential amendments would also need to be made to the supporting text to include reference to the land at Deans Drove, the untitled plan on page 60 of the PSDLP and policy V1 (Spatial strategy for sustainable communities) to reflect the increase in the number of new homes at Lytchett Matravers.

**If you have any supporting documents please upload them here.**

[Deans Drove Site Location Plan and Comment Report 6-2016-0743](#)  
Deans Drove Site Location Plan and Committee Report 6-2016-0743

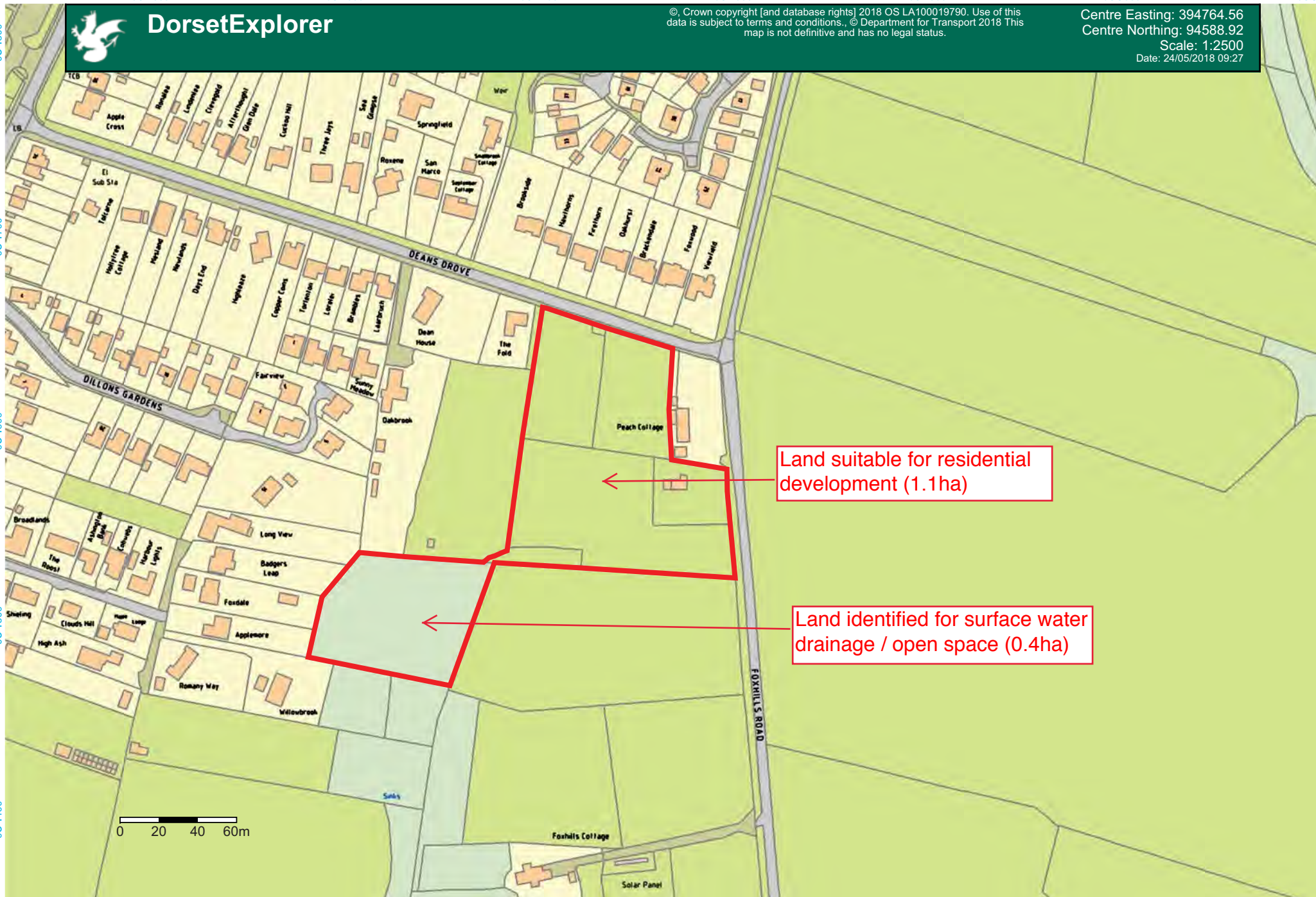
(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

**If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination?** Yes

**If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?**

Wyatt Homes have an interest in a number of sites within the local plan to which this policy is relevant therefore our participation is important to ensure full and proper consideration of the comments made, particularly with regard to the omission of Land at Deans Drove, Lytchett Matravers as a housing allocation.



Land suitable for residential development (1.1ha)

Land identified for surface water drainage / open space (0.4ha)

0 20 40 60m



## Application details

Ref: 6/2016/0743	App Type: Full planning permission	Case officer: Alan Davies
Applicant: Stonewater Housing Association		
Address: Land at Deans Drove, Lytchett Matravers, BH16 6EQ		
Description: Development of the site with 16 affordable houses to rent, and 7 open market houses, with associated access, parking and landscaping		
Planning Committee: 31 January 2018		

## Reason for decision process for this application

The Planning Committee is considering this application because:

It relates to a scheme for major development.

### Recommendation

To **grant** planning permission subject to conditions as set out in the attached Appendix 1, subject to a Section 106 legal agreement (Planning Obligation) being entered into that secures the affordable housing as a rural exception site in perpetuity.

If however, the legal agreement is not completed by 28 February 2018, planning permission be **refused** for the reasons set out in the attached Appendix 2.

### Key planning issues

Issue	Conclusion
Principle of development	Acceptable. The site is considered suitable as a rural exception site outside the designated Lytchett Matravers settlement boundary. It is also appropriate development within the Green Belt which does not need to be justified by very special circumstances.
Affordable housing	The proposal represents a positive opportunity to provide a significant amount of affordable housing to meet identified local needs. The number of open market properties to support this is justified. The affordable housing will be secured by a Section 106 legal agreement.
Detailed design and impact on the character and appearance of the area	Acceptable scale, design and impact, which will not harm the character and appearance of the area, subject to conditions to ensure appropriate materials and landscaping.
Impact on neighbouring privacy and amenity	Acceptable. No materially harmful impact on neighbouring privacy and amenity subject to conditions.
Highway safety and traffic generation	Acceptable. There is no objection on traffic generation or highway safety grounds, subject to conditions. The construction of footways along Deans Drove is secured by a condition.

Drainage	Acceptable There is no flood risk or surface water drainage disposal objection. Conditions require sustainable drainage measures to deal with surface water discharge arising from the development.
Nature conservation	No objections. A planning condition requires the implementation of the approved Biodiversity Mitigation Plan, and a legal agreement requires a payment for off site mitigation.
Trees	Acceptable. There would be no harm to trees of high visual amenity value. Tree protection measures are secured by condition.

### Summary

Whilst new residential development would not normally be permitted in the open countryside and Green Belt, given the proven need for affordable housing in the parish, subject to a legal agreement to secure the long term retention of the affordable dwellings, officers are of the view that all significant planning matters have been appropriately and adequately addressed. Officers are recommending approval.

### Resource implications

The approximate resource implications if this application is granted are:

What	Amount / value	Material planning consideration
Council tax	*£40,000	No
Business rates	N/A	N/A
New homes bonus	£26,910 per annum paid for 6 years	No
Affordable housing	16 houses	Yes
CIL	£91,180 (payable on market housing - assumes relief from CIL will be claimed on 16 affordable dwellings if planning permission granted)	No
Other section 106 contributions	£17,387,57 towards Dorset Biodiversity Compensation Framework	Yes

\*based upon average Council Tax of band C. PDC element is approximately 10% of this figure.

### Main report

#### The site

The approximately 1.14 ha site is on the south side of Deans Drove at the eastern end of the road, close to the junction with Foxhills Road. Both roads have a rural character with the absence of street lighting or formal pavement. The site has frontages and vehicular accesses onto both roads. It lies outside, but to the north, immediately adjacent to, the designated Lytchett Matravers settlement boundary. It is within open countryside which forms part of the South-East Dorset Green Belt. The site comprises 2 fields of grazing pasture, with a former orchard in the south-east corner. They are bounded by a combination of mature hedges, trees and stock fencing. Land levels decrease towards the south and west, with a change in land levels of approximately 6 metres from the north east corner of the site down to the south west corner of the site.



The site is abutted by a detached residential property (Peach Cottage) to the north-east. A detached residential property (The Fold) abuts the north west part of the site. There are residential properties to the north, on the opposite side of Deans Drove.

A public foul sewer runs east / west across the middle of the site.

There are a number of mature trees on the site, including along the Deans Drove and Foxhills Road site frontages. There are group Tree Preservation Orders (TPOs) on trees on the southern and eastern boundaries of the site, and individual TPOs on an oak tree in the south west corner and sycamore on the eastern side of the site.

### **Proposed development**

The applicant is a registered social housing provider (Stonewater Housing Association). It is seeking full planning permission to redevelop the site with 23 houses comprising 16 affordable houses for rent and 7 open market houses.

The affordable housing will comprise 16 for rent (5 x 3 - bedroomed, 9 x 2 - bedroomed and 2 x 1 - bedroom houses). They are to be managed by the applicant, Stonewater, a registered social housing provider. They are proposed on plots 2 to 11 and 16 to 21 inclusive.

The housing will be served via a new vehicular and pedestrian access from Deans Drove. The existing vehicular accesses from Deans Drove and Foxhills Road will be closed off. 53 on-site parking spaces are proposed comprising allocated, unallocated and visitor spaces. A pedestrian footpath link is proposed to Foxhills Road. There will be a mix of detached, semi-detached and terraced 2-storey housing. These front onto a new adopted road which would form a cul-de-sac with a green landscaped area in the centre of the site, which will be formed by cut and fill into the existing slope. The proposed materials include brick, render, local stone and weathered zinc walls, with a mixture of slate, plain tiles and zinc roofs.

The application is accompanied by; A Design and Access Statement, planning Statement, Flood Risk Assessment and drainage report (surface and foul), a Transport Statement, a Tree Survey, Ecological Impact Assessment and survey, Reptile Mitigation Plan, Biodiversity Mitigation Plan approved by Dorset County Council and viability assessment.

### **Relevant planning history**

Several applications for small market housing development on individual parts of the application site were refused in the 1970s and 1980s.

No applications have been made for affordable housing on the application site.

The site has been promoted through the Council's Strategic Housing Land Availability Assessment (SHLAA) process since 2009 (ref: 6/14/0274).

### **Pre-application discussions**

Discussions have taken place between potential applicants and the Council in 2013 and more recently in 2015 with regard to developing the site for exception site housing. The 2015 scheme was not substantially different to the current application. Officers expressed in principal support for the proposals.

In their Design and Access statement, the applicant explains they have held discussions with the community in the form of attending the Parish Council 18th November 2013 to discuss an outline scheme for 35 houses. The applicant believed there was a general consensus that regardless of whether development of the site should take place, this would represent overdevelopment.

The applicants state that a redesign was undertaken, and a further meeting with the Parish took place on 16<sup>th</sup> March 2015 at which the current scheme for 23 houses was presented.

## **Relevant issues for this application**

### **Principle of development**

The site lies in open countryside and within the South-East Dorset Green Belt, and therefore it would not normally be considered appropriate for new housing development. Paragraph 87 of the National Planning Policy Framework (NPPF) states that inappropriate development in the Green Belt is by definition harmful to the Green Belt and should not be approved, except in very special circumstances. Paragraph 89 states that the construction of new buildings should be regarded as inappropriate in the green Belt except in relation to specific development. This expressly includes *“limited affordable housing for local community needs under policies set out in the Local Plan”*.

Policy CO – countryside of the Purbeck Local Plan Part 1 (PLP1) confirms that development outside settlement boundaries will be permitted in principle where it is a rural exception site providing affordable housing in accordance with Policy RES – Rural Exception Sites and where it does not have a significant adverse impact either individually, or cumulatively, on the environment, visually, ecologically, or from traffic movements. These latter considerations will be dealt with separately under separate sections of the report. One of the overriding aims of Policy CO is one of improving sustainability of local settlements. Officers consider that this would be achieved by the proposed development. The affordable housing would be offered to households with a local connection to the area and meeting an identified local need. It would lead to additional support for local facilities and services. The site is on the edge of a sustainable settlement and located within walking distance of shops, bus stops, public house, public open space, employment, library, doctors surgery, chemist and a school catering for children up to the age of 11.

Purbeck Local Plan policy RES expressly allows new affordable housing development to meet local needs in rural areas through the development of small sites for affordable housing in rural communities in and around settlements (with the exception of Swanage, Wareham and Upton). There is no definition of what constitutes a small site. This includes sites adjacent to existing settlements within the South East Dorset Green Belt where it meets an identified local housing need and does not harm the function or integrity of the Green Belt. Whilst the Green Belt function or integrity are not defined in policy RES, officers consider that the purposes of Green Belt set out in paragraph 80 of the NPPF, can be interpreted as outlining the function of the Green Belt, and if a development proposal does not harm the function of the Green Belt, it follows that its integrity will not be harmed. In this case, officers are satisfied the development would not lead to harm to the function or integrity of the Green Belt. It would not represent the unrestricted sprawl of a large built up area. The village would not be physically extended any closer towards the Bournemouth / Poole conurbation and there is no risk of the two merging. Thick boundary vegetation to the south and the road to the east contain the site and would prevent encroachment into the countryside. It would not result in an expansion of the village towards Lytchett Minster, so it would not prejudice the setting or character of this historic village. There is little derelict or previously developed land available in Lytchett Matravers to allow regeneration, although there are limited opportunities for infill development, it is unlikely to satisfy all potential housing needs, particularly affordable housing for local people.

Turning to the more detailed policy requirement of Policy RES, the Council needs to be satisfied that the proposal is capable of meeting an identified, current, local need within the parish, or immediately adjoining rural parishes, which cannot otherwise be met. This need has been confirmed by the Council’s Senior Housing Officer (Policy and Enabling) and is explained in more detail in the later section of the report on affordable housing. There will also need to be secure arrangements to ensure that the benefits of affordable housing will be enjoyed by subsequent as well as initial occupiers. The applicant has agreed to enter into a Section 106 legal agreement to secure the affordable housing in perpetuity and this is also covered in more detail in the later section on affordable housing.



No other planning applications for housing development under Policy RES have been submitted for any site elsewhere in Lytchett Matravers

Policy RES also states that ideally the site should not be remote from existing buildings and should not comprise scattered, intrusive and isolated development and should be within close proximity to, or be served by, sustainable transport providing access to local employment opportunities, shops, services and community facilities. The application site meets the location criteria. The site is located at the south-eastern edge of the sustainable village settlement immediately adjacent to the settlement policy boundary and between 2 existing dwellings and is located within walking distance of shops, bus stops, public houses, public open space, employment and a school.

In addition Policy RES states that the number of dwellings should be commensurate with the settlement hierarchy set out in Local Plan Policy LD: Location of Development, of character appropriate to the location and of high quality design. Lytchett Matravers is designated a 'Key Service Village' within the District. It offers a range of services and community facilities and is therefore considered to be an inherently sustainable location, suitable for new development, and lies second in the settlement hierarchy of the District to the towns of Swanage, Upton and Wareham. The Purbeck Local Plan Vision for North East Purbeck states that new development, including affordable housing of a proportionate amount to the size and function of the village, will support the enhanced role of Lytchett Matravers as a Key Service Village. There are around 1,503 homes in the parish (the vast majority of which are within the settlement). The current proposal for 23 units represents an approximate 1.5% addition. There is no set limit to the acceptable size for rural exception sites and this number is considered to be small in the local context and not contrary to the settlement hierarchy of Policy LD. The character and design considerations are dealt with separately in a later section of the report.

The application includes 7 open market houses in addition to the proposed 16 affordable houses.

When the application was initially submitted, the applicant proposed 19 affordable dwellings. During the consideration of the application, it transpired that of those 19 affordable, 3 would comprise shared ownership properties. These are properties where the tenant pays some rent on a percentage of the property and also towards a mortgage on the remaining percentage. In time they could own 100% percentage of the property. When they move on, the property would be sold on the open market.

In order for the shared ownership properties to be affordable in perpetuity, the Council does not permit the tenant to purchase the entire property on rural exception sites. The applicant is not prepared to enter into a legal agreement to prevent this happening. They explain this is because tenants will struggle to get a mortgage on a shared ownership property if they cannot own 100% of the equity. The applicant advises that some or all of the shared ownership properties may well remain as such - for many years – but they cannot guarantee this will be the case. Given this, officers felt the application needed to be re-advertised to allow comment upon the change to the affordable / open market mix, which can only be guaranteed to be 16 affordable rent and potentially 7 open market dwellings.

Rural exception sites require landowners to be willing to sell their land at substantially less than its open market value if it were suitable for new open market housing. They do this because the land coming forward will not normally obtain permission for open market housing. The NPPF also suggests that councils consider allowing the provision of a small amount of market housing outside settlement boundaries to enable the provision of significant additional affordable housing to meet local needs in rural areas. This has been incorporated into Policy RES which allows for some market housing on exception sites where it would facilitate the provision of significant affordable housing. In accordance with national policy, Policy RES and the Council's Affordable Housing Supplementary Planning Document do not confirm what is meant by 'some' and 'significant'. Consequently, the Council has responded to requests to state what the local

interpretation is and has commissioned viability evidence to clarify its position. The evidence shows that a ratio of 70% affordable to 30% market housing is acceptable across the district. The Council consulted on this as an update to Policy RES through the summer 2016 Partial Review of the Purbeck Local Plan options consultation. The result was that no substantive objections were received and the Council is treating the evidence as a material consideration in the determination of planning applications. The proposed split of 16 affordable homes to 7 market homes (70% affordable to 30% market) accords with the evidence base.

The Lytchett Matravers Neighbourhood Plan has been adopted. It is a comprehensive document and sets out a multitude of aspirations for the village, one of which is to promote affordable housing for those residents who have an established village connection and supporting existing businesses.

In summary, officers are satisfied that, in principle, the proposal accords with relevant national and local planning policies.

#### Relevant Planning Policies:

National Planning Policy Framework:

Paragraphs 17 - core planning principles and 49 - presumption in favour of sustainable housing development and section 9 – protecting Green Belt land.

Purbeck Local Plan Part 1:

Policies LD - general location of development, SD – presumption in favour of sustainable development, RES – rural exception sites, HS – housing supply, NE – north-east Purbeck and CO – countryside.

Officers have also considered:

National planning practice guidance.

Lytchett Matravers Neighbourhood Plan.

#### Affordable housing

The Senior Housing Officer (Policy and Enabling) supports this application as a rural exception site for Lytchett Matravers and is satisfied that the proposal is capable of meeting an identified current local need. This is because (a) the Council's housing register identifies 33 households who have a proven local connection to Lytchett Matravers. In addition, the housing needs survey (published in March 2017) for Lytchett Matravers (which has been adopted by the Parish Council) shows 9 households meet the criteria for inclusion on the housing register and are in need of rented affordable housing. (The Housing Officer has confirmed that they are not included in the above figures so there is no double counting). Combining both, the current total identified local affordable housing need in Lytchett Matravers is for 42 properties comprising: 24 x 1 bedroom; 12 x 2 bedroom; and 6 x 3 bedroom properties. In the light of these figures, this proposal is capable of meeting an identified current, local need within the parish in accordance with Local Plan Policy RES.

There are other potential housing development sites in Lytchett Matravers. These are (a) the Local Plan allocated housing site at Huntick Road where the Local Plan requires 50% of the dwellings to be affordable and (b) the withdrawn application for housing on the Wessex Water reservoir site at Purbeck Road (40% of the dwellings are required to be affordable) – but it must be remembered that if this proposal is re-submitted for determination, the original scheme had no affordable housing. Even if it did, these 2 sites combined will not provide sufficient affordable housing to satisfy the identified need in Lytchett Matravers. This is because these sites are not required to solely provide affordable housing for households with a local connection to Lytchett Matravers.

Local Plan Policy AHT states the tenure of affordable housing will be negotiated on a site by site basis to reflect identified local need. In this case all of the affordable housing units are to be rented. They have been identified as being plots 2 to 11 and 16 to 21.

A Section 106 Agreement is required to secure the affordable housing as a rural exception site in perpetuity. It will control the long-term occupation of the dwellings for households with a local connection to Lytchett Matravers or the immediately adjoining rural parishes. It will also control matters such as the precise affordable housing accommodation size and tenure, as well as the timing of its delivery. The Agreement is at its early stages of drafting and officers have every expectation that this will be completed as quickly as possible if planning permission is granted, but the recommendation allows for an adequate time period (until 28 February 2018) for this to happen.

In summary, officers consider the proposal represents an opportunity to deliver a significant contribution of affordable housing to serve persons in an identified need of residential accommodation in Lytchett Matravers parish.

#### Relevant Planning Policies:

National Planning Policy Framework:

Paragraph 50 - delivery of a wide choice of high quality homes.

Purbeck Local Plan Part 1:

Policies RES – rural exception sites, AH - affordable housing and AHT – affordable housing tenure.

Officers have also considered:

National planning practice guidance.

Affordable Housing Supplementary Planning Document 2012 – 2027 adopted April 2013.

Lytchett Matravers Neighbourhood Plan.

DSP – Economic Viability Assessment April 2016

#### **Detailed design and impact on the character and appearance of the area**

The National Planning Policy Framework (NPPF) attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development (paragraph 56). The issue of design goes beyond the visual appearance and architecture of individual buildings, it also relates to the layout and density of development and how new development fits into the existing built environment.

Although the site is not within the settlement boundary, the northern part lies within the designated 'Village Lanes' area in the adopted Lytchett Matravers Townscape Character Appraisal. The characteristics of this area include: irregular, individually designed detached residential development; roads and lane of predominantly rural character; property boundaries set back from roads behind a wide verge; buildings generally well set back in plot and usually a somewhat irregular building line; landscaping being a very strong element, including verges, hedges, shrubs and trees; houses facing open views and being visible from surrounding areas; medium/low density development with generous and well-planted gardens; mostly 2-storey; modest domestic scale and massing; mainly brick and render walls and tiled roof.

Identified threats to the townscape character include road improvements such as widening, kerbs, pavements etc. that diminish rural character; any significant loss of vegetation through redevelopment/intensification; and excessive intensification of development on plots including reduction of set-backs. The northern part of the site is described as 'constant' townscape in the Appraisal. This does not preclude new development but is intended to retain the positive aspects



of the location. The Townscape Appraisal identifies interconnecting lanes with verges, hedges and ditches forming an attractive element of the character of the village, including Deans Drove.

The development proposal aims to reinforce this character through the retention of a strip of vegetation along its boundary with Deans Drove. Landscaping conditions will ensure that this landscaping includes the reinforcement of this landscaped strip with new planting to eventually replace the existing poor quality conifers along the frontage, thus retaining and by installing more native planting, retaining its rural character.

Officers consider that whilst the proposal will undoubtedly introduce change to this part of the village, this will not result in a materially harmful impact on the character of the area, or the lane itself. The development will be low density and set back from the road. It will retain vegetation at the edges of the site and only a minimum amount of vegetation will be lost from the centre. Deans Drove and Foxhills Road have a very rural character and the proposal includes the protection of mature trees and hedges along both road frontages. Additional tree and landscaping planting is proposed within the development. The provision of a green at the centre of the site (which will be visible in the Deans Drove street scene) will further soften the impact of the development and its appearance in the area.

Officers consider that the scale, massing and height of the development is acceptable and the 2-storey height is in keeping with that of neighbouring properties to both sides and on the opposite side of Deans Drove. The detailed design of the new buildings is acceptable. The mass and bulk of the buildings will be visually broken up by variations in roof form and materials which include a variety of materials - slate, plain tiles and zinc roofs. Walls will comprise brick, render, local stone and weathered zinc. The houses are not plain boxes – they incorporate elements of visual interest such as chimneys, and headers, cills to windows and porches to doors. Planning conditions will ensure high quality materials, the protection of existing trees and hedging and additional planting of native landscaping.

Officers have had regard to the comment of the Council's Design and Conservation Officer. He noted the potential to make more efficient use of the land by increasing the density around the market housing units, particularly along the Deans Drove frontage and the possibility of accessing the properties directly off Deans Drove. In this instance, officers consider that the proposed density of development is acceptable, given that the southern side of the site is more rural character than the northern side. There is no policy requirement to seek a greater number of affordable dwellings on the site. The Council's Senior Housing Officer supports the amount of housing proposed. The developer has responded to previous community consultation concerns regarding density by reducing the number of dwellings in the submitted scheme.

The application site slopes downwards to the south and west and the Townscape Appraisal notes that towards the south of the site is an important gap and soft edge to the village. The Council's Senior Landscape Architect raises no objection to the development or the loss of part of the northern edge of the gap in landscape terms. Her recommended landscaping condition has been added. She feels that the development could be improved by introducing a clear and legible pedestrian route through the development that connects into the wider footpath network. These comments are noted, however, the site is laid out with shared pedestrian / vehicular surfacing to produce a layout where vehicular speeds will be reduced to safer speeds than on standard housing site layouts using conventional raised footways. This being the case, the scheme is acceptable in that regard.

Neighbour concerns about the impact of the proposed lighting on the rural dark character of the area are noted. The application does not include specific detailed information about external lighting, which is likely to be required to serve the new access road if it is to be adopted by the Dorset County Council. Given the sensitive edge of settlement location and the fact that Deans Drove and Foxhills Road are currently unlit highways, a planning condition will be attached to

ensure that the Council retains control over the details of any subsequently proposed external lighting to serve the development.

For the above reasons, Officers consider that the proposal conforms with Policies 2 (good design), 3 (home zones), and 4 (protecting the environment) of the Lytchett Matravers Neighbourhood Plan.

Relevant Planning Policies:

National Planning Policy Framework:

Paragraphs 17 - core planning principles and Section 7 - requiring good design.

Purbeck District Local Plan Part 1:

Policies D – design, LHH - landscape, historic environment and heritage and SD – presumption in favour of sustainable development.

Officers have also considered:

National planning practice guidance.

Purbeck District design guide supplementary planning document adopted January 2014.

Lytchett Matravers townscape character appraisal supplementary planning document adopted August 2012.

Lytchett Matravers Neighbourhood Plan:

Policies 2 (good design), 3 (home zones) and 4 (protecting the environment).

**Impact on neighbouring privacy and amenity**

There are residential properties to both sides of the site and on the opposite side of Deans Drove, so that neighbour amenity is an important consideration. Officers have carefully considered the neighbour concerns raised about adverse impact on neighbouring privacy and amenity due to overlooking, noise, and adverse impact on neighbouring rural outlook.

The new properties would be sited sufficiently distant from the neighbouring residential properties, or be appropriately designed, so as not to have a materially harmful impact on neighbouring sunlight or daylight or result in an overbearing impact or harmful overlooking of neighbouring properties.

A planning condition will ensure appropriate boundary treatment to the new dwelling plots which are adjacent to the immediate neighbours at Peach Cottage and The Fold.

The four new dwellings on plots 2 – 5 have been designed so that there are no first floor habitable room windows facing towards Peach Cottage. The first floor windows serve bathrooms and landings. A planning condition will require them to be obscure glazed. The distance from these windows to the rear wall of Peach Cottage is 18 metres, although it should be noted that Peach Cottage has a conservatory at the rear which is 14 metres from the rear of the proposed new dwellings.

During the consideration of the application, the applicants made some design changes to several plots. In particular, plot 09. This plot originally had a blank gable end wall facing north towards Peach Cottage. The revised plans show a window at ground (Living room) and first floor (bedroom). The distance from the first floor window to Peach Cottage is 23 metres, which accords with the Council's guidelines in terms of acceptable overlooking distances.

Dwellings on plots 22 and 23 will have rear gardens of approximately 19 metres. There is a narrow (approximately 2 metres) strip between the application site and the neighbouring property to the west (The Fold). There will be a distance of some 24 metres from the rear windows of plot 23 to the windows and balcony of The Fold. It should be noted that the land level of the proposed dwellings is higher than that of the Fold. Officers have taken this into consideration. The Fold has

its living and other habitable rooms at first floor level mainly orientated with a southerly outlook, and first floor balcony. There are also two large windows at first floor facing east towards the application site. Officers are of the view that in accord with the District Council adopted Design Guide, where 21 metres is generally held to be sufficient to overcome harmful direct window to window overlooking, despite the difference in land levels, due to the intervening distances between windows, there would be no materially harmful impact on the privacy and amenity of that property.

The occupiers of The Fold have submitted supplementary information including a cross section of the site to illustrate their concerns regarding overlooking - in particular from plots 22 and 23. Officers have carefully assessed this information, but as explained above, given the fact that the distance from the first and ground floor windows of the proposed dwellings is some 24 metres from the external balcony, and orientated so that views directly into the upstairs lounge of The Fold are more oblique than direct, a reason for refusal from direct overlooking could not be sustained, even taking into account the impact of the difference in land levels.

A paddock separates the application site from the neighbour further to the west at Oakbrook. There is a minimum distance of some 40 metres between the application site and the residential curtilage of that property, however, it should be noted that the curtilage of Oakbrook has open side boundaries facing the site, and perhaps more importantly, the application site is set a higher land level. This affords the occupants of the new dwellings along this boundary a clear view of the side and rear garden of Oakbrook. Due to this difference in land levels, it will not be possible to screen the overlooking from the new dwellings either by way of close boarded fencing or planting, however, given the separation distance of some 40 meters, officers believe that this is adequate to maintain an acceptable standard of amenity with regard to overlooking, so that refusal of planning permission on this ground would not be reasonable.

The properties on the opposite side of Deans Drove are also sufficiently distant from the application site and will be screened from the new development by the existing and proposed new planting on the frontage of the site, thus avoiding harmful overlooking.

In summary, due to the proposed design of the new dwellings closest to the neighbouring residential properties, the intervening distances, and the boundary screening that will be provided along the Deans Drove frontage, officers consider that there will be no materially harmful impact on the privacy and amenity of any neighbouring properties.

Regarding the neighbour concerns about noise and disturbance from traffic and parking, officers consider that the access road and parking areas are appropriately positioned within, and largely surrounded by, the new dwellings so that there would be no materially harmful noise or light disturbance to neighbours. The landscaping and boundary treatment conditions will also protect neighbouring amenity in this respect.

The neighbour concerns about noise disturbance from the proposed pumping station have been carefully considered. The Council's Environmental Health Officer has advised that it is unlikely that the pump would amount to a statutory noise nuisance, but any complaints in this respect would be dealt with under Environmental Health legislation.

The concerns about the impact on neighbouring views has been noted, but loss of views are not a material planning consideration.

The Police Architectural Liaison Officer raises no concerns and is pleased to note that the applicant has been mindful to design the layout in accordance with Secured By Design Homes 2016 guidance. She makes some recommendations regarding the boundary treatment of several plots, footpath widths and lighting, plus measures to stop unauthorised vehicle parking on the proposed open green – all of which can be secured by a planning condition as part of the landscaping of the site.



Officers consider that the proposal conforms with Policy 2 (good design) of the Lytchett Matravers Neighbourhood Plan.

Relevant Planning Policies:

National Planning Policy Framework:

Paragraph 17 - core planning principles.

Purbeck Local Plan Part 1:

Policy D - design.

Purbeck District Design Guide

Officers have also considered:

National planning practice guidance.

Lytchett Matravers Neighbourhood Plan:

Policy 2 (good design).

**Highway safety and traffic generation**

Officers have given careful consideration to the Parish Council and neighbour concerns about highway safety and traffic generation both during the construction and occupation of the development. Objectors are concerned that there is inadequate highways infrastructure to support the existing amount of traffic. They believe the proposed additional traffic movements associated with the development will make this worse. They point out that the existing road network consists of narrow, congested, unpaved roads with poor lighting and visibility. They are concerned with what they believe will be potential conflicts between vehicle movements and other users of the local roads which form part of the DCC Designated safe walking/cycling route to the local schools (pedestrians, cyclists, horse-riders, dog walkers, school children) Objectors believe that the proposals will exacerbate existing traffic congestion and illegal and on-street parking problems in Wareham Road, Deans Drove and Foxhills Road, particularly in school term time at the beginning and end of the school day.

In regard to the development site itself, objectors believe there is inadequate on-site parking. They believe there is a failure of the traffic impact assessment to take account of the high volume of existing and proposed traffic movements on the local road network (particularly Foxhills Road which is already used as a commuter route) as well as the condition of the local road network, and its unrealistic pre-supposition that highway verges will be used by pedestrians.

In response to these concerns, the application includes a transport statement which has looked at these traffic issues in some detail. The statement concludes that proposal will not have any detrimental impact on the existing highway network in terms of capacity and highway safety.

In terms of the site itself, the development will be accessed via a new access from Deans Drove leading to a new road running through the site and incorporating a shared surface layout, which the applicant is likely to request be adopted by Dorset County Council. The comments of the Council's Design and Conservation Officer and Landscape Officer regarding a footway through the development site are noted, however, the internal street design has been developed in accordance with the principles set out in Manual for Streets – the nationally accepted good practice guide for highways. The length, alignment and form of the internal highway would ensure that vehicle speeds do not exceed 20mph, thus providing a safe environment for pedestrians, cyclists and vehicles. 53 on-site parking spaces are proposed (41 allocated, 7 unallocated and 5 visitor spaces). Cycle and motorcycle parking would take place within the curtilage of each property. Dorset County Council as Highways Authority believes the parking arrangements are satisfactory.

**Improvements to the existing highway.** In accordance with the recommendation of the Dorset County Council Transport Liaison Officer, the applicant also proposes to construct off-site improvements to the footway provision within the vicinity of the Deans Drove/Wareham junction by extending the footways either side of the bell mouth of the junction around and eastwards as far as the first vehicle crossings on both sides of Deans Drove. These improvements are intended to benefit pedestrian facilities in the area and address the current issue of vehicles over-running onto the highway verge.

**Construction Management Plan.** In recognition of the importance of careful management of the construction phase of the development, the applicant has agreed to implement a Construction Traffic Management Plan, if required by condition by the Dorset County Council Highway Officer. This will identify an appropriate route for HGV traffic to access the site during the construction phase and establish measures to reduce any interruption and/or delay to existing vehicular traffic to ensure that the impacts of construction traffic in the vicinity of the site and on the surrounding highway network are kept to a minimum.

Following amendments to the submitted drawings to demonstrate that the new road meets the standards required for adoption, the Dorset County Council Highways Officer raises no objection to the proposal, subject to conditions, and officers agree with the conclusions of the submitted Transport Statement that the approach road to the site (Deans Drove) is of a suitable standard to accommodate the traffic generated by the proposed development, and that the proposed new vehicular access and on-site parking provision will be appropriate to serve the development. The proposed layout will allow for safe service/delivery/emergency vehicle access.

Concerns have been raised about the applicant's proposed off-site footway improvements at the Deans Drove/Wareham Road junction. Objectors are concerned that this improvement scheme will simply displace school drop off/pick up further East into Deans Drove exacerbating congestion and compromising highway safety. Concern has also been raised that the development may impact on access to a neighbouring property due to the extension of the application site red line. These improvements were recommended by the Dorset County Council Highways Officer at pre-application stage to provide a kerb to deter vehicles parking on the verge as currently occurs during school run times and to help pedestrians get past the parked vehicles in the vicinity of the junction. These highway improvements will be secured through a planning condition. The Highways Officer has confirmed that no further off-site highway improvements would be required, and emphasises that, notwithstanding the neighbour concerns about existing highway danger on these roads, Deans Drove and Foxhills Road have already been identified as a safer route to school. The DCC Highways Officer has also advised that any vegetation overgrowing the highway and causing a real or visual obstruction can be cut back by the Dorset County Council under the Highways Act 1980.

Objectors have raised concerns that the site is unsustainable with unreliable and non-affordable public transport links. They argue the lack of village employment opportunities will result in the likelihood of occupiers of the development commuting long distances over dangerous and inadequate roads. In response to these concerns officers note that the supporting Transport Statement includes a detailed assessment of the accessibility of the site by sustainable means of travel to various facilities and services in the village. In summary, the report suggests that it is a sustainable location in transport terms. Officers are in agreement with this assessment.

Officers consider that the proposal conforms to Policy 3 (home zones) of the Lytchett Matravers Neighbourhood Plan, because the new internal roads utilise shared spaces and have been so designed to ensure a speed limit of 20 mph. Such a design utilises the principles of home zones.

Relevant Planning Policies:

National Planning Policy Framework:

Paragraph 17 – core planning principles.

Purbeck Local Plan Part 1:

Policies RES – rural exception sites and IAT - improving accessibility and transport.

Officers have also considered:

National planning practice guidance.

Bournemouth, Poole and Dorset residential car parking study May 2011.

Lytchett Matravers Neighbourhood Plan:

Policy 3 (home zones).

### **Drainage**

With regard to flood risk and surface water disposal, the site lies entirely within the low risk Flood Zone 1 as indicated by the Environment Agency's (EA) indicative flood modelling and is not thought to be at (theoretical) risk of surface water flooding during severe rainfall events. No permanent watercourses run through or are immediately adjacent to the site. The Local Lead Flood Authority Officer notes that the greenfield site is understood to generate runoff which gravitates west, towards a minor watercourse, aligned north-south. Surface water mapping records indicate that infrastructure located downstream close to the receiving watercourse may be at some risk during high flows.

The application is accompanied by a Flood Risk Assessment (FRA), which is required due to the site and development size. It assesses whether the site is likely to be affected by flooding, whether the proposed development is appropriate in this location, and what flood mitigation measures are necessary to ensure that the development and its occupants will be safe and that flood risk is not increased elsewhere. The FRA concludes that the flood risk is low throughout the site and notes that the Council's Strategic Flood Risk Assessment (SFRA) has not identified any record of historic flooding of the site. The report notes that the site is currently greenfield land with no surface water drainage infrastructure or watercourses, and that all rainfall drains to the ground and ultimately to a ditch which is sited some 50 metres to the south-west of the site.

The application includes a surface and foul water drainage strategy. Soakaways are not considered to be feasible due to site ground conditions (clay soil, significant slope across the land and possibility of ground instability) and so positive drainage is proposed for surface water discharge from the site. This comprises a number of cellular storage areas and culverts with the system discharging from the south-west corner of the site to the existing watercourse to the south-west of the site.

The surface water disposal scheme is subject to approval by the Lead Local Flood Authority (LLFA). They initially raised an objection to the proposal due to concerns that the proposed surface water drainage strategy would not be deliverable, as it is entirely dependent upon discharging to the existing off-site watercourse which appeared to lie on third party land. (A letter of objection has been received from the owner of the land immediately to the west of the application site confirming that consent will not be given for any drainage works on that land). The LLFA also required further information regarding the future management and maintenance of the proposed surface water drainage scheme.

In response to these issues, the applicant has confirmed that the development site landowner owns the land over which the proposed outfall sewer crosses. Further information has been submitted regarding who would be responsible for the future management of the surface water drainage scheme (private householders or Wessex Water depending on each storage tank location). With this clarification, the Lead Local Flood Authority Officer has removed his objection, subject to planning conditions to ensure the implementation of an appropriate sustainable drainage scheme to deal with surface water discharge.



With regards to foul sewage, an existing Wessex Water foul sewer crosses the middle of the site running from east to west. It is proposed to serve the northern part of the site by means of a gravity foul drainage and discharge to the existing foul sewer. The southern part would be served by a gravity sewer which will discharge into a proposed pumping station and then be pumped up to be discharged into the same manhole as the northern part of the site.

Wessex Water raise no objection to the proposed connection to the public foul sewer, subject to agreement of points of connection and flow/pump rates, and to sewer adoption, subject to formal agreement and satisfactory engineering proposals.

Officers consider that the drainage proposals conform to the requirements of Policy 2 (good design) of the Lytchett Matravers Neighbourhood Plan by incorporating a sustainable drainage scheme.

#### Relevant Planning Policies:

National Planning Policy Framework:

Section 10 - meeting the challenge of climate change, flooding and coastal change.

Purbeck Local Plan Part 1:

Policies FR – flood risk and GP – groundwater protection.

Officers have also considered:

National planning practice guidance.

Lytchett Matravers Neighbourhood Plan.

#### Biodiversity

The application is accompanied by an Extended Phase 1 Ecological Survey, including bat, dormouse, reptile and great crested newt surveys, which have identified a number of ecological constraints on the site including bats, slow-worms, common lizards, badgers, and nesting birds. The application includes a Biodiversity Mitigation Plan (BMP) which demonstrates how the identified ecological constraints will be managed during the construction phase and in the future. The BMP includes proposals for the capture of the on-site slow worms and lizards and their translocation to a suitable reptile-free receptor site elsewhere in Dorset; mitigation measures to protect the bats present on site including obtaining a bat European Protected Species Management licence from Natural England to deal with the removal of the chalet and the installation of bat boxes on new houses and on perimeter trees and careful design of external lighting; installation of bird nesting boxes, retention of perimeter hedgerows and additional native hedgerow planting, provision of a 5 metre grassland buffer adjacent to retained hedgerows to accommodate badgers and other biodiversity, additional native planting and wildflowers within the development, eradication of onsite Himalayan balsam, hedgehog checks during clearance and new fences designed to allow hedgehog access, bug hotels throughout the site, and financial contribution to an off-site grassland conservation scheme in Dorset. The BMP has been approved by Dorset County Council Natural Environment Team (NET) and its implementation will be secured through a planning condition.

Mitigation of the impacts on internationally protected Dorset Heathlands will be dealt with through the Community Infrastructure charging process.

The mitigation of the potential adverse effects of nutrient loading on the ecological integrity of the Poole Harbour internationally designated sites will also be dealt with through the Community Infrastructure charging process.

For the above reasons, officers consider that the proposal conforms to Policy 4 (protecting the environment) of the Lytchett Matravers Neighbourhood Plan.

Relevant Planning Policies:

National Planning Policy Framework:

Paragraphs 118 - conserving and enhancing biodiversity and 119 - habitats directives.

Purbeck Local Plan Part 1:

Policies BIO - biodiversity and geodiversity, DH – Dorset Heathlands International Designations and PH – Poole Harbour.

Officers have also considered:

National planning practice guidance.

The Dorset heathlands planning framework 2012-2014 supplementary planning document adopted September 2012.

Dorset biodiversity appraisal and mitigation plan.

Lytchett Matravers Neighbourhood Plan:

Policy 4 (protecting the environment).

Nitrogen Reduction in Poole Harbour Supplementary Planning Document (2017).

Trees

There are a number of mature trees and hedges on the site, mainly along the Deans Drove and Foxhills Road site frontages, along the southern site boundary and in the centre of the site. There are several individual and group TPOs on trees within the site as outlined in the site description.

These contribute positively to the visual amenities and rural character of the application site, as reflected in the adopted Townscape Appraisal, and have the potential to be affected by the development. The application is accompanied by an Arboricultural report, Impact Assessment and Method Statement which demonstrates that the proposed development can be accommodated within the site with appropriate tree management and protection measures. The Council's Tree Officer raises no objection subject to a planning condition requiring the work to be carried out in accordance with the submitted arboricultural method statement. Landscaping conditions will also ensure additional tree and hedge planting as part of an approved landscaping scheme.

Following submission of the planning application, the Council's Tree Officer has placed a Tree Preservation Order on a mature Oak tree in the south western corner of the site. The applicant has subsequently revised the surface water drainage arrangements to avoid damage to that tree. The Council's Tree Officer is satisfied that subject to the imposition of planning conditions, the proposed drainage scheme will mitigate harm to the protected tree.

Officers consider that the proposal conforms with Policies 2 (good design) and 4 (protecting the environment) of the Lytchett Matravers Neighbourhood Plan.

Relevant Planning Policies:

National Planning Policy Framework:

Paragraph 118 - conserving and enhancing biodiversity.

Purbeck Local Plan Part 1:

Policy LHH - landscape, historic environment and heritage.

Officers have also considered:

National planning practice guidance.

British Standard 5837:2012 Trees in relation to design, demolition and construction – recommendations.

Lytchett Matravers Neighbourhood Plan:

Policies 2 (good design) and 4 (protecting the environment).

**Representations received**

The Parish Council has objected to the application. The following table summarises the Parish Council's concerns and the Officers' response:

Parish concerns	Officer Comment
The application has not followed the District Council's process/guidelines for progressing Rural Exception Sites i.e. housing needs survey, involvement of Parish Council, completion of checklist by the District Council.	An up to date housing needs survey is in place. Parish Council were consulted twice by the applicant prior to submitting the application. The Council's Rural Exception Checklist is a guidance note with the purpose of assisting parish councils, parish plan groups, developers, landowners, housing associations and other organisations to identify potential rural exception sites.
No demonstrable need for the proposed housing – confirmed by 2012 housing need survey and ability of Huntick Road site to accommodate local need.	Demonstrable and empirical need demonstrated through up to date housing needs survey. Affordable homes on the Huntick Road site would be to meet District wide needs.
Dismayed the District Council has allowed progression of the proposal to application stage.	District Council cannot prevent an applicant submitting an application for determination.
Believes it to be the largest Rural Exception Site in England.	Whether it is or not, each application must be determined on its merits.
Harm to designated rural character of this part of the village.	Officers accept there will be a change to the character of this part of Deans Drove, but consider it is not harmful.
Unsustainable location with unreliable and non-affordable public transport links.	Site is within walking distance of school. Public transport – similar provision exists in many of the districts villages.
Highway safety concerns due inadequate highways infrastructure to support access and egress to the development – local roads already congested as narrow, un-paved, and with poor visibility – Foxhills Road and Deans Drove are DCC-designated routes to 2 local schools.	DCC Highways have carefully assessed the proposals. They have recommended improvements to the footway at the junction with Wareham Road, parking and access levels are acceptable, visibility is acceptable.
Severe worsening of existing surface water flooding problems in the area and concern about sewerage overflow/contamination of surrounding properties, land and water course.	Proposals have been submitted that demonstrate both surface water runoff and foul sewerage can be adequately dealt with. Both Wessex Water and the Local Lead Flood Authority have no objections to the proposals.



<p><b>Further Parish comments received after reconsultation regarding numbers of affordable units</b></p>	
<p>Contrary to statement by Minister of State (Communities and Local Government) as no exceptional circumstances have been proven – see it as cynical way of developing a site to bypass legislation</p>	<p>Exceptional circumstances exist due to a proven need for affordable housing in the Parish.</p>
<p>Ratio of affordable to open market contrary to Local Plan Policy RES</p>	<p>There is no local or national policy which prescribes the ratio of affordable to open market houses on a rural exception site – however, in order to establish some guidance the Council has commissioned a viability report which suggests a mix in the region of 70 / 30 affordable to open market properties is reasonable. The site meets this percentage split.</p>
<p>Affordable housing need will be met from Huntick Road and Wessex Water site so current application will be surplus to village requirements.</p>	<p>The Huntick site will help to meet local need but will also help meet the District wide need. This allocated site will not meet all the existing parish need. There is no guarantee the Wessex Water site will come forward, but if it did, the affordable housing units from the two sites combined will not meet the current identified need for affordable housing in the Parish.</p>
<p>Increased transport issues</p>	<p>No objection from DCC Highways in terms of capacity of existing roads, safety for the route to school. The site is a sustainable location in terms of access to bus stops and proximity to village facilities.</p>
<p>Traffic Issues.</p>	<p>As above -no objections to highway safety or capacity from DCC Highways</p>
<p>Character on the village in this location – not appropriate for estate type development.</p>	<p>The Townscape appraisal states change in this area is deemed acceptable and sustainable if the overall character is maintained – officers believe the proposals maintain the overall character of the area.</p>
<p>Insufficient infrastructure</p>	<p>No objections to the proposals from statutory consultees.</p>

Who	Relevant points
Dorset County Council – Highways Management	No objection subject to conditions.
Design and Conservation Officer	<p>Observes that the proposal does not make the most efficient use of the land possible/reasonable within the site context. In particular the Deans Drove frontage is considerably less dense than characteristic elsewhere in the road and fails to follow the established pattern of properties accessed directly off the road frontage. The market units in particular offer scope for the provision of additional units.</p> <p>Recommends changes to the proposed footpath routes.</p> <p>No objection to the individual house designs.</p>
Tree Officer	No objection subject to tree protection and tree planting conditions.
Planning Policy	No objection. The proposal does not contravene Purbeck Local Plan policies LD – location of development, CO – countryside and RES – rural exception sites nor the adopted Lytchett Matravers Townscape Character Appraisal.
Senior Housing Officer	Supports the application and is satisfied that it is capable of meeting an identified current local need, which is detailed in her comments.
Dorset County Council – Lead Flood Risk Authority	No objection subject to conditions to ensure sustainable drainage measures to deal with surface water discharge.
Environment Agency	Does not wish to comment as it falls within the remit of the Lead Local Flood Authority to respond.
Senior Landscape Architect	No objection subject to amendments to the proposed footpath and landscaping conditions to ensure additional soft landscaping.
Wessex Water	No objection. Advises of the need to protect WW equipment which crosses the site and the need for separate drainage systems to serve the development and points of connection to be agreed with WW.
DCC – Natural Environment Team	No objection subject to a condition requiring the implementation of the approved Biodiversity Mitigation Plan.
Police Architectural Liaison Officer	No objection – makes recommendations regarding the boundary treatment of several plots, footpath widths and lighting, plus measures to stop unauthorised vehicle parking on the proposed open green. All of which can be dealt with under a landscaping condition.

**Neighbour comments received and case officer response**

The Council received over 40 comments from neighbours and residents about this planning application. The representations are all available in full on the Council’s website and this report addresses the key planning points that they raised. The following table sets out a summary of the key issues from the comments as well as the case officer’s response to them.

Issue	Case Officer response
<p><b>Principle of development and Green Belt</b></p> <p>Harm to the function/purpose/integrity of Green Belt; unmet housing need does not comprise ‘very special circumstances’ to justify inappropriate development and Green Belt harm; housing need can be satisfied by other development sites, such as the Huntick Road allocated site, outside the Green Belt; existing Green Belt boundary fulfils the required functions and should be retained; the proposal exceeds the ‘limited affordable housing’ allowable as an exception in Green Belt policy.</p>	<p>Addressed in the ‘principle of development’ section of the report. Officers consider given the proven need for affordable housing the principle of development is acceptable in the Green Belt.</p> <p>Local affordable housing need will not be satisfied by the Huntick Road site.</p>
<p>The site is not brownfield land.</p>	<p>Agreed.</p>
<p><b>Failure to comply with rural exception site policy</b></p> <p>Includes market housing without any supporting viability evidence; the new housing would not be all for local people; no identified local need for the proposed market and affordable housing in addition to other development sites in the village; small local affordable housing need will be catered for in the Huntick Road allocated site; proposed housing size and number is too large; 2 or more smaller exception sites could address a larger need instead of one large site; no indication as to how the affordable housing will be secured and retained; no information about the proposed affordable housing tenure; all existing brownfield sites should be considered for rural exception sites before the Green Belt is developed as exception site.</p>	<p>Addressed in the ‘principle of development’ and ‘affordable housing’ sections of the report. Officers consider that, subject to a section 106 agreement to secure the affordable housing, the proposals will accord with Local Plan policy RES – rural exception sites.</p>



Issue	Case Officer response
<p><b>Design and harm to character of area</b></p> <p>Urbanisation of tranquil, rural environment; building on grazing land; noise disturbance from increase in traffic and new sewage pumping station; visually prominent on slope, impacting on high landscape quality views across to Purbeck Hills; contrary to Townscape Appraisal designating lane as 'critical townscape' and having a 'constant townscape' and suggesting there are likely to be other more appropriate locations for development; infilling of important townscape gap; development too large; scale of out of character; poor design; housing type out of character with Deans Drove; urbanisation of rural lanes due to verge removal, new kerbs, loss of hedges and damage to highway verges; light pollution to dark skies from new street lighting.</p>	<p>Addressed in the 'detailed design and impact on the character and appearance of the area' section of the report. Officers consider that, subject to conditions, the design is acceptable in this location.</p>
<p><b>Traffic impact and highway danger</b></p> <p>Exacerbation of existing traffic congestion and parking problems, both during and after construction, in Wareham Road, Deans Drove and Foxhills Road, particularly in school term time at the beginning and end of the school day with illegal parking; proposed off-site footway improvements at the Deans Drove/Wareham Road junction will displace school drop off/pick up further East into Deans Drove exacerbating congestion and compromising highway safety;</p> <p>Local roads are unsuitable for existing and proposed traffic – already used as commuter route although narrow, lacking pavements and lighting, and forming part of the village footpath network and linking into local bridleways; sever risk of vehicular/pedestrian conflict - harm to walkers, cyclists, horse-riders, dog walkers, and school children;</p> <p>Submitted traffic impact assessment underestimates existing and proposed traffic movements and conflicts and does not take account of the condition of the local road network. Increase in traffic will be exacerbated by other new residential developments proposed within vicinity of the site.</p>	<p>The 'Highway safety and traffic generation' section of the officer report explains why officers consider the proposal is acceptable in terms of highway safety and why the site can accommodate the number of dwellings proposed, subject to planning conditions including the requirement for off-site highway improvements.</p>

<b>Issue</b>	<b>Case Officer response</b>
New occupants likely to commute long distances over dangerous and inadequate roads due to lack of employment in the village and commute locally due to poor roads deterring walking to local amenities.	The 'Highway safety and traffic generation' section of the officer report explains that the site is a sustainable location.
Inadequate proposed on-site parking.	The proposed level on on-site parking is acceptable.
More parking restrictions are needed within the Wareham Road vicinity and this would result in parking even further down Deans Drove.	Noted. A matter for the Highway Authority and Parish Council to deal with outside of the planning process. The planning authority cannot impose parking restrictions.
Lack of access proposals within the development, such as walking paths and access roads.	The proposed layout is sufficiently permeable in terms of road and footpath links.
Existing conifers along the Deans Drove frontage should be removed as they overhang the road creating a traffic hazard.	This is a matter for County Highways as the Highway Authority.
Application site red line extends beyond the land ownership onto the roadside verge across entrance to a neighbouring property – there should be no adverse impact on the access to that property.	Noted. This is a civil matter.
<p><b>Trees</b></p> <p>The proposed improvement to the north side of Deans Drove could potentially harm a tree on 3<sup>rd</sup> party land.</p>	Construction methods can be used to minimise any potential damage.
<p><b>Adverse impact on neighbouring privacy and amenity</b></p> <p>Overlooking; rising land means the impact cannot be mitigated by boundary screening; adverse impact on neighbour outlook; noise/vibration disturbance from the new sewage pumping station; noise exacerbated by the site topography.</p> <p>Failure to comply with the Human Rights Act – people's rights to a peaceful enjoyment of all possessions including home and other land, including the countryside, and respect for family life.</p>	<p>The 'impact on neighbouring privacy and amenity' section of the officer report explains why officers consider there will be no materially harmful impact on neighbouring privacy and amenity.</p> <p>The Human Rights Act requires a balance to be struck by the Council between the rights of the individual, whilst also acting in the interest of the wider community. Determination of this application allows for this balance to be made.</p>

<b>Issue</b>	<b>Case Officer response</b>
Adverse impact on air quality.	There is no reason to suggest a development of this size will have a detrimental impact upon existing air quality to warrant refusal of the proposals.
<p><b>Drainage</b></p> <p>Local geological and hydrological conditions not adequately addressed in the submitted flood risk assessment; inadequate proposed surface water run-off mitigation; proposed surface water drainage strategy cannot be implemented as involves works on third party land which will not get owner's consent; exacerbation of existing local flooding problems, including into the stream at the bottom of Deans Drove, which has resulted in the overflow of the public sewer and flow of foul water onto neighbouring property; water from the site will drain onto an overloaded main drain along the valley; concerns about future maintenance of the surface water drainage scheme.</p>	The 'drainage' section of the report explains why officers are satisfied with the proposed drainage scheme.
<p>Pressure on fragile rural sewer network prone to blockages and regular failures; new sewage pumping station too close to neighbouring property – if fails, sewage or dirty water will discharge onto neighbouring land.</p> <p>Inadequate surface water and foul water drainage systems to cope with the development.</p>	Wessex Water has raised no objection in principle to the proposal and to connecting to the Wessex Water infrastructure.
<p><b>Adverse impact on wildlife</b></p> <p>Biodiversity report fails to adequately address all the site wildlife; proposed on-site mitigation measures are inadequate to overcome residual loss of biodiversity - a financial contribution towards off site mitigation is required; proposed biodiversity mitigation measures may not be practical; hedges should be retained with grassland buffers to accommodate foraging wildlife; danger to domestic and wild animals resulting from an increase in traffic on Foxhills Road.</p>	The 'nature conservation' section of the report explains why officers consider that the biodiversity issues have been appropriately addressed. The Natural Environment Team at Dorset County Council have examined and approved the Biodiversity report and proposed mitigation measures.
<p><b>Inappropriate location</b></p> <p>There are other more sustainable housing sites being put forward in the site vicinity that are more accessible to local amenities such as shops and the library, including the Huntick Road site.</p>	The 'principle of development' section of the report explains that officers consider the site to be a sustainable location for development. No other rural exception sites are before the Council for consideration.



<b>Issue</b>	<b>Case Officer response</b>
<p><b>Infrastructure</b></p> <p>Poor/non-existent village infrastructure and public services to serve the development (doctors, schools - primary school oversubscribed and secondary school is not in the village - roads, shops, employment).</p>	<p>The Council has adopted a charging schedule under the Community Infrastructure Levy (CIL). CIL funds raised from new development are used to contribute to district-wide infrastructure. In this instance the application would be subject to charge through CIL (the table at the start of this report details the amount of money that the Council expects to collect). The Parish Council will also receive a proportion of the CIL funds collected (25% now the Neighbourhood Plan is adopted).</p>
<p><b>Procedure</b></p> <p>The applicant has previously promised not to pursue the application unless there is overwhelming community support and there is not and the scheme has been pursued against the views of the Parish Council.</p>	<p>Noted but not a material planning consideration. The Council cannot insist that an application is submitted in accordance with the local community wishes.</p>
<p>District Council has allowed the development to reach application stage and has not followed the District Council's process/guidelines for progressing Rural Exception Sites.</p>	<p>This is addressed in the 'affordable housing' section of the report. There are no procedural issues with respect to the exception site application submission.</p>
<p>A site visit is suggested to inspect the site before making a decision on the application.</p>	<p>A Planning Committee site visit will be undertaken.</p>
<p>The development will only benefit the developer and landowner, not the village.</p>	<p>Officers disagree with this assertion. The affordable units will benefit existing families and people in the village who are seeking a home, and the additional occupants have the potential to support existing shops and businesses.</p>
<p>Further comments received after reconsultation regarding numbers of affordable units.</p>	
<p>Excess of 30% open market dwellings does not accord with Policy RES of only allowing a small amount of open market houses.</p>	<p>Not in excess of 30%. Study commissioned by PDC suggests this is an appropriate ratio to stimulate land being brought forward for rural exception sites.</p>
<p>70/30 measure does not override the requirements of Policy RES.</p>	<p>The guidance has been the subject of publicity and no substantive objections were received therefore it has weight in the decision making process.</p>

<b>Issue</b>	<b>Case Officer response</b>
Need can be met elsewhere.	There are no other sites within the parish which could meet the existing affordable housing need.
No proven link specifically to Lytchett Parish – more a desire to live in the countryside.	Respondents on the Housing Register have specified the Lytchett Parish and have a local connection.
Failure to notify Natural England due to Poole Harbour River Catchment Area.	No statutory requirement to consult Natural England. Poole Harbour issues in relation to nitrates will be mitigated through CIL payments.
Change to affordable housing ratio is for profit reasons.	Change to ratio is still within % as outlined in more recent viability survey commissioned for the District by the Council.
Neighbourhood Plan identifies areas for development within the Lytchett Matravers boundary.	The statutory element of the Neighbourhood Plan does not identify areas for development.
Plans do not show the individual properties that will be open market or affordable.	This is not a requirement for determining the application, but this information has now been received.
Since application submitted evidence suggest that housing need is lower in Purbeck therefore lower numbers of affordable homes are required.	Irrespective of the numbers of houses that need to be provided during the plan period, the need for affordable housing for existing people on the Housing Register remains
Concern to protected tree from proposed drainage works.	Tree officer is satisfied that the works can be carried out without harm to the protected tree.
Surface water runoff to neighbours land.	Surface water is adequately dealt with as part of the scheme.
No build zone around the foul pumping station is on neighbours land and cannot be enforced.	Planning permission will be required to erect any building that could affect the pumping station, therefore the Council can retain control over this issue.

<b>Issue</b>	<b>Case Officer response</b>
Development not compliant with Equalities Act 2010 as Deans Drove is not a suitable route for partially sighted.	The public sector equality duty in section 149 of the Equality Act 2010 in effect requires the Council when determining planning applications to have due regard to accessibility and inclusion as a matter of course. Officers have considered this issue, and believe the need for affordable homes outweighs any disadvantages the site may have in term of access to other parts of the village.
Change of tenure will increase pressure on waste water system.	The change in tenure mix will have no effect upon waste water discharge



## **Appendix 1– Recommended planning conditions**

1. The development must start within three years of the date of this permission.

Reason: This is a mandatory condition imposed by Section 91 of the Town and Country Planning Act 1990 to encourage development to take place at an early stage.

2. The development permitted must be carried out in accordance with the following approved plans: P6624-01, PL001B, PL002C, PL003F, PL004D, PL005D, PL006C, PL007B, PL008B, PL009A, PL010B, PL011B, PL012B, PL013B, PL014B, PL015B, PL016B, PL017B, PL018B, PL019B, PL020B, PL021C, PL022C, PL023C, PL024C, PL025C, PL26C, PL027B, PL029B, PL030B, PL031B, PL032B, PL033B, PL034B, PL035B, PL036B, PL037B, PL038B, PL039B, PL040B, PL041B, PL042B, PL050, PL051A and PL060D.

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

3. The manufacturers name, product name and colour of all external facing and roofing materials must be submitted to and approved in writing by the Council before they are used on the proposal. The development must then be implemented using the approved materials.

Reason: To ensure satisfactory appearance of the development.

4. Before the development is occupied, the access, geometric highway layout, turning and parking areas shown on Drawing Number:PL060A must be constructed, unless otherwise agreed in writing by the Council. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure adequate access and parking arrangements for the development are provided.

5. Before any dwelling on the development is occupied, the following works must have been constructed to the specification of the Council:

Footways on either side of Deans Drove from the junction with Wareham Road until the first vehicle crossings on both sides of the Deans Drove as indicated on drawing No. BTC16050/T02/P1, of appendix F of the Transport Statement by Bellamy Transport Consultancy dated December 2016 submitted with the planning application. A construction method statement must be submitted with the proposals aimed at minimising any effect upon surrounding trees.

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.

6. Before the development starts, a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Council. The CTMP must include:

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

- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

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

Reason: These details are required to be agreed before development starts 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.

7. The development must not start 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 Council. The surface water scheme must be implemented in accordance with the approved details before the development is completed.

Reason: These details are required to be agreed before development starts to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity.

8. The development must not start until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to, and approved in writing by, the Council. The scheme must 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: These details are required to be agreed before development starts to ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

9. Before work starts on site, 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. 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) a full specification for the construction of any structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification.
- 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.

10. All works impacting on the retained trees during the demolition/development must be carried out as specified in the approved Arboricultural Method Statement.

Reason: To prevent trees on site being damaged during construction works.

11. The development must not start until the Council has approved a scheme of hard and soft landscaping, which is to incorporate the planting recommendations identified in the CGO Ecology Limited report dated 30 November 2015 submitted with the planning application. The scheme must also include the retention of a strip of vegetation alongside Deans Drove, which must be supplemented with new planting which will grow up to replace the existing conifers once they become over-mature. The scheme must include:

- a. A landscape proposals plan showing proposed levels, and details of hard land soft landscaping.
- b. Planting plans, which must show the species of trees , shrubs and herbaceous plants to be planted and where they will be planted, the size that the trees/shrubs/plants will be on planting, and the number that will be planted
- c. Written detail, which must comply with BS 4428:1989 Code of Practice for General Landscape Operations, of how the ground will be prepared and cultivated before planting, the methods that will be used to plant the trees/shrubs/plants, and seed or turf the grassed areas, and detail of protection from rabbits or other grazing animals that may damage the plants
- d. Information, which must comply with BS 7370 Part 1 1991 and Part 4 1993 Grounds Maintenance, about how the planting will be maintained for the first five years following planting. This must include detail of watering, weed control and pruning.

Reason: These details are required to be agreed before development starts to ensure the satisfactory landscaping of the site, and to enhance the biodiversity, visual amenity and character of the area.

12. The soft landscape works detailed in the Landscape Proposals agreed by the Council must be carried out during the first planting season (October to March) following the first occupation of any of the buildings.

Reason: To ensure the satisfactory landscaping of the site and to enhance the biodiversity, visual amenity and character of the area.

13. The hard surfacing/paving, walls, fences or other external structures detailed in the Landscape Proposals agreed by the Council must be carried out before the first occupation of any of the buildings.

Reason: To ensure satisfactory landscaping of the site and to enhance the visual amenity and character of the area.

14. Details of all external lighting must be submitted to, and approved in writing by, the Council before it is installed on the site. The development must be implemented in accordance with the approved details. No further external lighting must then be installed without prior written approval of the Council

Reason: In the interests of the visual amenities and landscape character of the area and the interests of neighbouring residential amenity.



15. The development must be implemented in accordance with the approved Biodiversity Mitigation Plan by CGO Ecology Ltd signed by Stonewater on 31 January 2017 and approved by the Dorset County Council Natural Environment Team on 31 January 2017.
- Reason: In the interests of protecting important wildlife interests and enhancing the biodiversity of the site.
16. Detailed drawings of all boundary fences and walls and their final finishes must be submitted to, and approved in writing by the Council. No dwelling may be occupied until its approved boundary treatment has been completed.
- Reason: To ensure that these details are in accordance with the character and appearance of the locality and in the interests of neighbouring residential amenity.
17. Before first occupation of the respective dwellings, the first floor windows on the east (rear) elevations of the houses on plots 2, 3, 4 and 5 must be fixed shut and glazed with obscure glass to a minimum Pilkington privacy 3 or equivalent as agreed in writing with the Council up to a height of 1.7 m above the floor level of the room it serves. These windows must be maintained in this condition. No further first floor windows must be installed in the east (rear) elevation of these houses without the prior permission of the Council.
- Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property.
18. Informative note - developer-led infrastructure.
- The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant must contact Dorset County Council's Development team. They can be reached by telephone at 01305 225401, by email at [dli@dorsetcc.gov.uk](mailto:dli@dorsetcc.gov.uk), or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset County Council, County Hall, Dorchester, DT1 1XJ.
19. Informative note - Grampian condition.
- The highway improvements referred to in the Grampian condition 5 above must be carried out to the specification and satisfaction of the Council and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Council before any works commence on the site.
20. Informative note - Advanced Payments Code
- The applicant is advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making-up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset County Council's Development team. They can be reached by telephone at 01305 225401, by email at [dli@dorsetcc.gov.uk](mailto:dli@dorsetcc.gov.uk), or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset County Council, County Hall, Dorchester, DT1 1XJ.
21. Informative note - Ordinary watercourse
- All works offering an obstruction to flow within a channel with the status of Ordinary Watercourse are likely to require prior Land Drainage Consent (LDC) from Dorset County Council, as relevant Lead Local Flood Authority, in accordance with s23 of the Land Drainage Act 1991. We note that the proposed scheme is reliant upon the construction of an outfall

structure / headwall to the adjoining watercourse. The requirement for such LDC is independent of planning permission.

22. Wessex Water Informative

Existing public foul sewers cross the site and statutory easements apply

The applicant is advised to discuss proposals with Wessex Water to ensure that existing sewers are protected during construction

Separate systems of drainage are required to serve development proposals

Foul water disposal to public foul sewer – points of connection and flow/pump rates to be agreed with Wessex Water

Sewers will be adopted subject to formal agreement and satisfactory engineering proposals

23. Informative Note - Planning Obligation. This permission is subject to a Section 106 Planning Obligation with respect to affordable housing and biodiversity mitigation.

24. Informative Note - Community Infrastructure Levy. This permission is subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice has been issued with this planning permission that requires a financial payment. Full details are explained in the notice.

25. Informative Note - Matching Plans. Please check that any plans approved under the building regulations match the plans approved in this planning permission. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission.

26. Statement of positive and proactive working: In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council takes a positive and proactive approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

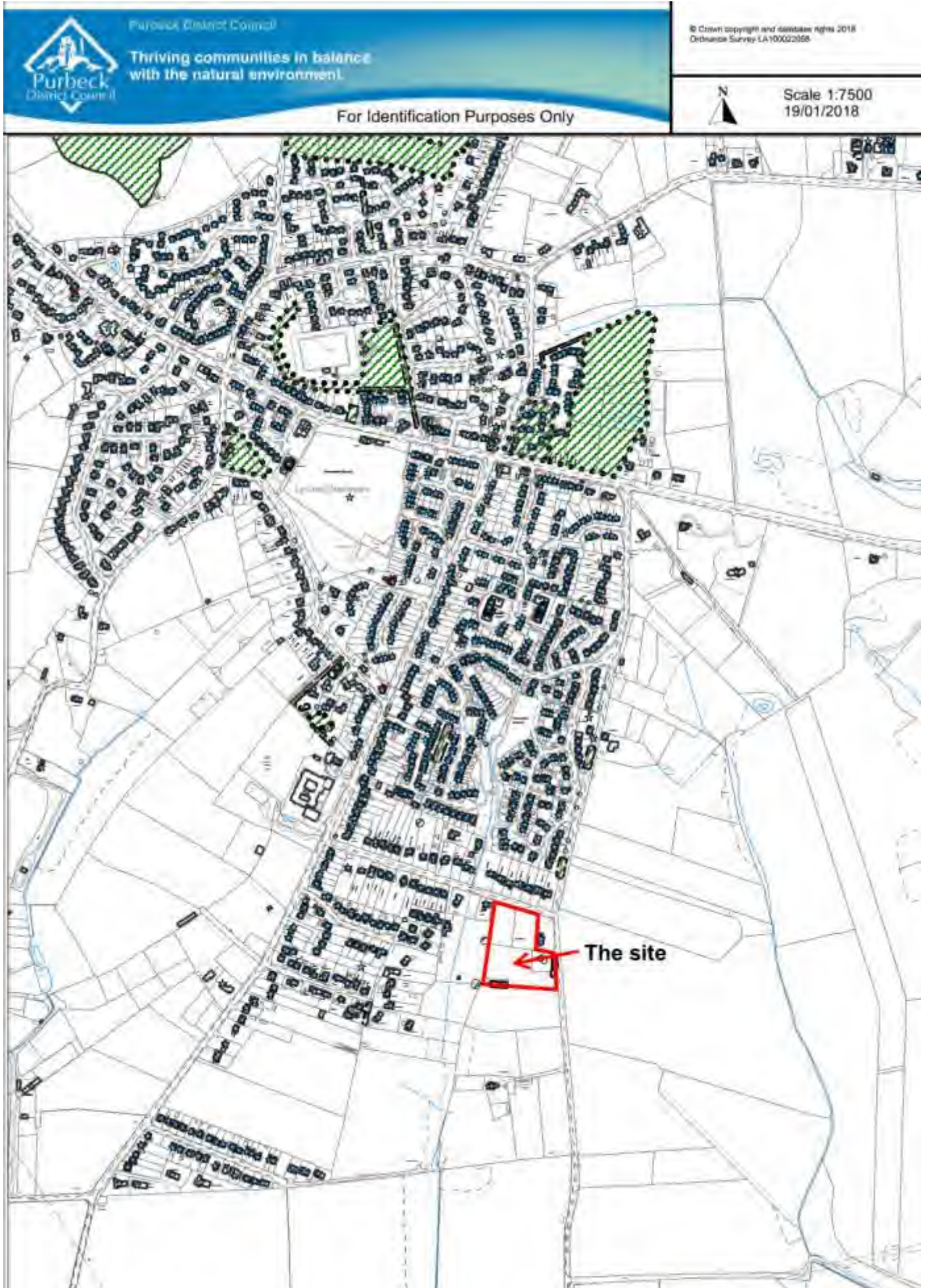
For this application: the applicant/agent was updated of any issues after the initial site visit; the opportunity to submit amendments to the scheme/address issues was given which were found to be acceptable.

**Appendix 2 – Reason(s) for refusal in the event of the legal agreement not being completed by 28 February 2018**

In order to comply with Policy RES (Rural Exception Sites) of the Purbeck Local Plan Part 1 a legal agreement (Planning Obligation) under Section 106 of the Town and Country Planning Act 1990 must be entered into that secures the affordable housing as a rural exception site in perpetuity. No such legal agreement has been entered into. Consequently an acceptable form and amount of affordable housing contribution has not been secured within the application. The proposal does not therefore comply with the requirements of Policy RES (Rural Exception Sites) of the Purbeck Local Plan Part 1 and the Purbeck Affordable Housing Supplementary Planning Document 2012-2027.

In order to comply with policy BIO (Biodiversity) of the Purbeck Local Plan Part 1, a legal agreement under section 106 of the Town and Country Planning Act 1990 must be entered into that secures off site mitigation to the loss of habitat on the site from the development. No such legal agreement has been entered into. Consequently harm to biodiversity lost on the site from the proposed development has not been adequately mitigated. The proposal does not therefore accord with Purbeck Local Plan Part 1 (BIO)















Project	Deans Drive, Lytchett Matravers
Client	
Architect	
Scale	
Date	



1 Front Elevation  
Scale: 1:100



2 Side Elevation  
Scale: 1:100



project	Deans D
Lythel M	
org site	
Plots 9 J	

## Application details

Ref: 6/2016/0743	App Type: Full planning permission	Case officer: Alan Davies
Applicant: Stonewater Housing Association		
Address: Land at Deans Drove, Lytchett Matravers, BH16 6EQ		
Description: Development of the site with 16 affordable houses to rent, and 7 open market houses, with associated access, parking and landscaping		
Planning Committee: 31 January 2018		

## Reason for decision process for this application

The Planning Committee is considering this application because:

It relates to a scheme for major development.

### Recommendation

To **grant** planning permission subject to conditions as set out in the attached Appendix 1, subject to a Section 106 legal agreement (Planning Obligation) being entered into that secures the affordable housing as a rural exception site in perpetuity.

If however, the legal agreement is not completed by 28 February 2018, planning permission be **refused** for the reasons set out in the attached Appendix 2.

### Key planning issues

Issue	Conclusion
Principle of development	Acceptable. The site is considered suitable as a rural exception site outside the designated Lytchett Matravers settlement boundary. It is also appropriate development within the Green Belt which does not need to be justified by very special circumstances.
Affordable housing	The proposal represents a positive opportunity to provide a significant amount of affordable housing to meet identified local needs. The number of open market properties to support this is justified. The affordable housing will be secured by a Section 106 legal agreement.
Detailed design and impact on the character and appearance of the area	Acceptable scale, design and impact, which will not harm the character and appearance of the area, subject to conditions to ensure appropriate materials and landscaping.
Impact on neighbouring privacy and amenity	Acceptable. No materially harmful impact on neighbouring privacy and amenity subject to conditions.
Highway safety and traffic generation	Acceptable. There is no objection on traffic generation or highway safety grounds, subject to conditions. The construction of footways along Deans Drove is secured by a condition.



Drainage	Acceptable There is no flood risk or surface water drainage disposal objection. Conditions require sustainable drainage measures to deal with surface water discharge arising from the development.
Nature conservation	No objections. A planning condition requires the implementation of the approved Biodiversity Mitigation Plan, and a legal agreement requires a payment for off site mitigation.
Trees	Acceptable. There would be no harm to trees of high visual amenity value. Tree protection measures are secured by condition.

### Summary

Whilst new residential development would not normally be permitted in the open countryside and Green Belt, given the proven need for affordable housing in the parish, subject to a legal agreement to secure the long term retention of the affordable dwellings, officers are of the view that all significant planning matters have been appropriately and adequately addressed. Officers are recommending approval.

### Resource implications

The approximate resource implications if this application is granted are:

What	Amount / value	Material planning consideration
Council tax	*£40,000	No
Business rates	N/A	N/A
New homes bonus	£26,910 per annum paid for 6 years	No
Affordable housing	16 houses	Yes
CIL	£91,180 (payable on market housing - assumes relief from CIL will be claimed on 16 affordable dwellings if planning permission granted)	No
Other section 106 contributions	£17,387,57 towards Dorset Biodiversity Compensation Framework	Yes

\*based upon average Council Tax of band C. PDC element is approximately 10% of this figure.

### Main report

#### The site

The approximately 1.14 ha site is on the south side of Deans Drove at the eastern end of the road, close to the junction with Foxhills Road. Both roads have a rural character with the absence of street lighting or formal pavement. The site has frontages and vehicular accesses onto both roads. It lies outside, but to the north, immediately adjacent to, the designated Lytchett Matravers settlement boundary. It is within open countryside which forms part of the South-East Dorset Green Belt. The site comprises 2 fields of grazing pasture, with a former orchard in the south-east corner. They are bounded by a combination of mature hedges, trees and stock fencing. Land levels decrease towards the south and west, with a change in land levels of approximately 6 metres from the north east corner of the site down to the south west corner of the site.

The site is abutted by a detached residential property (Peach Cottage) to the north-east. A detached residential property (The Fold) abuts the north west part of the site. There are residential properties to the north, on the opposite side of Deans Drove.

A public foul sewer runs east / west across the middle of the site.

There are a number of mature trees on the site, including along the Deans Drove and Foxhills Road site frontages. There are group Tree Preservation Orders (TPOs) on trees on the southern and eastern boundaries of the site, and individual TPOs on an oak tree in the south west corner and sycamore on the eastern side of the site.

### **Proposed development**

The applicant is a registered social housing provider (Stonewater Housing Association). It is seeking full planning permission to redevelop the site with 23 houses comprising 16 affordable houses for rent and 7 open market houses.

The affordable housing will comprise 16 for rent (5 x 3 - bedroomed, 9 x 2 - bedroomed and 2 x 1 - bedroom houses). They are to be managed by the applicant, Stonewater, a registered social housing provider. They are proposed on plots 2 to 11 and 16 to 21 inclusive.

The housing will be served via a new vehicular and pedestrian access from Deans Drove. The existing vehicular accesses from Deans Drove and Foxhills Road will be closed off. 53 on-site parking spaces are proposed comprising allocated, unallocated and visitor spaces. A pedestrian footpath link is proposed to Foxhills Road. There will be a mix of detached, semi-detached and terraced 2-storey housing. These front onto a new adopted road which would form a cul-de-sac with a green landscaped area in the centre of the site, which will be formed by cut and fill into the existing slope. The proposed materials include brick, render, local stone and weathered zinc walls, with a mixture of slate, plain tiles and zinc roofs.

The application is accompanied by; A Design and Access Statement, planning Statement, Flood Risk Assessment and drainage report (surface and foul), a Transport Statement, a Tree Survey, Ecological Impact Assessment and survey, Reptile Mitigation Plan, Biodiversity Mitigation Plan approved by Dorset County Council and viability assessment.

### **Relevant planning history**

Several applications for small market housing development on individual parts of the application site were refused in the 1970s and 1980s.

No applications have been made for affordable housing on the application site.

The site has been promoted through the Council's Strategic Housing Land Availability Assessment (SHLAA) process since 2009 (ref: 6/14/0274).

### **Pre-application discussions**

Discussions have taken place between potential applicants and the Council in 2013 and more recently in 2015 with regard to developing the site for exception site housing. The 2015 scheme was not substantially different to the current application. Officers expressed in principal support for the proposals.

In their Design and Access statement, the applicant explains they have held discussions with the community in the form of attending the Parish Council 18th November 2013 to discuss an outline scheme for 35 houses. The applicant believed there was a general consensus that regardless of whether development of the site should take place, this would represent overdevelopment.

The applicants state that a redesign was undertaken, and a further meeting with the Parish took place on 16<sup>th</sup> March 2015 at which the current scheme for 23 houses was presented.

## **Relevant issues for this application**

### **Principle of development**

The site lies in open countryside and within the South-East Dorset Green Belt, and therefore it would not normally be considered appropriate for new housing development. Paragraph 87 of the National Planning Policy Framework (NPPF) states that inappropriate development in the Green Belt is by definition harmful to the Green Belt and should not be approved, except in very special circumstances. Paragraph 89 states that the construction of new buildings should be regarded as inappropriate in the green Belt except in relation to specific development. This expressly includes *“limited affordable housing for local community needs under policies set out in the Local Plan”*.

Policy CO – countryside of the Purbeck Local Plan Part 1 (PLP1) confirms that development outside settlement boundaries will be permitted in principle where it is a rural exception site providing affordable housing in accordance with Policy RES – Rural Exception Sites and where it does not have a significant adverse impact either individually, or cumulatively, on the environment, visually, ecologically, or from traffic movements. These latter considerations will be dealt with separately under separate sections of the report. One of the overriding aims of Policy CO is one of improving sustainability of local settlements. Officers consider that this would be achieved by the proposed development. The affordable housing would be offered to households with a local connection to the area and meeting an identified local need. It would lead to additional support for local facilities and services. The site is on the edge of a sustainable settlement and located within walking distance of shops, bus stops, public house, public open space, employment, library, doctors surgery, chemist and a school catering for children up to the age of 11.

Purbeck Local Plan policy RES expressly allows new affordable housing development to meet local needs in rural areas through the development of small sites for affordable housing in rural communities in and around settlements (with the exception of Swanage, Wareham and Upton). There is no definition of what constitutes a small site. This includes sites adjacent to existing settlements within the South East Dorset Green Belt where it meets an identified local housing need and does not harm the function or integrity of the Green Belt. Whilst the Green Belt function or integrity are not defined in policy RES, officers consider that the purposes of Green Belt set out in paragraph 80 of the NPPF, can be interpreted as outlining the function of the Green Belt, and if a development proposal does not harm the function of the Green Belt, it follows that its integrity will not be harmed. In this case, officers are satisfied the development would not lead to harm to the function or integrity of the Green Belt. It would not represent the unrestricted sprawl of a large built up area. The village would not be physically extended any closer towards the Bournemouth / Poole conurbation and there is no risk of the two merging. Thick boundary vegetation to the south and the road to the east contain the site and would prevent encroachment into the countryside. It would not result in an expansion of the village towards Lytchett Minster, so it would not prejudice the setting or character of this historic village. There is little derelict or previously developed land available in Lytchett Matravers to allow regeneration, although there are limited opportunities for infill development, it is unlikely to satisfy all potential housing needs, particularly affordable housing for local people.

Turning to the more detailed policy requirement of Policy RES, the Council needs to be satisfied that the proposal is capable of meeting an identified, current, local need within the parish, or immediately adjoining rural parishes, which cannot otherwise be met. This need has been confirmed by the Council’s Senior Housing Officer (Policy and Enabling) and is explained in more detail in the later section of the report on affordable housing. There will also need to be secure arrangements to ensure that the benefits of affordable housing will be enjoyed by subsequent as well as initial occupiers. The applicant has agreed to enter into a Section 106 legal agreement to secure the affordable housing in perpetuity and this is also covered in more detail in the later section on affordable housing.



No other planning applications for housing development under Policy RES have been submitted for any site elsewhere in Lytchett Matravers

Policy RES also states that ideally the site should not be remote from existing buildings and should not comprise scattered, intrusive and isolated development and should be within close proximity to, or be served by, sustainable transport providing access to local employment opportunities, shops, services and community facilities. The application site meets the location criteria. The site is located at the south-eastern edge of the sustainable village settlement immediately adjacent to the settlement policy boundary and between 2 existing dwellings and is located within walking distance of shops, bus stops, public houses, public open space, employment and a school.

In addition Policy RES states that the number of dwellings should be commensurate with the settlement hierarchy set out in Local Plan Policy LD: Location of Development, of character appropriate to the location and of high quality design. Lytchett Matravers is designated a 'Key Service Village' within the District. It offers a range of services and community facilities and is therefore considered to be an inherently sustainable location, suitable for new development, and lies second in the settlement hierarchy of the District to the towns of Swanage, Upton and Wareham. The Purbeck Local Plan Vision for North East Purbeck states that new development, including affordable housing of a proportionate amount to the size and function of the village, will support the enhanced role of Lytchett Matravers as a Key Service Village. There are around 1,503 homes in the parish (the vast majority of which are within the settlement). The current proposal for 23 units represents an approximate 1.5% addition. There is no set limit to the acceptable size for rural exception sites and this number is considered to be small in the local context and not contrary to the settlement hierarchy of Policy LD. The character and design considerations are dealt with separately in a later section of the report.

The application includes 7 open market houses in addition to the proposed 16 affordable houses.

When the application was initially submitted, the applicant proposed 19 affordable dwellings. During the consideration of the application, it transpired that of those 19 affordable, 3 would comprise shared ownership properties. These are properties where the tenant pays some rent on a percentage of the property and also towards a mortgage on the remaining percentage. In time they could own 100% percentage of the property. When they move on, the property would be sold on the open market.

In order for the shared ownership properties to be affordable in perpetuity, the Council does not permit the tenant to purchase the entire property on rural exception sites. The applicant is not prepared to enter into a legal agreement to prevent this happening. They explain this is because tenants will struggle to get a mortgage on a shared ownership property if they cannot own 100% of the equity. The applicant advises that some or all of the shared ownership properties may well remain as such - for many years – but they cannot guarantee this will be the case. Given this, officers felt the application needed to be re-advertised to allow comment upon the change to the affordable / open market mix, which can only be guaranteed to be 16 affordable rent and potentially 7 open market dwellings.

Rural exception sites require landowners to be willing to sell their land at substantially less than its open market value if it were suitable for new open market housing. They do this because the land coming forward will not normally obtain permission for open market housing. The NPPF also suggests that councils consider allowing the provision of a small amount of market housing outside settlement boundaries to enable the provision of significant additional affordable housing to meet local needs in rural areas. This has been incorporated into Policy RES which allows for some market housing on exception sites where it would facilitate the provision of significant affordable housing. In accordance with national policy, Policy RES and the Council's Affordable Housing Supplementary Planning Document do not confirm what is meant by 'some' and 'significant'. Consequently, the Council has responded to requests to state what the local

interpretation is and has commissioned viability evidence to clarify its position. The evidence shows that a ratio of 70% affordable to 30% market housing is acceptable across the district. The Council consulted on this as an update to Policy RES through the summer 2016 Partial Review of the Purbeck Local Plan options consultation. The result was that no substantive objections were received and the Council is treating the evidence as a material consideration in the determination of planning applications. The proposed split of 16 affordable homes to 7 market homes (70% affordable to 30% market) accords with the evidence base.

The Lytchett Matravers Neighbourhood Plan has been adopted. It is a comprehensive document and sets out a multitude of aspirations for the village, one of which is to promote affordable housing for those residents who have an established village connection and supporting existing businesses.

In summary, officers are satisfied that, in principle, the proposal accords with relevant national and local planning policies.

#### Relevant Planning Policies:

National Planning Policy Framework:

Paragraphs 17 - core planning principles and 49 - presumption in favour of sustainable housing development and section 9 – protecting Green Belt land.

Purbeck Local Plan Part 1:

Policies LD - general location of development, SD – presumption in favour of sustainable development, RES – rural exception sites, HS – housing supply, NE – north-east Purbeck and CO – countryside.

Officers have also considered:

National planning practice guidance.

Lytchett Matravers Neighbourhood Plan.

#### Affordable housing

The Senior Housing Officer (Policy and Enabling) supports this application as a rural exception site for Lytchett Matravers and is satisfied that the proposal is capable of meeting an identified current local need. This is because (a) the Council's housing register identifies 33 households who have a proven local connection to Lytchett Matravers. In addition, the housing needs survey (published in March 2017) for Lytchett Matravers (which has been adopted by the Parish Council) shows 9 households meet the criteria for inclusion on the housing register and are in need of rented affordable housing. (The Housing Officer has confirmed that they are not included in the above figures so there is no double counting). Combining both, the current total identified local affordable housing need in Lytchett Matravers is for 42 properties comprising: 24 x 1 bedroom; 12 x 2 bedroom; and 6 x 3 bedroom properties. In the light of these figures, this proposal is capable of meeting an identified current, local need within the parish in accordance with Local Plan Policy RES.

There are other potential housing development sites in Lytchett Matravers. These are (a) the Local Plan allocated housing site at Huntick Road where the Local Plan requires 50% of the dwellings to be affordable and (b) the withdrawn application for housing on the Wessex Water reservoir site at Purbeck Road (40% of the dwellings are required to be affordable) – but it must be remembered that if this proposal is re-submitted for determination, the original scheme had no affordable housing. Even if it did, these 2 sites combined will not provide sufficient affordable housing to satisfy the identified need in Lytchett Matravers. This is because these sites are not required to solely provide affordable housing for households with a local connection to Lytchett Matravers.

Local Plan Policy AHT states the tenure of affordable housing will be negotiated on a site by site basis to reflect identified local need. In this case all of the affordable housing units are to be rented. They have been identified as being plots 2 to 11 and 16 to 21.

A Section 106 Agreement is required to secure the affordable housing as a rural exception site in perpetuity. It will control the long-term occupation of the dwellings for households with a local connection to Lytchett Matravers or the immediately adjoining rural parishes. It will also control matters such as the precise affordable housing accommodation size and tenure, as well as the timing of its delivery. The Agreement is at its early stages of drafting and officers have every expectation that this will be completed as quickly as possible if planning permission is granted, but the recommendation allows for an adequate time period (until 28 February 2018) for this to happen.

In summary, officers consider the proposal represents an opportunity to deliver a significant contribution of affordable housing to serve persons in an identified need of residential accommodation in Lytchett Matravers parish.

#### Relevant Planning Policies:

National Planning Policy Framework:

Paragraph 50 - delivery of a wide choice of high quality homes.

Purbeck Local Plan Part 1:

Policies RES – rural exception sites, AH - affordable housing and AHT – affordable housing tenure.

Officers have also considered:

National planning practice guidance.

Affordable Housing Supplementary Planning Document 2012 – 2027 adopted April 2013.

Lytchett Matravers Neighbourhood Plan.

DSP – Economic Viability Assessment April 2016

#### **Detailed design and impact on the character and appearance of the area**

The National Planning Policy Framework (NPPF) attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development (paragraph 56). The issue of design goes beyond the visual appearance and architecture of individual buildings, it also relates to the layout and density of development and how new development fits into the existing built environment.

Although the site is not within the settlement boundary, the northern part lies within the designated 'Village Lanes' area in the adopted Lytchett Matravers Townscape Character Appraisal. The characteristics of this area include: irregular, individually designed detached residential development; roads and lane of predominantly rural character; property boundaries set back from roads behind a wide verge; buildings generally well set back in plot and usually a somewhat irregular building line; landscaping being a very strong element, including verges, hedges, shrubs and trees; houses facing open views and being visible from surrounding areas; medium/low density development with generous and well-planted gardens; mostly 2-storey; modest domestic scale and massing; mainly brick and render walls and tiled roof.

Identified threats to the townscape character include road improvements such as widening, kerbs, pavements etc. that diminish rural character; any significant loss of vegetation through redevelopment/intensification; and excessive intensification of development on plots including reduction of set-backs. The northern part of the site is described as 'constant' townscape in the Appraisal. This does not preclude new development but is intended to retain the positive aspects



of the location. The Townscape Appraisal identifies interconnecting lanes with verges, hedges and ditches forming an attractive element of the character of the village, including Deans Drove.

The development proposal aims to reinforce this character through the retention of a strip of vegetation along its boundary with Deans Drove. Landscaping conditions will ensure that this landscaping includes the reinforcement of this landscaped strip with new planting to eventually replace the existing poor quality conifers along the frontage, thus retaining and by installing more native planting, retaining its rural character.

Officers consider that whilst the proposal will undoubtedly introduce change to this part of the village, this will not result in a materially harmful impact on the character of the area, or the lane itself. The development will be low density and set back from the road. It will retain vegetation at the edges of the site and only a minimum amount of vegetation will be lost from the centre. Deans Drove and Foxhills Road have a very rural character and the proposal includes the protection of mature trees and hedges along both road frontages. Additional tree and landscaping planting is proposed within the development. The provision of a green at the centre of the site (which will be visible in the Deans Drove street scene) will further soften the impact of the development and its appearance in the area.

Officers consider that the scale, massing and height of the development is acceptable and the 2-storey height is in keeping with that of neighbouring properties to both sides and on the opposite side of Deans Drove. The detailed design of the new buildings is acceptable. The mass and bulk of the buildings will be visually broken up by variations in roof form and materials which include a variety of materials - slate, plain tiles and zinc roofs. Walls will comprise brick, render, local stone and weathered zinc. The houses are not plain boxes – they incorporate elements of visual interest such as chimneys, and headers, cills to windows and porches to doors. Planning conditions will ensure high quality materials, the protection of existing trees and hedging and additional planting of native landscaping.

Officers have had regard to the comment of the Council's Design and Conservation Officer. He noted the potential to make more efficient use of the land by increasing the density around the market housing units, particularly along the Deans Drove frontage and the possibility of accessing the properties directly off Deans Drove. In this instance, officers consider that the proposed density of development is acceptable, given that the southern side of the site is more rural character than the northern side. There is no policy requirement to seek a greater number of affordable dwellings on the site. The Council's Senior Housing Officer supports the amount of housing proposed. The developer has responded to previous community consultation concerns regarding density by reducing the number of dwellings in the submitted scheme.

The application site slopes downwards to the south and west and the Townscape Appraisal notes that towards the south of the site is an important gap and soft edge to the village. The Council's Senior Landscape Architect raises no objection to the development or the loss of part of the northern edge of the gap in landscape terms. Her recommended landscaping condition has been added. She feels that the development could be improved by introducing a clear and legible pedestrian route through the development that connects into the wider footpath network. These comments are noted, however, the site is laid out with shared pedestrian / vehicular surfacing to produce a layout where vehicular speeds will be reduced to safer speeds than on standard housing site layouts using conventional raised footways. This being the case, the scheme is acceptable in that regard.

Neighbour concerns about the impact of the proposed lighting on the rural dark character of the area are noted. The application does not include specific detailed information about external lighting, which is likely to be required to serve the new access road if it is to be adopted by the Dorset County Council. Given the sensitive edge of settlement location and the fact that Deans Drove and Foxhills Road are currently unlit highways, a planning condition will be attached to

ensure that the Council retains control over the details of any subsequently proposed external lighting to serve the development.

For the above reasons, Officers consider that the proposal conforms with Policies 2 (good design), 3 (home zones), and 4 (protecting the environment) of the Lytchett Matravers Neighbourhood Plan.

Relevant Planning Policies:

National Planning Policy Framework:

Paragraphs 17 - core planning principles and Section 7 - requiring good design.

Purbeck District Local Plan Part 1:

Policies D – design, LHH - landscape, historic environment and heritage and SD – presumption in favour of sustainable development.

Officers have also considered:

National planning practice guidance.

Purbeck District design guide supplementary planning document adopted January 2014.

Lytchett Matravers townscape character appraisal supplementary planning document adopted August 2012.

Lytchett Matravers Neighbourhood Plan:

Policies 2 (good design), 3 (home zones) and 4 (protecting the environment).

**Impact on neighbouring privacy and amenity**

There are residential properties to both sides of the site and on the opposite side of Deans Drove, so that neighbour amenity is an important consideration. Officers have carefully considered the neighbour concerns raised about adverse impact on neighbouring privacy and amenity due to overlooking, noise, and adverse impact on neighbouring rural outlook.

The new properties would be sited sufficiently distant from the neighbouring residential properties, or be appropriately designed, so as not to have a materially harmful impact on neighbouring sunlight or daylight or result in an overbearing impact or harmful overlooking of neighbouring properties.

A planning condition will ensure appropriate boundary treatment to the new dwelling plots which are adjacent to the immediate neighbours at Peach Cottage and The Fold.

The four new dwellings on plots 2 – 5 have been designed so that there are no first floor habitable room windows facing towards Peach Cottage. The first floor windows serve bathrooms and landings. A planning condition will require them to be obscure glazed. The distance from these windows to the rear wall of Peach Cottage is 18 metres, although it should be noted that Peach Cottage has a conservatory at the rear which is 14 metres from the rear of the proposed new dwellings.

During the consideration of the application, the applicants made some design changes to several plots. In particular, plot 09. This plot originally had a blank gable end wall facing north towards Peach Cottage. The revised plans show a window at ground (Living room) and first floor (bedroom). The distance from the first floor window to Peach Cottage is 23 metres, which accords with the Council's guidelines in terms of acceptable overlooking distances.

Dwellings on plots 22 and 23 will have rear gardens of approximately 19 metres. There is a narrow (approximately 2 metres) strip between the application site and the neighbouring property to the west (The Fold). There will be a distance of some 24 metres from the rear windows of plot 23 to the windows and balcony of The Fold. It should be noted that the land level of the proposed dwellings is higher than that of the Fold. Officers have taken this into consideration. The Fold has

its living and other habitable rooms at first floor level mainly orientated with a southerly outlook, and first floor balcony. There are also two large windows at first floor facing east towards the application site. Officers are of the view that in accord with the District Council adopted Design Guide, where 21 metres is generally held to be sufficient to overcome harmful direct window to window overlooking, despite the difference in land levels, due to the intervening distances between windows, there would be no materially harmful impact on the privacy and amenity of that property.

The occupiers of The Fold have submitted supplementary information including a cross section of the site to illustrate their concerns regarding overlooking - in particular from plots 22 and 23. Officers have carefully assessed this information, but as explained above, given the fact that the distance from the first and ground floor windows of the proposed dwellings is some 24 metres from the external balcony, and orientated so that views directly into the upstairs lounge of The Fold are more oblique than direct, a reason for refusal from direct overlooking could not be sustained, even taking into account the impact of the difference in land levels.

A paddock separates the application site from the neighbour further to the west at Oakbrook. There is a minimum distance of some 40 metres between the application site and the residential curtilage of that property, however, it should be noted that the curtilage of Oakbrook has open side boundaries facing the site, and perhaps more importantly, the application site is set a higher land level. This affords the occupants of the new dwellings along this boundary a clear view of the side and rear garden of Oakbrook. Due to this difference in land levels, it will not be possible to screen the overlooking from the new dwellings either by way of close boarded fencing or planting, however, given the separation distance of some 40 meters, officers believe that this is adequate to maintain an acceptable standard of amenity with regard to overlooking, so that refusal of planning permission on this ground would not be reasonable.

The properties on the opposite side of Deans Drove are also sufficiently distant from the application site and will be screened from the new development by the existing and proposed new planting on the frontage of the site, thus avoiding harmful overlooking.

In summary, due to the proposed design of the new dwellings closest to the neighbouring residential properties, the intervening distances, and the boundary screening that will be provided along the Deans Drove frontage, officers consider that there will be no materially harmful impact on the privacy and amenity of any neighbouring properties.

Regarding the neighbour concerns about noise and disturbance from traffic and parking, officers consider that the access road and parking areas are appropriately positioned within, and largely surrounded by, the new dwellings so that there would be no materially harmful noise or light disturbance to neighbours. The landscaping and boundary treatment conditions will also protect neighbouring amenity in this respect.

The neighbour concerns about noise disturbance from the proposed pumping station have been carefully considered. The Council's Environmental Health Officer has advised that it is unlikely that the pump would amount to a statutory noise nuisance, but any complaints in this respect would be dealt with under Environmental Health legislation.

The concerns about the impact on neighbouring views has been noted, but loss of views are not a material planning consideration.

The Police Architectural Liaison Officer raises no concerns and is pleased to note that the applicant has been mindful to design the layout in accordance with Secured By Design Homes 2016 guidance. She makes some recommendations regarding the boundary treatment of several plots, footpath widths and lighting, plus measures to stop unauthorised vehicle parking on the proposed open green – all of which can be secured by a planning condition as part of the landscaping of the site.



Officers consider that the proposal conforms with Policy 2 (good design) of the Lytchett Matravers Neighbourhood Plan.

Relevant Planning Policies:

National Planning Policy Framework:

Paragraph 17 - core planning principles.

Purbeck Local Plan Part 1:

Policy D - design.

Purbeck District Design Guide

Officers have also considered:

National planning practice guidance.

Lytchett Matravers Neighbourhood Plan:

Policy 2 (good design).

**Highway safety and traffic generation**

Officers have given careful consideration to the Parish Council and neighbour concerns about highway safety and traffic generation both during the construction and occupation of the development. Objectors are concerned that there is inadequate highways infrastructure to support the existing amount of traffic. They believe the proposed additional traffic movements associated with the development will make this worse. They point out that the existing road network consists of narrow, congested, unpaved roads with poor lighting and visibility. They are concerned with what they believe will be potential conflicts between vehicle movements and other users of the local roads which form part of the DCC Designated safe walking/cycling route to the local schools (pedestrians, cyclists, horse-riders, dog walkers, school children) Objectors believe that the proposals will exacerbate existing traffic congestion and illegal and on-street parking problems in Wareham Road, Deans Drove and Foxhills Road, particularly in school term time at the beginning and end of the school day.

In regard to the development site itself, objectors believe there is inadequate on-site parking. They believe there is a failure of the traffic impact assessment to take account of the high volume of existing and proposed traffic movements on the local road network (particularly Foxhills Road which is already used as a commuter route) as well as the condition of the local road network, and its unrealistic pre-supposition that highway verges will be used by pedestrians.

In response to these concerns, the application includes a transport statement which has looked at these traffic issues in some detail. The statement concludes that proposal will not have any detrimental impact on the existing highway network in terms of capacity and highway safety.

In terms of the site itself, the development will be accessed via a new access from Deans Drove leading to a new road running through the site and incorporating a shared surface layout, which the applicant is likely to request be adopted by Dorset County Council. The comments of the Council's Design and Conservation Officer and Landscape Officer regarding a footway through the development site are noted, however, the internal street design has been developed in accordance with the principles set out in Manual for Streets – the nationally accepted good practice guide for highways. The length, alignment and form of the internal highway would ensure that vehicle speeds do not exceed 20mph, thus providing a safe environment for pedestrians, cyclists and vehicles. 53 on-site parking spaces are proposed (41 allocated, 7 unallocated and 5 visitor spaces). Cycle and motorcycle parking would take place within the curtilage of each property. Dorset County Council as Highways Authority believes the parking arrangements are satisfactory.

**Improvements to the existing highway.** In accordance with the recommendation of the Dorset County Council Transport Liaison Officer, the applicant also proposes to construct off-site improvements to the footway provision within the vicinity of the Deans Drove/Wareham junction by extending the footways either side of the bell mouth of the junction around and eastwards as far as the first vehicle crossings on both sides of Deans Drove. These improvements are intended to benefit pedestrian facilities in the area and address the current issue of vehicles over-running onto the highway verge.

**Construction Management Plan.** In recognition of the importance of careful management of the construction phase of the development, the applicant has agreed to implement a Construction Traffic Management Plan, if required by condition by the Dorset County Council Highway Officer. This will identify an appropriate route for HGV traffic to access the site during the construction phase and establish measures to reduce any interruption and/or delay to existing vehicular traffic to ensure that the impacts of construction traffic in the vicinity of the site and on the surrounding highway network are kept to a minimum.

Following amendments to the submitted drawings to demonstrate that the new road meets the standards required for adoption, the Dorset County Council Highways Officer raises no objection to the proposal, subject to conditions, and officers agree with the conclusions of the submitted Transport Statement that the approach road to the site (Deans Drove) is of a suitable standard to accommodate the traffic generated by the proposed development, and that the proposed new vehicular access and on-site parking provision will be appropriate to serve the development. The proposed layout will allow for safe service/delivery/emergency vehicle access.

Concerns have been raised about the applicant's proposed off-site footway improvements at the Deans Drove/Wareham Road junction. Objectors are concerned that this improvement scheme will simply displace school drop off/pick up further East into Deans Drove exacerbating congestion and compromising highway safety. Concern has also been raised that the development may impact on access to a neighbouring property due to the extension of the application site red line. These improvements were recommended by the Dorset County Council Highways Officer at pre-application stage to provide a kerb to deter vehicles parking on the verge as currently occurs during school run times and to help pedestrians get past the parked vehicles in the vicinity of the junction. These highway improvements will be secured through a planning condition. The Highways Officer has confirmed that no further off-site highway improvements would be required, and emphasises that, notwithstanding the neighbour concerns about existing highway danger on these roads, Deans Drove and Foxhills Road have already been identified as a safer route to school. The DCC Highways Officer has also advised that any vegetation overgrowing the highway and causing a real or visual obstruction can be cut back by the Dorset County Council under the Highways Act 1980.

Objectors have raised concerns that the site is unsustainable with unreliable and non-affordable public transport links. They argue the lack of village employment opportunities will result in the likelihood of occupiers of the development commuting long distances over dangerous and inadequate roads. In response to these concerns officers note that the supporting Transport Statement includes a detailed assessment of the accessibility of the site by sustainable means of travel to various facilities and services in the village. In summary, the report suggests that it is a sustainable location in transport terms. Officers are in agreement with this assessment.

Officers consider that the proposal conforms to Policy 3 (home zones) of the Lytchett Matravers Neighbourhood Plan, because the new internal roads utilise shared spaces and have been so designed to ensure a speed limit of 20 mph. Such a design utilises the principles of home zones.

Relevant Planning Policies:

National Planning Policy Framework:

Paragraph 17 – core planning principles.

Purbeck Local Plan Part 1:

Policies RES – rural exception sites and IAT - improving accessibility and transport.

Officers have also considered:

National planning practice guidance.

Bournemouth, Poole and Dorset residential car parking study May 2011.

Lytchett Matravers Neighbourhood Plan:

Policy 3 (home zones).

### **Drainage**

With regard to flood risk and surface water disposal, the site lies entirely within the low risk Flood Zone 1 as indicated by the Environment Agency's (EA) indicative flood modelling and is not thought to be at (theoretical) risk of surface water flooding during severe rainfall events. No permanent watercourses run through or are immediately adjacent to the site. The Local Lead Flood Authority Officer notes that the greenfield site is understood to generate runoff which gravitates west, towards a minor watercourse, aligned north-south. Surface water mapping records indicate that infrastructure located downstream close to the receiving watercourse may be at some risk during high flows.

The application is accompanied by a Flood Risk Assessment (FRA), which is required due to the site and development size. It assesses whether the site is likely to be affected by flooding, whether the proposed development is appropriate in this location, and what flood mitigation measures are necessary to ensure that the development and its occupants will be safe and that flood risk is not increased elsewhere. The FRA concludes that the flood risk is low throughout the site and notes that the Council's Strategic Flood Risk Assessment (SFRA) has not identified any record of historic flooding of the site. The report notes that the site is currently greenfield land with no surface water drainage infrastructure or watercourses, and that all rainfall drains to the ground and ultimately to a ditch which is sited some 50 metres to the south-west of the site.

The application includes a surface and foul water drainage strategy. Soakaways are not considered to be feasible due to site ground conditions (clay soil, significant slope across the land and possibility of ground instability) and so positive drainage is proposed for surface water discharge from the site. This comprises a number of cellular storage areas and culverts with the system discharging from the south-west corner of the site to the existing watercourse to the south-west of the site.

The surface water disposal scheme is subject to approval by the Lead Local Flood Authority (LLFA). They initially raised an objection to the proposal due to concerns that the proposed surface water drainage strategy would not be deliverable, as it is entirely dependent upon discharging to the existing off-site watercourse which appeared to lie on third party land. (A letter of objection has been received from the owner of the land immediately to the west of the application site confirming that consent will not be given for any drainage works on that land). The LLFA also required further information regarding the future management and maintenance of the proposed surface water drainage scheme.

In response to these issues, the applicant has confirmed that the development site landowner owns the land over which the proposed outfall sewer crosses. Further information has been submitted regarding who would be responsible for the future management of the surface water drainage scheme (private householders or Wessex Water depending on each storage tank location). With this clarification, the Lead Local Flood Authority Officer has removed his objection, subject to planning conditions to ensure the implementation of an appropriate sustainable drainage scheme to deal with surface water discharge.



With regards to foul sewage, an existing Wessex Water foul sewer crosses the middle of the site running from east to west. It is proposed to serve the northern part of the site by means of a gravity foul drainage and discharge to the existing foul sewer. The southern part would be served by a gravity sewer which will discharge into a proposed pumping station and then be pumped up to be discharged into the same manhole as the northern part of the site.

Wessex Water raise no objection to the proposed connection to the public foul sewer, subject to agreement of points of connection and flow/pump rates, and to sewer adoption, subject to formal agreement and satisfactory engineering proposals.

Officers consider that the drainage proposals conform to the requirements of Policy 2 (good design) of the Lytchett Matravers Neighbourhood Plan by incorporating a sustainable drainage scheme.

#### Relevant Planning Policies:

National Planning Policy Framework:

Section 10 - meeting the challenge of climate change, flooding and coastal change.

Purbeck Local Plan Part 1:

Policies FR – flood risk and GP – groundwater protection.

Officers have also considered:

National planning practice guidance.

Lytchett Matravers Neighbourhood Plan.

#### Biodiversity

The application is accompanied by an Extended Phase 1 Ecological Survey, including bat, dormouse, reptile and great crested newt surveys, which have identified a number of ecological constraints on the site including bats, slow-worms, common lizards, badgers, and nesting birds. The application includes a Biodiversity Mitigation Plan (BMP) which demonstrates how the identified ecological constraints will be managed during the construction phase and in the future. The BMP includes proposals for the capture of the on-site slow worms and lizards and their translocation to a suitable reptile-free receptor site elsewhere in Dorset; mitigation measures to protect the bats present on site including obtaining a bat European Protected Species Management licence from Natural England to deal with the removal of the chalet and the installation of bat boxes on new houses and on perimeter trees and careful design of external lighting; installation of bird nesting boxes, retention of perimeter hedgerows and additional native hedgerow planting, provision of a 5 metre grassland buffer adjacent to retained hedgerows to accommodate badgers and other biodiversity, additional native planting and wildflowers within the development, eradication of onsite Himalayan balsam, hedgehog checks during clearance and new fences designed to allow hedgehog access, bug hotels throughout the site, and financial contribution to an off-site grassland conservation scheme in Dorset. The BMP has been approved by Dorset County Council Natural Environment Team (NET) and its implementation will be secured through a planning condition.

Mitigation of the impacts on internationally protected Dorset Heathlands will be dealt with through the Community Infrastructure charging process.

The mitigation of the potential adverse effects of nutrient loading on the ecological integrity of the Poole Harbour internationally designated sites will also be dealt with through the Community Infrastructure charging process.

For the above reasons, officers consider that the proposal conforms to Policy 4 (protecting the environment) of the Lytchett Matravers Neighbourhood Plan.

Relevant Planning Policies:

National Planning Policy Framework:

Paragraphs 118 - conserving and enhancing biodiversity and 119 - habitats directives.

Purbeck Local Plan Part 1:

Policies BIO - biodiversity and geodiversity, DH – Dorset Heathlands International Designations and PH – Poole Harbour.

Officers have also considered:

National planning practice guidance.

The Dorset heathlands planning framework 2012-2014 supplementary planning document adopted September 2012.

Dorset biodiversity appraisal and mitigation plan.

Lytchett Matravers Neighbourhood Plan:

Policy 4 (protecting the environment).

Nitrogen Reduction in Poole Harbour Supplementary Planning Document (2017).

Trees

There are a number of mature trees and hedges on the site, mainly along the Deans Drove and Foxhills Road site frontages, along the southern site boundary and in the centre of the site. There are several individual and group TPOs on trees within the site as outlined in the site description.

These contribute positively to the visual amenities and rural character of the application site, as reflected in the adopted Townscape Appraisal, and have the potential to be affected by the development. The application is accompanied by an Arboricultural report, Impact Assessment and Method Statement which demonstrates that the proposed development can be accommodated within the site with appropriate tree management and protection measures. The Council's Tree Officer raises no objection subject to a planning condition requiring the work to be carried out in accordance with the submitted arboricultural method statement. Landscaping conditions will also ensure additional tree and hedge planting as part of an approved landscaping scheme.

Following submission of the planning application, the Council's Tree Officer has placed a Tree Preservation Order on a mature Oak tree in the south western corner of the site. The applicant has subsequently revised the surface water drainage arrangements to avoid damage to that tree. The Council's Tree Officer is satisfied that subject to the imposition of planning conditions, the proposed drainage scheme will mitigate harm to the protected tree.

Officers consider that the proposal conforms with Policies 2 (good design) and 4 (protecting the environment) of the Lytchett Matravers Neighbourhood Plan.

Relevant Planning Policies:

National Planning Policy Framework:

Paragraph 118 - conserving and enhancing biodiversity.

Purbeck Local Plan Part 1:

Policy LHH - landscape, historic environment and heritage.

Officers have also considered:

National planning practice guidance.

British Standard 5837:2012 Trees in relation to design, demolition and construction – recommendations.

Lytchett Matravers Neighbourhood Plan:

Policies 2 (good design) and 4 (protecting the environment).

**Representations received**

The Parish Council has objected to the application. The following table summarises the Parish Council's concerns and the Officers' response:

Parish concerns	Officer Comment
<p>The application has not followed the District Council's process/guidelines for progressing Rural Exception Sites i.e. housing needs survey, involvement of Parish Council, completion of checklist by the District Council.</p>	<p>An up to date housing needs survey is in place. Parish Council were consulted twice by the applicant prior to submitting the application. The Council's Rural Exception Checklist is a guidance note with the purpose of assisting parish councils, parish plan groups, developers, landowners, housing associations and other organisations to identify potential rural exception sites.</p>
<p>No demonstrable need for the proposed housing – confirmed by 2012 housing need survey and ability of Huntick Road site to accommodate local need.</p>	<p>Demonstrable and empirical need demonstrated through up to date housing needs survey. Affordable homes on the Huntick Road site would be to meet District wide needs.</p>
<p>Dismayed the District Council has allowed progression of the proposal to application stage.</p>	<p>District Council cannot prevent an applicant submitting an application for determination.</p>
<p>Believes it to be the largest Rural Exception Site in England.</p>	<p>Whether it is or not, each application must be determined on its merits.</p>
<p>Harm to designated rural character of this part of the village.</p>	<p>Officers accept there will be a change to the character of this part of Deans Drove, but consider it is not harmful.</p>
<p>Unsustainable location with unreliable and non-affordable public transport links.</p>	<p>Site is within walking distance of school. Public transport – similar provision exists in many of the districts villages.</p>
<p>Highway safety concerns due inadequate highways infrastructure to support access and egress to the development – local roads already congested as narrow, un-paved, and with poor visibility – Foxhills Road and Deans Drove are DCC-designated routes to 2 local schools.</p>	<p>DCC Highways have carefully assessed the proposals. They have recommended improvements to the footway at the junction with Wareham Road, parking and access levels are acceptable, visibility is acceptable.</p>
<p>Severe worsening of existing surface water flooding problems in the area and concern about sewerage overflow/contamination of surrounding properties, land and water course.</p>	<p>Proposals have been submitted that demonstrate both surface water runoff and foul sewerage can be adequately dealt with. Both Wessex Water and the Local Lead Flood Authority have no objections to the proposals.</p>



<p><b>Further Parish comments received after reconsultation regarding numbers of affordable units</b></p>	
<p>Contrary to statement by Minister of State (Communities and Local Government) as no exceptional circumstances have been proven – see it as cynical way of developing a site to bypass legislation</p>	<p>Exceptional circumstances exist due to a proven need for affordable housing in the Parish.</p>
<p>Ratio of affordable to open market contrary to Local Plan Policy RES</p>	<p>There is no local or national policy which prescribes the ratio of affordable to open market houses on a rural exception site – however, in order to establish some guidance the Council has commissioned a viability report which suggests a mix in the region of 70 / 30 affordable to open market properties is reasonable. The site meets this percentage split.</p>
<p>Affordable housing need will be met from Huntick Road and Wessex Water site so current application will be surplus to village requirements.</p>	<p>The Huntick site will help to meet local need but will also help meet the District wide need. This allocated site will not meet all the existing parish need. There is no guarantee the Wessex Water site will come forward, but if it did, the affordable housing units from the two sites combined will not meet the current identified need for affordable housing in the Parish.</p>
<p>Increased transport issues</p>	<p>No objection from DCC Highways in terms of capacity of existing roads, safety for the route to school. The site is a sustainable location in terms of access to bus stops and proximity to village facilities.</p>
<p>Traffic Issues.</p>	<p>As above -no objections to highway safety or capacity from DCC Highways</p>
<p>Character on the village in this location – not appropriate for estate type development.</p>	<p>The Townscape appraisal states change in this area is deemed acceptable and sustainable if the overall character is maintained – officers believe the proposals maintain the overall character of the area.</p>
<p>Insufficient infrastructure</p>	<p>No objections to the proposals from statutory consultees.</p>

Who	Relevant points
Dorset County Council – Highways Management	No objection subject to conditions.
Design and Conservation Officer	<p>Observes that the proposal does not make the most efficient use of the land possible/reasonable within the site context. In particular the Deans Drove frontage is considerably less dense than characteristic elsewhere in the road and fails to follow the established pattern of properties accessed directly off the road frontage. The market units in particular offer scope for the provision of additional units.</p> <p>Recommends changes to the proposed footpath routes.</p> <p>No objection to the individual house designs.</p>
Tree Officer	No objection subject to tree protection and tree planting conditions.
Planning Policy	No objection. The proposal does not contravene Purbeck Local Plan policies LD – location of development, CO – countryside and RES – rural exception sites nor the adopted Lytchett Matravers Townscape Character Appraisal.
Senior Housing Officer	Supports the application and is satisfied that it is capable of meeting an identified current local need, which is detailed in her comments.
Dorset County Council – Lead Flood Risk Authority	No objection subject to conditions to ensure sustainable drainage measures to deal with surface water discharge.
Environment Agency	Does not wish to comment as it falls within the remit of the Lead Local Flood Authority to respond.
Senior Landscape Architect	No objection subject to amendments to the proposed footpath and landscaping conditions to ensure additional soft landscaping.
Wessex Water	No objection. Advises of the need to protect WW equipment which crosses the site and the need for separate drainage systems to serve the development and points of connection to be agreed with WW.
DCC – Natural Environment Team	No objection subject to a condition requiring the implementation of the approved Biodiversity Mitigation Plan.
Police Architectural Liaison Officer	No objection – makes recommendations regarding the boundary treatment of several plots, footpath widths and lighting, plus measures to stop unauthorised vehicle parking on the proposed open green. All of which can be dealt with under a landscaping condition.

**Neighbour comments received and case officer response**

The Council received over 40 comments from neighbours and residents about this planning application. The representations are all available in full on the Council’s website and this report addresses the key planning points that they raised. The following table sets out a summary of the key issues from the comments as well as the case officer’s response to them.

Issue	Case Officer response
<p><b>Principle of development and Green Belt</b></p> <p>Harm to the function/purpose/integrity of Green Belt; unmet housing need does not comprise ‘very special circumstances’ to justify inappropriate development and Green Belt harm; housing need can be satisfied by other development sites, such as the Huntick Road allocated site, outside the Green Belt; existing Green Belt boundary fulfils the required functions and should be retained; the proposal exceeds the ‘limited affordable housing’ allowable as an exception in Green Belt policy.</p>	<p>Addressed in the ‘principle of development’ section of the report. Officers consider given the proven need for affordable housing the principle of development is acceptable in the Green Belt.</p> <p>Local affordable housing need will not be satisfied by the Huntick Road site.</p>
<p>The site is not brownfield land.</p>	<p>Agreed.</p>
<p><b>Failure to comply with rural exception site policy</b></p> <p>Includes market housing without any supporting viability evidence; the new housing would not be all for local people; no identified local need for the proposed market and affordable housing in addition to other development sites in the village; small local affordable housing need will be catered for in the Huntick Road allocated site; proposed housing size and number is too large; 2 or more smaller exception sites could address a larger need instead of one large site; no indication as to how the affordable housing will be secured and retained; no information about the proposed affordable housing tenure; all existing brownfield sites should be considered for rural exception sites before the Green Belt is developed as exception site.</p>	<p>Addressed in the ‘principle of development’ and ‘affordable housing’ sections of the report. Officers consider that, subject to a section 106 agreement to secure the affordable housing, the proposals will accord with Local Plan policy RES – rural exception sites.</p>

Issue	Case Officer response
<p><b>Design and harm to character of area</b></p> <p>Urbanisation of tranquil, rural environment; building on grazing land; noise disturbance from increase in traffic and new sewage pumping station; visually prominent on slope, impacting on high landscape quality views across to Purbeck Hills; contrary to Townscape Appraisal designating lane as 'critical townscape' and having a 'constant townscape' and suggesting there are likely to be other more appropriate locations for development; infilling of important townscape gap; development too large; scale of out of character; poor design; housing type out of character with Deans Drove; urbanisation of rural lanes due to verge removal, new kerbs, loss of hedges and damage to highway verges; light pollution to dark skies from new street lighting.</p>	<p>Addressed in the 'detailed design and impact on the character and appearance of the area' section of the report. Officers consider that, subject to conditions, the design is acceptable in this location.</p>
<p><b>Traffic impact and highway danger</b></p> <p>Exacerbation of existing traffic congestion and parking problems, both during and after construction, in Wareham Road, Deans Drove and Foxhills Road, particularly in school term time at the beginning and end of the school day with illegal parking; proposed off-site footway improvements at the Deans Drove/Wareham Road junction will displace school drop off/pick up further East into Deans Drove exacerbating congestion and compromising highway safety;</p> <p>Local roads are unsuitable for existing and proposed traffic – already used as commuter route although narrow, lacking pavements and lighting, and forming part of the village footpath network and linking into local bridleways; sever risk of vehicular/pedestrian conflict - harm to walkers, cyclists, horse-riders, dog walkers, and school children;</p> <p>Submitted traffic impact assessment underestimates existing and proposed traffic movements and conflicts and does not take account of the condition of the local road network. Increase in traffic will be exacerbated by other new residential developments proposed within vicinity of the site.</p>	<p>The 'Highway safety and traffic generation' section of the officer report explains why officers consider the proposal is acceptable in terms of highway safety and why the site can accommodate the number of dwellings proposed, subject to planning conditions including the requirement for off-site highway improvements.</p>



<b>Issue</b>	<b>Case Officer response</b>
New occupants likely to commute long distances over dangerous and inadequate roads due to lack of employment in the village and commute locally due to poor roads deterring walking to local amenities.	The 'Highway safety and traffic generation' section of the officer report explains that the site is a sustainable location.
Inadequate proposed on-site parking.	The proposed level on on-site parking is acceptable.
More parking restrictions are needed within the Wareham Road vicinity and this would result in parking even further down Deans Drove.	Noted. A matter for the Highway Authority and Parish Council to deal with outside of the planning process. The planning authority cannot impose parking restrictions.
Lack of access proposals within the development, such as walking paths and access roads.	The proposed layout is sufficiently permeable in terms of road and footpath links.
Existing conifers along the Deans Drove frontage should be removed as they overhang the road creating a traffic hazard.	This is a matter for County Highways as the Highway Authority.
Application site red line extends beyond the land ownership onto the roadside verge across entrance to a neighbouring property – there should be no adverse impact on the access to that property.	Noted. This is a civil matter.
<p><b>Trees</b></p> <p>The proposed improvement to the north side of Deans Drove could potentially harm a tree on 3<sup>rd</sup> party land.</p>	Construction methods can be used to minimise any potential damage.
<p><b>Adverse impact on neighbouring privacy and amenity</b></p> <p>Overlooking; rising land means the impact cannot be mitigated by boundary screening; adverse impact on neighbour outlook; noise/vibration disturbance from the new sewage pumping station; noise exacerbated by the site topography.</p> <p>Failure to comply with the Human Rights Act – people's rights to a peaceful enjoyment of all possessions including home and other land, including the countryside, and respect for family life.</p>	<p>The 'impact on neighbouring privacy and amenity' section of the officer report explains why officers consider there will be no materially harmful impact on neighbouring privacy and amenity.</p> <p>The Human Rights Act requires a balance to be struck by the Council between the rights of the individual, whilst also acting in the interest of the wider community. Determination of this application allows for this balance to be made.</p>

<b>Issue</b>	<b>Case Officer response</b>
Adverse impact on air quality.	There is no reason to suggest a development of this size will have a detrimental impact upon existing air quality to warrant refusal of the proposals.
<p><b>Drainage</b></p> <p>Local geological and hydrological conditions not adequately addressed in the submitted flood risk assessment; inadequate proposed surface water run-off mitigation; proposed surface water drainage strategy cannot be implemented as involves works on third party land which will not get owner's consent; exacerbation of existing local flooding problems, including into the stream at the bottom of Deans Drove, which has resulted in the overflow of the public sewer and flow of foul water onto neighbouring property; water from the site will drain onto an overloaded main drain along the valley; concerns about future maintenance of the surface water drainage scheme.</p>	The 'drainage' section of the report explains why officers are satisfied with the proposed drainage scheme.
<p>Pressure on fragile rural sewer network prone to blockages and regular failures; new sewage pumping station too close to neighbouring property – if fails, sewage or dirty water will discharge onto neighbouring land.</p> <p>Inadequate surface water and foul water drainage systems to cope with the development.</p>	Wessex Water has raised no objection in principle to the proposal and to connecting to the Wessex Water infrastructure.
<p><b>Adverse impact on wildlife</b></p> <p>Biodiversity report fails to adequately address all the site wildlife; proposed on-site mitigation measures are inadequate to overcome residual loss of biodiversity - a financial contribution towards off site mitigation is required; proposed biodiversity mitigation measures may not be practical; hedges should be retained with grassland buffers to accommodate foraging wildlife; danger to domestic and wild animals resulting from an increase in traffic on Foxhills Road.</p>	The 'nature conservation' section of the report explains why officers consider that the biodiversity issues have been appropriately addressed. The Natural Environment Team at Dorset County Council have examined and approved the Biodiversity report and proposed mitigation measures.
<p><b>Inappropriate location</b></p> <p>There are other more sustainable housing sites being put forward in the site vicinity that are more accessible to local amenities such as shops and the library, including the Huntick Road site.</p>	The 'principle of development' section of the report explains that officers consider the site to be a sustainable location for development. No other rural exception sites are before the Council for consideration.

Issue	Case Officer response
<p><b>Infrastructure</b></p> <p>Poor/non-existent village infrastructure and public services to serve the development (doctors, schools - primary school oversubscribed and secondary school is not in the village - roads, shops, employment).</p>	<p>The Council has adopted a charging schedule under the Community Infrastructure Levy (CIL). CIL funds raised from new development are used to contribute to district-wide infrastructure. In this instance the application would be subject to charge through CIL (the table at the start of this report details the amount of money that the Council expects to collect). The Parish Council will also receive a proportion of the CIL funds collected (25% now the Neighbourhood Plan is adopted).</p>
<p><b>Procedure</b></p> <p>The applicant has previously promised not to pursue the application unless there is overwhelming community support and there is not and the scheme has been pursued against the views of the Parish Council.</p>	<p>Noted but not a material planning consideration. The Council cannot insist that an application is submitted in accordance with the local community wishes.</p>
<p>District Council has allowed the development to reach application stage and has not followed the District Council's process/guidelines for progressing Rural Exception Sites.</p>	<p>This is addressed in the 'affordable housing' section of the report. There are no procedural issues with respect to the exception site application submission.</p>
<p>A site visit is suggested to inspect the site before making a decision on the application.</p>	<p>A Planning Committee site visit will be undertaken.</p>
<p>The development will only benefit the developer and landowner, not the village.</p>	<p>Officers disagree with this assertion. The affordable units will benefit existing families and people in the village who are seeking a home, and the additional occupants have the potential to support existing shops and businesses.</p>
<p>Further comments received after reconsultation regarding numbers of affordable units.</p>	
<p>Excess of 30% open market dwellings does not accord with Policy RES of only allowing a small amount of open market houses.</p>	<p>Not in excess of 30%. Study commissioned by PDC suggests this is an appropriate ratio to stimulate land being brought forward for rural exception sites.</p>
<p>70/30 measure does not override the requirements of Policy RES.</p>	<p>The guidance has been the subject of publicity and no substantive objections were received therefore it has weight in the decision making process.</p>

<b>Issue</b>	<b>Case Officer response</b>
Need can be met elsewhere.	There are no other sites within the parish which could meet the existing affordable housing need.
No proven link specifically to Lytchett Parish – more a desire to live in the countryside.	Respondents on the Housing Register have specified the Lytchett Parish and have a local connection.
Failure to notify Natural England due to Poole Harbour River Catchment Area.	No statutory requirement to consult Natural England. Poole Harbour issues in relation to nitrates will be mitigated through CIL payments.
Change to affordable housing ratio is for profit reasons.	Change to ratio is still within % as outlined in more recent viability survey commissioned for the District by the Council.
Neighbourhood Plan identifies areas for development within the Lytchett Matravers boundary.	The statutory element of the Neighbourhood Plan does not identify areas for development.
Plans do not show the individual properties that will be open market or affordable.	This is not a requirement for determining the application, but this information has now been received.
Since application submitted evidence suggest that housing need is lower in Purbeck therefore lower numbers of affordable homes are required.	Irrespective of the numbers of houses that need to be provided during the plan period, the need for affordable housing for existing people on the Housing Register remains
Concern to protected tree from proposed drainage works.	Tree officer is satisfied that the works can be carried out without harm to the protected tree.
Surface water runoff to neighbours land.	Surface water is adequately dealt with as part of the scheme.
No build zone around the foul pumping station is on neighbours land and cannot be enforced.	Planning permission will be required to erect any building that could affect the pumping station, therefore the Council can retain control over this issue.



<b>Issue</b>	<b>Case Officer response</b>
Development not compliant with Equalities Act 2010 as Deans Drove is not a suitable route for partially sighted.	The public sector equality duty in section 149 of the Equality Act 2010 in effect requires the Council when determining planning applications to have due regard to accessibility and inclusion as a matter of course. Officers have considered this issue, and believe the need for affordable homes outweighs any disadvantages the site may have in term of access to other parts of the village.
Change of tenure will increase pressure on waste water system.	The change in tenure mix will have no effect upon waste water discharge

## **Appendix 1– Recommended planning conditions**

1. The development must start within three years of the date of this permission.

Reason: This is a mandatory condition imposed by Section 91 of the Town and Country Planning Act 1990 to encourage development to take place at an early stage.

2. The development permitted must be carried out in accordance with the following approved plans: P6624-01, PL001B, PL002C, PL003F, PL004D, PL005D, PL006C, PL007B, PL008B, PL009A, PL010B, PL011B, PL012B, PL013B, PL014B, PL015B, PL016B, PL017B, PL018B, PL019B, PL020B, PL021C, PL022C, PL023C, PL024C, PL025C, PL26C, PL027B, PL029B, PL030B, PL031B, PL032B, PL033B, PL034B, PL035B, PL036B, PL037B, PL038B, PL039B, PL040B, PL041B, PL042B, PL050, PL051A and PL060D.

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

3. The manufacturers name, product name and colour of all external facing and roofing materials must be submitted to and approved in writing by the Council before they are used on the proposal. The development must then be implemented using the approved materials.

Reason: To ensure satisfactory appearance of the development.

4. Before the development is occupied, the access, geometric highway layout, turning and parking areas shown on Drawing Number:PL060A must be constructed, unless otherwise agreed in writing by the Council. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure adequate access and parking arrangements for the development are provided.

5. Before any dwelling on the development is occupied, the following works must have been constructed to the specification of the Council:

Footways on either side of Deans Drove from the junction with Wareham Road until the first vehicle crossings on both sides of the Deans Drove as indicated on drawing No. BTC16050/T02/P1, of appendix F of the Transport Statement by Bellamy Transport Consultancy dated December 2016 submitted with the planning application. A construction method statement must be submitted with the proposals aimed at minimising any effect upon surrounding trees.

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.

6. Before the development starts, a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Council. The CTMP must include:

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

- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

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

Reason: These details are required to be agreed before development starts 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.

7. The development must not start 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 Council. The surface water scheme must be implemented in accordance with the approved details before the development is completed.

Reason: These details are required to be agreed before development starts to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity.

8. The development must not start until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to, and approved in writing by, the Council. The scheme must 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: These details are required to be agreed before development starts to ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

9. Before work starts on site, 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. 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) a full specification for the construction of any structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification.
- 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.

10. All works impacting on the retained trees during the demolition/development must be carried out as specified in the approved Arboricultural Method Statement.

Reason: To prevent trees on site being damaged during construction works.

11. The development must not start until the Council has approved a scheme of hard and soft landscaping, which is to incorporate the planting recommendations identified in the CGO Ecology Limited report dated 30 November 2015 submitted with the planning application. The scheme must also include the retention of a strip of vegetation alongside Deans Drove, which must be supplemented with new planting which will grow up to replace the existing conifers once they become over-mature. The scheme must include:

- a. A landscape proposals plan showing proposed levels, and details of hard land soft landscaping.
- b. Planting plans, which must show the species of trees , shrubs and herbaceous plants to be planted and where they will be planted, the size that the trees/shrubs/plants will be on planting, and the number that will be planted
- c. Written detail, which must comply with BS 4428:1989 Code of Practice for General Landscape Operations, of how the ground will be prepared and cultivated before planting, the methods that will be used to plant the trees/shrubs/plants, and seed or turf the grassed areas, and detail of protection from rabbits or other grazing animals that may damage the plants
- d. Information, which must comply with BS 7370 Part 1 1991 and Part 4 1993 Grounds Maintenance, about how the planting will be maintained for the first five years following planting. This must include detail of watering, weed control and pruning.

Reason: These details are required to be agreed before development starts to ensure the satisfactory landscaping of the site, and to enhance the biodiversity, visual amenity and character of the area.

12. The soft landscape works detailed in the Landscape Proposals agreed by the Council must be carried out during the first planting season (October to March) following the first occupation of any of the buildings.

Reason: To ensure the satisfactory landscaping of the site and to enhance the biodiversity, visual amenity and character of the area.

13. The hard surfacing/paving, walls, fences or other external structures detailed in the Landscape Proposals agreed by the Council must be carried out before the first occupation of any of the buildings.

Reason: To ensure satisfactory landscaping of the site and to enhance the visual amenity and character of the area.

14. Details of all external lighting must be submitted to, and approved in writing by, the Council before it is installed on the site. The development must be implemented in accordance with the approved details. No further external lighting must then be installed without prior written approval of the Council

Reason: In the interests of the visual amenities and landscape character of the area and the interests of neighbouring residential amenity.



15. The development must be implemented in accordance with the approved Biodiversity Mitigation Plan by CGO Ecology Ltd signed by Stonewater on 31 January 2017 and approved by the Dorset County Council Natural Environment Team on 31 January 2017.

Reason: In the interests of protecting important wildlife interests and enhancing the biodiversity of the site.

16. Detailed drawings of all boundary fences and walls and their final finishes must be submitted to, and approved in writing by the Council. No dwelling may be occupied until its approved boundary treatment has been completed.

Reason: To ensure that these details are in accordance with the character and appearance of the locality and in the interests of neighbouring residential amenity.

17. Before first occupation of the respective dwellings, the first floor windows on the east (rear) elevations of the houses on plots 2, 3, 4 and 5 must be fixed shut and glazed with obscure glass to a minimum Pilkington privacy 3 or equivalent as agreed in writing with the Council up to a height of 1.7 m above the floor level of the room it serves. These windows must be maintained in this condition. No further first floor windows must be installed in the east (rear) elevation of these houses without the prior permission of the Council.

Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential property.

18. Informative note - developer-led infrastructure.

The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant must contact Dorset County Council's Development team. They can be reached by telephone at 01305 225401, by email at [dli@dorsetcc.gov.uk](mailto:dli@dorsetcc.gov.uk), or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset County Council, County Hall, Dorchester, DT1 1XJ.

19. Informative note - Grampian condition.

The highway improvements referred to in the Grampian condition 5 above must be carried out to the specification and satisfaction of the Council and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Council before any works commence on the site.

20. Informative note - Advanced Payments Code

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

21. Informative note - Ordinary watercourse

All works offering an obstruction to flow within a channel with the status of Ordinary Watercourse are likely to require prior Land Drainage Consent (LDC) from Dorset County Council, as relevant Lead Local Flood Authority, in accordance with s23 of the Land Drainage Act 1991. We note that the proposed scheme is reliant upon the construction of an outfall

structure / headwall to the adjoining watercourse. The requirement for such LDC is independent of planning permission.

22. Wessex Water Informative

Existing public foul sewers cross the site and statutory easements apply

The applicant is advised to discuss proposals with Wessex Water to ensure that existing sewers are protected during construction

Separate systems of drainage are required to serve development proposals

Foul water disposal to public foul sewer – points of connection and flow/pump rates to be agreed with Wessex Water

Sewers will be adopted subject to formal agreement and satisfactory engineering proposals

23. Informative Note - Planning Obligation. This permission is subject to a Section 106 Planning Obligation with respect to affordable housing and biodiversity mitigation.

24. Informative Note - Community Infrastructure Levy. This permission is subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice has been issued with this planning permission that requires a financial payment. Full details are explained in the notice.

25. Informative Note - Matching Plans. Please check that any plans approved under the building regulations match the plans approved in this planning permission. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission.

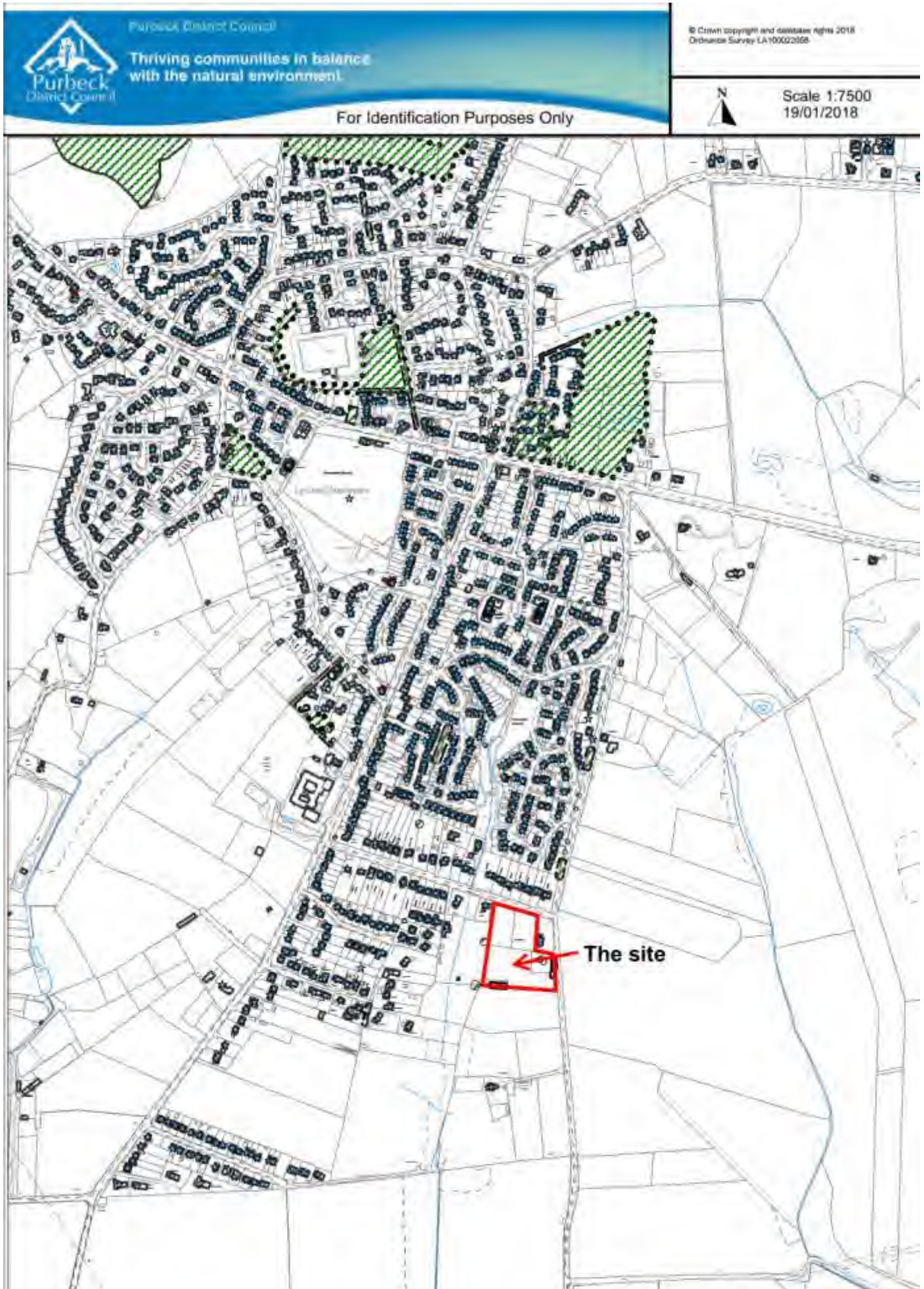
26. Statement of positive and proactive working: In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council takes a positive and proactive approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

For this application: the applicant/agent was updated of any issues after the initial site visit; the opportunity to submit amendments to the scheme/address issues was given which were found to be acceptable.

**Appendix 2 – Reason(s) for refusal in the event of the legal agreement not being completed by 28 February 2018**

In order to comply with Policy RES (Rural Exception Sites) of the Purbeck Local Plan Part 1 a legal agreement (Planning Obligation) under Section 106 of the Town and Country Planning Act 1990 must be entered into that secures the affordable housing as a rural exception site in perpetuity. No such legal agreement has been entered into. Consequently an acceptable form and amount of affordable housing contribution has not been secured within the application. The proposal does not therefore comply with the requirements of Policy RES (Rural Exception Sites) of the Purbeck Local Plan Part 1 and the Purbeck Affordable Housing Supplementary Planning Document 2012-2027.

In order to comply with policy BIO (Biodiversity) of the Purbeck Local Plan Part 1, a legal agreement under section 106 of the Town and Country Planning Act 1990 must be entered into that secures off site mitigation to the loss of habitat on the site from the development. No such legal agreement has been entered into. Consequently harm to biodiversity lost on the site from the proposed development has not been adequately mitigated. The proposal does not therefore accord with Purbeck Local Plan Part 1 (BIO)













1	Project Name	
2	Project Address	
3	Project Description	
4	Project Status	
5	Project Date	
6	Project Location	
7	Project Contact	
8	Project Reference	
9	Project Notes	
10	Project History	
11	Project Details	
12	Project Summary	
13	Project Objectives	
14	Project Deliverables	
15	Project Risks	
16	Project Benefits	
17	Project Challenges	
18	Project Opportunities	
19	Project Constraints	
20	Project Assumptions	
21	Project Dependencies	
22	Project Interests	
23	Project Stakeholders	
24	Project Roles	
25	Project Responsibilities	
26	Project Authority	
27	Project Accountability	
28	Project Transparency	
29	Project Communication	
30	Project Collaboration	
31	Project Coordination	
32	Project Cooperation	
33	Project Consensus	
34	Project Consistency	
35	Project Continuity	
36	Project Coherence	
37	Project Cohesion	
38	Project Complementarity	
39	Project Complementarity	
40	Project Complementarity	



1 Front Elevation  
Scale: 1:100

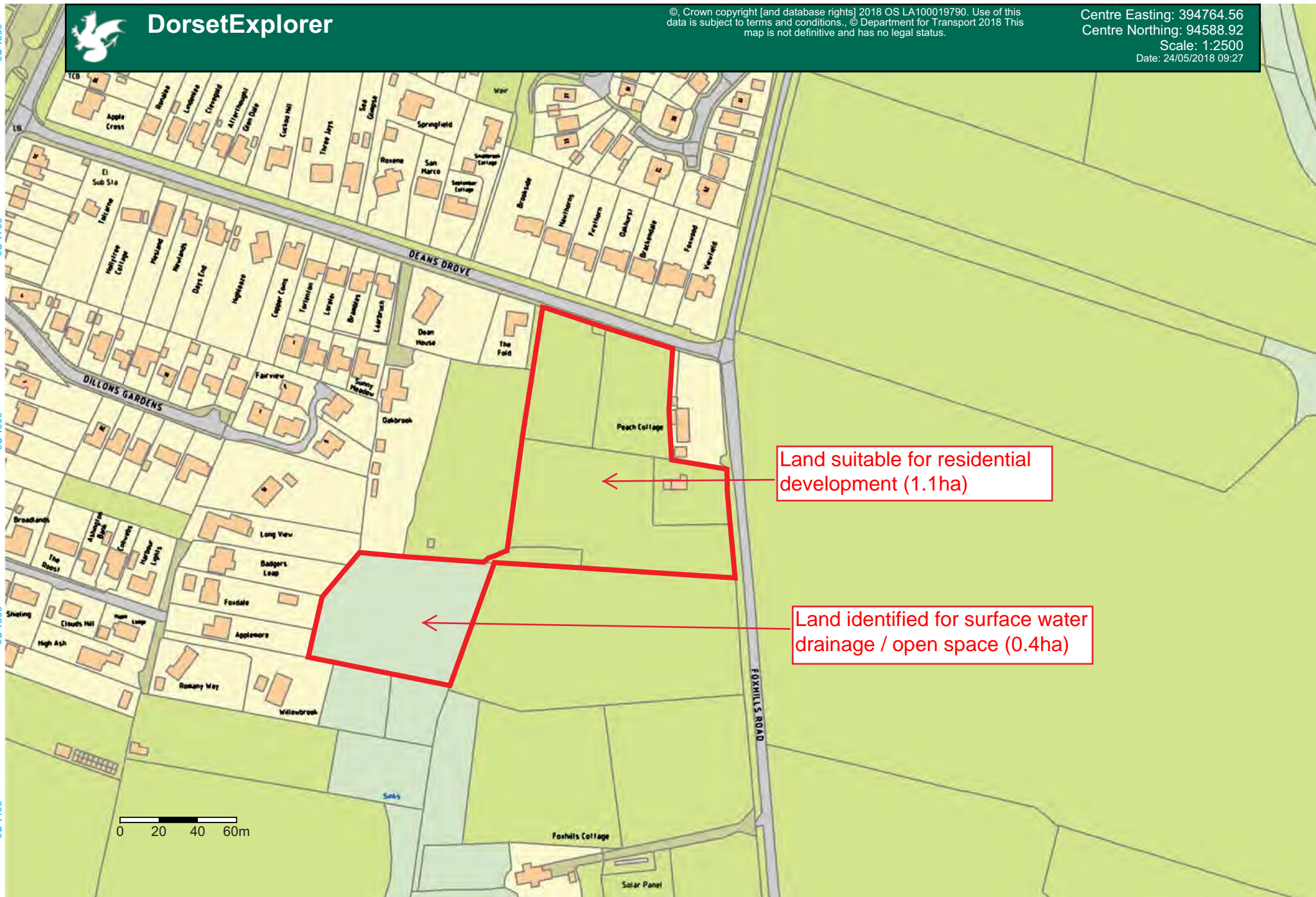


2 Side Elevation  
Scale: 1:100



project	Deans D
Lythel M	
org site	
Plots 9 J	





Land suitable for residential development (1.1ha)

Land identified for surface water drainage / open space (0.4ha)

0 20 40 60m

## Comment

<b>Consultee</b>	Mr Nick Guildford (1190589)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Wyatt Homes
<b>Address</b>	1 Parkstone Road Poole BH15 2NN
<b>Event Name</b>	Purbeck Local Plan Pre-submission Draft
<b>Comment by</b>	Wyatt Homes (Mr Nick Guildford - 1190589)
<b>Comment ID</b>	PLPP163
<b>Response Date</b>	30/11/18 17:12
<b>Consultation Point</b>	Policies List ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Web
<b>Version</b>	0.1
<b>Files</b>	<a href="#">Land at Deans Drove, Lytchett Matravers (2)</a>

**Are you responding on behalf of a group?** No

**Please tick the box(es) if you would like to be notified at an address/email address of the following:**

**Which policy / paragraph number / policies map does your comment relate to?** Policies Map and Lytchett Matravers inset map

**Do you consider that the Local Plan is legally compliant?** Yes

**Do you consider that the Local Plan is sound?** No

**Please give details of why you consider this part of the Local Plan is / is not legally compliant, sound or fails to comply with the duty to co-operate. (Please be as precise as possible)**

**Introduction**

Wyatt Homes supports the overarching approach to addressing the future development requirements of Purbeck district set out within the Pre-Submission Draft Local Plan (PSDLP) but has some concerns regarding specific aspects of the plan.

On the basis that the plan is intended to be submitted for Examination in February 2019 the comments outlined are set out in the context of the National Planning Policy Framework July 2018 (NPPF18), which the plan will be evaluated against at Examination, in accordance with paragraph 214 of NPPF18.

Overall, we are supportive of the plan as a whole. However, we consider that certain aspects of the PSDLP in its current form are unsound, but that with relatively minor modifications it could be found 'sound'.

These representations focus on the omission of land at Deans Drove, Lytchett Matravers from inclusion as a housing allocation within the plan. Our comments on other parts of the PSDLP, including the duty to cooperate, policy V2 (Green Belt), policy H1 (local housing requirement), policy H3 (new housing development requirements) and policy H9 (housing mix) are set out within separate representations, submitted on our behalf by Turley. Those representations also address our comments on the Council's updated Viability study (2018) and Revised CIL Charging Schedule (2018).

### **Policies Maps**

In line with the comments made and change sought to policy H6, the policies map and inset map for Lytchett Matravers should be amended to remove the land at Deans Drove, Lytchett Matravers (as shown on the enclosed plan) from the Green Belt, include it within the settlement boundary and identify it for housing.

**Having regard to your previous comments, please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound. You will need to say why this change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text and where appropriate provide evidence necessary to support / justify the representation. (Please be as precise as possible)**

In line with the comments made and change sought to policy H6 the policies map and inset map for Lytchett Matravers should be amended to remove the land at Deans Drove, Lytchett Matravers (as shown on the enclosed plan) from the Green Belt, include it within the settlement boundary and identify it for housing.

**If you have any supporting documents please upload them here.**

Land at Deans Drove, Lytchett Matravers (2)  
Land at Deans Drove, Lytchett Matravers

(Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the examination, although all members of the public may observe the proceedings)

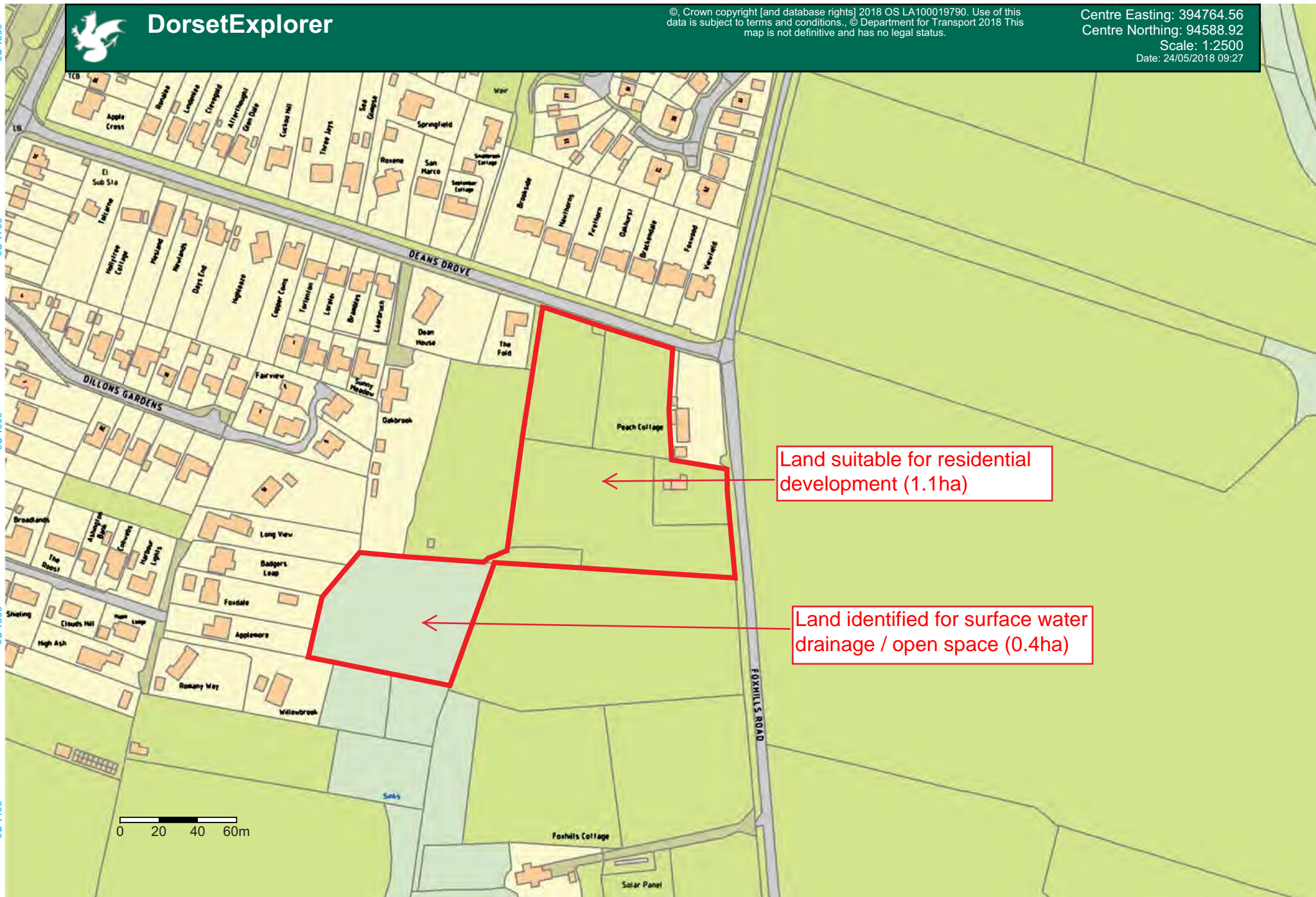
Only those who have made representations to the Local Plan during the statutory six week pre-submission publication period will be allowed to participate in the public examination.

**If your representation is seeking a change to the Local Plan, do you consider it necessary to participate in the oral part of the examination?** Yes

**If you wish to participate in the oral part of the examination, please outline why you consider it to be necessary?**

Wyatt Homes have an interest in a number of sites within the local plan to which this policy is relevant therefore our participation is important to ensure full and proper consideration of the comments made.





Land suitable for residential development (1.1ha)

Land identified for surface water drainage / open space (0.4ha)

0 20 40 60m