



Cabinet

Date: Tuesday, 12 March 2024
Time: 10.00 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Chief Executive: Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

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FAO: the Hampshire Planning Authorities,
c/o Minerals and Waste Planning Policy,
EII Court South,
3rd Floor,
The Castle,
Winchester,
Hampshire, SO23 8UH

Dear Sir/Madam,

This is the response of Dorset Council to the *Hampshire Minerals and Waste Plan – Partial Update – Regulation 19* consultation. Thank you for allowing us to submit a holding response, which will be confirmed following a meeting of the Dorset Council Cabinet on 12 March 2024. This response was jointly prepared by officers and locally affected Members.

This response is accompanied by two Appendices. These comprise:

- a) Appendix 1: Dorset Council's response to the Purple Haze application consultation dated May 2021, and;
- b) Appendix 2: Natural England's Further Response to the Purple Haze application, dated May 2023.

Dorset Council consider that these documents set out clearly the reasons that Purple Haze is unsuitable for reallocation and/or development.

Dorset Council has the following comments on the current consultation:

Policy 17: Aggregate supply – capacity and source

Dorset Council support Hampshire's aim to plan for a realistic and evidence based supply of sand and gravel and has no objection to the proposed approach to maintaining a supply of aggregate with the proviso that the Purple Haze site is removed from the Plan.

Policy 20: Local land-won aggregates and Table 6.3 – Local land-won requirement up to 2040

Dorset Council notes that while the Draft Plan identifies a need for approximately 17.1 million tonnes of sand and gravel to meet expected demand during the life of the Plan, it proposes an overall supply figure of 24.5 million tonnes. Of this, 11.2 million tonnes is expected to come from new allocated sites. It is noted therefore the proposed level of supply will exceed the identified need, thereby providing a contingency amount should any of the sites not be developed, or yield less than expected. Dorset Council has no objection to the proposed approach of building in a contingency figure in allocating new sites, provided that the sites allocated in the Plan do not include Purple Haze as this would make the whole plan unsound.

Of the four new allocations for sand and gravel extraction proposed for allocation through Policy 20, two are in close proximity to the Dorset border. These are Midgham Farm near Alderholt and Purple Haze, near Verwood. Dorset Council has the following comments about these proposed allocations.

Purple Haze

Ever since this site was first proposed as an allocation in the 2013 Hampshire Minerals and Waste Plan, Dorset Council has responded to a number of consultations regarding its development, including the current planning application submitted in 2021. It is a very sensitive site and responses to the various consultations have identified that its development as a quarry will:

- Adversely affect the Dorset Heaths Special Area of Conservation (SAC), the Dorset Heathlands Ramsar site and the Dorset Heathlands Special Protection Area (SPA);
- Damage or destroy the interest features for which the Ebblake Bog Site of Special Scientific Interest (SSSI) has been notified;
- Disrupt and displace recreational usage of the site leading to damage to other designated sites in the area;
- Contribute to cumulative traffic impacts, particularly in conjunction with the existing Hamer Warren quarry to the north, and if permission is granted for the Midgham Farm site adjacent to Alderholt and/or the proposed extension of Alderholt - all of which will rely on Harbridge Drove for access, leading to the B3081 in Dorset and on to the A31;
- Result in amenity impacts for local residents and recreational users of the site.

It is understood that the sand extracted from the Purple Haze site will be washed on site before being exported, in order to remove silt. Dorset Council have concerns regarding how the silty water will be processed to remove the silt before it leaves the site. Although the Environment Agency will require that any water leaving the site is of an acceptable quality, concerns remain that the Ebblake Bog Site of Special Scientific Interest (SSSI) could be contaminated should the water leaving the site be even temporarily exceed the set appropriate levels of silt. Dorset Council consider that as the quality of the water leaving the site cannot be guaranteed to be of a consistently high enough quality to ensure that there would be no impacts on the Ebblake Bog, the site should not be re-allocated or developed.

The proposed Purple Haze allocation incorporates part of the Moors Valley Country Park (Moors Valley Country Park), which receives nearly a million visitors a year. Many of these cycle or walk on routes that include land on or around the proposed Purple Haze site. Development of Purple Haze as a quarry will impact on the Park in various ways, including:

- Waymarked routes, including some sections of cycling single track, needing to be rerouted which will result in potentially significant financial costs, change the way people use that area of the site and cause recreational displacement
- Loss of parking and cycle hire income
- Negative impact of the proposed quarry affecting the Park's good reputation should it be assumed that Moors Valley Country Park supported the proposal
- Impact on of the Moors Valley Country Park visitor service having to deal with customer enquiries, complaints and negativity
- The loss of an area of the park that people walk and cycle on, and has been utilised for events in the past.

- Significant concerns about air quality impact caused by silica dust, which is harmful when inhaled by wildlife and human beings.
- A potential impact on trade e.g. reduction in bike hire due to less trails to cycle on
- Lack of access to/from informal car parks along B3081 (especially for local dog walkers)
- Safety concerns should water bodies be included as part of restoration

Although there would be no direct impacts on statutory Rights of Way in other parts of Dorset, apart from increased footfall, the concern is that should the site be developed then land previously used for access would no longer be available, forcing users to other areas possibly less safe or convenient. Displacement of recreational use/users onto land designated for nature conservation protection could cause damage to such land, affecting the reason(s) the land was designated.

Should the Purple Haze site be reallocated and ultimately permitted for quarry development, Dorset Council and Moors Valley Country Park would seek to enter into discussion with the developer and Hampshire County Council with a view to negotiating benefits to offset these and any other impacts that may be identified on the Moors Valley Country Park.

Should the site be developed the approval and monitored implementation of a Dust Management Plan would be essential, to ensure that potential amenity and health impacts from dust generated on and escaping the site are kept to a safe and acceptable level. Dorset Council consider this issue is of key importance give the proximity to Moors Valley Country Park and the number of users of the area.

Dorset Council acknowledges that the site is allocated in Hampshire's 2013 Minerals and Waste Plan, thereby establishing the principle of its development. Our initial responses did not object to the principle of the development, but as specific development proposals have emerged the difficulties faced in developing this site in a sustainable manner have become clearer, leading Dorset Council to question its suitability for re-allocation and/or development, given the significant risks posed to protected habitats (together with potential traffic and amenity impacts). If adverse effects cannot be ruled out, our view is that the site should be removed from the plan and the current planning application refused.

On the information currently available, and being mindful of comments from other consultees such as the Dorset Council Natural Environment Team and Natural England, Dorset Council are unable to support the retention of this site as an allocation in the Draft Plan Update. It is considered that retaining it as an allocation will make the Plan unsound.

This stance could be revised if further information was made available that clearly demonstrated that should the site be developed all harmful effects could be eliminated - mitigation alone is not considered enough to prevent permanent damage. In the absence of such reassurances, Dorset Council maintains its objection to the retention, development or reallocation of all or any part of the site known as Purple Haze in the plan.

Midgham Farm

The north-western part of this proposed allocation lies adjacent to Alderholt, with potential for impacts (e.g. visual, noise, dust) on the amenity of residents. Dorset Council welcomes the requirement set out in the Draft Plan Update that "a buffer is required in the north-west corner and western edge of the site to protect the amenity of Alderholt Village and any urban

expansion". All traffic servicing this site (apart from specific local deliveries) should come from and return to the south and avoid travelling through or alongside Alderholt.

The Bleak Hill Quarry Extension at Hamer Warren, with a current permission for extraction of sand and gravel, lies immediately south of the proposed Midgham Farm allocation. Development of Midgham Farm as a quarry could lead to cumulative traffic loading impacts on Hilbury Road and on down Harbridge Drove. In order to avoid cumulative traffic impacts Dorset Council would want an absolute reassurance that, should Midgham Farm be allocated, the existing Hamer Warren quarry will be completed before Midgham Farm is developed and there would be no simultaneous working of Hamer Warren and Midgham Farm. It is noted that there is also potential for cumulative traffic impacts on the access to the B3081 and the A35 should the proposed extension of Alderholt and/or the development of Purple Haze be permitted.

On the information currently available, Dorset Council objects to this proposed allocation. This objection could be withdrawn should the Hampshire Authorities provide assurances that the proposed development of this site will:

- ensure adequate protection for the amenity of residents of Alderholt;
- ensure no simultaneous working with the Bleak Hill Quarry extension and;
- address the issue of potential cumulative traffic impacts in accessing the A31.

Access to the site is likely to be from the Hillbury Road, crossing land that lies within Dorset Council's administrative area and our response to this consultation is given without prejudice to any subsequent consideration we may be required to give to the development of an access onto the Hillbury Road, should this site be forthcoming.

Dorset Council

4 March 2024

Lisa Kirby-Hawkes,
Economy, Transport and Environment Department,
Elizabeth II Court West,
The Castle
Winchester,
Hampshire SO23 8UD

Date: 28 May 2021
Ref: Purple Haze Consultation
Officer: Trevor Badley
☎ 01305 224 675
✉ trevor.badley@dorsetcc.gov.uk

Dear Lisa,

Thank you for allowing Dorset Council additional time to formulate and return our response to the consultation on proposed quarrying at Purple Haze. Our Strategic Planning Committee considered a report on this subject yesterday, and our response is as follows:

Dorset Council objects to the proposed quarry application at Purple Haze on the grounds that:

- a) The Council is not satisfied that the Environmental Impact Assessment carried out on the proposed development provides robust evidence that all impacts have been identified and will be avoided or appropriately mitigated.*
- b) Insufficient information has been provided to be able to rule out significant adverse impacts on nearby European and Nationally designated sites and species.*
- c) The Hampshire Minerals and Waste Plan (adopted in 2013), states that development cannot be permitted if it may adversely affect the integrity of European protected sites (Appendix A – site allocations, criterion 5). In the absence of sufficient evidence or assurances to the contrary, the precautionary principle should be applied.*
- d) Notwithstanding the allocation of this site in the local plan and the importance of maintaining a supply of minerals, it is not considered that there are any imperative reasons of overriding public interest to justify adverse impacts upon the integrity of Natura 2000 habitats. Furthermore, since the local plan was adopted in 2013, Natura 2000 habitats have faced other cumulative pressures arising from development in the area which would not have been present at the time the local plan was examined. If significant adverse effects cannot be ruled out, Dorset Council would request that Hampshire County Council gives serious consideration as to whether or not the acceptability in principle of mineral extraction can continue to be justified at Purple Haze.*
- e) Without prejudice to the above, Dorset Council would ask that Hampshire County Council also ensures that it is satisfied that all other impacts, such as those related to health, amenity, recreation and highways are fully evidenced and that suitable mitigation is secured.*

Environmental Impact Assessment Scoping Response

In 2020 Hampshire County Council issued a scoping consultation regarding the proposed development of Purple Haze, to establish the scope of the Environmental Impact

Assessment work required to support the submission of a planning application for Purple Haze. Dorset Council responded to this scoping consultation on 10th July 2020.

Dorset Council's 2020 scoping response to Hampshire County Council identified a number of key issues/potential impacts that needed to be carefully addressed. These included:

- a) Ecological, including impacts on sites of international, national and local nature conservation importance and protected species
- b) Hydrology/hydrogeology
- c) Highways
- d) Recreational
- e) Soils
- f) Cultural heritage
- g) Landscape and Visual
- h) Human health (including noise/dust)
- i) Climate Change

Of the key issues identified in the Scoping Report, it was considered that the most significant potential impacts affecting Dorset's interests were likely to be:

- a) hydrology/flooding
- b) ecology
- c) recreational, and
- d) highways/traffic

Hydrology/hydrogeology and flooding.

Surface water from the site is likely to drain westwards, towards Dorset, with potential for flooding impacts and impacts on nature conservation designations including the Ebblake Bog and Moors River. Hydrology/hydrogeology input and advice on an application such as this comes from the Environment Agency, and with regard to flooding issues Hampshire County Council has its own Lead Local Flood Authority (LLFA) team to provide advice.

It is noted that the Environment Agency has already responded to this proposed development and has objected, noting:

"The information submitted with the application does not demonstrate that the risk of pollution to controlled waters is acceptable... The applicant should provide information to demonstrate to the local planning authority that the risk to controlled waters has been fully understood and can be addressed through appropriate measures. This information should address the points raised above and include further characterisation of the hydrogeological regime, particularly in the area of the proposed ponds, and demonstrate that the development will not have an adverse

influence on the adjacent landfills or lead to unacceptable impacts on the underlying Secondary A aquifer or the Moors River and Ebblake Bog designated sites."

Hampshire's LLFA has also commented, requesting that further information be submitted at the current stage in order that they can properly determine potential impacts. They also state " Please note that Hampshire County Council as Lead Local Flood Authority will not comment on the fluvial systems as these are outside our remit."

Given that the fluvial systems referred to are in Dorset, advice from Dorset Council's Flood Risk Management Team (FRMT) was also sought and a discretionary comment received (see Appendix 1 below). Having reviewed the relevant information, the Dorset Council FRMT is satisfied that Hampshire's LLFA and the Environment Agency have made an appropriate response, and will now await further information.

The comments from Dorset Council's Natural Environment Team (NET) also refer to the point that it is not clear that the applicants have fully understood or appraised the issues and impacts regarding hydrology/hydrogeology, and need to undertake further assessment to properly understand potential impacts and mitigate against them.

Dorset Council considers that hydrological/hydrogeological and flooding assessment to date has not satisfactorily demonstrated that impacts, including any impacts on Dorset, can be satisfactorily mitigated to an acceptable level. Further assessment is needed to allow Hampshire County Council to properly assess potential impacts and proposed mitigation.

Ecology

Dorset Council's Natural Environment Team (NET) has reviewed the ecological assessment carried out as part of the Environmental Impact Assessment. The full response is included in Appendix 1 below, but in summary the NET note that they have:

...fundamental concerns regarding the suitability of the minerals allocation at this site and advise that sufficient information has not been provided to allow the Mineral Planning Authority to rule out significant adverse impacts on the nearby European and Nationally designated sites and protected species, as well as the County Wildlife Site encompassing the proposed minerals site.

The site supports habitats and species of International importance which are highly likely to be functionally linked to the nearby designated European Heathland Sites. The survey results of the site raise the question of whether the site is suitable for development of any kind. Although ultimately temporary with restoration proposed, a quarry in this location will have long term impacts on those habitats and species. We advise that the Mineral Planning Authority carefully consider what would constitute appropriate compensatory habitat, which must provide an ecological function of equal or greater value and should be decided in agreement with Natural England.

The scheme as currently put forward by the applicant does not provide us with confidence that the impacts on habitats and species have been fully addressed. While further detail is provided on specific points below (see Appendix 1), the most significant issues we wish to raise are;

- *The acceptability of development on land highly likely to be functionally linked to the European sites known to support qualifying species of the European sites and supporting SSSI-worthy assemblages of species.*
- *Temporary loss of land functionally linked to the European sites not adequately compensated for.*
- *Recreation displacement has not been adequately evidenced.*
- *Hydrological impact on Ebblake Bog SSSI has not been adequately evidenced.*
- *Baseline of the site used does not take into account the Forest Design Plan.*
- *Inappropriate restoration plans resulting in a net loss to biodiversity.*

The judgement from the Court of Justice of the European Union (*People Over Wind and Sweetman, 12 April 2018, C-323/17*) has clarified that in assessing the environmental implications of a proposal such as this one, the developer has to provide robust evidence to demonstrate that all impacts and residual impacts have been identified and appropriate mitigation can and will be implemented. This must be tested through Appropriate Assessment according to Habitat Regulations Assessment requirements.

Dorset Council considers that the ecological assessment as presented has not satisfactorily identified potential impacts and demonstrated that these, including any impacts on Dorset, can be satisfactorily mitigated to an acceptable level. Further assessment must be undertaken to allow Hampshire County Council to properly assess potential impacts and proposed mitigation.

Recreational use of land at and around the Purple Haze site

Recreational displacement can occur when some event or development causes recreational users of any given area to abandon that area, and move elsewhere for recreational enjoyment. Such a move to alternative recreational areas can cause impacts on the local ecology, and/or on existing visitor facilities and recreational infrastructure in the vicinity. The Ecological Impact Assessment submitted as part of the Environmental Statement refers to the issue of recreational displacement, but does not consider that it poses a threat to ecologically sensitive areas in the vicinity of the site. However, this stance is not supported by empirical evidence such as visitor surveys.

Although access tracks on and around Purple Haze will remain accessible as far as possible during working, there is no certainty that they will continue to be used in the way they were before quarrying began. The NET response above refers to the issues of ecological impacts resulting from recreational displacement on nationally and internationally designated land in the vicinity of Purple Haze. The lack of empirical evidence to support the applicant's proposals is noted.

In addition to ecological impacts, there is also the issue of impacts on existing recreational facilities in the vicinity. There are concerns that quarry development could lead to displacement of current recreational users onto neighbouring or nearby land, including land within Dorset, which could impact on Dorset Council's recreational infrastructure, including the Moors Valley Country Park (MVCP).

The local Dorset Council Rights of Way Team was consulted and is satisfied that there would be minimal impacts on Dorset Council managed Public Rights of Way. Their response is set out in Appendix 1 of this report.

Moors Valley Country Park was also consulted, and identified a number of issues/impacts which will require more detailed assessment, and will need to be addressed. These include:

- Negative perception of local people to the proposed quarry, potentially leading to the Park's good reputation suffering should there be an assumption that MVCP supported the proposal
- Impact on of the MVCP visitor service having to deal with customer enquiries, complaints and negativity; it is expected that even though the Park does not own the land, it will ultimately deal with the majority of enquiries about the proposal
- The loss of an area of the park that people walk and cycle on, and has been utilised for events in the past.
- A potential impact on trade e.g. reduction in bike hire due to less trails to cycle on
- Lack of access to/from informal car parks along B3081 (especially for local dog walkers)
- The orienteering course having to be relocated
- Safety concerns about the proposed water bodies in the reinstatement plan
- Possible other concerns, including
 - Impact to the local roads due to extra vehicles coming in and out of the local area.
 - Issues arising around the extraction area ended up with the Dorset Council rangers, e.g. provision of first aid

Dorset Council considers that insufficient evidence has been provided to demonstrate that:

- a) recreational disturbance has been fully considered and mitigated, including potential impacts on the adjacent Moors Valley Country Park; and
- b) recreational displacement will not affect areas of nature conservation importance, including national and international designations, in the vicinity of the site and further assessment is required.

Dorset Council considers that further assessment must be undertaken to allow Hampshire County Council to properly assess potential impacts, and to identify and implement appropriate mitigation to address these impacts.

Highways

The B3081 provides direct access between the site and the A31 trunk road, and from here aggregate could travel into Hampshire, Dorset or BCP. The traffic assessment report notes that should the site be developed, it is likely to generate an additional 90 HGV movements per day, the majority of which will travel to/from the south.

The proposed vehicle access for the site will be in the form of a new T-junction with the B3081 Verwood Road, incorporating a right turn lane for southbound traffic on Verwood Road. As part of the off-site works, it is proposed that a right turn lane is created to serve the Somerley Household Waste Recycling Centre, both of which will provide safer queuing for turning traffic and reduce the likelihood of obstruction to through traffic.

Traffic assessment projections for morning and afternoon weekday peak periods, and the Saturday peak period, for the years 2022 and 2027 indicates that both junctions will operate significantly within their operational capacity. Dorset Council's Highways team has reviewed the highways assessment, and has no comment to make. Dorset Council is therefore satisfied that no further action is required regarding potential traffic impacts.

Please let me know if you require any further information.

Regards

Trevor Badley

Lead Project Officer (Minerals and Waste)

Dorset Council

Appendix 1

A1: Comment from the Dorset Council Flood Risk Management Team (FRM).

Given the proximity to Dorset, the site and activities at Purple Haze have the potential to impact upon the Dorset Council area. However, Hampshire County Council as Lead Local Flood Authority (LLFA) remains the appropriate statutory consultee from a Surface Water Management perspective. The limits of their comments are noted, however, where the LLFA have determined not to consider the downstream fluvial impacts.

This does differ from Dorset Council's FRM's approach, which will consider the impacts of a Drainage Strategy on downstream flood risk. In this case, however, it is noted that Hampshire's Lead Local Flood Authority have sought further detail from the applicant in respect to their drainage proposals – presumably so that the application demonstrates to their satisfaction (as statutory consultee) that the site can be drained so as not to introduce any worsening i.e. increase in runoff from the site. It is noted also that they have made some comment in respect of the proposed restoration strategy.

Whilst the presence of some Ordinary Watercourses (which would come under LLFA regulatory responsibility under the Flood and Water Management Act 2010) is noted, these drain downstream of Verwood, before discharging to the River Crane, which is designated Main River and for which the Environment Agency act as both regulator and statutory planning consultee. The River Crane flows back into Dorset, between St. Leonards and West Moors, and the impacts on this fluvial system (with respect to flood risk and the environment) are most appropriately commented on by the Environment Agency, who have commented in detail and objected to the proposal.

Downstream flood risk associated with the fluvial systems to which the Hampshire County Council LLFA refer are likely to be influenced in two ways:

- a) Through increased runoff from the site due to hydrological changes to the undeveloped surface (this is within LLFA remit from a surface water management perspective, but also within the Environment Agency's remit given the potential impact to the downstream Main River system).
- b) Through changes to local hydrogeology (this falls within the Environment Agency's statutory remit).

In general terms, open cast mining does not usually increase runoff as rainfall falling on the site is usually diverted into on-site storage basins which allow for infiltration to ground. Where an offsite discharge is required (due to the local geology being less permeable), some small attenuation is occasionally required to deal with impermeable plant areas, hardstanding and compacted access roads. This is usually limited however, and often compensated by exposure of the underlying bedrock which can be more permeable than the previous superficial deposits normally stripped away prior to extraction.

Whilst this can impact Ground Water flood risk locally, it is likely to be very limited in extent and, taken at an area level (relative to downstream communities), these effects are likely to be mitigated through natural attenuation provided by the underlying geology with respect to the time of travel taken for groundwater to make its way through local strata. Often our concerns will relate to soil restoration strategies, which can lead to permanent changes in discharge regime post-development, if not considered appropriately. It is noted, however, that the Hampshire County Council LLFA have commented on this aspect also.

Whilst open cast extraction does not usually increase flow discharge or volume, the quality of this runoff, both above and below ground, can be impacted, particularly when undertaking wet working below water table level. For above ground flows, attenuation basins are often offered to help capture silt. However, the impact of the development on the water environment is best assessment by the Environment Agency, who have commented (and objected) on these grounds.

With respect to this application both the LLFA and Environment Agency have objections or requests for further information in place at present. These appear to have addressed the areas as would be expected given their respective remits. It does not appear that the Dorset Council FRM can offer anything further that would be of use to Hampshire County Council as Lead Local Flood Authority and there is no reason to think that they have missed anything.

A2: Comment from the Dorset Council Natural Environment Team (NET)

The Dorset Council Natural Environment Team has fundamental concerns regarding the proposed development of a quarry at this site and advises that sufficient information has not been provided to allow Hampshire County Council as the Mineral Planning Authority to rule out significant adverse impacts on the nearby European and Nationally designated sites and protected species, as well as the (Hampshire) County Wildlife Site encompassing the proposed minerals site.

The site supports habitats and species of International importance which are highly likely to be functionally linked to the nearby designated European Heathland Sites. The survey results of the site raise the question of whether the site is suitable for development of any kind. Although ultimately temporary with restoration proposed, a quarry in this location will have long term impacts on those habitats and species. We advise that Hampshire County Council carefully consider what would constitute appropriate compensatory habitat, which must provide an ecological function of equal or greater value and should be decided in agreement with Natural England.

The scheme as currently put forward by the applicant does not provide us with confidence that the impacts on habitats and species have been fully addressed. While further detail is provided on specific points below, the most significant issues we wish to raise are;

- Principle of development on land highly likely to be functionally linked to the European sites known to support qualifying species of the European sites and supporting SSSI-worthy assemblages of species.
- Temporary loss of land functionally linked to the European sites not adequately compensated for.
- Recreation displacement has not been adequately evidenced.
- Hydrological impact on Ebblake Bog SSSI has not been adequately evidenced.
- Baseline of the site used does not take into account the Forest Design Plan.
- Inappropriate restoration plans resulting in a net loss to biodiversity.

Protected sites

The site itself is designated Ringwood Forest & Home Wood Site of Importance for Nature Conservation (SINC) and has been shown to include features worthy of SSSI notification (reptiles) and to support species protected under the heathland Special Area of Conservation (SAC) and Special Protection Area (SPA) designations (heathland flora and nesting nightjar, Dartford warbler and woodlark). Loss of County Wildlife Sites should be avoided wherever possible. While not in the Dorset Council area, we advise that any loss of the SINC be compensated for on a like-for-like basis and that compensatory habitat be secured, delivered and confirmed to be ecologically functional before the quarry works begin and current habitat is lost.

While full information has not been provided, it is expected that at any one time during operations there will be a net loss of available habitat, which will vary in type and significance to the local species populations depending on the habitat within each phase of development. This loss of available habitat should be compensated for by provision of created or enhanced habitats within the local area. While mineral working is temporary in nature, the protracted timescales associated with the workings, risk of the site operational phase being extended and the potential for habitat restoration and enhancement within the local area lead us to believe that compensatory habitat is achievable for this application prior to final restoration and financial compensation would not be expected or appropriate in this case.

We welcome the use of the DEFRA Biodiversity Net Gain metric, however we do not consider that the baseline used is correct and therefore the resulting figure of 10.65% biodiversity net gain cannot be relied upon as an accurate assessment. The calculation is based on the site as it is currently, rather than the accepted and approved plans for the site as per the current 2009 Forest Design Plan (FDP). Under the current and proposed (but as yet unapproved by Natural England) 2020 FDP, the site will be subject to tree clearance and habitat restoration to heathland, which is likely to increase its importance as a supporting habitat to the surrounding designated heathland sites and associated protected species.

We therefore recommend that the metric calculations be re-run on the most conservative basis, taking into account the proposed habitats under the current and proposed FDP. This should be guided by conversations with Forestry England and Natural England to ascertain the likely trajectory of the site under the as-yet unapproved 2020 FDP. While the Government's mandatory net gain figure will be a minimum of 10% over the baseline and is not yet currently enshrined in law, the scheme should follow any emerging Hampshire County Council policy direction on net gain, especially if this is likely to be set at a level above 10%. Principle 4 of the CIRIA, CIEEM, IEMA, "Biodiversity Net Gain - Good practice principles for development" guidance states that risks should be addressed when calculating Net Gain and that time between the losses occurring and the gains being fully realised is compensated for.

The assessment of habitat change does not quantify habitat loss and gain against the predicted operational timeline of the quarry, therefore it is difficult to see the amount of habitat available to species at any one time. We recommend that habitat losses and gains are set out on a timeline, which should again include the baseline of the site without the proposal on the basis of the current FDP or the most likely outcome for the site resulting from the 2020 FDP. This timeline should also include the areas of adjacent habitat which would face disturbance impacts from the operation of the site which may impact on their ability to be utilised by sensitive species.

Shadow Habitats Regulations Assessment (sHRA)

We do not agree with the conclusion of the sHRA and advise it is not adopted by Hampshire County Council as Mineral Planning Authority as it currently stands.

The sHRA process should assess the impact on features of the designations outside of the European site boundaries, including temporary loss of habitat. The sHRA does not appear to have given adequate consideration of the site and immediate surrounding area as a site supporting Annex II birds and reptiles associated with the nearby European sites and relies on the proposals for restoration of the site to conclude no significant adverse effect on integrity. The temporary loss of habitat linked with the nearby designated sites and displacement of recreation pressures have not been adequately addressed and the continued connectivity across the site is potentially compromised by access routes of unclear widths and indirect impacts (dust, noise and lighting).

Cumulative impacts should be based on the most conservative scenario, as such we advise that reconsideration of the cumulative impacts is completed to take into account the potential for planned restoration of nearby minerals sites to be delayed and for the restoration of habitats to include consideration of the time lag and risk factors associated with the creation/restoration of these habitats. It would aid assessment if the overlap period of the minerals workings is stated within the sHRA.

As per Holohan and Others (C 461/17), any land supporting habitat and species outside the boundaries of a designated site should be afforded the same weight and protections afforded to the European designated site and included within the Appropriate Assessment, provided the implications are liable to affect the conservation objectives of the site.

As per People Over Wind case, Sweetman vs Coillte Teoranta (ref: C-323/17), the sHRA should clearly separate integrated mitigation measures and those which are specific to the site and predicted impacts on the Europeans sites and functionally linked land.

Since the scoping stage, Dorset Council has adopted the Dorset Heathlands Interim Air Quality Strategy (adopted December 2020). The application should ensure and confirm that it meets the requirements within this strategy and that in-combination effects on air quality are fully accounted for.

Hydrology

Insufficient investigation of the hydrological links of the site to Ebblake Bog SSSI and component parts of the Dorset Heathlands SPA have been conducted and we advise that Hampshire County Council cannot be confident that the proposal will not have a significant adverse impact on the designated site. We understand that Natural England have requested an extension to the consultation period and will be providing detailed comments on the hydrological issues with input from national experts.

Recreation impacts

Given the known issues from recreational pressures on the Dorset and New Forest heathlands, we do not agree with the conclusion that the displacement of recreation is unlikely to be of significance to the European heathland sites and recommend further work is completed to fully assess this impact.

At the scoping stage, Natural England provided specific recommendations on the assessment of recreational use of the site, which do not appear to have been taken forward. There has been no structured study of the current recreation pressure of the site and therefore there is reasonable doubt over the likely impacts of visitor displacement over the operational lifetime of the quarry. While it is noted that observations were that visitors largely stayed to the defined paths there is no empirical data by which to fully consider the impacts of displacement and carrying capacity of the surrounding areas.

The observations and assessment of visitor pressure focus on visitors to Moors Valley Country Park, which we agree is likely to be the main source of visitors, however there are a number of car parks and informal stopping points along the B3081 as well as local residents in Verwood, whose recreational habits around this area have not been taken into account.

The management of visitor pressure during the operation of the quarry should be set out and agreed prior to any approval, with clear lines of responsibility between landowners/managers, and allow time for restored habitats to bed-in before any recreation is formally re-directed to these areas. To manage visitor pressure and avoid unmanaged spill-over, which may adversely impact on sensitive habitats and cause disturbance to species, we suggest the potential for new and alternative routes is fully explored. This should include consideration of current levels of use on proposed diversion routes, consideration of known sensitive habitats and species ranges and avoidance of the designated sites.

Restoration plans

The proposed restoration plans are not appropriate in that they do not focus on restoration of the site to priority habitat and we strongly recommend they are revised. Restoration should be targeted towards priority habitat and tie in with the landscape character assessment of the area. The methodology of restoration should be assessed by those with experience in heathland restoration and expert advice taken on this subject as the current proposals have been noted locally as unsuccessful in resulting in high quality restored heathland. While we have not provided detailed suggestions for the restoration, we would like to specify the below points in particular:

- The proposed waterbodies should be removed.
- The proposed areas of broadleaved woodland should be removed.

Birds

The site has been shown to support populations of breeding nightjar and when the surrounding habitat likely to be disturbed by the proposals is taken into account it is highly likely that breeding populations of Dartford warbler and woodlark will also be affected. These species are all features of the nearby European heathland sites and therefore should be awarded the same protections as designated site.

The sHRA has ruled out the nightjar population onsite and in the surrounding survey area as not being linked to the Ebblake Bog designation due to it not being mentioned on the SSSI citation, however there is no discussion of the population's link to the other nearby European sites. There is deemed to be no loss of functionally linking habitat supporting nightjar, however it is difficult to see the steps to this conclusion as there is no timeline of loss and gain of supporting habitat (including habitat deemed unsuitable for nesting birds as a result of noise disturbance) and the baseline site value as per the FDP has not been used. The sHRA also

notes that populations in Hampshire are declining and Dorset have shown no significant increase or decrease in recent years and that localised displacement is likely.

It has been calculated that there will be a noise disturbance zone of 100m from the edge of the site workings which may impact on the behaviours of nesting birds. This loss of available nesting habitat does not appear to have been factored into the calculations for compensatory habitat and evidence has not been provided that the northern section of the site set aside for nature will be of sufficient size and quality to support the displaced birds. While the report and sHRA note that the operational noise will not occur during the night and so not affect the churring of nightjar, the noise generation during that day may dissuade nightjar and other birds from nesting within this zone or cause disturbance with potential for nest abandonment.

The Nesting Bird Protection Scheme to be produced as part of the application should be provided prior to any decision.

Reptiles

The site has been assessed as being of National importance for reptiles, with an assemblage potentially worthy of SSSI notification and the reptile report stating that the site should be assessed as such and the habitats associated with Annex II species afforded the relevant protections.

Planning permission where a European Protected Species License (EPSL) will be required should only be granted where there is sufficient information to be confident that an ESPL can be granted, i.e. the proposals meet the licensing tests. We do not consider that the application currently gives enough confidence on the suitability and carrying capacity of the receptor site throughout the operational phase and potential for phased translocations to be able to be absorbed by this receptor site for the minerals authority to be certain the tests of the EPSL process are met.

Bats

We recommend that the application include a lighting plan with lux contour lines mapped. The lighting scheme should be designed with input from the Ecological Consultant and specifically adhere to the Bat Conservation Trust and Institute of Lighting Professionals Guidance Note 08/18: *Bats and artificial lighting in the UK*.

Appendix 2 – Ecological Impact Assessment states at 6.3.10 that no trees have been identified with bat roosting potential but that in accordance with best practice, further survey and/or sectional felling techniques will be used under the supervision of a bat licensed ecologist. This would rely on suitable features being known and able to be identified by those undertaking the felling works. We suggest that if the Ecological Consultant is confident in their assessment of the roosting potential of all trees to be negligible, a checklist could be written to guide consideration of trees prior to removal, which points towards when it would be necessary for detailed assessment/survey by an ecologist.

The assessment of the loss of habitat for bats should be reconsidered alongside the scope for changes to the restoration plans, as the length of woodland ride may change from the current assessment, as may the proposed habitats and therefore the potential for these habitats to support bats.

Trees

Although unlikely given the history of the site, without a tree survey being conducted the authority cannot be certain that the works can proceed with impacting important trees and therefore the potential need for additional compensation for the loss of important trees and/or impacts to wildlife is currently unknown. (i.e. loss of hibernation sites for reptiles may require further compensation features).

Invertebrates

The moth trapping which Dorset Council recommended at the scoping stage has not been completed and note the constraints provided in the invertebrate survey report. The report notes that the site provides important connectivity for invertebrates from East to West, that it is a site of national importance for the invertebrate assemblage, of suitable quality to be a SSSI designation feature and records of the Southern Wood Ant which are included on the SINC designation have been found on the site. We recommend that Hampshire County Council give thought to the principle of a quarry in this location given the importance of the site for invertebrates and their abilities to disperse and colonise new areas of habitat.

We welcome the inclusion of open habitats, bare ground, sandy banks and decaying deadwood in the restoration plans and the retention and ongoing availability of these habitats should be secured within the Landscape Management Plan.

Badgers

The Badger Report notes that while the substrate is not suitable for burrowing badgers there are foraging opportunities and that one of the planned surveys has not been able to be completed. As badgers are a highly mobile species, we recommend that the proposal should include additional survey before each phase is brought forward to re-assess the baseline and avoid harm. We would also expect an operational phase management plan to include precautionary mitigation measures to avoid harm to badgers, which could move into the site over the operational lifetime.

Outline Landscape Management Plan

Please note we have not reviewed the Outline Landscape Management Plan due to time constraints and our view that addressing the concerns above will necessitate the revision of this document prior to any decision.

A3: Comment from the Dorset Council Rights of Way, Eastern Area Office

Having looked at the information provided it would seem that recreational displacement will be kept to a minimum, and will not affect any Dorset Council managed Public Rights of Way.

The only Dorset Council Bridleway that passes through Moors Valley Country Park passes south of the area in question. As the majority of the tracks are to remain open there is no reason to suggest that this route would see an increase in users or any other negative effects from this planning application.

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Date: 26 May 2023
Our ref: 425633425633
Your ref: 21/1045921



Lisa Kirby-Hawkes
Development Planning Manager
Hampshire County Council

Customer
Services
Hornbeam House
Crewe Business
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T 0300 060 3900

Dear Lisa,

Planning consultation: Extract & process building sand - incidental sand & gravel, ecological mitigation works, new access off the B3081 Verwood Road, processing plant, conveyor system, weighbridge, site office & welfare facilities, staff parking with progressive restoration to a mosaic of lowland heath, gorse scrub, woodland & pond areas.

Location: Purple Haze, Nr. Verwood.

Thank you for your consultation on the above dated 13 March 2023 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

OBJECTION

Natural England objects to this application. As submitted we consider it will:

- have an adverse effect on the integrity of Dorset Heathlands Special Protection Area (SPA) and Ramsar site and Dorset Heaths Special Area of Conservation (SAC) <https://designatedsites.naturalengland.org.uk/>
- damage or destroy the interest features for which Ebblake Bog Site of Special Scientific Interest (SSSI) has been notified.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Natural England have reached this view for the following reasons:

- The proposals may result in significant permanent changes to the functional hydrology of wetland habitats for which will impact Dorset Heaths SAC, Dorset Heathlands Ramsar site and Ebblake Bog SSSI
- The proposals are likely to significantly affect SPA birds via loss of breeding and foraging habitat on functionally linked land

- The proposals may result in negative impacts on areas of the Dorset Heathlands SPA and New Forest SPA through the displacement of recreational pressures

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 63 and 64 of the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') have not been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment (HRA).

In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your Authority may decide to make.

Natural England advises that the following additional information should be submitted by the applicant in order for your authority to fully assess the proposal:

- Further hydrogeological assessment of impacts on European and nationally designated sites,
- Further information relating to the functional linkage of the application site and surrounds in relation to Dorset Heathlands SPA birds.

Please see further advice below that expands further on the issues discussed above.

Hydrology and hydrogeology

Natural England still requires further information to assess whether the proposals at the Purple Haze site will have adverse effects on Dorset Heaths SAC and Dorset Heathlands Ramsar site, and/or adverse impacts on Ebblake Bog Site of Special Scientific Interest (SSSI) in relation to hydrology.

The proposed works at Purple Haze have the potential to significantly alter the natural hydrogeological regime of the designated sites via changes in water flow and quality. The hydrology report that supports the application, Hydrogeological Impact Assessment Purple Haze Quarry (Hafren Water, February 2023), provides no information that enables an assessment of the hydrological functioning of the Ebblake Bog SSSI. The report has been included in order to be able to make a reasonable judgment on whether there are likely to be any impacts. There is also a lack of clarity about the importance of different hydrological inputs. It states that the majority of the water is derived from the surface water catchment of Ebblake Stream (with groundwater inputs of negligible quantity by comparison) indicating that it is the stream itself that is the main water source for the SSSI wetland. However this appears to be an unevidenced assertion and is contrary to our understanding of the functioning of the bog where there appears to be little surface water connectivity between the stream and bog. The report neglects the potential importance of even relatively small inputs from groundwater seepage on maintaining the biological diversity and designated interest features. Moreover there is an implicit assumption throughout that provided the quantity of water reaching the bog is maintained then effects will be negligible. However, wetland vegetation is also be affected by the characteristics of the hydrological regime where the existing geology will provide a degree of attenuation that would be partially lost. This issue has not been explored. The hydrology report also discusses the presence of perched groundwater stating that these do not support the bog; however, no evidence has been provided to support this.

Natural England also have two additional concerns with regard to the proposed ground water abstraction. The hydrology report states that the radius of influence would be entirely within the site, but no assessment has been undertaken to support this. Secondly, clarification is required as to the material to be used for restoration purposes. The report states that site-won material will be used; where this is clay material, there could be impacts on infiltration post-restoration.

At present Natural England objects to the proposals as there remains insufficient information to

provide the certainty required that the proposals will not have adverse impacts on designated sites. Further information is required to address the concerns raised above and within the 2021 consultation response. However, given our current understanding of this issue, our view is that it remains a strong possibility that the development in its current form cannot be implemented without adverse effects on these designated wetland sites.

Functional linkages to European designated sites

As highlighted in our previous response in 2021, we consider the Purple Haze application site has various functional linkages with the nearby Dorset Heathlands SPA in relation to SPA birds, and the Dorset Heaths SAC concerning great crested newt and typical species of SAC habitat features including rare reptiles and invertebrates. Please refer to NE supplementary advice to the [conservation objectives for these sites](#). These will need to be assessed within the appropriate assessment, and are discussed in further detail below.

SPA Birds

It remains Natural England advice that the proposals will result in a significant loss of Ringwood Forest, a locally designated Site of Importance for Nature Conservation (SINC) which is known to support Annex 1 birds, which are the basis of the Dorset Heathlands SPA designation. Ringwood Forest has been identified by the RSPB as an Important Bird Area. Research carried out by British Trust for Ornithology¹ explores the home range size and behaviour of nightjars, establishing that an individual nightjar can travel up to 747m a night between breeding and foraging sites, demonstrating the requirement that nightjars rely on different habitat components to support their conservation status. The Dorset Heathlands SPA and Ringwood Forest SINC, also is known to support breeding heathland birds such as woodlark and Dartford warbler, as well as non-breeding features of the merlin and hen harrier.

The Purple Haze site supports six breeding pairs of nightjars, a designated interest feature of the SPA, with an additional ten pairs recorded on Ebblake Bog SSSI as noted in the breeding and wintering bird report (Ecology by Design, 2023). The nightjars recorded on the application site are considered to form part of the wider SPA population, and hence the site supports the functionality and integrity of the SPA for this feature. This land will contribute to the achievement of the SPA's conservation objectives and it can therefore be protected in this context. Any proposals that result in the loss of nightjar habitat on the Purple Haze site has the potential to impact the Dorset Heathlands SPA, and this aspect should be taken through to appropriate assessment.

We previously referred to a similar case known as the Land At Former Rufford Colliery, APP/L3055/V/09/2102006, which utilised a risk based approach that could provide a suitable methodology for considering the impacts of the proposal in relation to nightjar for the Purple Haze application.

The above advice relates specifically to nightjar, however effects on other SPA birds such as Dartford warbler, woodlark, merlin and hen harrier should also be considered.

Where impacts on SPA birds are identified, a suitable avoidance and/or mitigation strategy should be put forward. At present, the mitigation to offset the Purple Haze proposal is detailed within the Shadow Habitat Regulation Assessment and Appropriate Assessment (Ecology by Design, 2023). The Outline Landscape and Ecology Management and Monitoring Plan (Ecology by Design, 2023) details the mitigation and enhancements for SPA birds. However, the current supporting information does not provide the necessary confidence that impacts have been fully assessed. We strongly advise that further work is done to ascertain the true scale and nature of impacts on SPA birds that should then go to inform a suitable mitigation strategy as required. It is unclear as to whether nightjars will be able to move through the site during the operational phase. The effects of phasing and restoration plans should be considered carefully in order to quantify the loss of habitat

¹ [Home-range size and habitat use of European Nightjars *Caprimulgus europaeus* nesting in a complex plantation-forest landscape | BTO - British Trust for Ornithology](#)

for Annex 1 species at any given time. It is recommended that the restoration of the quarried phases is complete before the next stage is cleared. The newly planted woodlands and heathland will be important components to enabling the recolonisation of Annex 1 species such as nightjar across the site throughout the operational life of the quarry.

The shadow HRA states that the restored areas will be out of bounds for recreational use throughout the operational phase, which is a positive for nightjars and other heathland species. The areas of grassland and newly planted coniferous woodland will be important for the re-establishment of nightjar territories. However, Natural England has some concerns over the separate offsite areas put forward as additional mitigation, notwithstanding the advice above about further work to ascertain the level of impact. No baseline bird surveys of the areas known as Bakers Hang and Jack's Garden have been carried out. It is anticipated that these two areas also breeding nightjar along with other Annex 1 species. Additionally, these areas will be subject to disturbance as a result of increase recreational pressure dispersed from the Purple Haze site (discussed in further detail below). There is the potential that the proposals could result in a decline in the local SPA population of nightjars due to the large area the proposals are impacting. In recent years a decline in nightjar on the nearby New Forest designated sites as a result of changes in habitat management and increased recreational pressure, was recorded within the Survey and Assessment of Nightjar status in the New Forest report (Arcadian Ecology, 2018). The supporting survey data that has been submitted within the Breeding and Wintering bird report (Ecology by Design, 2023) is considered inadequate to be able to assess the impacts the proposals will have on Annex 1 species which are associated with the Dorset Heathlands SPA. Further information is required of the bird species assemblage across the offset areas, which is recommended to be followed by an update mitigation strategy as necessary.

Natural England also advises that post-restoration habitats and landscaping are reconsidered in accordance with the East Dorset Forest Design Plan (FDP) by Forest England. To ensure that post restoration habitats still have the ability to support SPA birds, the conservation objectives detailed within [The European Site Conservation Objectives: Supplementary advice on conserving and restoring site features of Dorset Heathlands Special Protection Area](#) (Natural England, 2019) should also be referred to. The report highlights that areas of open heathland should be restored and management of trees and scrub to allow for restoration of heathland should be undertaken. The highland seed mix proposed for the site, could result in new species not related to the area to be introduced to the seed bank which could interfere with the heathland restoration.

At present Natural England objects to the proposals as there is insufficient information to confirm that the proposal will not have adverse impacts on Annex 1 species related to the Dorset Heathlands SPA.

Rare reptiles

Ringwood Forest is locally designated as a Site of Importance for Nature Conservation (SINC), based on an extensive 1,081 ha composed of plantation, mire and heathland habitat. The supporting reptile report (Ecology by Design, 2023) outlines that the site is considered to support nationally important populations of rare reptiles. The report details that the Purple Haze site supports a good population of smooth snakes and sand lizards which are the UK's rarest and most secretive reptile, as well as grass snake, adder and common lizard. The heathland habitats recorded across the Purple Haze site form part of a wider ecological network of heathland, conifer woodland plantations and rough grassland which provides connecting corridors to the Dorset Heaths SAC. Rare reptiles are classed as typical species of the SAC and therefore impacts on resident populations should be considered within the HRA.

We would reiterate our previous advice that a European Protected Species license (EPSL) from Natural England would be required in order to prevent the contravention of statutory protections of these reptiles and their habitats under both the Wildlife and Countryside Act and the Habitat Regulations. In order to grant the requisite licenses, Natural England would need to be satisfied, amongst other criteria, that favourable conservation status for each species was maintained.

The proposed mitigation measures detailed in the mitigation and Outline Landscape Environmental Mitigation Management Plan (OLEMMP) are considered to fall a long way short of demonstrating that there will be no adverse impacts on rare reptiles, which goes against the requirements of Policy 12 of the current Hampshire Waste and Mineral Plan (HWMP). The following concerns still need to be clarified;

- The EPSL will need to consider the impacts of the proposed quarry on rare reptiles as typical species of the heathland feature of the Dorset Heaths SAC. This should include further detailed consideration of the proposed realignment of Track F; there is a spine of heathland which runs along both sides of this track that is known to support rare reptiles and is likely to suffer from direct habitat loss and increased recreational impacts during the lifetime of Purple Haze works.
- The proposal for the site will be subject to obtaining a European Protected Species Licence (ESPL) for rare reptiles from Natural England. The current mitigation report misses out entire sections detailing the translocation methodology, timings of works and does not include any details of the chosen receptor areas or enhancements prior to translocation. The survey data also presented is out of date according to CIEEM².
- Further detailing on phasing is required to assess the habitat loss on reptiles at any one time. It is understood that the reptile fencing will remain in place for up to 5 year post-restoration. It is unclear if the restoration for one phase will be completed before the next phase is started.
- The area north east of Ashley Heath, known as Jack's Garden, has been put forward to mitigate for the loss of habitat during the quarry operational phase. We note the site is already subject to recreational access from visitors to Moors Valley Country Park, and that access use is likely to increase via plans to expand the nearby car park as a measure to address recreational impacts (see further advice on this aspect below). Out of the 34.5ha only 5% has been assessed as suitable to support reptiles. 9.7ha of Jack's Garden is planned to be restored to heathland to increase the carrying capacity for reptiles. However, we consider that this approach may be undermined by increases in recreational use of the site; the same area of Jack's Garden has also been allocated to absorb additional recreational pressure to offset visitor displacement impacts by the proposals. The additional visitor numbers are likely to have adverse impacts on the rare reptiles via disturbance, trampling and other impact pathways. How has this been considered?
- Additionally, due to the associated conifer and mixed woodland seed bank within the soil, intense management is likely to be required to ensure the site will be able to function effectively as mitigation. At present islands of heathland within the centre of Jack's Garden are isolated by conifer woodlands and the removal of the woodland should allow heathland to recolonise. Further detail about proposed management and monitoring is required.
- There are lots of missed opportunities to enhance the offsetting areas for reptiles, e.g. through sandscapes, hibernacula, and log piles from cleared vegetation.
- With regard to proposed habitats for restoration, certain species in the proposed woodland mix such as downy birch, may become invasive across the heathland where inappropriately managed over time.

Proposed habitat restoration to mitigate impacts on reptiles should be designed appropriately, and implemented and managed in line with a robust long term management and monitoring plan that should reflect the FDP for the area.

We consider the proposal as it currently stands is likely to impact the conservation status of the

² CIEEM, (2019) Advice Note on the Lifespan of Ecological Reports and Surveys. Available at [Advice-Note.pdf \(cieem.net\)](https://www.cieem.net/Advice-Note.pdf)

resident populations of rare reptiles, and is therefore likely to have a significant effect on the heathland feature of the Dorset Heaths SAC.

Great Crested Newts

Great crested newts (GCN) are a qualifying Annex 2 species of the Dorset Heaths SAC. The ecological surveys carried out at the site in 2019 recorded GCN present within two of the waterbodies within 500m of the application site, within Ebblake Bog SSSI. The closest is 281m north west of the boundary of the Purple Haze site. No further survey work appears to have been carried out to establish the size of the local metapopulation.

GCN recorded within the waterbodies C and E north west of the site, could potentially disperse traveling up to 500m through the mosaic of heathland, grassland and scrub on the Purple haze site. It is anticipated that due to the distance from the waterbodies, GCN are only likely to be present within terrestrial habitat in the northern section of the site. Any loss of habitat or habitat alternations have the potential to impact individual GCN, and could have significant effects on the Dorset SAC.

To ensure that the Purple Haze quarry proposal does not breach relevant wildlife legislation or result in killing or injuring GCN during the construction phase, an EPSL will be required. To inform the licence, updated surveys will be required to be undertaken of the waterbodies within 500m of the site. If GCN remain present within the waterbodies, a mitigation strategy, based on the current population size, should be developed that includes suitable enhancement measures. At present Natural England advise it is not possible to assess whether the Purple Haze proposals will impact upon the integrity of the SAC in relation to GCN, and we advise this aspect is taken through to appropriate assessment for further detailed consideration.

Invertebrates

The diverse mosaic of habitats across the site, featuring wet and dry heathland, scrub and tall-herb communities, provides a wide range of opportunities of high conservation value for invertebrates. The habitats on site form part of the wider habitat network across Ringwood Forest SINC, and the Dorset Heaths SAC. The invertebrate surveys carried out in 2019 and 2020 recorded a total of 511 species. 55 (over 10%) of those were species of recognised conservation importance in the UK. Of these, 6 species are currently listed as 'Nationally Rare' (NR) (based on IUCN rarity criteria); 39 species are classed as 'Nationally Scarce' (NS) and one species, the formerly rare Alder Leaf Beetle *Agelastica alni*, is listed in the 'Data Deficient' (DD) category. The rarest species recorded on the application site is the Nationally Endangered comb-footed spider.

The proposals will result in a loss of valuable heathland habitat and consequentially adversely affect the invertebrate populations. No further surveys appear to have been carried out to ascertain the invertebrate assemblage across the wider Ringwood Forest. Further clarity is required with respect to phasing and restoration plans to assess and quantify habitat loss at any one time.

The area to the north of the site is proposed to be enhanced for invertebrates through the removal of blocks of rhododendron and bracken, as well as woodland which will allow the heathland seed bank within the soil to flourish through natural colonisation.

The supporting Shadow HRA states that invertebrates will naturally recolonise the site post restoration, but we consider the habitats proposed within the landscaping plans are likely to be detrimental to the survival of heathland invertebrates. The areas of proposed broadleaved woodland may hamper the restoration of lowland heathland via invasion of species such as birches which spread quickly. Natural England also strongly recommends against the use of Habitat Aid's Scottish Highland Meadow Seed Mix; the seed mix is associated with the grasslands and species assemblage in the north, and is likely to fail to support heathland species recorded at the site, resulting in local species dying out.

No baseline invertebrate surveys appear to have been carried out across the two offset areas, known as Bakers Hang and Jack's Garden. Jack's Garden at Ashley Heath is made up of

predominantly coniferous woodland (23.2 ha) with pockets of lowland heath (0.7 ha) and wet heathland (0.5ha). Within the pockets of heathland saplings of early succession birch and pine were recorded, as a result of a high seed bank, soil enrichment over the years and high recreational use. Management is required to promote the restoration of heath once the woodland clearance has been undertaken. The areas of heathland within Jack's Garden has the potential to support invertebrates.

Overall the application for Purple Haze will result in a loss of habitat that supports an invertebrate assemblage with several species of national importance at the site, that may adversely affect the Dorset Heaths SAC through functional linkage. The proposed landscaping as part of the restoration has the potential to result in local species dying out long term. This will need careful consideration within the appropriate assessment.

Other Protected and Notable Species

Plants

The National Vegetation Classification (NVC) surveys carried out across the 2019 and 2022 recorded heathland, woodland and other associated habitats across the Purple Haze site. A significant population of the IUCN Endangered, Rare and GB Red listed coral necklace *Illecebrum verticillatum* was recorded on the Purple Haze site along the eastern trackside. By 2022 this had spread slightly northwards. The surveys indicate that the Purple Haze site is nationally important for the conservation of the species. The mitigation measures put in place detailed within the OLEMMP and EIA is not considered adequate to ensure the survival of the species will be supported in this area; the experimental translocation of the coral necklace detailed within Section 6.5.33 has a high risk of failure due to the difficulty in replicating the particular needs of the species.

Habitat Loss

The quarry will result in a significant loss of nationally and internationally important habitat, including wet heath, mire, transitional and associated habitats, equating to approximately 61 ha, with sections being cleared and species dispersed in three year blocks. We consider the mitigation proposed to compensate for the losses remains inadequate. The OLEEMP does not include enough detail on the creation and establishment of new restored habitats, which includes the time delay. This will be detrimental to supporting species on site, and have the potential to lead to local extinction of invertebrates. Previous sand gravel quarries in Dorset have shown that it in practice is not feasible to establish wet heath or other peat-based habitats.

Wet heath and mire habitats have established over a long period of time, developing over a layer of peat which takes decades to form. We retain our view that the wet heath and wet heath/mire transitions within the application site should be viewed as irreplaceable habitat and dealt with as such as part of the application.

Recreational Impact

Natural England still requires further information to assess the impacts of the recreational displacement as a result of the Purple Haze proposals on local European designated sites particularly with regard to Dorset Heathlands SPA, Dorset Heaths SAC and New Forest SAC, SPA and Ramsar site as a result of the displacement of people by the proposed works.

The current information supporting the application is inadequate to assess the impacts in relation to recreational disturbance. As highlighted within our 2021 consultation response, Ringwood Forest was the third most visited of all Dorset heathland sites in a survey carried out in 2008 by Footprint Ecology (Access Patterns in South-east Dorset. Dorset Household Survey and Predictions of Visitor Use of Potential Greenspace Sites). The supporting visitor survey report detailed the visitor survey carried out across the site, which consisted of 6 cameras at mapped locations for a short period between 11- 29 September but only 7 days were analysed, which is not considered extensive enough; additionally the camera surveys were carried out during the Covid lockdown, when recreation and travel were significantly restricted, and therefore the results of the survey do not

necessarily provide a true picture. No survey effort was made to assess the recreational pressure of other areas of Moors Valley Country Park or the two areas put forward to offset recreational impacts from the quarry. The mapping across the reports has wrongly identified the forest loop cycle trail as the Watchmoor Loop, this may need revisiting.

The ES and Shadow HRA only consider how access may change within the immediate area of Ringwood Forest around the application site, thus with only the Dorset Heathlands SPA/SAC at Ebblake Bog affected. It does not examine how visitors may be put off going to this part of Ringwood Forest entirely and divert to other parts of these designated sites, for example at Avon Heath Country Park or Stephens Castle. These were only some of the several locations mentioned that are within the Dorset Heathlands SPA (Canford, Ferndown Common, Dewlands Common, Holt Heath, Whitesheet) demonstrating that factors that affect the attractiveness of the site could lead to these alternative locations being more frequently chosen.

It is observed that because of the wet nature of Ebblake Bog people tend to keep to the paths. But this does not mean that there are not drier areas around the fringe of the bog supporting features sensitive to increased visitor numbers or that dogs will not stray away from paths.

Two areas. Bakers Hang and Jack's Garden. are put forward as mitigation to address recreational impacts.. The two sites together amount to less than the area at Ringwood Forest being lost. Other than the Phase 1 habitat survey carried out at the site, no further visitor survey effort has been carried out across the two areas to establish the potential of the sites for addressing recreational impacts. Therefore, Natural England still has the following concerns that require addressing;

- Are the two offset areas capable of supporting an increase in visitor numbers and recreation pressures. Baseline visitor surveys are needed to establish current levels of recreational use.
- Can it be demonstrated that increasing access to these areas will not undermine mitigation plans for other target habitats and species features including rare reptiles and SPA birds? How will impacts be avoided?
- A detailed monitoring and management strategy during and post the operational phase will be needed.

The proposals must demonstrate that there will be no additional recreational pressure or increased visitors numbers to the nearby designated sites(as is the case for all housing developments in the Dorset heathland area [within 5km]) The Purple Haze proposal will result in a loss of 61 ha of Ringwood Forest during the operational phase, which we consider is likely to result in a dispersal of recreational users across other locally designated sites within the area. Therefore, our previous comments in relation to this impact still stand.

The proposals must demonstrate that there will be no additional recreational pressure or increased visitors numbers to the nearby designated sites. The Purple Haze proposal will result in a loss of 61 ha of Ringwood Forest during the operational phase, which we consider is likely to result in a dispersal of recreational users across other locally designated sites within the area. Therefore, our previous comments in relation to this impact still stand.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me at Emma.Taylor@naturalengland.co.uk .

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Please consult us again once the information requested above, has been provided.

Yours sincerely

Emma Taylor
New Forest Lead Adviser
Thames Solent Team

Annex A

Natural England offers the following additional advice:

Protected Species

Natural England has produced [standing advice](#)³ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found on [Gov.uk](#). Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

Natural England's [Biodiversity Metric 4.0](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 4.0](#) and is designed for use where certain criteria are met.

³ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 4.0](#) and is available as a beta test version.

[Green Infrastructure](#)

Natural England's [Green Infrastructure Framework](#) provides evidence-based advice and tools on how to design, deliver and manage green infrastructure (GI) . GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the [15 Green Infrastructure Principles](#). The Green Infrastructure Standards can be used to inform the quality, quantity and type of green infrastructure to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

GI mapping resources are available [here](#) and [here](#). These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

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Cabinet 12 March 2024 Hazelbury Bryan Neighbourhood Plan Review

For Decision

Portfolio Holder: Cllr D Walsh, Planning

Local Councillor(s): Cllr P Batstone

Executive Director: Jan Britton, Executive Lead for Place

Report Author: Ed Gerry
Title: Community Planning Manager
Tel: 01258 484211
Email: ed.gerry@dorsetcouncil.gov.uk

Report Status: Public

Brief Summary: The neighbourhood plan review has been subject to independent examination and the examiner has recommended that the Council should make (adopt) the plan with the modifications specified in his report (Appendix B). (The examiner has concluded that there is no statutory requirement for a referendum in this instance given the limited nature of the changes proposed to the plan). The purpose of this report is to formally make the modified plan part of the development plan for use in planning decisions in the Hazelbury Bryan Neighbourhood Area.

Recommendations: The following recommendations are made:

- a) That the Council makes the Modified Hazelbury Bryan Neighbourhood Plan 2018 - 2031 (as set out in Appendix A) part of the statutory development plan for the Hazelbury Bryan Neighbourhood Area.
- b) That the Council offers its congratulations to Hazelbury Bryan Parish Council and members of the Neighbourhood Plan Group in producing a successful neighbourhood plan review.

Reason for Recommendations: To formally make the modified neighbourhood plan part of the statutory development plan for the Hazelbury Bryan Neighbourhood Area. In addition, to recognise the significant amount of work

undertaken by the Parish Council and members of the Neighbourhood Plan Group in preparing the plan review and to congratulate the Council and the Group on their success.

1. Hazelbury Bryan Neighbourhood Plan Review

- 1.1 The neighbourhood plan area for Hazelbury Bryan was designated by North Dorset District Council in October 2016. Following significant amounts of consultation and research Hazelbury Bryan Parish Council (the Qualifying Body) submitted the Hazelbury Bryan Neighbourhood Plan 2018 - 2031, and associated documents, to North Dorset District Council in July 2018. The submitted plan was subject to consultation, independent examination and then a referendum. The referendum was held on 7 February 2019 and a majority of those who voted in the referendum voted in favour of the plan. Consequently, the neighbourhood plan was formally made by North Dorset District Council on 8 March 2019.
- 1.2 In January 2023, Hazelbury Bryan Parish Council decided to review the made plan. As part of the review it was decided to undertake a new housing needs assessment. The results of the assessment confirmed that with the existing sites in the Plan, the completion of some existing approvals, infill developments and other approvals yet to be built there was adequate housing supply to meet local needs. Consequently, it was determined that a “light-touch” review would be sufficient. Full details regarding the changes proposed are outlined in the Modification Proposal Statement which is available via the link set out at the end of this report.
- 1.3 The modified plan, and its associated documents, were subject to formal consultation from 24 November 2023 to 12 January 2024. Dorset Council¹ subsequently made arrangements for an independent examination of the plan review as required by The Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.4 The examination was conducted by Andrew Mead BSc(Hons) MRTPI MIQ and his report on the plan was published on 28 February 2024. The Examiner’s Report concludes that subject to two modifications, and other minor non-material amendments, the modified plan should proceed to be made (adopted) by Dorset Council. (The examiner has concluded that there is no statutory requirement for a referendum in this instance given the limited nature of the changes proposed to the plan). The modified plan, once made, will replace the existing Hazelbury Bryan Neighbourhood Plan 2018 – 2031, which was made in March 2019, as part of the development plan for the Hazelbury Bryan Neighbourhood Area.

¹ On 1 April 2019 the county’s nine councils were replaced by two new organisations. Dorset Council became the local authority for the area previously covered by North Dorset District Council.

2. Financial Implications

- 2.1 Dorset Council is eligible to claim a grant of £10,000 after the revised plan comes into force following examination. This grant is intended to cover the costs associated with the Council's input into the production of the modified neighbourhood plan including the costs associated with the examination.

3. Natural Environment, Climate & Ecology Implications

- 3.1 The modified plan has been prepared in accordance with national planning policy and guidance which seeks to deliver sustainable development through planning decisions including by improving biodiversity and mitigating and adapting to climate change. The independent examiner who conducted the examination of the modified plan considers that the plan contributes to the achievement of sustainable development.
- 3.2 As this report is pertaining to the Hazelbury Bryan Neighbourhood Plan Review, there is no specific requirement for including a climate decision-wheel in this instance.

4. Well-being and Health Implications

- 4.1 The modified plan has been prepared in accordance with national planning policy and guidance which seeks to deliver healthy, inclusive and safe places.

5. Other Implications

- 5.1 The modified neighbourhood plan will form part of the development plan for the Hazelbury Bryan Neighbourhood Area alongside other current adopted plans including the North Dorset Local Plan Part 1 (2016). Planning applications, which will be considered by Dorset Council, will be determined in accordance with the development plan unless material considerations indicate otherwise.

6. Risk Assessment

Having considered the risks associated with the decisions, the level of risk has been identified as:

Current Risk: LOW

Residual Risk: LOW

- 6.1 A legal challenge could be made against the decision to make the modified Hazelbury Bryan Neighbourhood Plan. Such a challenge could be made on the basis that the modified neighbourhood plan does not meet the basic conditions, is not compatible with the Convention rights or because it does not comply with the definition of a neighbourhood

development plan. However, the independent examiner who examined the modified plan has considered these matters in light of the consultation responses that have been made to the plan. The Council has also considered these matters and is of the view that there is no basis for reaching a different view to the examiner.

7. Equalities Impact Assessment

- 7.1 Part of the independent examiner's role was to consider whether the modified neighbourhood plan would breach, or otherwise be incompatible with any of the Convention rights within the meaning of the Human Rights Act 1998. No issues were raised by the examiner in this regard.

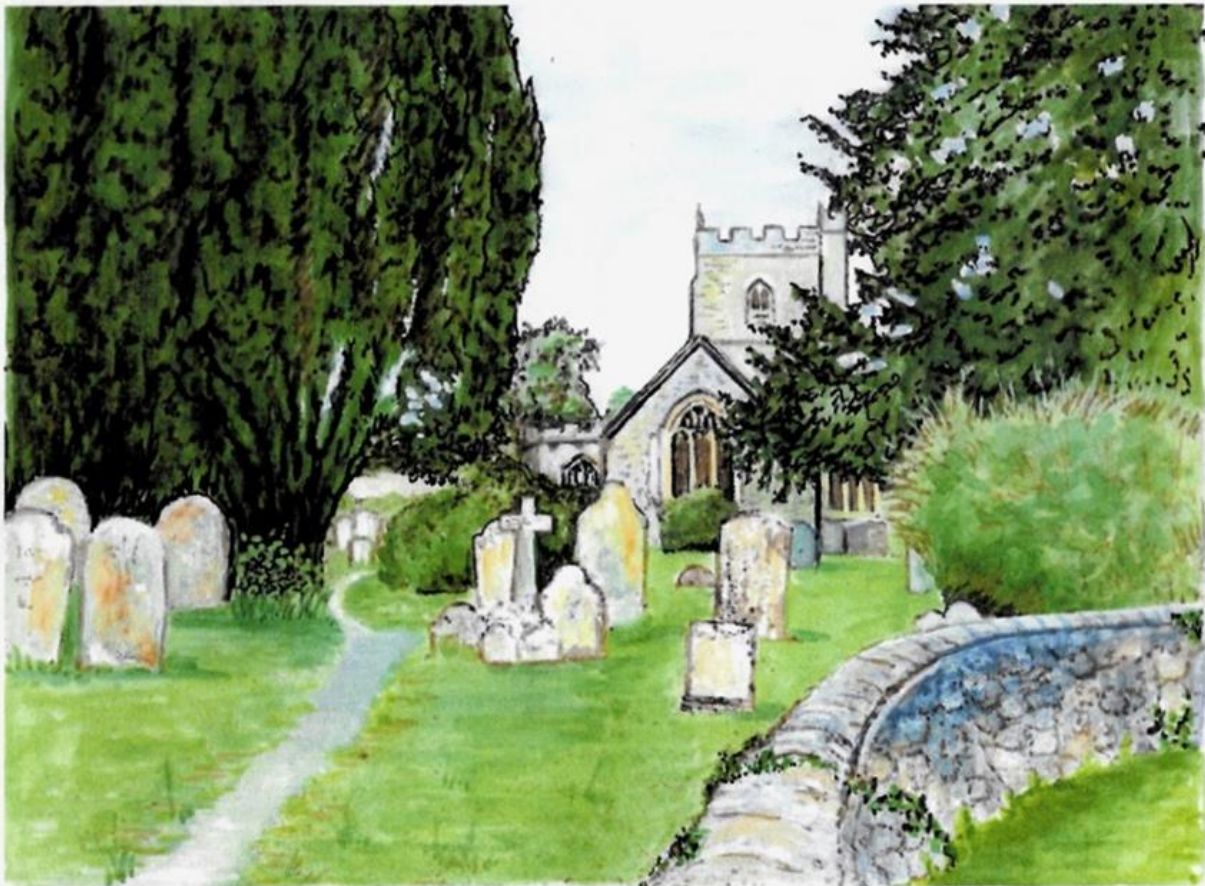
8. Appendices

Appendix A: Modified Hazelbury Bryan Neighbourhood Plan 2018 - 2031
Appendix B: Examiner's Report

9. Background Papers

Documents relating to the Hazelbury Bryan Neighbourhood Plan Review can be accessed via the following webpage: <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/neighbourhood-planning/submitted-plans/hazelbury-bryan-neighbourhood-plan>

Hazelbury Bryan Neighbourhood Plan



St Mary and St James Church, Hazelbury Bryan

From an original painting by
Jenny Allen

2018 to 2031

Hazelbury Bryan Parish Council, Dorset

Originally Made March 2019

First Review - updated March 2024 following Examination

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1. Summary / Overview

In October 2016, when we first asked local residents what they liked most about living in Hazelbury Bryan, the most common response was “the friendliness and community spirit of the Village”. Also mentioned by many was the attractiveness of the area, the peace and quiet (and the lack of light pollution) and the community facilities - particularly the shop, pub, school and outdoor recreation opportunities.

What people didn’t like, was mainly to do with transport - speeding and increasingly bigger vehicles on our rural roads, poor bus service, and lack of safe paths & links within the village.

Our Neighbourhood Plan recognises that, with or without a Plan, change will happen. Although the Plan cannot sort out issues such as bus services or the poor state of the roads, it can influence where much-needed housing and other developments are constructed, and what they look like. And it can help safeguard some of the things we value the most, whether that’s the local shop or the enjoyment of our beautiful countryside, by making sure that the impact of any development on these assets is properly considered in the decisions made, and any needless impacts avoided.

This Plan therefore has a range of different policies, including:

- policies to safeguard the intrinsic beauty of our countryside, its character, important green spaces, key views, and local wildlife areas;
- policies to make sure new development is in keeping with local building styles and materials, and retain the distinct differences between the various hamlets
- policies to protect the key community facilities that are so important to local residents, and try to make sure that these continue to thrive
- the allocation of three housing sites to deliver the housing needed over the next decade, plus an employment site with duty manager’s accommodation
- a project to improve road signs and other measures to encourage slower traffic speeds, which could be part-funded by development allowed through the Plan.

This Plan was pulled together by a group of volunteers working for the Parish Council, who spent considerable time consulting local people and researching all the topics it covers. Following the pre-submission consultation, the Parish Council made some changes to the Plan and submitted it to North Dorset District Council for its independent examination. The final step was the referendum, where all local residents in the Parish who are on the electoral role had the chance to vote ‘yes’ or ‘no’ to the Plan being used. The result was ‘yes’ and in March 2019 the Plan was officially made part of the development plan.

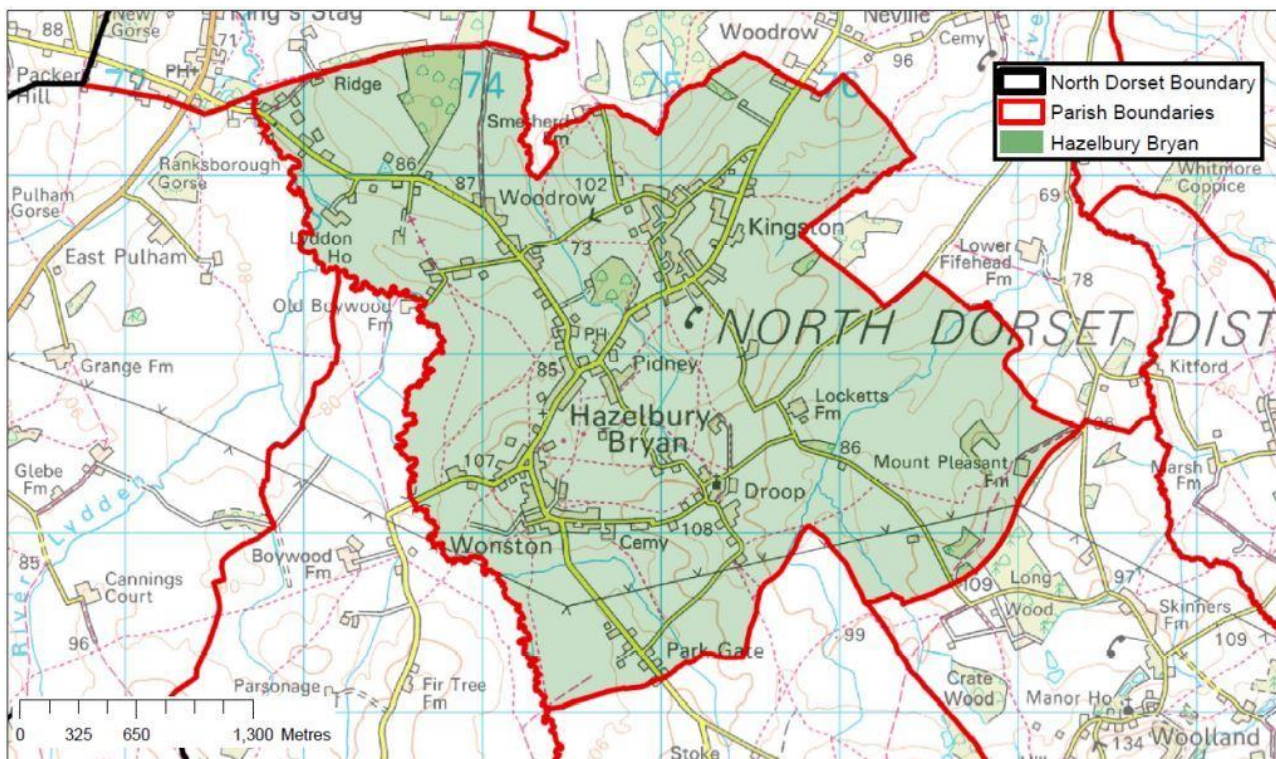
In early 2023, the Parish Council commenced work on reviewing the Neighbourhood Plan, in order to check that it remained up-to-date. This was a ‘light touch’ review, recognising that a further review may be necessary following the adoption of the Local Plan (anticipated 2026). The revised plan was examined in early 2024, and agreed by Dorset Council in March 2024.



2. Introduction

- 2.1. Hazelbury Bryan is a large parish of 997 hectares (2,415 acres) in the south-west of the Blackmore Vale. It is bounded to the north by Ridge Drive, Smetherd Farm and Deadmoor Common, by Mount Pleasant Farm on the east, Park Gate to the South and a tributary of the River Lydden in the west, joining the Lydden itself south of Lyddon House.
- 2.2. The village comprises seven separate hamlets of Kingston, Wonston (and Pleck), Pidney, Partway, Woodrow, Droop and Park Gate, with open fields between them. This arrangement is unusual, if not unique, in Dorset.

Figure 1. Area Map



Name of the neighbourhood area	Hazelbury Bryan Neighbourhood Area	 <p>© Crown copyright and database rights 2015 Ordnance Survey LA100018415</p>
Designation date	Consultation Draft	
Organisation who made the application	Hazelbury Bryan Parish Council	

- 2.3. Hazelbury Bryan is a community which has evolved in its own way, retaining its roots and sense of history. For most villagers, it is valued as a place of security and safety.
- 2.4. As with any other area in North Dorset, there will be pressures for change and growth, such as new homes, new businesses, alterations and extensions to existing buildings, and changes in how those buildings or land associated with them are used. The planning system, including the policies contained in this Neighbourhood Plan, will guide decisions on what changes will be permitted.
- 2.5. One almost universal concern, as shown in the feedback from the various consultations, was the ever-increasing impact of traffic on the safety and rural nature of local roads, and particularly the speed of traffic and growth in large commercial and agricultural vehicles. The extent to which a Neighbourhood Plan can tackle such issues is limited, but the issues and concerns have been taken into account as far as possible.

The North Dorset Local Plan

- 2.6. The statutory development plan is the North Dorset Local Plan (2016). Its strategy is based on focusing development at the four main towns. In rural areas such as Hazelbury Bryan, where access and proximity to services is more limited, development will be more strictly controlled with an emphasis on meeting local and essential rural needs. Looking ahead, the first draft of the Dorset Local Plan (January 2021) does not propose to significantly change the existing spatial strategy approach in relation to the villages.
- 2.7. The adopted Local Plan envisages neighbourhood planning playing a key role in meeting local needs in rural areas. It recognises that these needs may not be met by the countryside policies in the Local Plan, and that neighbourhood planning can enable local communities to develop their own vision and objectives and consider different options for meeting local needs. It makes clear that Neighbourhood Plans can:
- decide where new homes, shops, offices and other development should be built (in addition to development that is permitted under countryside policies) by reviewing settlement boundaries or allocating specific sites for development;
 - identify and protect local green spaces;
 - include policies to protect local character; and
 - influence what new buildings should look like.
- 2.8. The adopted Local Plan covers the period 2011-2031. It does not identify a specific housing need figure for the neighbourhood plan area of Hazelbury Bryan or identify specific employment land needs. It does set a housing need figure for rural areas of at least 825 dwellings, to be built in Stalbridge and the eighteen larger and more sustainable villages, of which Hazelbury Bryan is one. This target has already been exceeded. Neighbourhood Plan area targets will be set in the next Local Plan.

How the first Neighbourhood Plan was prepared

- 2.9. In December 2015 the Parish Council sought the views of the Village as to whether it needed or wanted a Neighbourhood Plan (NP). Of those that replied, most were in favour and volunteers came forward to help. A meeting was organised in the Village Hall on the 25th April 2016 with presentations by Jo Witherden (Planning Consultant) and Fred Horsington (Champion of the Cerne Abbas NP). The Parish Council voted to proceed and called upon the volunteers to form a Committee to take the matter forwards. This Committee first met on the 5th July 2016, elected its officers, set out basic objectives, agreed terms of reference and agreed to hold a public consultation in October to gauge the true level of interest of the Village and update the views expressed in the original Parish Plan of 2010.
- 2.10. In an attempt to arouse public interest, an eye-catching circular was delivered to every house in the Village asking if the residents cared about the Village, enjoyed living there and had an opinion on its future. By presenting the latest assessment of potential housing sites, as provided by North Dorset District Council, people were at last stirred into action. Various matters of interest were raised and there was broad support shown for progressing with a NP and none against. It was agreed there was sufficient support for continuing and the Parish Council decided to appoint Jo Witherden (of Dorset Planning Consultant Ltd) to provide support and advice.
- 2.11. Given the Committee now had a fair picture of the underlying wishes, it was agreed to proceed with a detailed questionnaire, to be circulated throughout the Village. This covered more specifically housing needs, employment & amenities and a few more broadly based views relating to future development. More than 30% of these forms were returned and the results informed this Plan's vision and objectives.
- 2.12. In March 2017 the Committee embarked on the next stages including:- assessments of housing need, employment, village character, together with a call for sites, surveys of

amenities and facilities, consideration of local aspects such as green spaces, gaps between hamlets and related matters such as traffic and transport. In April the results of the questionnaire were published and circulated. The call for sites gave rise to 26 applicants, far in excess of the anticipated housing need.

- 2.13. Over July all the proposed sites were visited and assessed by the Committee against criteria covering: accessibility by vehicle and on foot; impact on surroundings and local character, including the crucial local gaps between the hamlets; the impact on green spaces and biodiversity; adverse environmental or amenity impact; and impact on community facilities. The sites were also subject to a separate Strategic Environmental Assessment. The interim conclusions were displayed to the public during the subsequent consultations run during September / October. Details of all potential sites were displayed, along with the Committee's assessments, and the public were requested to complete a questionnaire to provide their views on their suitability and acceptability. These events were very well attended and over a quarter of the population recorded their votes and opinions in 240 completed questionnaires. From this a short list of preferred sites was extracted, sufficient to meet the anticipated local housing need (approximately 25 new homes allowing for existing approvals) with some in reserve.
- 2.14. In November 2017 all site owners were advised of the outcome and those which were short listed were requested to provide outline plans and their acceptance of the local wishes for smaller developments considered to be between 10 and 15 residences) and smaller homes (2 to 3 bed houses and starter homes).
- 2.15. As the Plan could have significant environmental impacts, a Strategic Environmental Assessment was prepared alongside the Plan. This assessment considered the possible effects of different options to judge their sustainability, and identified appropriate mitigation measures for inclusion in the final plan.
- 2.16. The Plan as a whole was then consulted on for a period of just over 6 weeks during April and May 2018. The main issues raised as part of that consultation were considered, together with additional evidence that came to light, in deciding what changes were made to the Plan. The revised Plan was then examined by an Independent Examiner, David Kaiserman, and then put to a local referendum in February 2019, before it was officially 'made' part of the Development Plan for the area in March 2019.
- 2.17. **Appendix 1** lists the main supporting documents used at that time.

How the Neighbourhood Plan has been reviewed

- 2.18. The original Plan has been a great success and of immense value to the village. Having robust policies in the Plan setting out the type of housing we need and prefer and the locations for significant development on two brown-field sites has enabled the relevant planning authorities (North Dorset District Council and, more recently, Dorset Council) to refuse speculative applications for over 100 houses on other sites in the community.
- 2.19. However, we are aware that over time the policies in the Plan carry less weight when planning officers evaluate new applications. This is particularly the case if the planning authority, now Dorset Council, doesn't have a sufficient area-wide supply of approved new sites. Back in 2022 the Parish Council began to consider whether the Plan needed to be refreshed, who might do the work, how much might it cost and what would be the benefits.
- 2.20. At the Parish Council meeting in January 2023, it was decided to undertake a review. This was led by our planning consultant, Jo Witherden, and a small working group. The first step was to undertake a new housing needs assessment and grant funding was obtained from Locality to cover the costs.
- 2.21. The results of the housing needs assessment confirmed that with the existing sites in the

Plan, the completion of some existing approvals, infill developments and other approvals yet to be built there was a more than adequate housing supply to meet local needs and any realistic allocation for the village under the emerging Dorset Local plan until 2031. It seemed likely that a “light-touch” review would be sufficient.

- 2.22. In December 2023 the Government updated the National Planning Policy Framework so that neighbourhood plans containing policies and allocations to meet their identified housing requirement will carry full planning weight for a five-year period after they have been made (or re-made through a review), and this will not be affected by the housing supply numbers in the wider planning area.
- 2.23. The main policy changes identified were:
- **Policy HB2. Protecting and Enhancing Local Biodiversity** - updates to the map to use latest available ecology data, and amendments to the policy and supporting text to reflect the latest changes on mitigation being progressed through the Dorset Biodiversity Protocol and Levelling Up Bill.
 - **Policy HB5. Policy HB5. Locally Distinctive Development** - updates to reference climate mitigation measures - i.e. measures to reduce energy consumption and carbon emissions, minimise waste, conserve water resources, and incorporate green infrastructure and sustainable drainage, and the need to consider electric vehicle charging points and sustainable drainage.
 - **Policy HB13. Settlement Boundaries and Important Gaps** - adjustment to the extent of the gap between Wonston and Droop (to reflect the findings of the Churchfoot Lane appeal decision) and between Partway and Woodrow (to exclude the now developed area that was permitted prior to the making of the plan).
 - **Policy HB15. Meeting Housing Needs - Amount and Location of New Dwellings** - updated supporting text to reflect the most up-to-date situation on housing needs, and minor changes to policy wording for clarity.
 - **Policy HB17. Site 11 - Martin Richard's Tractors UK site, Back Lane, Kingston** - minor change to reflect latest information on groundwater levels, and delete reference to possible contamination (as confirmed not applicable).
 - **Policy HB18. Site 7 - Former Frank Martin's Agricultural Depot** - minor change to reflect latest information on groundwater levels
 - **Policy HB20. Economic Development Opportunities** - minor changes to map (Figure 11) to remove sites approved for dwellings and better reflect employment area footprints.
 - **Policy HB21. Site 12 - Land adjoining King Stag Mill, The Common** - minor changes to reflect the approved planning consent (deleting reference to flood risk as no longer applicable, and vehicular access which has been built).
- 2.24. The revised Plan and supporting papers were subject to a six-week consultation, following which the Plan was subject to an “Examination” organised by Dorset Council. Andrew Mead was appointed as the independent Examiner, and recommended a couple of minor changes to policies HB2 and HB3, following which the Plan has been reconfirmed by Dorset Council for use as part of the development plan for the area.

The Hazelbury Bryan Neighbourhood Plan Period

- 2.25. The plan period (the time period this plan is intended to cover) is from April 2018 to March 2031.

Monitoring and Review of the Plan

- 2.26. The Plan may need to be reviewed again before 2031, to take account of changes in national or local policy, changing needs within the Parish, or simply to roll it forward to cover the period beyond 2031. The Parish Council will consider the need to trigger this review, most likely at around the time of the annual Parish meeting.

3. Vision and Objectives

- 3.1. In 2011, and again in 2016, the residents of Hazelbury Bryan were asked what was important about the area. Not surprisingly on both occasions the answers were very similar - **location and environment** and the **sense of community**.
- 3.2. **Location and Environment** - features particularly valued by the local community include: the separate hamlets that collectively make up Hazelbury Bryan, each quite individual, served by narrow country roads and lanes and with open fields between them; the many rights of way and opportunities to enjoy the surrounding countryside, the general peace and quiet of village life, and the ability to see the stars at night away from the lights and pollution of larger towns; the surrounding hills and views out across the rolling countryside of Thomas Hardy's Wessex. All this, whilst enjoying relatively good access to the nearby towns of Sturminster Newton, Blandford Forum and Sherborne.
- 3.3. **Sense of Community** - the hamlets are still of a size to encourage neighbourliness, friendliness, co-operation and support. The various village facilities such as the two churches, the school, the shop, the pub and the village hall, the sports fields and allotments, also bring residents together. There is little recorded crime or nuisance. There is a relatively high proportion of the elderly, for whom certain services become increasingly important (public transport and medical support in particular) but also many younger family groups which currently benefit from the excellent school and represent a vital part of the Village's future. It is the needs of this second group, the younger generation, - homes, employment, etc. - which require particularly careful consideration.
- 3.4. These themes form the basis of the vision, objectives and policies contained in this plan.

<i>Vision</i>	
That the attributes of Hazelbury Bryan -its rural nature and its strong sense of community, remain largely unchanged	
<i>Objectives</i>	<i>Policy Areas</i>
To protect, as far as possible, the current environment in all its aspects (individual hamlets, plenty of green spaces, diversity of design, etc.), all which are so important to the residents	<ul style="list-style-type: none"> → Reinforcing Local Landscape Character → Protecting Local Wildlife → Respecting Locally Important Green Spaces and Key Views → Respecting the Locally Distinctive Hamlets, including settlement boundary reviews → Retaining Important Gaps between the Hamlets
To allow the village to grow at a rate that is sustainable and keeping pace with improvements to the infrastructure (roads, public transport etc) which cannot be directly influenced by the plan	<ul style="list-style-type: none"> → Supporting Existing and New Community Facilities → Meeting Housing Needs, including identifying the type and quantity of housing required, and making site specific allocations → Employment Needs, including making a site-specific allocation → Parking Provision requirements for new housing → Traffic Management Project (to be pursued outside of the Neighbourhood Plan)

4. Local Landscape Character

- 4.1. The Plan area sits within the rolling and clay vales associated with the Blackmore Vale Landscape Character Area¹. The Dorset Area of Outstanding Natural Beauty covers a small strip within the southern edge of the parish up to Thickthorn Lane, rising up to include viewpoints from Bulbarrow Hill. The geology is complex, with Oxford clay to the North around Smetherd, limestone around the church and cemetery, marl clay at Pidney, sandy soil at Wonston and Kingston and Kimmeridge clay at Park Gate.
- 4.2. A feature of the Blackmore Vale is the irregularly shaped fields enclosed by thick hedges. Many of these hedges are species rich, and would qualify as ‘important’ under the Hedgerow Regulations. Many of the field boundaries depicted on the 1607 map of the Parish survive up to the present time and should be protected. Examples are: the hedge on the southern side of the overgrown lane between The Beeches house and the former farmyard which has 7 woody species, the hedge between Alec’s Field and the Keep, and those south of Smetherd Farm, are all on the 1607 map².

Figure 2. A small section of the 1607 map



- 4.3. Some ancient drove roads survive to this day. The route of Normead Drive, running south from West Lane, is now only a lane for the first part of its length, with the rest of the route connecting to Wonston part of the public footpath network (FP30). Ridge Drive

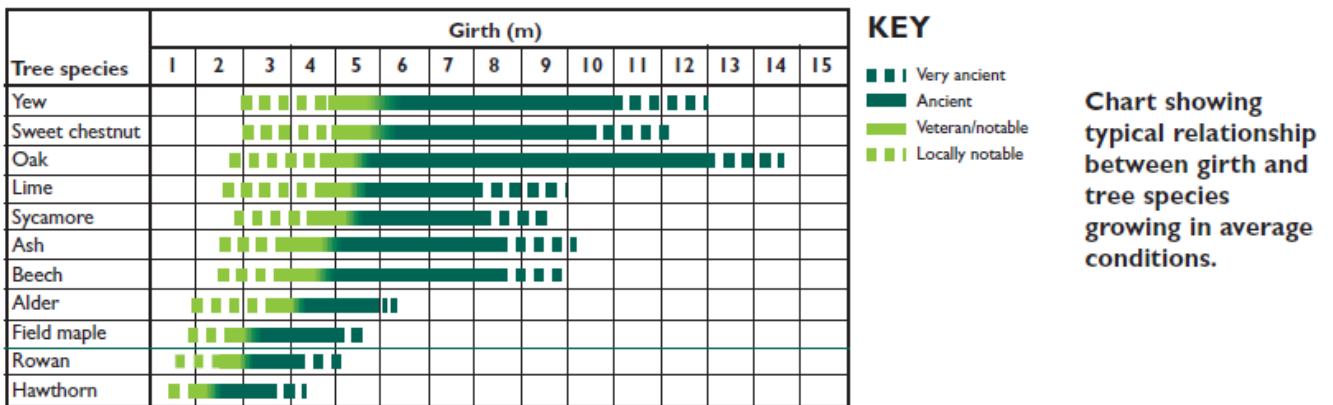
¹ as noted in the 2008 North Dorset Landscape Character Area Assessment

² a detailed map of the parish published in 1607, drawn by the well-known map-maker Ralph Treswell for the Earl of Northumberland who at that time owned the parish

(BR28/17) extending from Woodrow and linking to King Stag Bridleway (BR35) was “the waie to Sherborne” according to the 1607 map. The link between Wonston and Droop, known as Coney Lane, and the link connecting to Drum Lane, are medieval drove roads and therefore considered to be historically important green corridors.

- 4.4. Trees can be important for a number of reasons, including their relative age, their features (such as cavities or rot holes and dead limbs) that provide important wildlife habitats, their stature (often creating local landmarks in their own right) or particular interest (such as a connection with an historic event, or the rarity of that particular species). Ancient or Veteran trees tend to have a diameter of more than one metre at breast height, including those with hollow trunks or cavities and dead limbs. Several are known within the parish.

Figure 3. Extract courtesy of Ancient Tree Guide 4 (Woodland Trust publication)



Ancient Tree Guide no.4: What is an ancient tree?

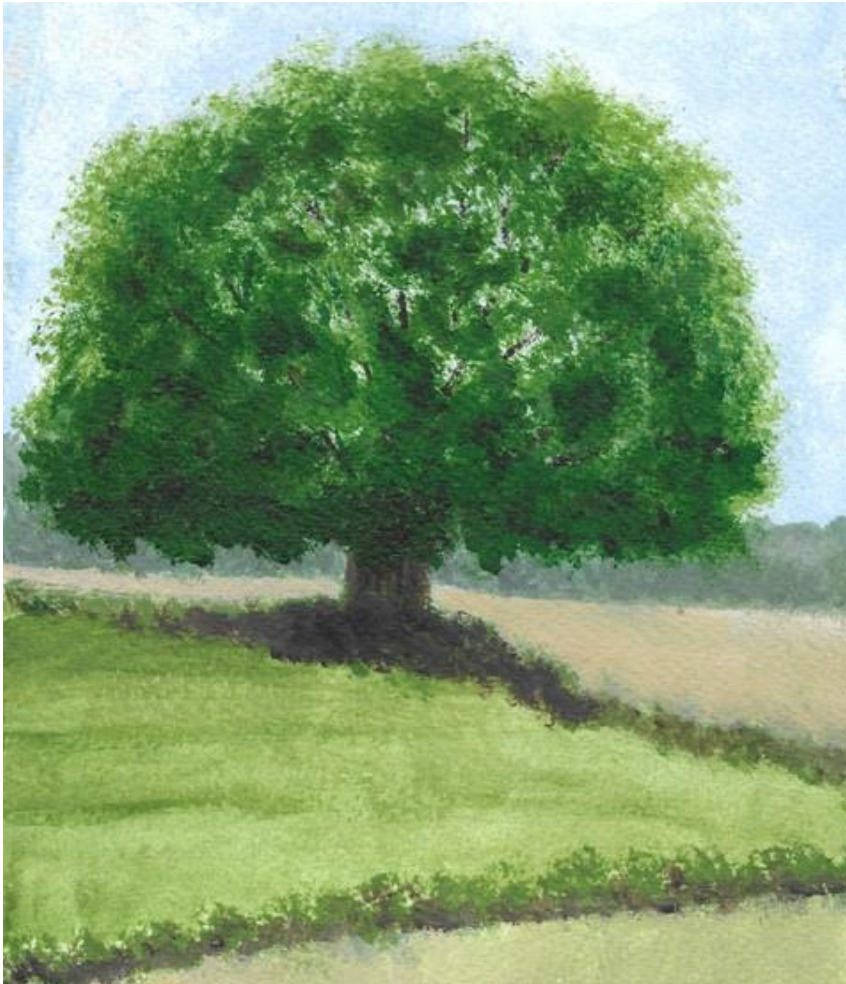
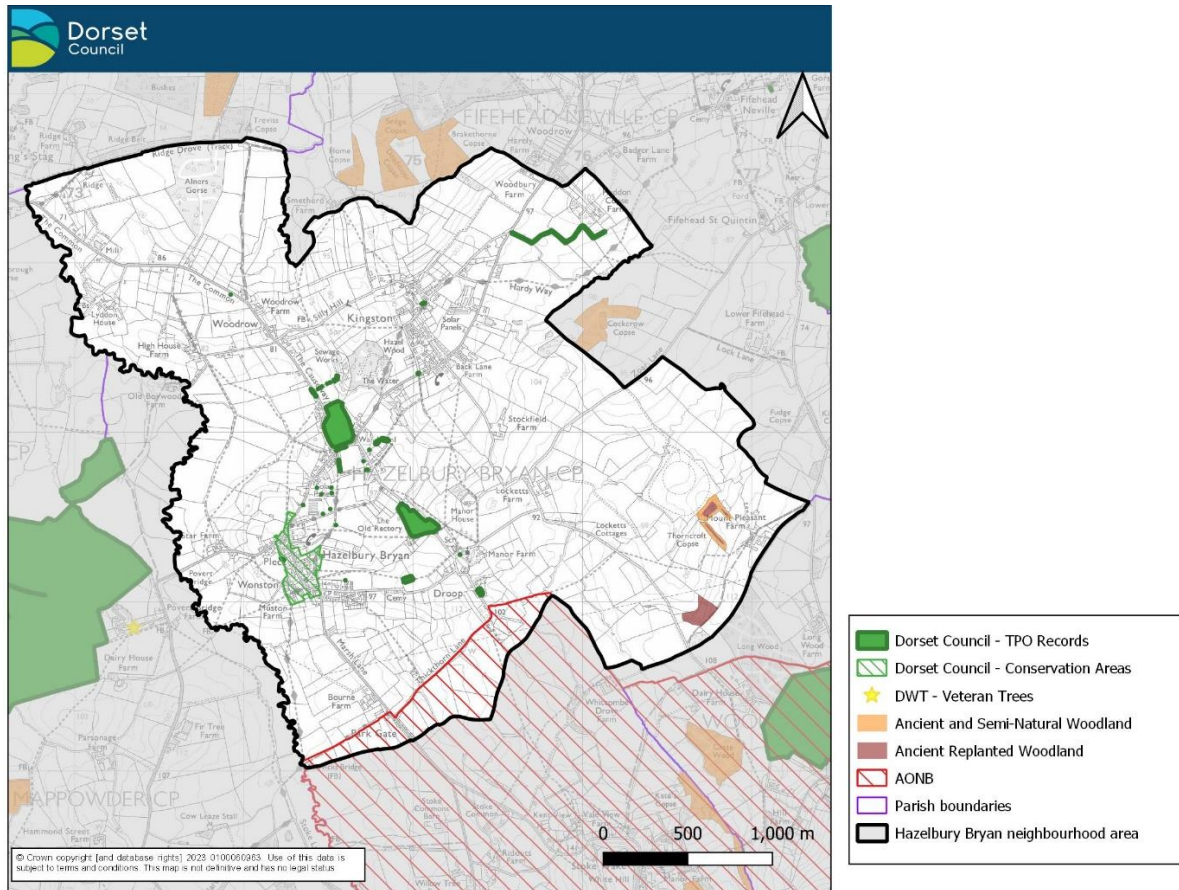


Figure 4. AONB, Conservation Area and TPO Trees [updated 2023]



- 4.5. Some individual trees or groups of trees are protected by Tree Preservation Orders (TPOs) and those in the Wonston Conservation Area are also protected. Protected trees include, for example, the trees between Alec’s Field and the adjoining Keep field, those bordering the road opposite the Antelope and the large Lime tree alongside the Antelope. The full list of protected trees is held by the Local Planning Authority, whose permission must be sought before any remedial works are carried out. If a dead or dangerous tree covered by a TPO needs to be felled, there is a legal duty for the landowner to replace it.
- 4.6. Due to the local geology and soils, there are many ditches, brooks and streams that flow through the plan area eventually to find their way to the River Stour. For example, the Selwaie brook flows through Hazel Wood and crosses beneath the road at the bottom of Silly Hill, eventually to join the Lydden. The streams, related vegetation and crossing points all add to the local landscape character and are important wildlife corridors.
- 4.7. In summary, the key landscape characteristics of the countryside (noted in the landscape character assessments and through the community consultations) are listed below, and general guidelines given:

- Tranquillity of the countryside and lack of light pollution

Consider whether the development will materially increase lighting levels. Avoid inclusion of street lighting in new development. Where external lighting is required for safety or security reasons, this should be minimised through appropriate design and technology³

³ The Institute of Lighting Professionals (ILP) (2021) Guidance Notes for the Reduction of Obtrusive Light GN01:2021 provides practical guidance on minimising light pollution and suitable criteria against which the effects of artificial lighting can be assessed

- Irregular shaped fields (often based on historic field boundaries), bounded by thick hedgerows, the twisting hedge lined lanes with narrow verges
Retain and strengthen hedgerows where possible. Recognise and retain historic field boundaries, green lanes and drove roads. Avoid locations that would require the removal of hedgerows to create large visibility splays that would detract from the rural character of the local road network. Due to narrow lanes / verges, alternative off-road routes for pedestrians should be secured where possible
- Mature and veteran trees and occasional wooded areas
Retain existing mature tree specimens within any development, with layouts designed to avoid potential damage to the roots and future pressures to fell or lop due to shading etc.
- Many ditches, brooks and streams with associated vegetation and crossing points
Retain and strengthen green corridors associated with ditches, brooks and streams, to enable management for wildlife, informal recreation and reducing flood risk.

4.8. The policy does not seek to prevent development but to ensure that it integrates successfully within the area. Lighting schemes required for safety of security reasons should not be prevented, but should be designed to minimise light spillage and glare. Similarly flood management measures that may be required should not be prevented, but should be designed in a way that is sensitive to the local landscape character. In some cases alternative locations for development should be considered where the degree of harm to features of local landscape character would be substantial.

4.9. Given the elevated nature of parts of Hazelbury Bryan, development in some locations would be particularly prominent, with localised views and more long range views affected by such development. Where this is the case, great care will need to be taken to ensure that development does not have a harmful, urbanising effect on the character and appearance of the rural character of this area.

Policy HB1. Reinforcing Local Landscape Character

Development should respect and, where practicable, enhance local landscape character, including the following key characteristics:

- a) the general tranquillity of the countryside;
- b) the dark night skies and general lack of light pollution;
- c) the irregular shape of fields and hedgerow boundaries, hedge lined lanes, and their historic associations with ancient field systems, green lanes and drove roads;
- d) the many mature trees notable for their age, stature or wildlife interest and areas of native, deciduous woodland;
- e) the many ditches, brooks and streams with associated vegetation and crossing points.

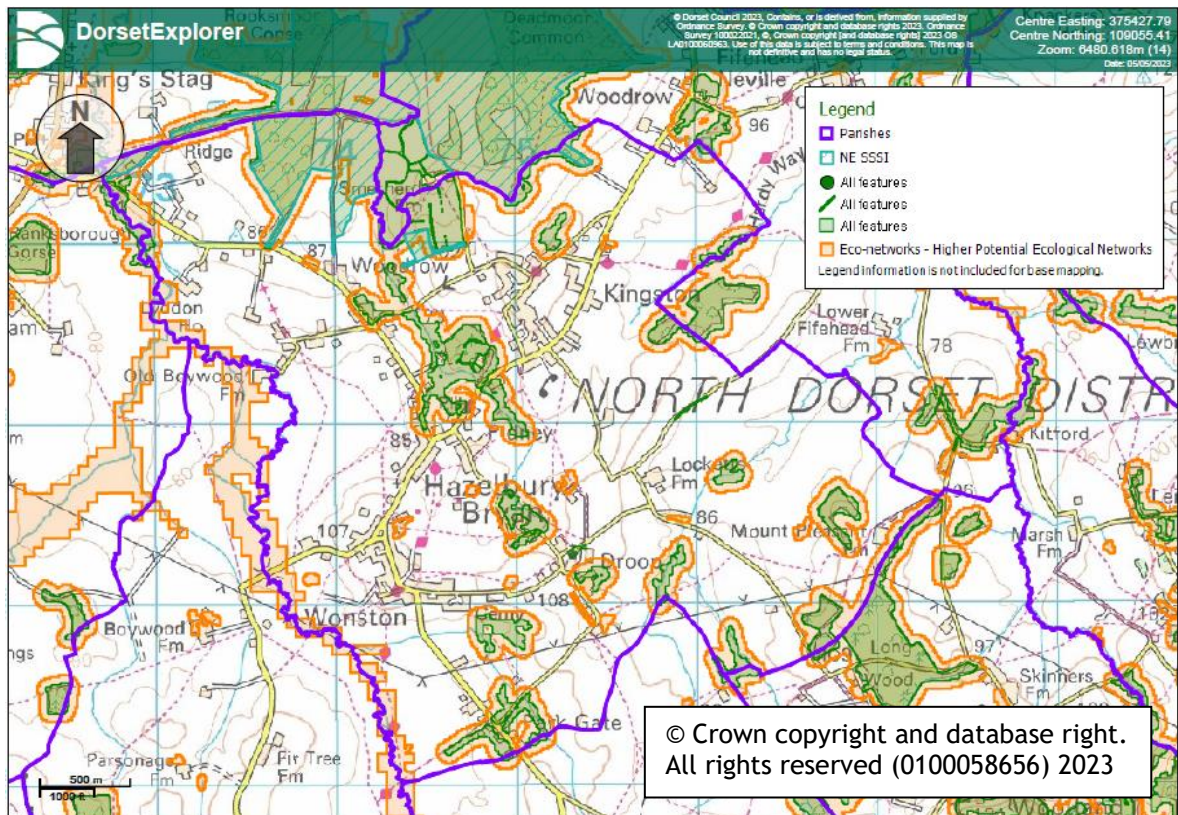
Opportunities should be taken to reinstate historic field boundaries and other features of local landscape character where feasible.

5. Local Wildlife

- 5.1. **Alners Gorse** is a 14.4 hectare nature reserve owned and managed by Butterfly Conservation and forms the southern part of the more extensive **Blackmore Vale Commons and Moors Site of Special Scientific Interest (SSSI)**. There are also associated meadows including those just south of Smetherd Farm and the ancient Fifehead/Hazelbury Boundary hedge that are within the SSSI. The SSSI is a unique remnant of relatively intact clay vale grasslands with unimproved commons and moors found nowhere else in this part of North Dorset. These wildlife-rich areas host a number of pairs of breeding nightingales, the threatened Marsh Fritillary butterfly and many other species of butterflies and moths.
- 5.2. The existing and potential ecological network for the parish has been identified through the Dorset Ecological Network mapping project, and is available on Dorset Explorer. This has added sites since the plan was first prepared in 2018, and includes the following designated sites of local importance within the parish:

Cockrow Copse	SNCI and Ancient Woodland
Locketts and Marsh Copses	SNCI
Thorncroft Copse	SNCI and Ancient Woodland
Droop Churchyard	

Figure 5. Areas with wildlife interest or potential [updated 2023]



- 5.3. However, wildlife is not limited to these designated sites or those flagged as part of the existing or potential ecological network, and it is important that measures are taken to assess the wildlife value of all development sites in order to ensure that proposals include measures that will achieve a net gain for nature, in line with national and local planning policies. At the time of preparing the Neighbourhood Plan, there were over a 1,000 records of rare or protected species that had been sighted within or close to the neighbourhood plan area (Dorset Environmental Records Centre). The variety of habitats and wildlife contribute to the character and enjoyment of the area.

- 5.4. The Dorset Biodiversity Protocol, which requires an approved Biodiversity Plan to be submitted with a planning application, is a recognised way in which the impacts of a development proposal can be properly assessed and considered through the planning process. Dorset Council's Natural Environment Team can check these and issue a Certificate of Approval, which can then be submitted as part of a planning application to demonstrate compliance with the following policy.
- 5.5. Such appraisals will be required in line with the criteria set out in Dorset Council's validation checklist. Within the Neighbourhood Plan area, such appraisals are likely to be needed where protected species or habitats are known or suspected to be present, which may well be the case where development would impact on species-rich hedgerows, unimproved grassland, natural watercourses or ponds and their margins, copses / woodland and mature tree specimens, rural barns and other roof voids (where bats may be present) or near wildlife sites. Even where development is unlikely to impact on existing wildlife, measures can be taken to provide new habitats - such as the inclusion of bird, bat or bee boxes on buildings, creating a pond or other water feature in gardens, or even a compost heap.
- 5.6. Most planning applications (other than household applications and development impacting on areas of less than 25sqm) are likely to be required to provide a 10% net biodiversity gain in line within the requirements of the Environment Act. When in force, this will require a statutory Biodiversity Net Gain (BNG) Statement and a BNG Plan (prior to commencing development). Biodiversity Plans may still be needed - and the requirements for these will be clarified through updates to the validation checklist.
- 5.7. Where mitigation is appropriate, the potential to include measures that also reinforce local landscape character (such as the reinstatement of historic field boundaries and planting of new native hedgerows) should be considered (see Policy HB1).
- 5.8. Even householder applications comprising extensions or alterations have the ability to incorporate wildlife-friendly features such as nest boxes, bat tubes and bee bricks. Gardens and verges also support wildlife, and can be enhanced by including features such as compost heaps, rockeries and log piles, ponds and native trees and hedgerows. Where close boarded fencing is proposed, it will be important to allow wildlife movement, and hedgehog friendly gravel boards / holes (13cm x 13cm) should be included.

Policy HB2. Protecting and Enhancing Local Biodiversity

Development should protect and, wherever practicable, enhance biodiversity, through an understanding of the wildlife interest that may be affected by development, and the inclusion of measures that will secure an overall biodiversity gain of at least 10%.

The mitigation hierarchy should be followed: development should first seek to avoid impacts through siting and designing development appropriately, then mitigate/minimise impacts, and provide compensation as a last resort. To demonstrate this is achieved, a certified Biodiversity Plan for developments likely to impact on an area in excess of 0.1ha should be submitted with the planning application. Development should seek to avoid the loss (in whole or part) of the following:

- a) native hedgerows;
- b) mature tree specimens;
- c) roosting opportunities in roof spaces where bats may be present; or
- d) habitats associated with ponds and watercourses.

Where compensation works may be required, priority should be given to projects within the existing or potential ecological network (as shown on Figure 5).

All householder applications for alterations and extensions must provide a minimum of one nest box for birds or one built-in tube for bats, and include a minimum of two bee bricks where practical. Where fencing is proposed for residential development, this should be designed to enable wildlife to move between gardens.

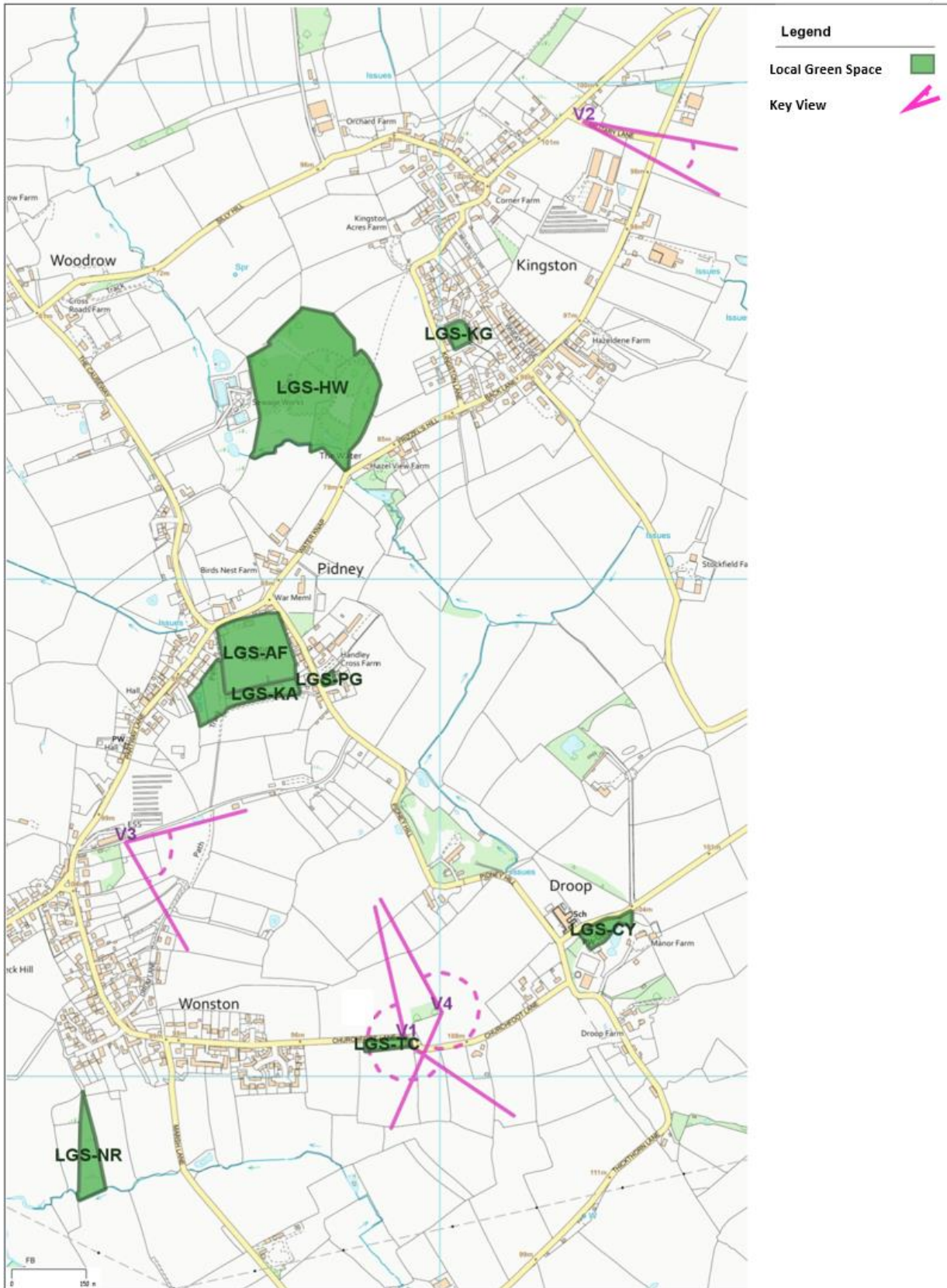
6. Locally Important Green Spaces and Key Views

Figure 6. Local Green Spaces and Key Views



Local Green Spaces & Key Views

Hazelbury Bryan CP



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- 6.1. The countryside around Hazelbury Bryan as a whole is much valued by local residents. **Alners Gorse** and other designated wildlife sites mentioned in section 5 are already protected under existing policies. However, there are a number of green spaces and views that hold a particular local value and do not currently have the same degree of protection.
- 6.2. National policy allows for such spaces to be designated Local Green Spaces, to provide stronger protection against development, similar to protection given by Green Belt designation. This protection will last well beyond the Neighbourhood Plan period, so is not appropriate to extensive tracts of countryside, or land which may need to be released for housing, employment or community buildings / infrastructure in the longer term.
- 6.3. Table 1 lists the green spaces that are identified as particularly important to the local community, for the reasons identified for protection. These were subject to consultation and elicited a high degree of local support, with at least 84% of respondents agreeing that each site was important or very important.
- 6.4. The setting of the school and church (i.e. more than just the churchyard), was suggested in a significant number of responses, however the nature of the hamlet and different places from which the setting is appreciated makes a larger local green space difficult to define. Where a Local Green Space is noted for its tranquillity, Policy HB1 will also be relevant in assessing any proposals in close proximity.

Table 1. Locally Important Green Spaces

Location	Size	Importance
Alec's Field, Pidney (LGS-AF)	1.9ha	Amenity, historic and wildlife value - grass/wild flower field that effectively forms a village green used for sport and other recreational events. Includes children's play area & well used footpath FP18. Also forms the setting of several historic buildings, and the trees along the northern and western boundaries are protected by Tree Preservation Orders.
Churchyard, Droop (LGS-CY)	0.3ha	Amenity, historic and wildlife value - forms the setting of the church (Grade I Listed) and tranquil area for quiet contemplation. Also of local wildlife value, including areas of species-rich grassland and notable lichen flora on the tombstones.
Hazel Wood, Kingston (LGS-HW)	5.7ha	Amenity, historic and wildlife value - a mixed deciduous woodland owned and managed by the Woodland Trust as an open access area where the public are welcome. The wood is traversed by a public footpath from Kingston, but also has several informal paths. It was planted in 1999 to mark the Millennium, within the old field boundaries of mature hedges. The southern boundary is a narrow strip of relict woodland traversed by the Selwaie brook. A pond was created at the same time as the parish's Millennium feature. Close to the stream in Hazel Wood is the "Holy Well", a registered Historic Monument excavated in 1999 by the East Dorset Antiquarian Society. It is a natural spring enclosed by a low wall and with a paved area alongside, so most likely of importance to local people for some time.
The Keep and Allotments, Pidney (LGS-KA)	1.0ha	Amenity and wildlife value - local allotments serving the parish, well used with waiting list, plus uncultivated area of wildflower rich grassland and protected trees, open to the public, and crossed by a well-used public footpath
Kingston Green (LGS-KG)	0.2ha	Amenity value - visually attractive green space and convenient space for local children to play within a housing area

Location	Size	Importance
Emerson Nature Reserve, Wonston (LGS-NR)	0.6ha	Amenity and wildlife value - forms part of the hillside to the south of Wonston, managed privately as a woodland and forest garden area open to the community and visitors and containing interesting shrubs and a local black poplar
The Green, Pidney (LGS-PG)	0.1ha	Amenity value - grass area, providing a convenient space for local children to play close to a housing area
The Cemetery, Droop (LGS-TC)	0.2ha	Amenity value - provides the only active burial area close to the community. Generally quiet and undisturbed. Panoramic views enjoyed to Bulbarrow, Dorsetshire Gap and surrounding countryside. Also species-rich limestone flora noted.

- 6.5. The policy should not be used to prevent ancillary development and improvements that would support the continued use and enjoyment of these spaces, such as the erection of a shelter or bench, as such minor changes are unlikely to significantly change the character of the green space or undermine the site's reason for designation.

Policy HB3. Local Green Spaces

The following sites (as shown in Figure 7) are designated as Local Green Spaces, and other than in very special circumstances, no inappropriate development will be permitted within them that would harm their green character and reason for designation.

- a) LGS-AF: Alec's Field and Play Area, Pidney
- b) LGS-CY: The Churchyard, Droop
- c) LGS-HW: Hazel Wood
- d) LGS-KA: The Keep and Allotments, Pidney
- e) LGS-KG: Kingston Green, Kingston
- f) LGS-NR: Emerson Nature Reserve
- g) LGS-PG: The Green, Pidney
- h) LGS-TC: The Cemetery, Droop

- 6.6. The following important views were also suggested by a number of local residents, as being particularly important. These are as viewed from public roads and rights of way. The following policy should be read in conjunction with the broader policy on landscape character (HB1), and is not intended to signify that wider views are unimportant.

Table 2. Important Views

Ref	Location and Direction	View Description
V1	From Cemetery, 270° view looking from North through West to South-East	Panoramic view from one of the highest points between Wonston and Droop, with views of open agricultural land and Wonston hamlet, against a backdrop of distant hills (Church Hill, Ball Hill, Nettlecombe Tout & Lyscombe Hill, Dorsetshire Gap)
V2	From top of Military Lane looking south-east along the lane	Focused view looking along Military Lane, the highpoint in Kingston, across open agricultural land towards Bulbarrow Hill
V3	From the top of Coney Lane where it opens onto field looking east / south-east	Panoramic view from Public Footpath N41/16 across open agricultural land towards Bulbarrow Hill, capturing the beauty of the landscape in the Blackmore Vale.

Ref	Location and Direction	View Description
V4	By copse on Drum Lane to Droop footpath, north of the Cemetery on Churchfoot Lane, 300° view looking from North-West through East to South-West	Panoramic view from Public Footpath N41/15 looking across open countryside towards Bell Hill, Woolland Hill and Bulbarrow Hill, and including the church tower, capturing the beauty of the landscape in the Blackmore Vale.

Policy HB4. Key Rural Views

The key rural views, as described above and identified in Table 2 and shown on Figure 6, are to be respected. Development that would significantly intrude and impact on their enjoyment, by virtue of scale, massing, design or location, will be resisted.

Figure 7. View 3: From the N41/17, near where it joins Coney Lane, looking east



Figure 8. View 4 (part) exiting copse opposite the Cemetery off Churchfoot Lane

7. Locally Distinctive Hamlets and Important Gaps

- 7.1. The character of Hazelbury Bryan is not obvious. It is not dependent upon a unity of architectural style or major historical landmarks. Hazelbury Bryan represents something which was once apparently unremarkable; a collection of spacious, remote, quiet farming settlements which have been allowed to develop slowly and organically into a network of hamlets incorporating a shift into a way of life less dependent upon agriculture. Its most significant characteristic is something of a paradox. The seven hamlets have remained distinct entities with open countryside between, however, together they form a cohesive modern community. A key natural landmark is Bulbarrow, which is visible on the skyline from many parts of the hamlets.
- 7.2. It is clear from feedback that the retention and recognition of the individual hamlets is important to most villagers. For this reason, we have assessed the character of each hamlet individually, and have also included a policy to recognise the importance of maintaining their physical separation. Key Listed Buildings and other notable older buildings are taken based on local opinion with particular reference to Listed Buildings designated by Historic England, the Local List (of Locally Important Buildings) identified by the Local Planning Authority and the Royal Commission on the Historical Monuments of England (RCHME) Inventory. A map of the location of these buildings is provided in **Appendix 2**.
- 7.3. Independent design and character advice was also obtained from Luis Juarez PhD, an Associate Urban Designer for AECOM. His remit was to carry out an initial meeting and site visit, and develop design principles and guidelines specific to the Neighbourhood Plan Area. His final report forms part of the evidence base for this plan, and together with the site assessments undertaken by the working group, provide the basis for the following area descriptions and policies.

Woodrow

- 7.4. Woodrow is one of the smaller hamlets in the parish, although its history stretches back hundreds of years. Development here is quite scattered, with the main concentration of development around the Woodrow Feeds site.
- 7.5. The hamlet was built adjacent to what was once Common Land (including Alners Gorse), and consists mainly of small farms with buildings and land uses reflecting a higher level of productivity and social interaction. Today the area continues to reflect a mix of land uses. As well as working farms and residential uses, the Woodrow Farm site contains a number of well-used businesses within the community. There are also holiday lets within the hamlet supporting the local tourist trade.
- 7.6. The ages of buildings range from 16th century to within the last 50 years.
- 7.7. Key Listed Buildings and other notable older buildings and features include:
- **Cross Roads Farmhouse** - Grade II Farmhouse - C16 (two-storey cob walls, thatched roof with half-hipped ends, single-storied extension, probably C19, linked to cider making)
 - **Little Whitemoor Farm** (an outlying farmstead) - Grade II Listed Cottage - C16 or earlier (one-storied with attics, rubble brick and rendered walls, thatched and wooden shingle roof with gable ends)
 - **Old Boywood Farm** (an outlying farmstead just outside the Neighbourhood Plan area) - Grade II Listed House - late C17 (brick (flemish bond) and render, double Roman tile roof with gable ends)
 - **High House Farm** (an outlying farmstead) - noted in RCHME - has rendered walls and a tiled roof and probably dates from the first half of the C18

- 7.8. Buildings are mainly detached (with separate outbuildings), their style strongly reflecting their agricultural origin as farmhouses and farm cottages. Most renovations of old dwellings have (superficially at least) kept the characteristics of their agricultural origins, including single storey elements. There is a mix of building materials largely derived from the local area (stone, cob / render, brick, slate, red tiled and thatched roofs). Buildings tend to be set back from the road in large plots of land with strong hedgerow boundaries. Quite a few properties are set sideways on to The Common, an effect emphasised by the slightly sinuous nature of the road. Where different spacing and boundary treatments have been introduced (such as the gates/corrugated walls of the industrial unit and housing situated right on the road side) this has had a detrimental impact on character.
- 7.9. The Local Plan does not contain a settlement boundary for Woodrow, and given its limited size, the scattered nature of the hamlet and the greater difficulties accessing the other parts of Hazelbury Bryan on foot, it is not proposed to define a settlement boundary for this hamlet through the Neighbourhood Plan. As such, the Local Plan's approach, which is a general policy of restraint, will be applied, with development in this location only permitted in very limited circumstances where a countryside location is appropriate or necessary. Given the short nature of the gap between Woodrow and Partway, further policy restrictions have been introduced to safeguard this important gap, under Policy HB13. This policy restriction will also apply, to a lesser extent, to the larger gap between Woodrow and Kingston.

Partway

- 7.10. Partway (extending up the Causeway) is believed to have been part of an historic drover's route. Although little more than a scattering of old cottages and houses for many years, as an important route through the parish it has become home to many of the village's amenities (the village hall and former Methodist church on Partway Lane, the shop on the Causeway), and also the sports field (with pavilion and children's play area) allotments and village pub are located in the gap between Partway and Pidney. Other uses have come and gone over the years - old maps show a reading room, petrol filling station and bakery.
- 7.11. The older buildings, some of which are described below, are mostly cottage-style of mixed materials including stone, rendered stone/ rubble, with tiled or thatch roofs; a few have porches. Many have been extended in recent decades. The layout is predominantly linear, which is the case for the entire hamlet. Most are set close to the road edge with small front gardens. Rear gardens vary in size and shape. The older buildings along the Causeway, are larger and include a former farmhouse, the Old Bakery (which has been timber clad in the last few years), and Trinity House a rendered building with bays.
- 7.12. Most frequent house typologies are detached houses, cottages, bungalows but there are some semi-detached and terraced dwellings. Different building typologies do cluster along streets where these groupings as a whole make up a good variety.
- 7.13. Listed Buildings and other notable older buildings and features include:
- **Thatched Cottage** (Nos 2 and 3 Partway Lane) - Grade II pair of cottages (part of a row), early C19 (coursed rubble with gable-ended roofs, thatched to the left and tiled to the right)
 - **The Antelope** (in the gap between Partway and Pidney) - Grade II Public House, mid C18 (brick (Flemish bond with flared headers), tiled roof with gable ends, stone copings)



- **The Village Hall** - although not of architectural value, the village hall has an interesting history. A Reading Room was built for the villagers by the Revd. Burden in about 1890. The main Village Hall was later built alongside it in the 1930s. In the 1970s the Reading Room was demolished and the kitchen/small hall erected in its place.
- **The former Methodist Church** - a mid 19th century red brick building with slate roof and stone window/door surrounds
- **Windfield Cottage** - noted in RCHME - rendered three-bay front, tiled roof
- **Partway Cottages** - noted in RCHME - perhaps early C19; two-storied, rubble walls, brick chimneys, tiles, slates and thatch are used on the roofs, casement windows

7.14. There has been considerable infill development in the last century. The first 'modern' development was a group of bungalows in the 1960's just east of the Causeway junction. Their large picture windows and functional architectural style have no visual link to local vernacular. Each decade since has seen the building of further small groups of houses.

7.15. In more recent developments effort has been made to ensure that the layout, architectural style and building materials are more in keeping with the historic pattern and style of older dwellings. There is a feeling of spaciousness in this hamlet, due to the wider road and the fact that quite a lot of the more modern development has been set well back from the road, creating greens and wide verges to the foreground. Where grassed areas have been replaced by hard surfacing for parking, the street scene is more uncharacteristically urban. The community buildings provide important punctuation in the street scene, as they tend to be set closer to the road and stand apart from the more modest scale of dwellings.



7.16. The Local Plan previously combined Partway and Pidney within a single settlement boundary. Given that they are different settlements, this is no longer considered appropriate and Partway is proposed to have a separate settlement boundary from Pidney.

7.17. Given the short nature of the gaps between Partway and the nearby hamlets of Pidney, Woodrow and Wonston, further policy restrictions have been introduced to safeguard these important gaps, under Policy HB13.

Wonston (and Pleck)

The original hamlet, clustered between the junctions with Pleck Hill and Drum Lane, consisted of what is said to be a post Black Death settlement of tenements. This is one of the larger groupings of older buildings within the parish, and has a more close-knit form than the other hamlets. Off of the main thoroughfare (Partway Lane / Churchfoot Lane) there are discrete clusters of dwellings where orchards and similar land parcels have been developed.



7.18. Along the main thoroughfare the plot pattern is one of long, narrow plots running perpendicular to the main road, with many of the buildings positioned on (and facing onto) the road frontage, clearly defining the street and helping define the road junctions. The greater set back and strong building lines created by the terraced dwellings at the junction with The Orchard makes this junction particularly notable in the street scene.



7.19. Many of the older buildings are two-storied, or single-storied with dormer-windowed attics; have rubble walls, brick chimneys, thatched roofs and casement windows (some symmetrical, others irregular). There is a good mix of building types, which reflect the agricultural uses and rural trades in their architecture.



7.20. Key Listed Buildings and other notable older buildings and features include:

- **Home Farm Farmhouse** - Grade II Listed - 2 storey house, mid C18. Brick (Flemish bond with flared headers), wooden shingle roof, gable ends with stone copings and end brick stacks
- **Muston Farm Farmhouse** - Grade II Listed Farmhouse, 2 storeys and attic, late C18. Coursed rubble with brick dressings. Tiled, gable ended roof with stone copings to gables and end brick stacks.
- **Wessex House** - Grade II Listed - Cottage, C18. Colour-washed rubble and brick walls, thatched roof with end stacks
- **Old Forge Cottage, Middle Cottage, Tiny Cottage, Cornerways** - Grade II 2 storey L-shaped terrace with mix of brick and coursed rubble walls, part whitewashed, wooden shingle hung end wall, with tile, slate and wooden shingle roof.
- **Candlesticks** - Grade II Listed - Cottage, early C18, squared coursed-rubble with brick dressings. Thatched with hip to right.
- **Hillview Cottage** - Grade II Listed - Cottage, mid C19, squared rubble, slate roof with end brick stacks
- **Briarlea, Bryan Cottage, Nuttlebury** - Grade II Listed - range of 3 cottages (probably 4 originally) dating from C17 to C19. Brick with some flared headers, render, squared rubble and colour wash. Thatched roof with end stone stacks to original cottages
- **Wonston Cottage** and **Drum and Monkey** off Drum Lane - Locally Listed Buildings - former village stores, and a prominent feature in the conservation area, and former inn
- **Olive House** - Grade II Listed - 2 storey house, early C19, coursed squared rubble, slated, gable-ended roof with end brick stacks
- **Pair of cottages immediately north of Olive House** - Grade II Listed - 2 storey cottages. Rubble ground floor with brick above. Colour-washed. Gable-ended thatched roof with brick stacks to ends of cottages



- **The Brewery Farm** - Locally Listed and noted in RCHME - forms an important group in the conservation area with Olive House and Wonston Farmhouse (both Grade II) - noted in RCHME as built of rubble to the height of the first-floor window-sills; above, it is of brick and the gabled S. end wall is patterned with blue headers. The roofs are slated and the windows are sashed
- **Wonston Farmhouse** - Grade II Listed - 2 storey Farmhouse, C17, converted into cottages early C19 and reconverted to single house later. Coursed rubble with some brick and brick dressings. Ornamental tile roof with gable ends and end brick stacks.
- **Clover Cottage**, Pleck - Grade II Listed - and adjoining **Cobbles** - Locally Listed and noted in RCHME. Clover Cottage is 2 storeys, rubble walls with brick facade (Flemish bond), thatched roof with brick stacks

7.21. In 1995 the core area was designated as a Conservation Area by North Dorset District Council, in recognition of its historic interest. Unfortunately the District Council have not retained the committee records providing more details of the appraisal that would have been undertaken at that time.

7.22. More recent development has seen clusters of infilling of what were former orchards (the Old Dairy Farm and The Orchard west of Home Farm), and on the industrial land off Churchfoot Lane (to the east side of the junction with Marsh Lane), as well as individual infill plots.



Despite the concentration of properties in this location, the hamlet lost two of its amenities in recent years with the sale of the house which incorporated the village shop and one of the village's post offices (Wonston Cottage) and the closure of the Wonston Club in Drum Lane (with 2 homes subsequently built on the site in 2015).

7.23. While some of the buildings from the 1960/70's have few characteristics that attempt to echo their rural surroundings, fortunately these are mostly built back from the road and well screened by intervening vegetation. In the most recent developments care has been taken to integrate the development through a deliberate mixture of material and period styles in keeping with the local vernacular, and buildings have been placed in curves and corner plots set at a slant to the road, which is in sympathy with the more haphazard pattern characteristic of the hamlet.

7.24. The Local Plan's settlement boundary for Wonston has been reviewed as part of the Neighbourhood Plan process, and only minor changes to the settlement boundary proposed to more clearly follow the boundaries as now exist, and to strengthen the policies that will reinforce the important gap between Wonston and Partway, protected under Policy HB13. This policy restriction will also apply, to a lesser extent, to the larger gaps between Wonston and Droop and between Wonston and Park Gate.

Pidney

7.25. Pidney is another small hamlet, with the main concentration a ribbon of development along the western side of Pidney Hill from its junction with Water Knap (marked by the war memorial), with more recent developments such as Pidney Green and most recently Violet Cross, providing



groupings to the eastern side, where plots have been developed comprehensively. Many of the houses back onto the sports field (with pavilion and children's play area) and allotments that form part of the gap between Pidney and Partway.

7.26. Key Listed Buildings other notable older buildings and features include:

- **War Memorial** - stone cross marking the junction at the western end of Pidney Hill. It was erected in 1920 and commemorates the dead of both World Wars.
- **Tudor Cottage** - Grade II Cottage, probably C 17 (cob walls, thatched, gable-ended roof)
- **Birds Nest Farm**- noted in the RCHME -rendered brick walls and tiled roofs, of late C18 or early C19
- **Little Cansiron** dated 1790 built of cob and a seemingly good example of a vernacular building with original interior features still intact.

7.27. Age and architectural style of buildings varies, from 16th century to within the last decade. On the western side buildings are individual in character, relatively modest in scale, although some joined as terraces, and all orientated to face the road, reflecting the relatively shallow plot depths. Development is set back further on the eastern side of Pidney Lane, with the hedgerows and agricultural links providing a more dominant characteristic. Building materials are also varied and include brick, cob / render and stone, with tiled, thatched and slate roofs. Despite the variety of built form and local materials used, none dominate or compete. The generally modest scale of buildings and the field boundaries and green spaces play a large part in the sense of history and continuity.

7.28. The development around Pidney Green with its use of timber cladding has retained a rural, agricultural theme. Violet Cross has provided 21 units of affordable housing, but in contrast appears distinctly out of keeping with the character of the remainder of the hamlet, and as such should not set a precedent for further development.



7.29. The Local Plan previously combined Partway and Pidney within a single settlement boundary. Given that they are different settlements, this is no longer considered appropriate and Pidney is proposed to have a separate settlement boundary from Partway. Given the short nature of the gap between Pidney and Partway, a further policy restriction has been introduced to safeguard this important gap, under Policy HB13 (taking forward the protection afforded under saved policy HB1 of the 2003 Local Plan). This policy restriction will also apply, to a lesser extent, to the larger gap between Pidney and Kingston, and between Pidney and Droop.

Droop

7.30. Droop is said to have been the original village settlement in the area, but it is believed due to the Black Death, villagers dispersed to what have now become the hamlets of today. In terms of residential buildings, this is the smallest of Hazelbury Bryan's hamlets and possibly the most picturesque. It is visited frequently by most villagers due to the two important amenities of the school and church, and occasional village functions at Manor Farm with its 16th century barn.

7.31. With its farms, large houses in their own grounds, scattered nature of development and narrow, twisting single-track lanes with thick hedgerows and mature trees, Droop has an overwhelmingly rural character.

7.32. In Droop the building heights vary between one and two storeys with the exception of the Church which is taller than the rest of the buildings and a significant local landmark. Typically the roofline is pitched, and many of the older buildings have coursed, rubble walls and thatch, slate and occasional metal roofs (relevant to their humble origins).

7.33. Key Listed Buildings other notable older buildings and features include:

- **Church of St Mary And St James** - Grade I Listed
- **Almshouses (Church Cottage)** - Locally Listed - forms an important historical group with the 15th-century parish church
- **Barn approximately 40 metres south of Parish Church of St Mary And St James** - Grade II Listed - C16, coursed rubble walls with corrugated sheet roof, gable
- **Droop Farmhouse** - Grade II Listed - C16 Farmhouse with C18 alterations. Coursed rubble walls, thatched roof with gable ends and end brick stacks. Rear wing slated with gable end
- **Droop Cottage** - noted in RCHME - late C16 or early C17, built of rubble in two storeys with an iron roof
- **The Crooked Billet**- Grade II Listed - 1½ storey house probably C17. Coursed rubble and roughcast, whitewashed. Half-hipped thatched roofs.
- **The Old Malt House** (outside main settlement) - Grade II Listed - C17, 2 storey house in T Plan form. Coursed rubble, slate roof with gable ends and brick end stacks



7.34. Only two buildings have been built recently, one of which is of a modern architectural style but with references to the rural, agricultural setting, the other uses stone similar to that found in older local properties.

7.35. The Local Plan does not contain a settlement boundary for Droop, and given its limited size and the scattered nature of the hamlet, and setting of the Grade I Listed Church, it is not proposed to define a settlement boundary for this hamlet through the Neighbourhood Plan. As such, the Local Plan's approach, which is a general policy of restraint, will be applied. Policy restrictions have also been introduced to safeguard the gaps to Pidney and Wonston.

Kingston

7.36. The hamlet of Kingston is perched on a slight escarpment above Pidney, Partway and Woodrow (although confusingly there is Fifehead Woodrow in close proximity to the north). Old maps of Kingston show that apart from a scattering of cottages and farms, it originally consisted of a close grouping of cottages at the eastern end of Silly Hill.

7.37. Dwellings in this historic core are very mixed in building material (brick, stone, rendered, cob with slate, tiled or thatched roofs), style, age and density. Building heights vary mainly between one-and-a-half to two storeys. Typically the



roofline is either pitched or hipped and most buildings have chimneys. Cross hipped and dormer roof types are also present.

- 7.38. The curvature and narrowness of the lanes such as Silly Hill and Kingston Lane add to the interest with views changing frequently on passing through.
- 7.39. Key Listed Buildings other notable older buildings and features include:
- **Grenestede Farmhouse** - Grade II Listed - 2 storey Farmhouse, probably C17 rear wing with C 18 main range. Rear wing of coursed rubble and cob, main range of brick (Flemish bond with flared headers). Thatched roofs with gable ends and end brick stacks
 - **Rosemary Cottage**- Grade II Listed -Cottage, probably C17 origin, later addition to left. Whitewashed rubble and brick walls, thatched roof with gable ends and brick stacks
 - **Kingston Croft** - noted in RCHME - two-storied and of coursed rubble with a tiled roof; early C18
 - **Corner Farm** - noted in RCHME - coursed rubble in two storeys with tiled roofs over thatch, dates from early C19
 - **Scythe Cottage** - noted in RCHME - two storey cottage, probably C16, but most of the original fabric was hidden or replaced by rubble walling, and the walls were heightened in brickwork
 - **Cypress Cottage** - Grade II Listed - C18. Coursed rubble walls with a thatched roof, hipped to the right. Central brick stack. Wooden casements with glazing bars. Ground floor windows under segmental stone arches
 - **Back Lane Farm Farmhouse** - Grade II Listed - 1½ storeys, probably C17. Rubble, brick and cob whitewashed. Thatched roof, gable ended to the left and half-hipped to the right. Brick stack to the left and to the right of front door.
- 7.40. In the C20 the hamlet extended south along Kingston Lane, to link with Back Lane and the larger commercial enterprises developing along what is the main vehicular route from Sturminster Newton. Developments in the mid to late C20 have been built with few references to local village character, with little variety and overly suburban forms, detracting from the rural character of the surroundings.

Park Gate

7.41. Park Gate is so named because there was once a gate there leading onto the pre-enclosure open land of Stoke Common.

7.42. The hamlet is only a couple of hundred metres long and consists of eight houses, many dating from the late C19. The character of the hamlet is that of a sleepy, 19th century farm area.

7.43. All properties are situated within feet of the road, accentuating the narrow confines of the lane at this point, with its section of single lane carriageway. There is a mixture of stone, stone/rendered and brick construction. More recent building amounts to no more than modern extensions to existing properties and a less characteristic brick built bungalow probably dating from 1950s.



Design Guidance

7.44. The review of the character of the various elements has highlighted a number of key principles that need to be taken into account in designing new buildings, extensions and landscaping. These are outlined in Table 3 that follows:

Table 3. General Design Principles

<p>Street Layout, Gateways and Access Features, Corner Buildings, Building Lines and Boundary Treatment</p> <ul style="list-style-type: none"> a) Streets should tend to be linear with gentle meandering - providing interest and evolving views. Routes should be laid out in a permeable pattern allowing for multiple connections and choice of routes, particularly on foot. Cul-de-sacs should be relatively short and include provision for onward pedestrian links. b) In the case of new sites, gateway features and built elements that reflect local character should be used to highlight the access and ‘arrival’ at that destination. High quality landscaping features may be appropriate to fulfil the same role. c) Buildings should be aligned along the street with their main façade and entrance facing it, where this is in keeping with local character. The building line should have subtle variations in the form of recesses and protrusions but will generally form a unified whole whilst at the same time adding character. d) Access to properties should be from the street where possible. Corner buildings should have an animated facade with excellent design the façade/s facing onto the street, and no visible blank facades. e) Boundary treatments should reinforce the sense of continuity of the building line and help define the street, appropriate to the rural character of the area. For example, they could be low walls made of brick or stone, metal ironmongery or hedgerows or a combination of these, whichever is appropriate to the street. The use of cheap panel fencing in these publicly visible boundaries should be avoided. Hedgehog-friendly gaps should be included within solid fences / walls. f) Front gardens or small ‘pocket parks’ should be included where this is characteristic of the area. Street trees should be planted where possible. g) The distribution of land uses should respect the general character of the area and road network, and take into account the degree of isolation, lack of light pollution and levels of tranquillity
<p>Local Green Spaces, Rural Views and Character</p> <ul style="list-style-type: none"> h) Development adjoining public open spaces and important gaps should enhance the character of these spaces by either providing a positive interface (ie properties facing onto them to improve natural surveillance) or a soft landscaped edge. i) The spacing of development should reflect the rural character and allow for long distance views of the countryside from the public realm. Trees and landscaping should be incorporated in the design, where possible designed to strengthen the network of wildlife corridors j) Sustainable drainage options should, where possible, be designed to provide wildlife benefits, for example through the use of ditches and attenuation ponds. k) The existing quiet and peaceful atmosphere of Hazelbury Bryan should be preserved.
<p>Pattern and Layout of Buildings, Building Heights and Roofline, Materials, Surface Treatments and Architectural Details</p> <ul style="list-style-type: none"> l) The existing character must be appreciated when contemplating new development, whatever its size or purpose. Whilst contemporary design is encouraged, local heritage and setting must be considered. m) Where an intrinsic part of local character, properties should be clustered in small pockets showing a variety of types. The use of a repeating type of dwelling along the entirety of the street should be avoided. n) Heights of buildings should not generally exceed two-and-a-half storeys and the typical height should be one to two storeys, with some variation in any mix. The heights and roof forms should allow for glimpses of the surrounding countryside and long distance views where appropriate. o) The existing roofline of adjoining properties should be respected to create a consistent

roofline and rhythm along the street. Roof pitches should match existing/adjacent roof pitches (taking into account variation as a result of the materials used). The sensitive incorporation of solar panels / solar slates should be included within the design of southerly-facing roofs, where possible.

- p) Materials proposed for use in new development and building extensions should match or otherwise blend or complement those used in the existing building or area, allowing for subtle variations by street. Where possible these should be locally produced and sourced (re-using on-site materials where practical) or which can demonstrate high sustainability credentials. The choice of fabric (and thermal properties) should take into account the need to maximise energy efficiency and reduce energy demand.
- q) Boundary walls delineating gardens shall be built from local stone or other appropriate materials to match the colour of traditional walls in the vicinity.
- r) Architectural detailing shall typically display elements that equate to those on existing traditional buildings which provide interest, scale and texture to form and elevations. In terraced or semi-detached houses this would typically include a cornice at the eaves, door surrounds or porches and occasionally parapet wall at eaves. Consideration should also be given to including design features such as roof overhangs, window reveals and shutters that would assist with shading where there may be a risk of overheating.
- s) Proposed building façades should indicate the importance of each storey through combination of composition of building elements and the level of architectural detailing used.
- t) Contemporary architecture should be supported where it combines with local traditional architectural forms.

The Sensitive Inclusion of Renewable Energy and other Eco-friendly Measures, Car Parking and Infrastructure / Services

- u) Renewable energy and other eco-friendly measures should be considered in the design of new buildings and extensions to existing buildings.
- v) Car parking design and placement should be designed to minimise visual impact and to blend with the existing streetscape and materials. Provision should be made in line with Policy HB22 and include electric vehicle charging points. Landscaping should be used to keep a sense of enclosure and to break the potential of a continuous area of car parking by means of walls, hedging, planting and use of paving materials.
- w) Surface materials should be permeable
- x) Waste and other storage should be considered and integrated as part of the overall design of the property. Air source heat pumps and rainwater tanks should be discreetly sited. Landscaping may be appropriate to minimise the visual impact of bins and recycling containers, particularly where these could otherwise be clearly seen from the public realm.

7.45. It is expected that Design and Access Statements should address these points, and a list of questions that should be answered is provided in **Appendix 3**.

7.46. In December 2023, Dorset Council introduced a requirement for a Sustainability Statement to be submitted with all planning applications where new buildings are proposed, which was introduced following consultation. This covers a checklist of requirements including:

- Reducing energy consumption and carbon emissions;
- Maximising the use of sustainable materials and methods;
- Minimising waste and increasing recycling;
- Conserving water resources;
- Incorporating green infrastructure;
- Sustainable drainage;
- Adaptation to climate change.

The requirements set out in the sustainability statement should help applicants to address the penultimate criteria in the following policy. Given that both Dorset Council and Hazelbury Bryan Parish Council have declared a Climate and Ecological Emergency, the following policy has also been updated to reflect the importance of considering the wider environmental impacts of planning decisions.

Policy HB5. Locally Distinctive Development

Any future development will be designed to reinforce the distinctive local character of the settlement or outlying rural area to which it relates, and include measures to reduce energy consumption and carbon emissions, minimise waste, conserve water resources, and incorporate green infrastructure and sustainable drainage. This should include reference to and consideration of all of the following key characteristics, as described in more detail in Table 3:

- a) the street layout, gateways and access features, design of corner buildings, building line and boundary treatment;
- b) the local green spaces, rural views and character;
- c) the pattern and layout of buildings, building heights and roofline, materials, surface treatments and architectural details;
- d) the sensitive inclusion of renewable energy and other eco-friendly measures in the design of new buildings and extensions to existing buildings, where practical and viable, and subject to avoiding harm to nearby heritage assets
- e) the sensitive inclusion of car parking and infrastructure / services, including electric vehicle charging points and sustainable drainage.

7.47. The following policies are bespoke to each hamlet and need to be applied in conjunction with Policy HB5.

Policy HB6. Woodrow Distinctive Character

Any future development in the vicinity of Woodrow should

- a) reflect the agricultural and working nature of the area, including the mix of building types, sizes and outbuildings,
- b) respect the low density scattered character and mixed orientation of development,
- c) use native hedgerows to provide boundary definition,
- d) use local materials where practical and adopt complementary vernacular architectural styles.

Policy HB7. Partway Distinctive Character

Any future development in the vicinity of Partway should

- a) generally be set back from the road front with grassed verges and planting to strengthen the rural character, and not dominate the street scene (unless a community building),
- b) respect the historic field boundaries and native hedgerows to provide boundary definition,
- c) use a variety of local materials and complementary vernacular architectural styles, that are harmonious without obvious repetition.

Policy HB8. Wonston and Pleck Distinctive Character

Any future development in the vicinity of Wonston and Pleck should

- a) retain the more densely built character of the historic core of the hamlet, including the narrow plot form, and the positioning of buildings on the road frontage creating varied terraces,
- b) encourage a mix of uses appropriate to reflect the hamlet's status as one of the older and larger hamlets,
- c) respect the relatively modest scale of buildings, including the predominance of cottage styles with windows abutting or bridging into the roof space,
- d) reflect the wide variation in styles and the use of local materials including stone, cob, render, wood cladding / shingles, brick with tiled, slate, thatch roofs

Policy HB9. Pidney Distinctive Character

Any future development in the vicinity of Pidney should

- a) respect the historic field boundaries and native hedgerows that provide strong boundary definition on the east side of Pidney Hill, and retain gaps providing visual links to farmland to the rear,
- b) retain the generally modest scale of building heights,
- c) use a variety of local materials and complementary vernacular architectural styles, that are harmonious without obvious repetition or uniformity.

Policy HB10. Droop Distinctive Character

Any future development in the vicinity of Droop should

- a) respect the scattered rural nature of the area, and the dominance of the church and school as the key local landmarks,
- b) retain and reinforce the narrow confines created by the rural lanes, the historic field boundaries and native hedgerows and presence of mature trees,
- c) use local materials and predominance of use of coursed, rubble walls and thatch, slate and occasional metal roofs.

Policy HB11. Kingston Distinctive Character

Any future development in the vicinity of Kingston should

- a) be sensitive to and reinforce the rural and historic character of the hamlet and rural nature of the roads and lanes,
- b) retain and reinforce the historic field boundaries and native hedgerows, and green spaces sufficient to accommodate mature trees,
- c) use wide variety of styles appropriate to the area, and use or blend with the local materials - brick, stone, rendered, cob with slate, tiled or thatched roofs
- d) typical building heights should be one-and-a-half to two storeys, with some variation in any mix.

Policy HB12. Park Gate Distinctive Character

Any future development in the vicinity of Park Gate should

- a) be sensitive to and reinforce the rural and historic character of the hamlet,
- b) respect the positioning of buildings on the road frontage, and retain and reinforce the historic field boundaries,
- c) reflect the predominance of cottage and farm buildings, and use or blend with the local materials - brick, stone, rendered, cob, with slate, tiled or thatched roofs

Settlement Boundaries and Important Gaps

- 7.48. Settlement boundaries are a well-used planning tool that helps define those built-up areas where further infill development will in principle be acceptable, subject to site specific considerations which would include aspects such as environmental constraints, safe access and impact on local character.
- 7.49. The 2003 Local Plan drew settlement boundaries around Kingston, Wonston (and Pleck), and Pidney and Partway (combined), and did not propose such boundaries for Woodrow, Droop or Park Gate. These settlement boundaries were considered in preparing the Neighbourhood Plan, and as a result some changes were made in 2018. The main change was in the separation of Pidney and Partway, through the exclusion of the mainly open areas around Alec's Field and the Antelope Pub. Other minor changes to the settlement boundary were also made to ensure the boundaries would more clearly follow the field boundaries as they now exist, without giving rise to additional infill opportunities which would be better dealt with as site-specific allocations. As previously, no settlement

boundaries are proposed for the smaller hamlets where infill development would not be appropriate due to their character and more outlying nature.

- 7.50. The importance of the gaps that separate the hamlets has long been recognised in planning policy. The previous 2003 Local Plan policy HB1 prohibited “any development which would lead to the coalescence of the separate hamlets of Hazelbury Bryan” but did not physically define such areas. New buildings, some structures (such as containers and large utilities equipment) and some land uses (such as temporary parking and storage) can all reduce the sense of openness and separation provided by the countryside between the hamlets, to the detriment of the local character.
- 7.51. Figure 9 shows the settlement boundaries as revised (with no settlement boundaries defined for Woodrow, Droop or Park Gate due to their comparatively small and scattered and outlying nature where infill development would not be appropriate). It also defines the areas in which development will not be permitted that would diminish the function of the gaps between the settlements. These have been tightly drawn where the gaps are relatively short, but do not extend the full length of the physical gaps where there is a greater degree of separation, in order to provide some flexibility and focus protection on the areas that contribute most to the sense of physical separation.
- 7.52. Development on land east of Wonston was considered at Appeal in early 2020 (ref APP/N1215/W/19/3227814). Whilst not within the then defined gap, the Inspector considered that the location would be inappropriate for further houses, due to the lack of accessible services or public transport links and the adverse visual impact to the rural character of the area. Given this finding, the gap has now been extended up to the settlement boundary in this location.
- 7.53. The gap between Partway and Woodrow has been marginally reduced following the development of the parcel of land at Rowlands Yard on the Causeway, which was given consent prior to the making of the Neighbourhood Plan (ref 2/2018/0107/OUT). The area that has been developed has therefore been removed from the local gap in this location. It will be important to ensure that the remaining gap to the north is not further reduced if this policy is to be effective.

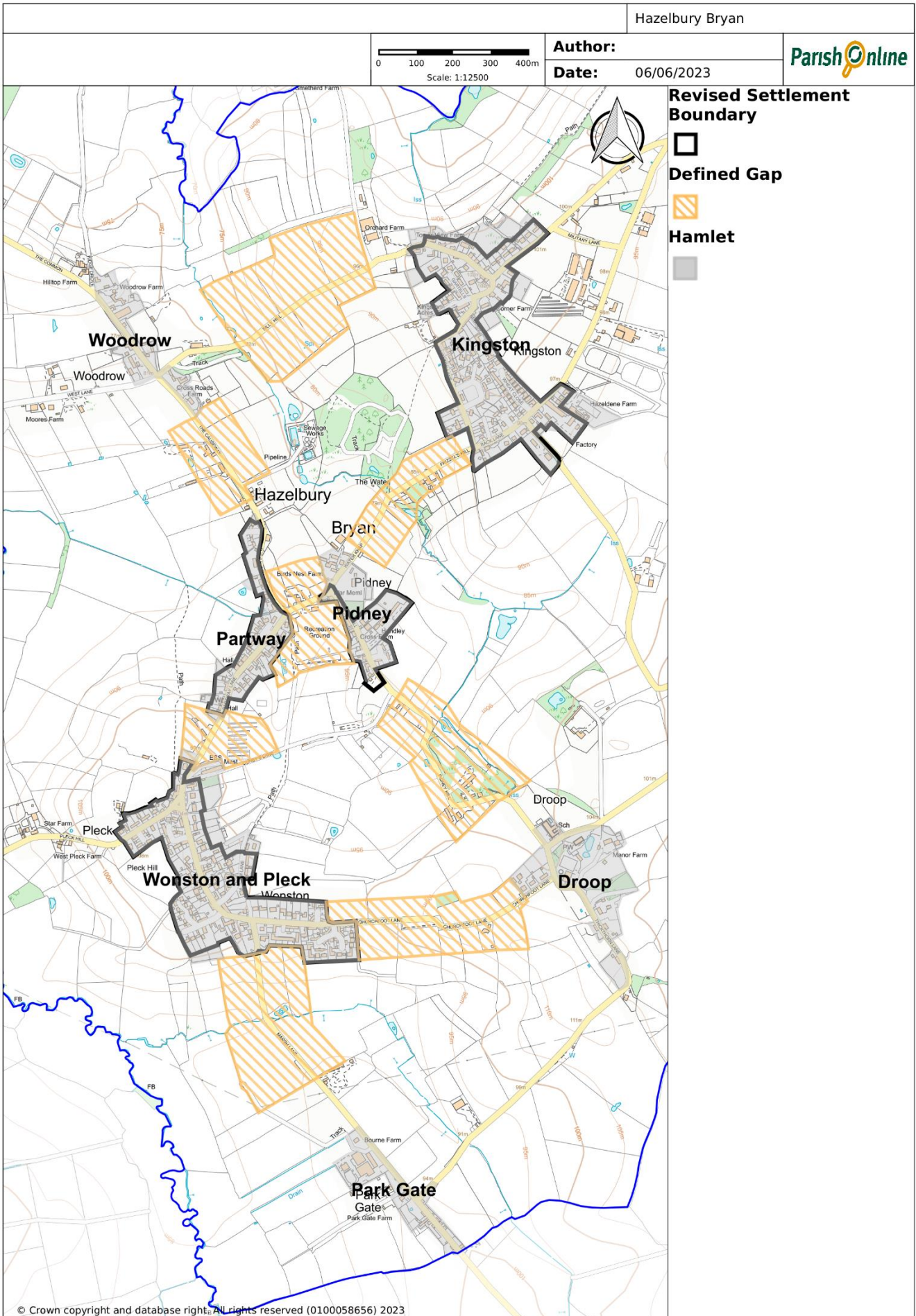
Policy HB13. Settlement Boundaries and Important Gaps

The distinct hamlets of Kingston, Wonston (and Pleck), Pidney, Partway, Woodrow, Droop and Park Gate will be respected through ensuring that development does not lead to their coalescence.

The settlement boundaries are amended as shown on Figure 9. Infill development will be acceptable in principle within the settlement boundaries of the four hamlets of Kingston, Wonston/Pleck, Pidney and Partway, subject to consideration of site specific issues and achieving safe access and good design.

New buildings, structures and land uses will not be permitted within the defined gaps shown on Figure 9 where these would undermine the rural, undeveloped nature of the countryside or diminish the distinction between the two settlements.

Figure 9. Hamlets and Gap Separation [updated 2023]



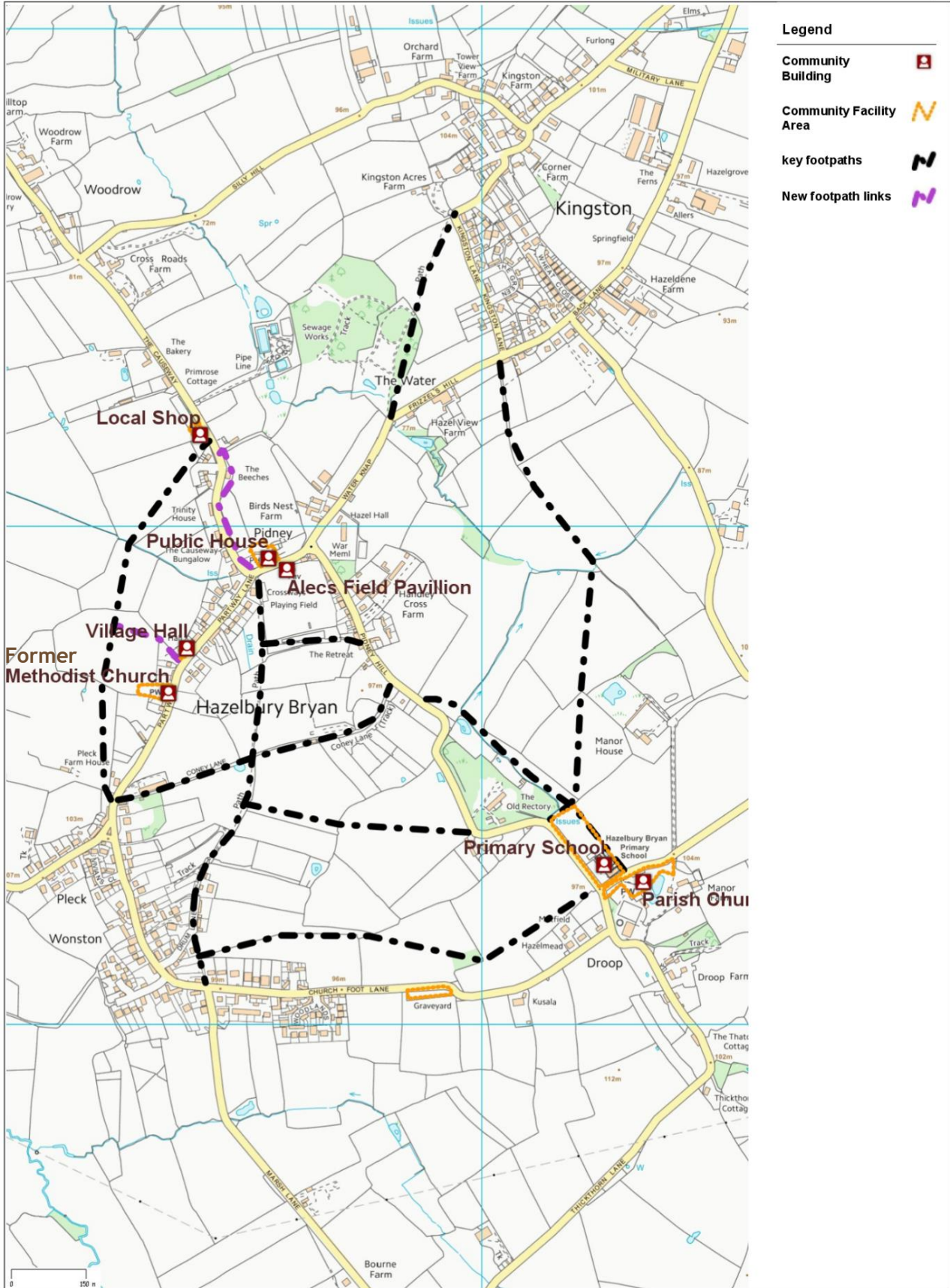
8. Community facilities, services and amenities

Figure 10. Community buildings and curtilage, key footpaths and proposed new links



Community Buildings and Links

Hazelbury Bryan CP



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- 8.1. The Local Plan and national planning policy both recognise the important role that facilities such as village halls, sports facilities, churches, local shops, pubs and post offices, play in creating successful communities. Such facilities allow people to interact, support healthy living styles that are less reliant on the car, and engender pride and a sense of belonging to the places where we live and work.
- 8.2. In rural communities, some community facilities that serve a much wider population will inevitably be located in the nearby towns. This is true of Hazelbury Bryan, where many local people look to Sturminster Newton for services and facilities such as healthcare and higher education. However, the community is fortunate in the facilities that it has, and it is hoped that these will be retained (and even added to) during the plan period.
- 8.3. Community facilities, services and amenities ultimately depend on service providers or local people to run (and some will only succeed if they are commercially viable). The planning system can help by guarding against their unnecessary loss (by resisting any change of use that would lead to their closure) and allowing such facilities to develop and modernise so that they are able to adapt to changing customer requirements and remain viable to run.

Healthcare

- 8.4. The Blackmore Vale Partnership, based primarily at the Sturminster Newton Medical Centre, is believed to cover a majority of the Village residents. The Cerne Abbas Surgery Practice has a growing number of patients from the Village, and provides a drop off dispensing service through The Red Barn three times a week.

Education

- 8.5. Hazelbury Bryan **Primary School** in Droop provides education from the age of 2, with a rapidly expanding nursery base within the Pre-School, to Year 6, as well as breakfast and after school clubs. In 2022/23 the nursery was full with 31 children, and 88 children in the school. Any significant increase in children would require additional classrooms. The School employs 20 staff, many of whom live locally. Another issue for the primary school relates to access and parking. Most of the school's families do not walk to school due to road safety concerns, and parking at the school has become increasingly limited adding to these concerns for pedestrians and drivers at school run times. Pedestrian gates were installed along the footpaths under a "walk to school" initiative to provide an alternative off-road route that is baby buggy and mobility vehicle accessible, however many families state that the pedestrian route is not buggy friendly. Further improvements to the off-road route, and additional parking for the school and church would be beneficial.



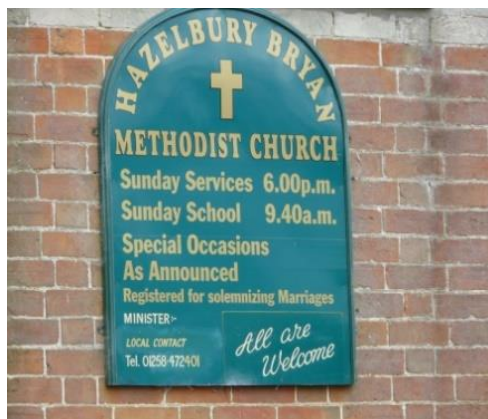
Social and Spiritual

- 8.6. Our 15th century **St Marys and St James Parish Church** in Droop provides for a congregation of about 150 people comfortably, although with some larger weddings and funerals some 300 people have been accommodated. Weekly services see much lower average attendance, other than the well-attended main celebrations (Christmas, Easter, Remembrance and others). The Church would welcome increased numbers as might be



brought about by village expansion.

8.7. The former **Methodist Church** in Partway is not currently in use, and its future is uncertain. Having only a small car park the demand for parking, like the village hall, has previously caused some problems. The Parish Council would encourage the landowner to work with the local community to investigate potential solutions for the re-use of this valued asset.



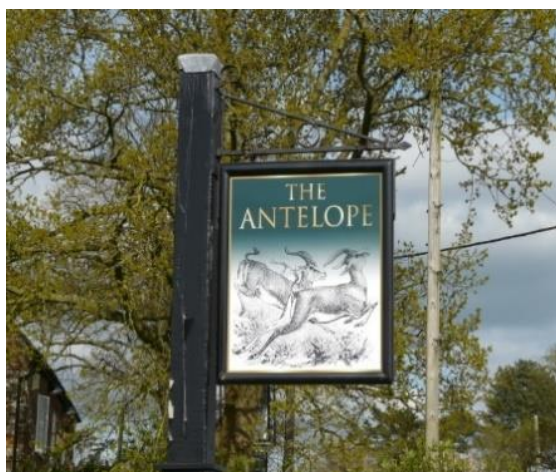
8.8. The **Cemetery** is located between Wonston and Droop, and is managed by the Parish Council. Since opening in 1947 it has been used for just over 400 burials and the interment of ashes, with an annual take-up of around 5 burial plots or interments in recent years, with the latter becoming more common. There are currently about 50 burial plots and space for 100 interments, providing enough space for the Plan period. There are funds earmarked for a small extension to the Cemetery, which is likely to be needed in the future, but at the current time the landowner of the adjoining field has not indicated that they would be willing to sell the land for this purpose.



8.9. The **Village Hall** in Partway provides the primary meeting place for local people and is well utilised by village clubs, societies and representatives, particularly in the evenings. Daytime uses include a number of regular bookings. At weekends it is often hired by individuals for children's parties and other one-off events. From observations many of the hall-based activities appear to generate a need for around 12 - 15 cars (and on occasion a much higher number). The hall has capacity to absorb a modest increase in the local population, the main issue being related parking congestion on the local road.

8.10. The **Pavilion** building on Alec's Field has a kitchen and function room in addition to changing facilities and toilets, with capacity for around 30 people.

8.11. The Antelope **Public House** in the gap between Partway and Pidney has a largely local customer base (estimated at about 70% from the parish). There is plenty of capacity to cater for increased numbers. Safe walking routes to the pub (as there is a lack of pavements) would be welcomed to encourage more people to walk to the pub.



Shops & retail.

- 8.12. The Red Barn represents the only **local shop** providing basic essentials, a weekly post office and other retail services including acting as a collection point. Currently its customer base is mainly from within the Village (approximately 85%). It is operating broadly at capacity but could cater for more customers by reorganising. It is run by a self employed couple from within the Village, and their greatest concern remains the safety of its customers given the lack of footpaths connecting from the shop into the Village.



Communications - Broadband and Mobile Phone Services

- 8.13. For a small village, Hazelbury Bryan is blessed with having a fibre backbone internet, which is delivered from the telephone exchange to a number of green cabinets in the village. Links from dwellings to these cabinets can provide connection speeds of 76MB, although this is dependent on the distance from the cabinets (using the existing copper lines). Other opportunities such as wireless or satellite connectivity for more remote dwellings may provide alternative solutions where feasible and cost effective.
- 8.14. The recent completion of a new mobile communication mast has improved connectivity across much of the parish, including 3G and 4G coverage.

Outdoor Recreation.

- 8.15. Alec's Field is the village's main recreation ground and sports field. It is enjoyed by local residents of all ages, particularly the children's play area. Next to Alec's Field are The Keep and Allotments, where the 23 plots are fully occupied, and there is currently a waiting list of four. In the future, further allotments may well need to be provided within this local green space.
- 8.16. More locally, there are small grassed areas in Kingston and Pidney, which are used by local children for informal games and socialising. Hazel Wood near Kingston and the Emerson Nature Reserve close to Wonston are both accessible wildlife areas in easy walking distance of the village, enjoyed by local people.
- 8.17. These green spaces are protected in Policy HB3.



Rights of Way

- 8.18. There are 41 Public Rights of Way in the parish, of which 5 are Bridleways, and one is a Restricted Byway. Coney Lane, which runs between Wonston and Pidney, is a narrow green lane (Unclassified County Road).
- 8.19. The footpath network is extensively used, particularly the ones between the various hamlets, which enable walkers to avoid the winding, narrow roads. The key footpaths that perform this function have been identified (see Figure 10), and these routes, and links to them, are likely to be the focus for infrastructure improvements that may be delivered or funded from development, to make them more accessible.

Table 4. Key footpaths

Connections	PRoW used	Notes
Kingston to Pidney via Hazel Wood	N41/21	Runs from north end of Kingston Lane to Water Knap (avoiding Frizzels Hill)
Kingston to Droop	N41/1,3 and 5	Runs from south end of Kingston Lane across fields to connect to Pidney Hill near the school
Wonston to Partway (north)	N41/31 and 32	Runs from the northern end of Wonston to exit close to the Local Shop, with connecting spur to the southern end of the Causeway (alternative connecting route to be negotiated). Also passes close to the rear of the village hall (connecting route to be negotiated), avoiding narrow sections of Partway Lane and The Causeway
Pidney to Droop	N41/2 and 3	Footpath running broadly parallel to Pidney Hill as an off-road alternative to avoid narrow bends around the Old Rectory
Wonston, Droop, Partway and Pidney	D31813, D31812, N41/16, 17, 18 and 19	Series of connecting lanes and footpaths within the triangle of land enclosed by the four hamlets. Coney Lane is accessible for buggies / pushchairs etc
Wonston to Droop	N41/15	Footpath running broadly parallel and as an off-road alternative to Churchfoot Lane

8.20. Although the Community Infrastructure Levy charging schedule was produced for the North Dorset area, this has not been put into effect, and is not anticipated to be used (with Dorset Council now working on the production of a county-wide levy alongside its new Local Plan). As such, Section 106 agreements continue to be used in this area, to help provide infrastructure where this is necessary to make development acceptable in planning terms. This includes developer contributions towards the maintenance and enhancement of existing social infrastructure, and the provision of new social infrastructure, where such contributions are appropriate to the nature and location of the proposed development. For new housing developments this is likely to include funding to allow for more flexible classroom configurations at the Primary School, as well as projects related to the maintenance and upgrading of the recreational facilities. The following policy has therefore been included in the plan to provide guidance on appropriate measures (depending on the nature of the proposed development) that may be sought.

Policy HB14. Supporting Community Facilities

Development proposals to improve the provision of community facilities (including those listed below) in a manner in keeping with the character of the area will be supported. Every effort should be made to work with the local community and relevant authorities to investigate potential solutions to avoid any loss of the following valued assets:

- a) Village Shop and Post Office
- b) Hazelbury Bryan Primary School (including Pre-School provision)
- c) Hazelbury Bryan Village Hall
- d) St Marys and St James Parish Church
- e) the former chapel (was Hazelbury Bryan Methodist Church, now vacant)
- f) The Antelope Public House
- g) Recreation areas (designated as Local Green Spaces) and Sports Pavilion
- h) Key Public Footpaths and Rights of Way (as shown on Figure 10)

Developer contributions may be sought where reasonable and necessary for improvements to the above social infrastructure.

9. Housing

9.1. At the time of the 2011 Census there were 1,059 people living in Hazelbury Bryan parish, forming 454 households in a parish of 480 dwellings. At the start of the plan period, a further 8 dwellings had been built (net), and 30 additional dwellings approved. The 2021 Census records show a slight increase in the resident population (to 1,074 people) forming 474 households in a parish of 499 dwellings. A further 25 dwellings were built between 2021 - 2023, including the new Violet Cross development at Pidney, which provided 21 affordable dwellings, and land at the Campsite on The Causeway. By the end of March 2023, a further 15 dwellings had planning permission approved, including 2 sites allocated through the Neighbourhood Plan:

- Land at Broad Oaks Farm, The Common: 1 dwelling (2/2019/0474/FUL) - under construction
- Barn At Moores Farm, West Lane: 1 dwelling (P/FUL/2022/06542)
- Land East Of King Stag Mill (Site 12): 1 dwelling (site manager accommodation) (2/2019/0599/OUT)
- Sunny View, Pleck Hill: 1 dwelling (barn conversion) (2/2019/1123/AGDWPA)
- Land adj the Retreat (Site 13): 1 dwelling (2/2019/1339/FUL)
- Crossroads Farm, Woodrow: 1 dwelling (P/FUL/2020/00257)
- Land at Broad Oaks Farm, The Common: 1 dwelling (P/FUL/2021/02292)
- Priest Thorn Cottages, Stut Lane: 1 dwelling (P/FUL/2021/03149 and 2022/01422)
- Land West of Kingston Row. Kingston: up to 5 dwellings (P/PIP/2022/04665)
- Rowlands Yard, The Causeway: 1 dwelling (P/FUL/2022/06889)
- Woodrow Dairy Woodrow: 1 dwelling (P/PACD/2022/06403)

9.2. The Local Plan does not identify specific housing need for Hazelbury Bryan. A housing needs review was therefore undertaken that looked at a wide range of evidence, including Census data, the latest data underpinning the objectively assessed needs for North Dorset, the general rate of building in the parish in recent years, and potential housing need recorded on Dorset Council's Housing Register. This data has been reviewed and updated in 2023. Table 5 summarises the main findings.

Table 5. Housing Need Assessment - key findings updated 2023

Source	Notes	2018-2031 requirement
2016 Local Plan, and latest housing needs projections	Pro-rata target provides a starting point for a more tailored assessment of housing need for the area, with potential uplifts tested	48 to 55 dwellings
Past build rates	2001 - 2018 Census and monitoring data indicates the number of dwellings increased from 384 - 488, an average of 5.2 dwellings per annum	68 dwellings
Housing Register	13 affordable homes needed as at February 2023, based on those on the affordable housing register with a local connection	13+ affordable dwellings <i>NB this may reduce due to the provision at Handley Cross Farm (Violet Cross)</i>
Market signals	Likely to be continuing strong level of demand, which ideally should focus on lower cost / smaller (2 - 3 bedroom) houses, close to local facilities (shop / school)	No upper limit, house types should be considered
Service provision issues	Impact on the school should be monitored, but the need for new classrooms is unlikely to be triggered if no more than 120 dwellings are built	Monitor impact on school capacity.
Key Census statistics	Indicates relatively small household sizes (average 2.15 persons per household), and a comparatively high number of larger homes,	House types and sizes should continue to place an emphasis on smaller,

	resulting in higher levels of under-occupancy	more affordable homes
OVERVIEW	Evidence suggests the upper end of the pro-rata Local Plan projections would be a reasonable target	55 dwellings

- 9.3. When the Neighbourhood Plan was prepared, the findings suggest that, in addition to the existing planning consents at that time, provision should be made for about 14 new dwellings. Following a call for sites, site assessment (including the strategic environment assessment of reasonable alternatives) and much public consultation, three housing sites and an employment site with duty manager's accommodation were identified for inclusion in this plan. The review in 2023 concluded that the Plan was on track to deliver up to 72 dwellings, exceeding the housing target by significant margin. As a result, no additional sites have been proposed as part of this first review.
- 9.4. The types of housing required are predominantly lower cost / smaller (2 - 3 bedroom) houses, ideally located close to the main facilities. The provision of starter homes specifically aimed at first time buyers will help younger families settle in the parish, and self-build plots can also provide more affordable route to home ownership, catering for specific needs and individual tastes, and reflecting the more sporadic and locally-driven nature of development that has happened historically. Live-work units are also appropriate to rural living patterns, and provide benefits of both local work and services. Finally, with the ageing population, there will be increasing calls for housing designed for residents who want to remain in the community but whose limited mobility makes their current home unsuitable.
- 9.5. The 2016 North Dorset Local Plan requires affordable housing to be provided at 40% of the total number of dwellings on development sites of 11 or more dwellings. Affordable housing may also be provided on Rural Exception Sites, typically on smaller sites of up to 9 dwellings. The adopted Local Plan does allow open market housing on these sites where an open book approach has demonstrated that this is necessary (and the minimum) required to fund the affordable housing provision, with further restrictions in terms of numbers and dwelling size, type and mix.
- 9.6. The allocation of affordable homes should prioritise eligible people in need of such housing that have a local connection (either due to having lived or who are working in the parish, or with close family living here), followed by those with a connection to adjoining parishes, before cascading to people with no connection to the area.

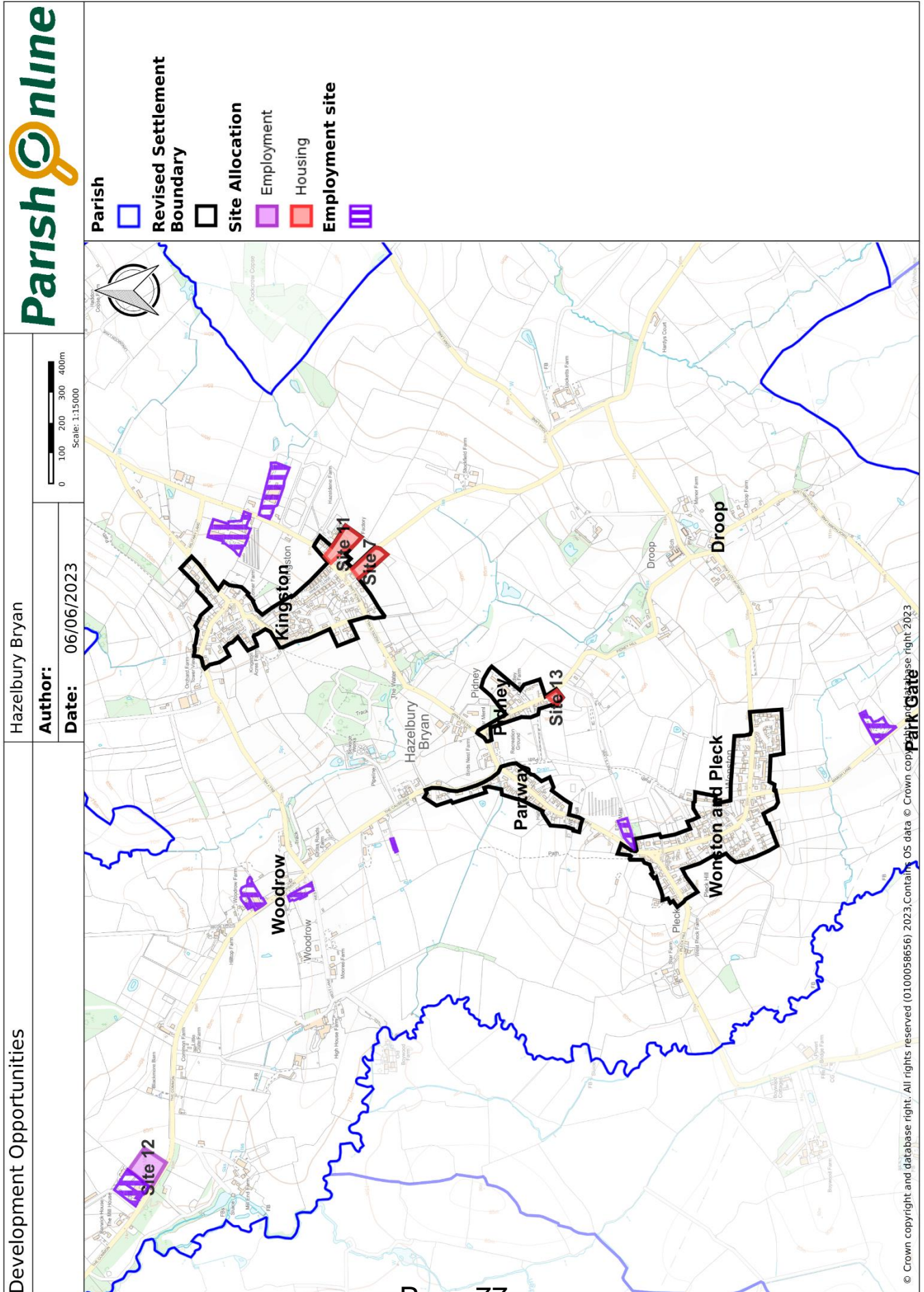
Policy HB15. Meeting Housing Needs - Amount and Location of New Dwellings

Provision is made for in the region of 55 dwellings to be built in Hazelbury Bryan between 2018 and 2031, to meet the projected local needs of the community. The following sites are allocated in the Neighbourhood Plan (which together with those built or consented since April 2018, are expected to meet this need):

- Site 11: Martin Richard's Tractors UK site, Back Lane, for up to 13 dwellings including at least 5 affordable homes
- Site 7: Former Frank Martin's Agricultural Depot, Stockfield Drive, for up to 11 dwellings including at least 4 affordable homes
- Site 13: Land immediately adjoining the Retreat, Coney Lane, for 1 dwelling
- Site 12 - Land adjoining King Stag Mill, The Common, for 1 duty manager's dwelling

Given the identified supply clearly exceeds the housing need requirement, the release of unallocated greenfield sites outside the settlement boundary should be limited to rural exception affordable housing sites, and sites for open market housing should therefore be resisted (unless part of and required to contribute towards closing a funding gap on a rural exception affordable housing site in line with the requirements set out in the Local Plan policy).

Figure 11. Proposed Housing Sites and Existing Employment Site [existing employment sites updated 2023]



Policy HB16. Meeting Housing Needs - Dwelling Types

The type and size of housing built should reflect the predominant need for lower cost / smaller (2 - 3 bedroom) houses. The provision of affordable homes above the level set in the Local Plan, starter homes, self-build plots, live-work units, and housing designed specifically for people with more limited mobility, will be supported. Restrictions will be included to ensure that affordable housing is prioritised and remains affordable to local people (with a connection to the parish) in perpetuity. Larger homes (with the equivalent space for four or more bedrooms) are only likely to be accepted where the characteristics of the plot and surrounding area lend themselves to such larger dwellings, and their design lends itself to possible future subdivision (as two dwellings or dwelling with annexed or working accommodation).

9.7. The following section provides a summary of the main issues and potential impacts associated with the preferred sites, as identified from the main findings of the site assessments and further technical checks, including the Strategic Environmental Assessment. These have been used to inform the policy allocations for each site. It should be noted that further or more detailed reports may still be required at planning application stage.

Site 11: Martin Richard's Tractors UK site, Back Lane, Kingston



Site description	A relatively flat brownfield site on the eastern edge of Kingston, extending to about 0.57ha.
Existing use	Employment site (tractor machinery sales and repair business) - which is being relocated to Site 12.
Neighbouring uses	The site is bordered by a farmyard to the north-east, houses on the road front and west, and fields to all other sides
Visual impact and landscape interest	Relatively enclosed by existing development, visible from Back Lane and across the field from Stockfield Drove, but unlikely to be seen from wider footpath network. No notable landscape features
Wildlife interest	A brownfield site with no significant wildlife interest. The native hedgerow and shallow ditch adjoining the site along the north-eastern boundary has a range of species that suggest this may be an old hedgerow.
Historic interest	This site adjoins Back Lane Grade II Listed farmhouse and forms part of its setting. The immediate setting of this 17th century farmhouse has already been undermined by the close proximity of the office. Development here is likely to result in a positive improvement since the existing large volumes will be replaced with smaller, domestic scale buildings and the area of hard standing will be reduced.

Flood risk / ground conditions	No obvious risks noted (fluvial and surface water flood maps) and no local knowledge of flooding issues. Groundwater emergence risk maps produced by JBA in 2022/23 indicate that groundwater levels may be relatively high. Soil sampling, laboratory analysis and hydrocarbon risk assessment undertaken in 2019 shows no obvious signs of ground contamination.	
Access points / and suitability	Direct from Back Lane (main road linking to Sturminster Newton) with wide radii (which could be tightened for residential use) and good visibility. Reasonable access on foot to village although lack of pavements on many roads and outside easy walking distance (800m) of most of the key community facilities	
Summary - main benefits and issues to mitigate	<ul style="list-style-type: none"> – Brownfield site – Opportunity to relocate industry and associated noise / vehicles away from a residential area (much of the traffic comes from the King Stag direction through the village). – Opportunity to improve setting of Grade II Listed farmhouse 	<ul style="list-style-type: none"> – Loss of employment (if not replaced) – Distance from key community facilities – Possible noise / smells from adjoining equestrian yard (former farmyard) – Need for an appropriate drainage strategy given potentially high groundwater levels – Visual impact as seen from Stockfield Drove – The setting of the Grade II Listed farmhouse will need to be respected, but should be improved by development
Estimated capacity	Up to 13 dwellings possible (average density 23 dph)	

9.8. Based on this assessment the following policy will be considered in the event of a planning application being submitted for this site. The provision of alternative employment land is most likely to be delivered through the development of Site 12 (which is in the same landownership). In any event policy HB21 provides scope for other employment provision to come forward.

Policy HB17. Site 11 - Martin Richard's Tractors UK site, Back Lane, Kingston

Martin Richard's Tractors UK site, as shown on Figure 11, is allocated for up to 13 dwellings, to include on-site provision of at least five affordable homes, and subject to all of the following requirements:

- a) The type and size of housing accords with Policy HB16
- b) The design of the development accords with Policies HB5 and HB11
- c) The layout and design will improve the setting of Grade II Listed Back Lane Farmhouse
- d) The north-eastern hedgerow and shallow ditch should be retained, and additional landscape planting using native species should be provided along the south eastern and south-western site boundaries adjoining open fields, to create a soft edge with the countryside
- e) The development accords with requirements for biodiversity mitigation in Policy HB2
- f) The inclusion of a drainage strategy for the site to ensure that flood risk is not increased, taking into account likely groundwater levels
- g) Alternative serviced employment land of at least 0.57ha is provided elsewhere in the parish to avoid a net loss of employment land, prior to the development of any open market housing on Site 11.
- h) The design and layout should ensure that the living conditions and amenities of residents will not be adversely affected by the ongoing operation of the adjoining yard

- i) Developer contributions may be sought for improvements to the road infrastructure in accordance with Policy HB23

Site 7: Former Frank Martin's Agricultural Depot, Stockfield Drive, Kingston



Site description	A relatively flat brownfield site on the south-eastern edge of Kingston, behind two detached dwellings and their rear gardens, extending to about 0.48ha.	
Existing use	Current use occasional agricultural vehicle parking, last main use as an agricultural contractor's yard.	
Neighbouring uses	The site is bordered by houses to the north, and fields to all other sides	
Visual impact and landscape interest	Reasonably visible due to surrounding landform, primarily from Stockfield Drive but also from wider footpath network to south. No notable landscape features other than strong hedgerow boundary and ditch with grass verge in front along road	
Wildlife interest	A brownfield site with no significant wildlife interest other than the hedgerow boundaries, which have a range of native woody species and appear to be quite old, and as such may qualify as Important Hedgerows under the Hedgerow Regulations Act (1997)	
Historic interest	The site has no impact on any heritage assets - the closest is Grade II Listed Back Lane Farmhouse which is not seen in the same viewshed	
Flood risk / ground conditions	No risks noted (fluvial and surface water flood maps) and no local knowledge of flooding issues. Groundwater emergence risk maps produced by JBA in 2022/23 indicate that groundwater levels may be relatively high.	
Access points / and suitability	Direct from Stockfield Drive (main road linking onto Back Lane) with good visibility for vehicles. Reasonable access on foot to village although lack of pavements on many roads and outside easy walking distance (800m) of most of the key community facilities	
Summary - main benefits and issues to mitigate	<ul style="list-style-type: none"> - Brownfield site - Opportunity to ensure industry and associated noise / vehicles are away from residential areas 	<ul style="list-style-type: none"> - Loss of employment (if not replaced - albeit very low numbers based on recent use) - Distance from key community facilities - Possible contamination from previous use (if present and not mitigated) - Need for an appropriate drainage strategy given potentially high groundwater levels - Visual impact as seen from Stockfield Drive and the footpath network to the south - Potential loss of hedgerows
Estimated capacity	Up to 11 dwellings possible (average density 23 dph)	

9.9. Based on this assessment the following policy will be considered in the event of a planning application being submitted for this site. There are no specific linked measures identified to off-set the loss of employment, given the length of time (at least 10 years) that the site has seen very limited use (during this period it has not resulted in any employment other than the site owner’s). However policies HB20 and HB21 are expected to provide some mitigation in terms of employment provision.

Policy HB18. Site 7 - Former Frank Martin's Agricultural Depot, Stockfield Drove, Kingston

Former Frank Martin's Agricultural Depot site, as shown on Figure 11, is allocated for up to 11 dwellings, to include on-site provision of at least four affordable homes, and subject to all of the following requirements:

- a) The type and size of housing accords with Policy HB16
- b) The design of the development accords with Policies HB5 and HB11
- c) Retention of hedgerows along the north-eastern and south-eastern site boundaries, with additional landscape planting using native species provided along the south-eastern and south-western site boundaries adjoining open fields, to create a soft edge with the countryside
- d) The development accords with requirements for biodiversity mitigation in Policy HB2
- e) Measures are taken to ensure that any evidence of potential contamination before or during construction are investigated and remediation agreed by the Local Planning Authority
- f) The inclusion of a drainage strategy for the site to ensure that flood risk is not increased, taking into account likely groundwater levels
- g) Developer contributions may be sought for improvements to the road infrastructure in accordance with Policy HB24.

Site 13: Land immediately adjoining the Retreat, Coney Lane, Pidney

9.10. *Planning permission was granted for 1 dwelling in April 2020 (reference 2019/ 1339) fulfilling the requirements of the following policy. This allocation has been retained whilst building works are still in progress, in case amendments are proposed.*



Site description	A relatively flat greenfield site on the southern edge of Pidney, extending to about 0.11ha.
Existing use	Stables / sheds associated with adjoining paddock.
Neighbouring uses	The site is bordered by houses to the north, and fields to all other sides

Visual impact and landscape interest	Moderately visible, primarily from Pidney Hill, with glimpses possible from wider footpath network to south. Strong landscape boundaries provided by hedgerow and mature tree	
Wildlife interest	Semi-improved and species-poor neutral grassland. The hedgerow along the road boundary from its composition and inclusion of the 2nd Edition Ordnance Survey map may qualify as an Important Hedgerow under the Hedgerow Regulations Act (1997). There is one mature Ash tree in the road hedge	
Historic interest	The site is not conspicuous from a heritage perspective, the only heritage asset is Tudor Cottage Grade II Listed which cannot be seen from the site	
Flood risk / ground conditions	No risks noted (fluvial and surface water flood maps) and no local knowledge of flooding issues	
Access points / and suitability	Direct from Pidney Hill - visibility splays would need to be improved, potential requiring tree / hedge to be removed. Reasonable access on foot to village although lack of pavements on many roads	
Summary - main benefits and issues to mitigate	<ul style="list-style-type: none"> - Opportunity to provide self-build unit. 	<ul style="list-style-type: none"> - Potential loss of hedgerow and mature tree to provide required visibility splays for access - Visual impact as seen from Pidney Hill and the footpath network to the south
Estimated capacity	Up to 1 dwelling possible (as self-build unit)	

Policy HB19. Site 13 - Land immediately adjoining the Retreat, Coney Lane, Pidney

Land immediately adjoining the Retreat, as shown on Figure 11, is allocated for 1 self-build dwelling (net), and subject to all of the following requirements:

- a) The type and size of housing accords with Policy HB16, as a self-build dwelling
- b) The design of the development accords with Policies HB5 and HB9
- c) Landscape planting using native species should be provided along the southern and western site boundaries adjoining open fields, to create a soft edge with the countryside
- d) The development accords with requirements for biodiversity mitigation in Policy HB2, including mitigation for loss of the roadside hedge and mature ash tree if these cannot be retained due to access requirements
- e) Any necessary improvements required to achieve safe vehicular access onto Pidney Hill are secured

10. Employment

10.1. In addition to the community facilities that provide local employment (such as the school, public house and local shop) there are a number of employment sites in the parish providing local work opportunities. The main sites within the parish were identified in March 2018 (and subsequently updated in June 2023) are shown on Figure 11, and listed below:

- Affordable Drainage adjoining The Red House, The Common, Woodrow
- Best Print UK Ltd, Hilltop Farm, Woodrow
- Brady Bespoke Furniture, The Causeway, Partway
- Frank Martin's agricultural depot, Stockfield Drove, Kingston (no longer in active employment use)
- Hazelbury Bryan Timber Supplies, Marsh Lane, Park Gate
- Hunts Food Services, Back Lane, Kingston
- King Stag Mill, The Common - includes businesses such as Walbridge Motor Co, R B Snook, Stur'N'Mix / Sturminster Building Supplies office]
- The former Chicken Farm at The Ferns, Kingston - includes KKG Engineering and many others
- The former Chicken Shed at Pleck Farm, Coney Lane, Wonston
- Martin Richard's Agricultural Engineers Ltd (and also Tractors UK) site, Back Lane, Kingston
- Woodrow Farm site, Woodrow - includes RWH Agriculture Ltd and Dieci Telehandlers Ltd

10.2. In addition to these, there are a variety of local businesses run from home, such as 'A Jar Of' which produces handmade preserves and sauces run from a converted cowshed in Droop Farm, and 4D Signs who provides a full range of signs, banners, vehicle livery and printed clothing services run from The Old Dairy in Wonston, as well as various tradesmen and consultants whose business is based from home. There is also holiday and self-catering accommodation providing local employment opportunities.

10.3. Outside the settlement boundary the Local Plan policies encourages the retention and small-scale expansion of existing employment sites, provided that:

- the existing development and use is lawful;
- the expansion of the site is of a size and scale appropriate to the location and proportionate to the circumstances;
- the development would not include or give rise to ancillary uses within the site, such as open storage, that would be visually intrusive; and
- the development would not be more visually intrusive in the landscape than the existing development and would respect the immediate setting of the site and its wider surroundings.

10.4. On this basis, some sites may not be suitable for expansion, depending on their location and surrounding constraints. However many could be expanded where no such constraints apply. Subject to viability, developer contributions may be sought towards highway infrastructure improvements under Policy HB23 where the expansion of an existing site would give rise to additional traffic movements that due to their nature or volume raise pedestrian road safety concerns.

Policy HB20. Economic Development Opportunities

The retention and small-scale expansion of existing employment sites allowed through the Local Plan will apply to sites shown on Figure 11.

10.5. The main issue for the plan area is the potential loss of two areas of employment land through the redevelopment for housing of Site 11: Martin Richard's Tractors site, and, to

a much lesser extent (due to its very limited employment generation in recent years), Site 7: Former Martin's Depot. In order to mitigate this loss, an alternative employment area has been identified, adjoining King Stag Mill, and is allocated for employment (with the option to include duty manager's accommodation if appropriate to the end use). The site is in the same ownership as site 11, and the landowner's intention is to move the business to this location. His existing business in Kingston not only creates HGV and lorry movements through the village (whose adverse impact would be reduced through relocating to this site, as much of these come from the King Stag direction), but needs to operate on occasion outside social working hours as the business provides a 24/7 service to farmers for emergency repairs (carried out by the duty manager, who therefore needs to live on-site).

Employment Site: Land adjoining King Stag Mill, The Common

10.6. *Since the Neighbourhood Plan was first made, planning permission has been granted for the erection of two commercial buildings, display area, yard and dwelling (with occupational condition), fulfilling the requirements of the following policy. This allocation has been retained whilst building works are still in progress, in case amendments are proposed.*



Site description	A gently sloping greenfield site adjoining King Stag Mill (a notable landmark on the approach to Hazelbury Bryan), extending to about 0.84ha (excludes the full extent of the field).
Existing use	Agricultural field.
Neighbouring uses	The site is bordered by an existing employment site to the west, and fields to all other sides
Visual impact and landscape interest	Moderately visible, primarily from The Common. The most elevated point on the site may be conspicuous in long views. No notable landscape features other than strong hedgerow boundary
Wildlife interest	An improved agricultural field, the only ecological interest noted being the two lengths of hedge
Historic interest	This location is remote from any heritage assets - the closest being Mill End Farm to the south side of The Common.
Flood risk / ground conditions	Flood maps indicate low risk (0.1% annual chance) of surface water flooding across the field onto and across The Common to drain into the River Lydden on the far side
Access points / and suitability	Direct from The Common. Vehicular access has been created through the removal of a section of the roadside hedge.

Summary - main benefits and issues to mitigate	<ul style="list-style-type: none"> – Away from residential areas, adjoining existing employment area 	<ul style="list-style-type: none"> – Potential surface water flood risk (low) – Visual impact of higher ground in long distance views and as seen from the road – Potential loss of hedgerows – Potential pollution depending on type of employment use
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10.7. The site has been included as an option to provide alternative employment land lost through the development of site 11. Any proposed uses that may give rise to pollution would need to comply with the relevant national guidance on preventing adverse affects of soil, air and water pollution.

Policy HB21. Site 12 - Land adjoining King Stag Mill, The Common

Land adjoining King Stag Mill, as shown on Figure 11, is allocated to provide employment land for B-class and similar uses, and a duty manager's dwelling (net). The development of this site is subject to all of the following requirements:

- a) The employment uses should be limited to B Class uses and other 'sui generis' uses typically found on large industrial estates, and may include small-scale retail which is ancillary to a B Class use
- b) Where practical new employment premises should be designed to enable the future expansion and reconfiguration of units, without the need for major rebuild
- c) The scale, positioning and design of buildings should have regard to reducing potential visibility in long views and not compete with the adjoining 3-storey feed mill which appears as a landmark on the approach to Hazelbury Bryan.
- d) Retention of the existing hedgerow as far as practical. Additional landscape planting using native species should be provided along the site boundaries, to create a soft edge with the countryside and reduce the visual impact of the site from The Common
- e) The development accords with requirements for biodiversity mitigation in Policy HB2
- f) The duty manager's dwelling should be sited, and its occupancy and future disposal restricted, so as to meet the ongoing functional needs of the employment site
- g) Developer contributions may be sought for improvements to the road infrastructure in accordance with Policy HB23.

11. Roads, Traffic and Parking

11.1. National planning policy requires that planning decisions consider whether safe and suitable access to the site can be achieved. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised (though recognising that options may be more limited in rural areas).

11.2. Roads and traffic are often mentioned as a concern by local residents. It is generally accepted that vehicles travel too fast on the straight roads of The Causeway and Frizzels Hill irrespective of the restriction to 30 mph. These concerns already exist, and comments have been raised that further development could make the current situation worse.

11.3. A short traffic survey was conducted by local volunteers, which showed

- traffic is highest in the morning and evening, with the predominance of cars going out of the village in the morning and into the village in the evening. This backs the view that many people have found work away from the village
 - for most of the traffic the start or end of the journey is the village itself, rather than being just through traffic
 - traffic movements now include a significant number of internet shopping / courier deliveries by van
 - larger vehicles (trucks, buses, tractors etc) made up about 6% of all trips.
- 11.4. The roads within the village are narrow with some parts only wide enough for one vehicle. The increasing size of some of the lorries and agricultural vehicles can also damage the verge sides. There are no pavements in most of the village and the speed and size of vehicles gives rise to fear by pedestrians. The rural nature and narrow width of our roads will not, in all probability, change over the lifetime of the Neighbourhood Plan. Protecting the key, and well used, footpaths for residents to access the main amenities of the village is included in Policy HB14.

Parking

- 11.5. According to the 2011 Census the 'average' number of cars and vans for each household in the parish was 1.82 vehicles, much higher than the North Dorset average (1.52) and a 13% increase compared to 2001 Census (when the ratio was 1.62 vehicles per household). Whilst the detailed breakdown of these figures is not yet available for the 2021 Census data, based on the figures that are available⁴, average car ownership levels in the parish appear to have increased to around 1.87 vehicles per household.
- 11.6. The increasing trend towards higher levels of car ownership, the Village's rural location and withdrawal of the bus service, when combined with the narrowness of the roads, makes adequate off road parking not only desirable but essential.
- 11.7. Many existing houses do not have any, or have insufficient, off road parking. All this leads to more vehicles being parked in the road, reducing the usable width and obstructing visibility.
- 11.8. County standards for parking allow for 1 and 2-bedroom houses to have only 1 parking space, and 2 spaces for larger homes, with limited provision for visitor parking (typically 1 space per 5 dwellings). Two bedroom homes may well have two (or even more) adult occupants, and 22% of households have 3 or more vehicles, so this level of provision may well result in further pressure for cars to be parked on the road. Given the issues this causes locally, a higher level of provision is being sought - that all new homes should have at least 2 car parking spaces within their grounds and adequate turning to allow forward entry onto the road. Where new driveways and parking areas are created, permeable surfacing should be used to avoid increasing flood risk elsewhere.
- 11.9. Such provision will need to take into account the Building Regulations relating to electric vehicle charging points (EVCPs). These require all new dwellings to have an EVCP, as well as setting requirements for apartments and commercial premises. As these may add to the visual clutter, their siting should be considered under Policy HB5.

Policy HB22. Parking Provision

Development should include sufficient off-road parking to meet anticipated need (with new dwellings normally being required to provide a minimum of 2 car parking spaces within their grounds and adequate turning to allow forward entry onto the road).

The design of parking provision will need to respect the character of the area, use

⁴ 2021 Census data Table TS045 does not include total cars, and therefore the increase in equivalent cars per household has been calculated and used to estimate the overall increase.

permeable surfacing materials, and avoid large areas of hard-standing that would be visible from the street or other public areas.

Traffic Management

- 11.10. This section contains ideas that were formulated during the preparation of the Neighbourhood Plan. Responses to the consultation indicate that they have the general support of the community (although not all agreed), and would be acceptable to the Highways Authority.
- 11.11. Further work on the exact details, and more importantly funding, is needed if these measures are going to be delivered. This is not something that can be guaranteed through the Neighbourhood Plan process, but may be funded in part from the Parish Council's share of the Community Infrastructure Levy collected (when this commences) or in the interim a matter to be negotiated through a S106 agreement where local improvements would be appropriate and related to the proposed development. The viability of development will be taken into account in any negotiations.
- 11.12. In any event, given that traffic issues were a major concern, it was felt appropriate to have these ideas included as a record of public opinion, and a potential project to be progressed. Since the Neighbourhood Plan was first made, the Parish Council has acquired a Speed Indicator Device (SID) as a means of highlighting when vehicles are speeding, in order to help remind drivers to slow down - and as such this no longer features as a project.

Policy HB23. Supporting Highway Infrastructure Improvements

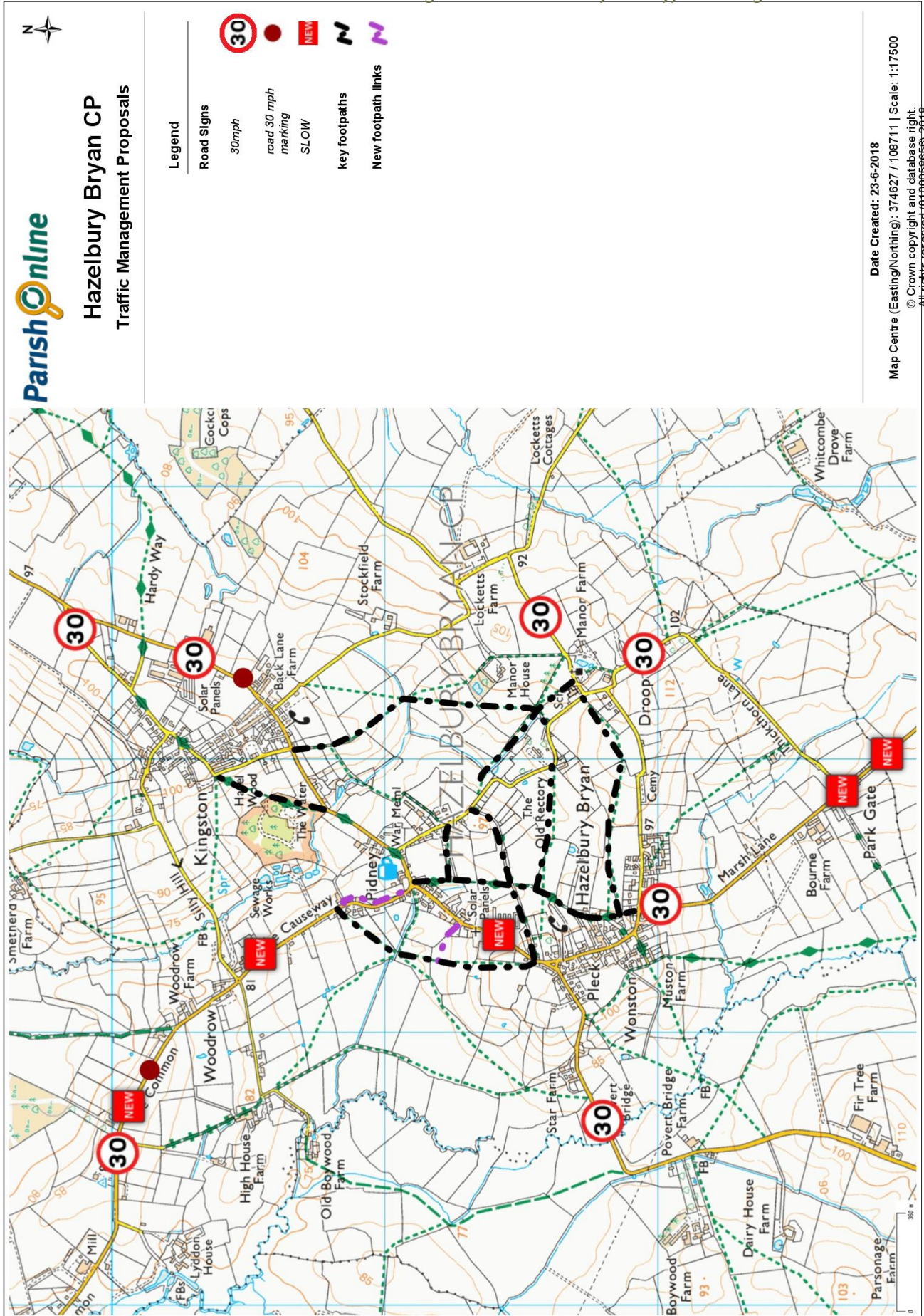
Developer contributions may be sought where reasonable and necessary for improvements to the road infrastructure as identified through Project HBP1

Project HBP1: Traffic Management in Hazelbury Bryan

If supported, and funding were to be made available, the following relatively low-cost measures will be pursued to improve the traffic issues for the village.

- a) Improved signage for the various hamlets - e.g. Droop
 - b) Additional 'Unsuitable for HGV' signs to be erected - e.g. from the war memorial through to the school and onward to Thickthorn Lane.
 - c) Additional '30mph' and 'SLOW' markings on the road to remind vehicles of the speed restrictions, and warn of blind junctions
- 11.13. Figure 12 shows the locations of the existing 30 mph signs, and places where further signs could be added.

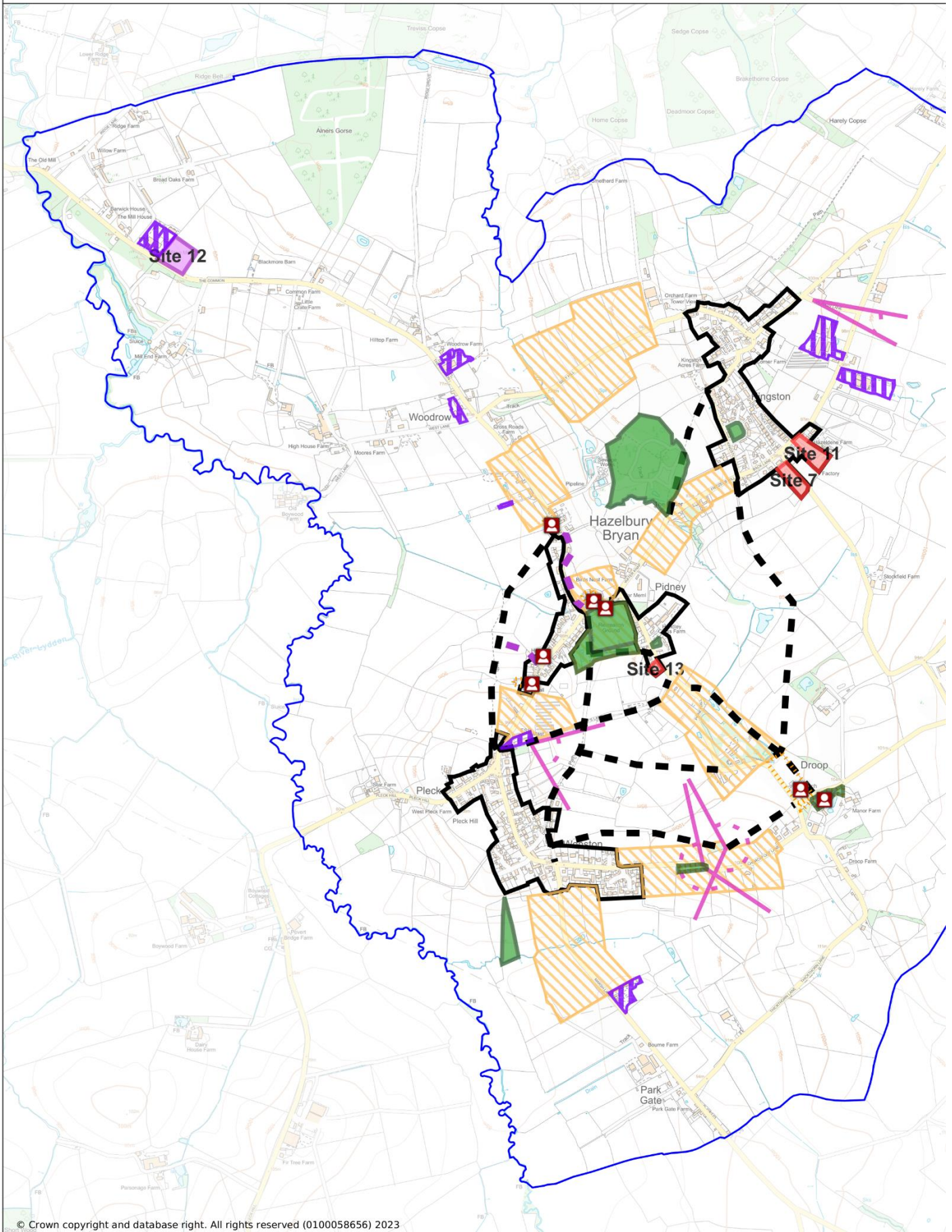
Figure 12. Locations for traffic management measures



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Policies Map

Policies Map [updated 2023]

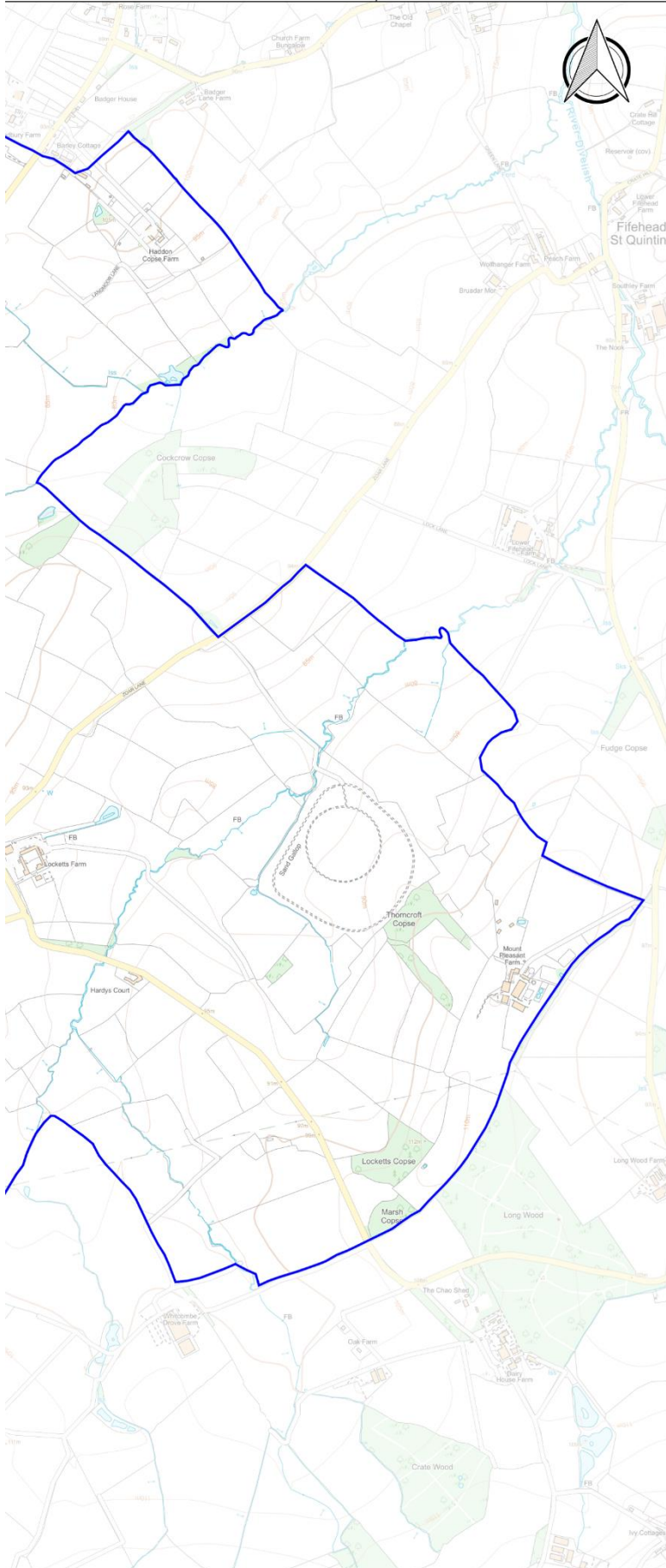
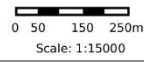


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Hazelbury Bryan

Author:



Date: 06/06/2023



Revised Settlement Boundary



Site Allocation

-  Employment
-  Housing

Employment site



Views

-  Viewshed

key footpaths



New footpath links



Defined Gap



Green Spaces



Community Building



Community Facility Area



Appendix 1: Main Supporting Evidence Base

Produced as part of the plan-making process

The following documents were produced as part of the original research into the Neighbourhood Plan:

- Business list review
- Community facilities services and amenities review
- Ecological Assessment of Sites, Bryan Edwards, DERC
- Environmental assets review
- Heritage Assessment of Sites, Kim Sankey
- Housing Needs Assessment Report
- Local Green Spaces Report
- Strategic Environmental Assessment
- Traffic Issues report
- Views Assessment Report
- General Design Guidelines for Hazelbury Bryan, Luis Suarez, AECOM

Background information - other supporting evidence

Further background information and documents referred to in the Neighbourhood Plan, most of which can be readily accessed via online links:

- > An Inventory of the Historical Monuments in Dorset, Volume 3, Central (1970) (RCHME) <http://www.british-history.ac.uk/rchme/dorset/vol3/pp105-109>
- > Ancient tree guide 4: What are ancient, veteran and other trees of special interest? (November 2008) (Woodland Trust) <https://www.woodlandtrust.org.uk/publications/2008/11/what-are-ancient-trees/>
- > Bournemouth, Dorset and Poole Workspace Strategy (October 2016) (produced in association with the Bournemouth, Dorset and Poole local authorities and the Dorset Local Enterprise Partnership) <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/joint-planning-policy-work/bournemouth-dorset-and-poole-workspace-strategy-and-study-updated-in-2020>
- > CPRE Dark Skies Map <http://nightblight.cpre.org.uk/maps/>
- > Dorset AONB Management Plan 2014-2019 (2014) (Dorset AONB Partnership) <https://www.dorsetaonb.org.uk/the-dorset-aonb/management-plan> - updated in 2019
- > Dorset AONB traffic in villages toolkit http://www.dorsetaonb.org.uk/assets/downloads/Dorset_AONB_Partnership/trafficinvillages-web.pdf
- > Employment Land Review: Review of Existing Sites (April 2007) (North Dorset District Council) <https://www.dorsetcouncil.gov.uk/documents/35024/302368/SED0011.pdf/0ec8ecaa-8611-9244-ec78-989a7a0b8c7b>
- > Hazelbury Bryan Parish Plan (September 2010) (Hazelbury Bryan Parish Council)
- > North Dorset Landscape Character Assessment (North Dorset District Council) <https://www.dorsetcouncil.gov.uk/documents/35024/281417/North+Dorset+Landscape+Character+Assessment.pdf/0a0e2e81-c357-8f69-9793-71547e99f504>
- > North Dorset Local Plan Part 1 (January 2016) (North Dorset District Council) <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/adopted-local-plans/north-dorset-adopted-local-plan>
- > Institute of Lighting Professionals (ILP) (2011) Guidance Notes for the Reduction of Obtrusive Light GN01:2011 <https://theilp.org.uk/resources/#guidance-notes> - updated in 2021

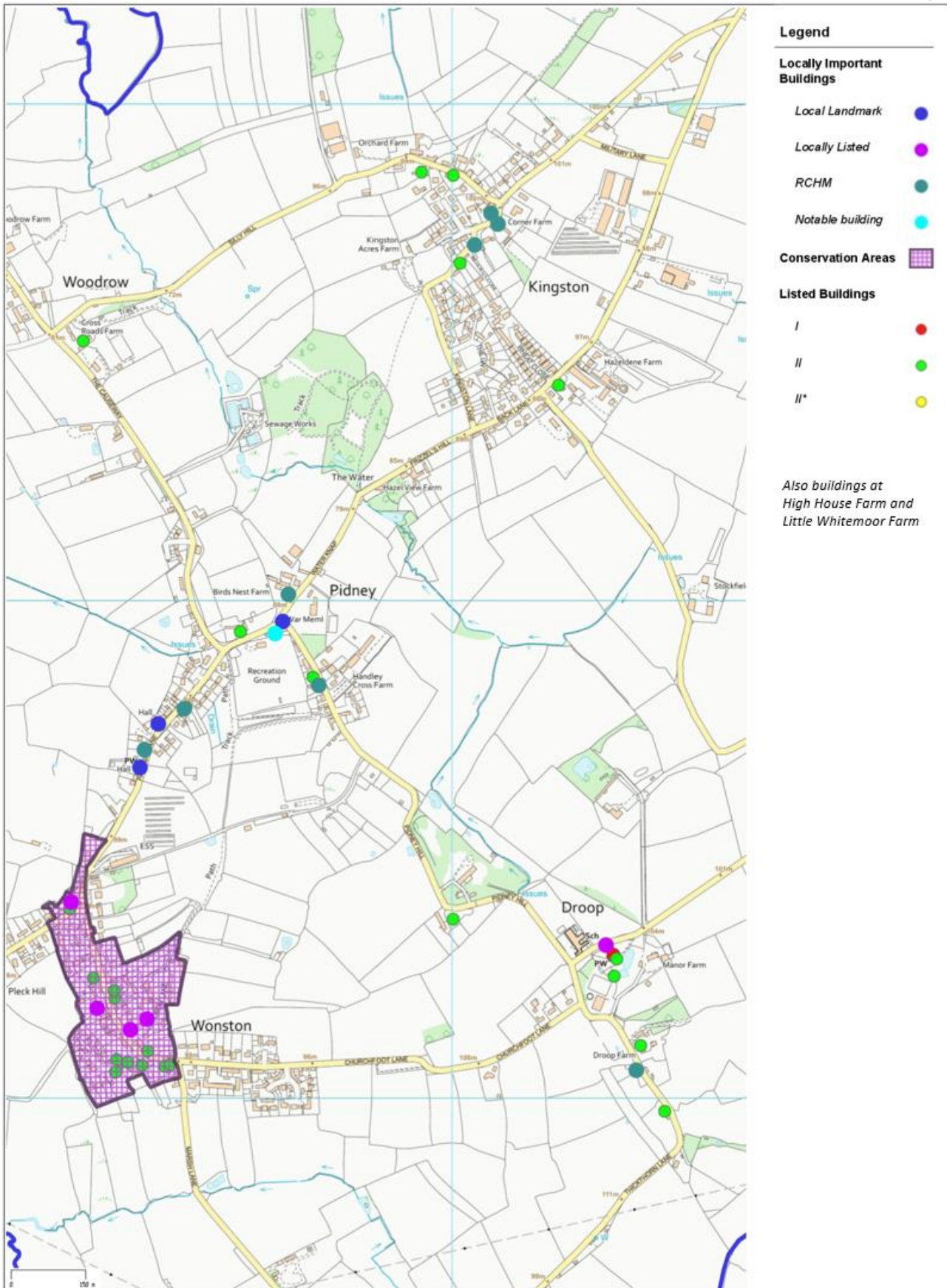
2023 update - supporting evidence

As part of the review, a further report on the housing needs has been produced. Information has also been taken from the data available from the 2021 Census (https://www.nomisweb.co.uk/sources/census_2021) and supporting evidence in relation to the Dorset Local Plan preparation.

Appendix 2 - Map of Historic or Cultural Buildings of Interest



Hazelbury Bryan CP



Date Created: 6-12-2018 | Map Centre (Easting/Northing): 374847 / 108902 | Scale: 1:10000 | © Crown copyright and database right. All rights reserved (0100058656) 2018 © Contains Ordnance Survey Data : Crown copyright and database right 2018

Appendix 3: Design and Access Statements - Questions to Address

Street Layout, Gateways and Access Features, Corner Buildings, Building Lines and Boundary Treatment

- How does the site relate to the road network, and what are the particular layout characteristics of this area and building lines which have been taken into account in the design?
- Does the proposal positively contribute to the quality of the public realm/streetscape and existing pedestrian routes?
- Explain the boundary treatment onto the street and how this has been considered in the context of the site
- How is the entrance to the development marked to reinforce local character?
- If the land use is to change, how does this fit in with the current mix of uses?

Local Green Spaces, Rural Views and Character

- Is the site on the edge of a hamlet or adjoining an important green space or important gap - and if so how does it deal positively with this transition?
- Does the proposal (including the height and configuration of rooflines) maintain or enhance views - taking into account those identified as important, and the importance of long distance views of the countryside that can be glimpsed from within the hamlets? Can any new views be created?
- What are the existing landscape features in and around the site (including trees and hedgebanks), and how are these considered in the design?
- Will the development and its use impact on the tranquillity of the area and how has this been considered?

Pattern and Layout of Buildings, Building Heights and Roofline, Materials, Surface Treatments and Architectural Details

- How does the height, form, massing and scale relate to the landform, the character of the area in general and the adjoining buildings (and if an extension, how does it relate to the existing property and respect its character?)
- How has the local architectural character (building styles and detailing) been considered in the proposals? NB this is equally appropriate for contemporary designs
- How does the proposal reflect the rural character (including generally lower densities) of its location?
- Explain if the site intended to create a landmark in its own right (and if so why), or how it blends with the existing character
- Explain how the development respects the scale and importance of nearby landmarks and historic buildings
- What are the distinctive materials used in the area, and how has their use been considered in the design? If not using traditional local materials, how would the proposed materials harmonise with the local character?
- How has the details of the windows, doors, eaves and roof details been addressed in the context of the overall design and local character?
- What are the important features surrounding the site and how have these been considered in the design?

The Sensitive Inclusion of Car Parking and Infrastructure / Services

- Explain what private amenity space has been provided for any likely occupants, and why this is considered adequate.
- Does the proposed development adjoin residential properties, and if so how has any overlooking of properties or gardens been avoided?
- How do the points of access have regard for all users of the development (including those with disabilities)?

- What parking is provided and how has this been designed to integrate with the streetscene?
- How have any hard-surfacing areas been designed to be permeable and not dominate the streetscene?
- What provision been made for bin storage and waste collection and how has this been designed to integrate with the streetscene?
- What effect will services have on the scheme as a whole and how have these been integrated into the design?
- Is any external lighting likely to be required and how will this be designed to avoid light pollution?
- Explain how any renewable technologies (e.g. solar, panels, green roofs, water harvesting, waste collection, etc), have been designed to complement the building. Where roof-mounted solar panels are not proposed as part of the design, explain why these are not proposed and how these might be incorporated sensitively at a future date.

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Intelligent Plans
and examinations

Report on Hazelbury Bryan Neighbourhood Plan 2018-2031 First Review 2023

**An Examination undertaken for Dorset Council with the support of
Hazelbury Bryan Parish Council on the November 2023 submission
version of the Review Neighbourhood Plan.**

Independent Examiner: Andrew Mead BSc(Hons) MRTPI MIQ

Date of Report: 28 February 2024

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Main Findings - Executive Summary

I made an initial determination on 22 January 2024 that the modifications contained in the Hazelbury Bryan Neighbourhood Plan 2018 -2031, First Review 2023 (the Review Plan) are not so significant or substantial as to change the nature of the extant Neighbourhood Plan which the Review Plan would replace.

From my examination of the Review Plan and its supporting documentation, including the representations made, I have concluded that subject to the Examiner Modifications (**EMs**) set out in this report, the Review Plan meets the Basic Conditions.

I have also concluded that:

- The Review Plan has been prepared and submitted for examination by a qualifying body – Hazelbury Bryan Parish Council (HBPC);
- The Review Plan has been prepared for an area properly designated – the parish of Hazelbury Bryan as shown at Figure 1 on page 2 of the Review Plan;
- The Review Plan specifies the period to which it is to take effect – 2018-2031; and
- The policies relate to the development and use of land for a designated neighbourhood area.

Therefore, I recommend that Dorset Council (DC) should make the Review Plan with the **EMs** specified in this report (there will be no statutory requirement for a referendum).

1. Introduction and Context

Hazelbury Bryan Neighbourhood Plan 2018-2031, First Review 2023

- 1.1 Set within undulating rural countryside of winding narrow lanes and high hedges, located about 8 km south west of Sturminster Newton, the designated Neighbourhood Plan Area covers the parish of Hazelbury Bryan which comprises seven separate hamlets of Kingston, Wonston (and Pleck), Pidney, Partway, Woodrow, Droop and Park Gate. The parish population in 2021 was 1,074, a slight increase from the 2011 population of 1,059.¹ It is the subject of the Hazelbury Bryan Neighbourhood Plan which was “made” (approved and adopted) in March 2019 by North Dorset District Council (NDDC).
- 1.2 In the following years, the main source of Government planning policy, the National Planning Policy Framework (NPPF) has been updated. This, together with the belief that the made Plan and its policies will carry less

¹ HBNP Review paragraph 9.1.

weight when it becomes more than five years old resulted in the decision of the Parish Council in January 2023 to review it.

The Independent Examiner

- 1.3 As the Review Plan has now reached the examination stage, I have been appointed as the examiner of the Hazelbury Bryan Neighbourhood Plan 2018-2031, First Review 2023 by DC with the agreement of the HBPC.
- 1.4 I am a chartered town planner and former government Planning Inspector with over thirty years' experience. I have worked in both the public and the private sectors. I am an independent examiner and do not have an interest in any of the land that may be affected by the Review Plan.

Submitted Documents

- 1.5 I have considered all policy, guidance and other reference documents relevant to the examination, including those submitted which comprise:
- the Hazelbury Bryan Neighbourhood Plan 2018-2031, First Review 2023, as proposed to be modified (November 2023);
 - the summary of proposals and reasons for the modification as set out in the Plan²;
 - the Hazelbury Bryan Neighbourhood Plan Review Modifications Statement (November 2023);
 - the statement from Dorset Council on the nature of the proposed modifications (January 2024);
 - a map on page 2 of the Plan area, which identifies the area to which the proposed Neighbourhood Plan relates;
 - a copy of the extant Hazelbury Bryan Neighbourhood Plan 2018-2031, as made;
 - the Consultation Statement (November 2023);
 - the Basic Conditions Report (November 2023);
 - all the representations which have been made in accordance with the Regulation 16 consultation;
 - The Strategic Environmental Assessment (SEA) Screening Report (June 2023), including the SEA Screening Determination at paragraph 5.0.2 of the Report;
 - The Habitat Regulations Assessment (HRA)(December 2023);
 - Hazelbury Bryan – Housing Target Paper (November 2023);
 - Appeal decision – Land at Kingston Lane/Frizzel's Hill (September 2021): APP/D1265/W/21/3275130;
 - Appeal decision – Orchard Farm, Silly Hill to Kingston Lane (October 2022): APP/D1265/W/22/3296668; and
 - Appeal decision – Land West of The Causeway (August 2023): APP/D/1265/W/22/3312575.

² See paragraph 2.6 below.

Planning Policy Context

- 1.6 The Development Plan for this part of Dorset Council, not including documents relating to excluded minerals and waste development, includes the North Dorset Local Plan Part 1 (NDLP) adopted in 2016. The Local Plan was produced by the former North Dorset District Council. The NDLP is being replaced by the Dorset Council Local Plan (DCLP) consultation on the first draft of which closed in March 2021.
- 1.7 Planning policy for England is set out principally in the NPPF and is accompanied by the Planning Practice Guidance (PPG) which offers guidance on how this policy should be implemented. A revised NPPF was published in December 2023. All references in this report are to the latest iteration of the NPPF and the accompanying PPG.

2. Procedural Considerations

Initial Determination

- 2.1 As the proposal has been submitted as a modification of the made Neighbourhood Plan, I undertook an initial determination under Paragraph 10(1) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act"). This concerned whether the modifications contained in the Review Plan are so significant or substantial as to change the nature of the Neighbourhood Development Plan which the Review Plan would replace.
- 2.2 If there is no change to the nature of the made Plan, the modification proposal can be examined under the streamlined process set out in Schedule A2 of the 2004 Act (no referendum). Otherwise, the examination would proceed under Schedule 4B of the Town and Country Planning Act 1990 (as amended), whereby an examination and referendum would be required.
- 2.3 HBPC and DC are required to publish statements setting out their reasoned views on this matter. For HBPC, the provision is contained in Regulation 15(1)(f) of the Neighbourhood Planning (General) Regulations 2012 (as amended) ("the 2012 Regulations"). For DC, the provision is at Regulation 17(e)(ii).
- 2.4 The views of HBPC are also to be publicised at the Regulation 14 stage³ and which were included in the pre-submission version of the Review Plan (See Basic Conditions Report Section 2). This indicates that the modifications made require examination but not a referendum.

³ Regulation 14(a)(v).

- 2.5 To inform the determination, I considered all the relevant submitted documents and representations. In particular:
- the Consultation Statement, which demonstrates that HBPC alerted respondents to the nature of the changes being made to the Plan through the Review;
 - paragraphs 2.18 – 2.23 of the submission draft Plan (Regulation 15) within the section “How the Neighbourhood Plan has been reviewed”, which explains the reasons for reviewing the Neighbourhood Plan, stating that some modest changes have been made, along with the more detailed Hazelbury Bryan Neighbourhood Plan Review Modifications Statement, November 2023⁴; and
 - the written statement on this matter provided by Dorset Council to comply with Regulation 17(e)(ii).
- 2.6 The draft Plan does not propose any significant changes, the main ones being focused changes to Policies HB2 (Protecting and Enhancing Local Biodiversity), HB5 (Locally Distinctive Development), HB13 (Settlement Boundaries and Important Gaps), HB15 (Meeting Housing Needs – Amount and Location of New Dwellings, HB17 (Site 11), HB18 (Site 7), HB20 (Economic Development Opportunities) and Policy HB21 (Site 12), together with factual updates since the Plan was first drafted and occasional improvements to the clarity of phrasing. In its Modifications Statement, HBPC considers that the proposed modifications are not so significant or substantial as to change the nature of the Plan. Similarly, Dorset Council has compared the policies in the made Plan with those of the Review Plan and concluded that the changes constitute material modifications which do not change the nature of the Plan and would require examination but not a referendum.
- 2.7 Having assessed all the written documents submitted, including the representations and relevant statements, I am content that the modifications proposed in the draft Plan are material but do not change the nature of the made Plan. I set out my determination in my procedural letter of 22 January 2024 to Dorset Council and Hazelbury Bryan Parish Council. Therefore, the examination can proceed under the terms of Schedule A2 to the 2004 Act which I set out below and, as a consequence, should I recommend that the draft Plan be made (with or without Examiner Modifications), a referendum stage will not be a necessary part of the statutory process.
- 2.8 I note that the made Neighbourhood Plan identified a clear succinct vision and two broad objectives which supported the policy areas. The vision is unaltered by the Review Plan and the objectives remain. The Review Plan maintains the same organisational structure albeit some policies have been amended, incorporating new content with necessary updates to the

⁴ I consider, in essence, HBPC has sought to substantially comply with the requirements of Regulations 14(a)(v) and 15(1)(f).

supporting text of the Review Plan to assist in clarifying the approach. The overall nature of the Review Plan including its scope, issues, aims and policy context is similar to the made Plan.

The Scope of the Examination

- 2.9 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the local planning authority should make the draft plan; or
 - (b) that the local planning authority should make the draft plan with the modifications specified in this report; or
 - (c) that the local planning authority should not make the draft plan.
- 2.10 The scope of the examination is set out in Paragraph 11(1) of Schedule A2 to the 2004 Act. The examiner must consider:
- Whether the draft plan meets the Basic Conditions.
 - Whether the draft plan complies with the provisions made by or under Section 38A and Section 38B of the 2004 Act. These are:
 - it has been prepared and submitted for examination by a qualifying body for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for “excluded development”; and
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
 - Such matters as prescribed in the 2012 Regulations.
- 2.11 I have considered only matters that fall within Paragraph 11(1) of Schedule A2 to the 2004 Act, with one exception. That is the requirement that the draft Plan is compatible with the Human Rights Convention.

The Basic Conditions

- 2.12 The “Basic Conditions” are set out in Paragraph 11(2) of Schedule A2 to the 2004 Act. In order to meet the Basic Conditions, the draft plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;

- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations (under retained EU law)⁵; and
- meet prescribed conditions and comply with prescribed matters.

2.13 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Neighbourhood Development Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.⁶

Site Visit

2.14 I made an unaccompanied site visit to the Neighbourhood Plan Area on 19 January 2024 to familiarise myself with the Plan area and visit relevant sites and locations referenced in the Review Plan and evidential documents.

Written Representations with or without Public Hearing

2.15 This examination has been dealt with by written representations. At the Regulation 16 stage, no representors suggested that a hearing would be necessary. Sufficient written evidence has been provided which I have supplemented by my site visit. In all respects, the representations clearly articulate their submissions to the Review Plan. There are no exceptional reasons to justify convening a public hearing.⁷

Examiner Modifications

2.16 Where necessary, I have specified Examiner Modifications (**EMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have included this modification separately in an Appendix.

⁵ The existing body of environmental regulation is retained in UK law.

⁶ This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

⁷ See Paragraph 12(2)(a) of Schedule A2.

3. Compliance Matters and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Hazelbury Bryan Neighbourhood Plan 2018-2031, First Review 2023, has been prepared and submitted for examination by HBPC, which is a qualifying body for an area that was designated by the former NDDC in June 2014. NDDC was replaced by Dorset Council on 1 April 2019 which carries over the statutory designation.
- 3.2 It is the only Neighbourhood Plan for the area and does not relate to land outside the designated Neighbourhood Plan Area.

Plan Period

- 3.3 The Review Plan clearly specifies the period to which it is to take effect, which is from 2018 to 2031 and is unaltered from the existing made Plan.

Neighbourhood Plan Preparation and Consultation

- 3.4 Details of the Review Plan preparation, events, activities and consultation are set out in the HBPC Consultation Statement (CS), as submitted to DC.
- 3.5 Regulation 14 consultation took place between 10 August 2023 and 30 September 2023. 151 responses were submitted on the consultation form, mainly from residents. Further comments were received from statutory consultees. The main issues and concerns raised and how they were considered by the HBPC are included as a table on pages 3-9 of the CS.
- 3.6 At the Regulation 16 stage, between 24 November 2023 and 12 January 2024, 4 representations were received, including one from Dorset Council, and are provided in the submitted Regulation 16 Consultation Schedule.
- 3.7 I confirm that the legal requirements have been met by the consultation process. In addition, there has been regard to the advice in the PPG on plan preparation and engagement.

Development and Use of Land

- 3.8 The Review Plan sets out policies in relation to the development and use of land in accordance with Section 38A of the 2004 Act.

Excluded Development

- 3.9 The Review Plan does not include provisions and policies for "excluded development".⁸

⁸ The meaning of 'excluded development' is set out in s.61K of the 1990 Act.
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Human Rights

- 3.10 The Basic Conditions Report (BCR)⁹ advises that no issues have been raised in relation to the possible contravention of Human Rights in the preceding consultations and given the conclusions on the Plan's general conformity with the strategic policies of the Local Plan and regard to national planning policy, it is reasonable to conclude that the making of the Plan should not breach human rights. I have considered this matter independently and I have found no reason to disagree with the statement in the BCR and I am satisfied that the policies will not have a discriminatory impact on any particular group of individuals.

4. Assessment of the Basic Conditions

EU Obligations

- 4.1 The Hazelbury Bryan Neighbourhood Plan Review was screened for Strategic Environmental Assessment (SEA) by Dorset Council, which found that it was unnecessary to undertake a full SEA. Having read the Strategic Environmental Assessment Screening Report, June 2023, I support this conclusion.
- 4.2 The Habitats Regulation Assessment (HRA) Screening Report did not identify any likely significant adverse environmental effects which would result from the Review Plan. The statutory consultees raised no objections to the Review Plan. From my independent assessment of this matter and having read the Review Plan, the supporting information and the summaries of the representations, I have no reason to disagree. Therefore, I am satisfied that the Hazelbury Bryan Neighbourhood Plan Review is compatible with EU obligations.

Main Issues

- 4.3 Having considered whether the Review Plan complies with various procedural and legal requirements, it is now necessary to deal with whether it complies with the remaining Basic Conditions, particularly the regard it pays to national policy and guidance, the contribution it makes to the achievement of sustainable development and whether it is in general conformity with strategic development plan policies. I test the Review Plan against the Basic Conditions by considering specific issues of compliance of all the Plan's policies.
- 4.4 As part of that assessment, I consider whether the policies are sufficiently clear and unambiguous, having regard to advice in the PPG. A neighbourhood plan policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when

⁹ This is intended to fulfil the statutory requirement for a Basic Conditions Statement.
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determining planning applications. It should be concise, precise and supported by appropriate evidence.¹⁰

- 4.5 Accordingly, having regard to the Hazelbury Bryan Neighbourhood Plan Review, the consultation responses, other evidence and the site visit, I consider that the main issues in this examination are whether the draft Plan's policies: (i) have regard to national policy and guidance; (ii) are in general conformity with the adopted strategic planning policies; and (iii) would contribute to the achievement of sustainable development. I shall consider firstly the modified policies and, secondly, the unchanged policies to ensure they remain compliant.

Policy Modifications (Policies HB2, HB5, HB13, HB15, HB17, HB18, HB20 & HB21)

- 4.6 **Policy HB2** seeks to protect and enhance local biodiversity. Focused additions are proposed to the policy and revisions to the map at Figure 5 to reflect the latest available data on ecology. The policy continues to have regard to national guidance¹¹, to generally conform with Policy 4 of the NDLP and to meet the Basic Conditions subject to the clarification of clause a) by the inclusion of the phrase "... should be submitted with the planning application". **(EM1)** In their Regulation 16 consultation response, DC indicated a misplaced "or" linking clauses b) and c) which can be corrected as a minor (non-material) alteration.¹² DC also suggested clarifying the nature of the wildlife to pass through fencing proposed in new residential gardens, but I am satisfied that such details can be adequately dealt with on a case by case basis in development management, especially as, in my experience, mammals such as deer, foxes and badgers appear to need no encouragement to gain access into and across gardens.
- 4.7 **Policy HB5** aims to reinforce the locally distinctive character of the settlement and has focused additions proposed to update references to climate change measures. The policy continues to have regard to national guidance¹³, to generally conform with Policies 3 and 7 of the NDLP and to meet the Basic Conditions.
- 4.8 **Policy HB13** defines settlement boundaries and important gaps on Figure 9. The text of the policy is unchanged but there are two proposed alterations to Figure 9: (i) the increase of the defined gap between Wonston (and Pleck) and Droop to reflect a recent appeal decision; and (ii) the reduction of the defined gap between Partway and Pidney due to the implementation of a planning permission granted prior to the making of the current Plan. I consider that both the focused alterations are justified updates and Policy HB13 would continue to have regard to

¹⁰ PPG Reference ID: 41-041-20140306.

¹¹ NPPF: paragraphs 180 & 185.

¹² See footnote 23 below.

¹³ NPPF: paragraph 158.

national guidance¹⁴, to generally conform with Policy 2 of the NDLP and to meet the Basic Conditions.

- 4.9 **Policy HB14** aims to support community facilities. Two focused amendments are proposed to the list within the policy. At item e), Hazelbury Bryan Methodist Church is now described as vacant and at item g), the Sports Pavilion has been added, both to reflect the updated position. I consider that both the focused alterations are justified updates and Policy HB14 would continue to have regard to national guidance¹⁵, to generally conform with Policy 14 of the NDLP and to meet the Basic Conditions.
- 4.10 **Policy HB15** considers meeting housing needs and allocates amounts and locations of new dwellings within the Plan period. The Review Plan proposes focused alterations to the text which are factual updates, including those from the housing needs assessment in the Housing Target Paper. I consider that Policy HB15 would continue to have regard to national guidance¹⁶, to generally conform with Policies 2, 6 and 20 of the NDLP and to meet the Basic Conditions.
- 4.11 **Policy HB17 Site 11** and **Policy HB18 Site 7** each delineate allocations for residential development. The Review Plan proposes to amend both site requirements by the addition of a clause requiring the inclusion of a drainage strategy to ensure that flood risk is not increased. Additionally, it is proposed to exclude the requirement to investigate evidence of any contamination and agree remediation at Site 11. I consider that the focused alterations to Policies HB17 and HB18 would continue to have regard to national guidance¹⁷, to generally conform with Policies 2, 3 and 6 of the NDLP and to meet the Basic Conditions.
- 4.12 An addition of “net” to the wording of **Policy HB19 Site 13** is a focused clarification and I consider that the policy would continue to have regard to national guidance¹⁸, generally conform with Policies 2 and 6 of the NDLP and to meet the Basic Conditions.
- 4.13 **Policy HB20** aims to retain or allocate small scale extensions to employment sites shown on Figure 11 of the Plan. Minor (nonetheless material) adjustments to the boundaries of the employment sites shown on the Plan are proposed. DC raised the issue of the clarity of the boundaries. Although the differences in the delineations between the made Plan and the Review Plan are hard to discern due to the scale of the map, I found that viewed online the boundaries appear relatively well defined. Indeed, the same comments apply to other allocations on the figures and the Policies Map which have been in use since the Plan was made in 2019. Therefore, I consider the map based data are adequate for

¹⁴ NPPF: paragraph 180.

¹⁵ NPPF: paragraph 88.

¹⁶ NPPF: paragraph 60.

¹⁷ NPPF: paragraphs 60, 158 & 167.

¹⁸ NPPF: paragraphs 60 & 71.

the purposes for which they have been drafted and I consider that Policy HB20 continues to have regard to national guidance¹⁹, to generally conform with Policy 11 of the NDLP and to meet the Basic Conditions.

4.14 **Policy HB21 Site 12** proposes alterations to reflect the planning permission which has been granted on the site. The changes are focused updates and I consider that Policy HB21 would continue to have regard to national guidance²⁰, to generally conform with Policy 11 of the NDLP and to meet the Basic Conditions.

Unchanged Policies (Policies HB1, HB3, HB4, HB6 – 12, HB16, HB22, HB23)

4.15 Aside from the ten policies proposed to be modified, thirteen other policies in the made Plan remain unchanged and, with one exception (Policy HB3), each has regard to national guidance, generally conforms with the strategic policies of the NDLP, would contribute to the achievement of sustainable development and meet the Basic Conditions.

4.16 The following table sets out the details of how these twelve policies have regard to national guidance and with which policy in the NDLP they generally conform to enable the Basic Conditions to be met.

Table 1.

Policy	Subject	National guidance (NPPF paragraph number)	NDLP Policy
HB1	Reinforcing Local Landscape Character	180.	Policy 4.
HB4	Key Rural Views	180.	Policy 4.
HB6 - 12	Distinctive Character of the hamlets	135.	Policy 7.
HB16	Meeting Housing Needs – Dwelling Types	60.	Policy 7.
HB22	Parking Provision	111.	Policy 13.
HB23	Supporting Highway Infrastructure Improvements	57 & 58.	Policy 13.

4.17 **Policy HB3** Local Green Spaces provides that “...no development will be permitted within or immediately adjoining them that would harm their green character, etc..”. Notwithstanding the fact that the policy has been included in the made Plan since 2019 and has not been the subject of

¹⁹ NPPF: paragraph 88.

²⁰ NPPF: paragraph 88.

representations in the Review Plan, it does not in my view have regard to national policy. Firstly, because adjoining land is not subject to Local Green Space restrictions; secondly, because inappropriate development may be permitted in very special circumstances²¹; and thirdly, because no evidence has been provided to justify this departure from national policy. In this respect, I am mindful of the judgement handed down by the Court of Appeal in October 2020²² (i.e. postdating the made Plan) in relation to departures from the NPPF, specifically where it related to a Local Green Space policy in a neighbourhood plan. Therefore, I shall modify Policy HB3 so that it has regard to national policy, generally conforms with Policy 15 of the NDLP and meets the Basic Conditions. **(EM2)**

Alterations to the Text

4.18 A consequence of the acceptance of the recommended modifications would be that amendments might have to be made to the explanation within the Plan in order to make it logical. Other amendments might also include minor contextual updates (for example, paragraph 2.20 of the Review Plan) correcting minor inaccuracies, cross referencing and any renumbering of paragraphs and policies. None of these alterations would affect the ability of the Plan to meet the Basic Conditions and could be undertaken as minor, non-material changes.²³

All Other Matters

4.19 In this examination, I have focussed on differences in the policies between the made Neighbourhood Plan and the Review Plan. Nevertheless, I have considered afresh the whole of the draft Plan. I have reviewed each policy in terms of its consistency with national policy and guidance and general conformity with the strategic policies in the Development Plan. Other than the issues that are discussed above, I am satisfied that there are no other matters which affect the Basic Conditions.

5. Conclusions

Summary

5.1 The Hazelbury Bryan Neighbourhood Plan 2018-2031 First Review 2023 has been duly prepared in compliance with the procedural requirements. My examination has assessed whether the Review Plan meets the Basic Conditions and other legal requirements. I have had regard for all the responses made following consultation on the Review Plan and the evidence documents submitted with it.

²¹ NPPF, paragraphs 107 and 152.

²² *R on the Application of Lochailort Investments Limited v Mendip District Council*. Case Number: C1/2020/0812.

²³ PPG Reference ID: 41-106-20190509.

5.2 I have set out modifications to Policies HB2 and HB3 to ensure the Review Plan meets the Basic Conditions and other legal requirements.

Examiner Recommendation

5.3 I recommend that DC should make the Review Plan with the modifications specified in the Appendix to this report.

Overview

5.4 Inevitably, considerable time and effort has been devoted to the development and production of this Review Plan and I congratulate those who have been involved. I enjoyed examining it, visiting the area and appreciated the comprehensive documentation which was submitted from both Councils. The Review Plan should continue to prove to be a useful tool for future planning and change within Hazelbury Bryan over the coming years.

Andy Mead

Examiner

Appendix: Examiner Modifications

Examiner Modification number (EM)	Policy/other reference	Modification
EM1	Policy HB2	Amend third sentence to: "To demonstrate this is achieved, a certified Biodiversity Plan for developments likely to impact on an area in excess of 0.1ha <i>should be submitted with the planning application.</i> "
EM2	Policy HB3	Amend first sentence to: "The following sites (as shown in Figure 7) are designated as Local Green Spaces, and <i>other than in very special circumstances,</i> no <i>inappropriate</i> development will be permitted within or immediately adjoining them that would harm their green character and reason for designation."