



Northern Area Planning Committee

Date: Tuesday, 22 April 2025
Time: 10.00 am
Venue: Stour Hall - The Exchange, Old Market Hill, Sturminster Newton, DT10 1FH

Members (Quorum: 6)

Richard Crabb (Chair), David Taylor (Vice-Chair), Barrie Cooper, Les Fry, Jack Jeanes, Sherry Jespersen, Carole Jones, Rory Major, Val Potheary, Belinda Ridout, James Vitali and Carl Woode

Interim Chief Executive: Sam Crowe, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services
Meeting Contact 01305 224877 - john.miles@dorsetcouncil.gov.uk

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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Agenda

Item	Pages
1. APOLOGIES	
To receive any apologies for absence.	
2. DECLARATIONS OF INTEREST	
To disclose any pecuniary, other registerable or non-registerable interests as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.	
If required, further advice should be sought from the Monitoring Officer in advance of the meeting.	

3. MINUTES 3 - 22

To confirm the minutes of the meeting held on 18th March 2025.

4. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the Guide to Public Speaking at Planning Committee. [Guide to Public Speaking at Planning Committee](#)

The deadline for notifying a request to speak is 8.30am on Thursday 17th April 2025.

5. P/FUL/2024/07190, 10 MANOR ROAD, DORCHESTER, DT1 2AU 23 - 42

Erect bungalow with associated access and parking.

6. P/FUL/2024/07169, LAND ADJACENT TO PIDDLIHINTON ENTERPRISE PARK, PIDDLIHINTON 43 - 58

Permanent retention of gypsy & traveller transit site for 25no. caravans.

7. P/FUL/2025/01150, SITE OUTSIDE/FRONTING 11 SOUTH STREET, DORCHESTER. 59 - 70

Erect a statue of Sylvia Townsend Warner, information board & associated foundations.

8. URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972.

The reason for the urgency shall be recorded in the minutes.

9. EXEMPT BUSINESS

There are no exempt items scheduled for this meeting.



NORTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 18 MARCH 2025

Present: Cllrs Richard Crabb (Chair), David Taylor (Vice-Chair), Barrie Cooper, Les Fry, Jack Jeanes, Sherry Jespersen, Carole Jones, Rory Major, Val Potheary, Belinda Ridout, Carl Woode and Robin Legg

Present remotely: Cllr Robin Legg

Apologies: Cllrs James Vitali

Officers present (for all or part of the meeting):

Philip Crowther (Legal Business Partner - Regulatory), Mike Garrity (Corporate Director for Planning), Robert Lennis (Lead Project Officer), Hannah Smith (Development Management Area Manager (North)), Megan Rochester (Senior Democratic Services Officer), Cass Worman (Planning Officer), Kirsten Williams, Annabel Cox (Planning Officer), Jamie Francis, Rob McDonald (Senior Planning Officer), Jennie Roberts (Senior Planning Officer), Jim Bennett, Pete Markham and Claire Lewis (Planning Officer)

43. Apologies

Apologies for absence were received from Cllrs James Vitali.

44. Declarations of Interest

Cllr Jack Jeanes made a declaration to agenda item 5, it was agreed that he would not take part in the debate or vote, nor would he speak as the Local Member. He agreed to withdraw himself from the meeting.

45. Minutes

The minutes of the meeting held on 4th February 2025 were confirmed and signed.

46. Registration for public speaking and statements

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

47. **P/FUL/2021/05709, The Long House Land at Salisbury Road Pimperne
DT11 8XF**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. The biodiversity plan was approved by the natural environment team and conditioned accordingly. The buildings would not overlook neighbours, and the site had been reviewed by the flood authority. The site was acceptable in terms of highway safety and 2 of the properties would be affordable and first homes. The site was within the settlement boundary and the proposal was appropriately designed and laid out.

Public Participation

Mr Eastmond of R & S Consultants addressed the Committee. The site lied within the settlement boundary as defined by local planning policies, these being Policy 2 of the North Dorset Local Plan and Policy SB of the Pimperne Neighbourhood Plan. The proposals are therefore supported in principle, subject to accordance with the other relevant local policies.

Whilst the Council has a 'fixed' housing land supply of 5.02-years until 31 October 2025, the recent changes to the NPPF including the updated standard method for calculating local housing need mean that by November 2025 it is likely the Council will no longer have a sufficient supply of deliverable housing sites. The annual local housing need has increased from 1,793 homes to 3,219, meaning 16,095 homes will need to be delivered across a five-year period. The latest information on the supply of housing shows there is currently a 5-year deliverable supply of 8,999 homes, which means there will be a significant shortfall even before the 5% NPPF buffer is factored in.

He underlined that it was imperative that the Council identified suitable, sustainably located sites for development. Developments that accord with the development plan should be supported now, to ensure that by the time the housing land supply protections are removed, the Council has helped deliver enough suitable sites to ensure that more sensitive areas are protected.

He confirmed that the Lead Local Flood Authority, the Tree Officer, Environmental Health, and the Highway Authority all offer no objection to the proposed scheme. The Case Officer, as set out in her detailed report, did not concur with the objections of the Parish Council and the National landscapes team. She concludes that the scheme would have an acceptable impact on both the character and appearance of the surrounding area, and the National Landscape.

He summarised that the housing development on the site was supported by both the local plan and the neighbourhood plan. There was a significant national and local need for new homes, and the development would help to ensure the Council continues to have a 5-year housing land supply and the site was suitably and sustainably located within Pimperne and the case officer and the majority of technical consultees consider the effects of the scheme would be acceptable.

Members questions and comments

- Cllr Jespersen commented that she could not support the application on the grounds of Principal Development and needed to defend Pimperne's Neighbourhood Plan. 150 new homes had been agreed, and the application should be built to the West side of the A4 Road as the village would be separated by a big main road.
- Cllr Fry questioned garden and bin access
- Cllr Jones commented that there were no objections from members of the public and if the application was controversial there would be number of people coming to speak, the site was within the settlement boundary and there was no reason for refusal.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Jones, and seconded by Cllr Rideout.

Decision: To grant planning permission for the reasons set out in the officer's report.

48. P/HOU/2024/06157- 42 Alington Avenue Dorchester DT1 2AB

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. The site is a sustainable location, there was no significant impact on neighbouring amenities, highway addressed issues and these have been resolved. There would be no adverse impact on setting of listed bridge.

Members questions and comments

- Cllr Major commented that highways were happy and that this was a straightforward application.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Major, and seconded by Cllr Taylor.

Decision: To grant planning permission for the reasons set out in the officer's report.

49. **P/FUL/2022/05673- Maltings and Maltings and Maltings Mews, Dorchester**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. The site is located in conservation area to the south of Dorchester town centre on the wider brewery square development. The development would be retaining and reusing historically important buildings. With Mix use development. Officers had reviewed the scheme and were happy that it applied with highways requirements and the landscaping of the site was considered to be acceptable. The committee was updated regarding the changes to the description of the development on the first page of the report. The description had changed from the erection from five to four storey building and residential use (Use Class C3) at first to fourth floors (33 flats) to (27 flats).

Public Participation

Ms Snow an employee of Dorset Council, represented herself and neighbours and addressed the Committee. Her family lived on Prince of Wales Road since 2022 and she knew when she bought the house that consent had been granted for 11 town houses behind our property and had no objection to this. But since then, numerous applications had been made for a large block of flats instead.

This block would be just 50cm away from the garden wall at 6 Prince of Wales Rd and more than 20m high, stealing our daylight and directly overlooking our gardens and homes. Its scale, mass and proximity feel overwhelmingly dominant and will deprive us of light and privacy. The consented town house scheme had underground parking, built at a lower level and would be far less imposing.

She referenced the original Weymouth Avenue Development Brief states, with regard to Prince of Wales Road, that.

“Consideration must be made to the impact of any proposed redevelopment upon these properties, with the aim being to ensure that no significant harm is caused to the amenities of the occupiers.”

She informed that the proposal would significantly harm the residents of Prince of Wales Road through deprivation of privacy and other simple freedoms.

Dorchester’s Civic Society, The Victorian Society, the Town Council and Dorset Council’s own Urban Designer agree that a building of this scale, mass and proximity is unacceptable and is not reflective of ‘mews style’. She explained that this also contradicted the Weymouth Avenue Brief which states:

“... plots and positioning, scale and massing, and design and materials used in development need to respect the Listed Buildings, Conservation Area and their settings”.

She showed the market demand for flats vs houses in a mile of DT1 is unbalanced. Today there are 132 flats for sale on Rightmove in DT1 (not including Poundbury) but only 33 terraced or semi-detached 3 plus bedroom houses with gardens and parking.

The recently completed adjacent block of flats which impacts numbers 16 – 20 Prince of Wales Road is 15m away from the garden wall. The impact to them is significant (see pic below) but the Maltings Mews will be even higher and just 3m from my garden wall.

The officer's report suggested that there would be no significant harm to residential amenities, but it failed to consider the lived experiences of residents and doesn't consider the original design brief for Brewery Square. The towering presence of this block of flats will create an oppressive environment that will diminish many people's quality of life.

The consented town houses would adequately meet the needs of the community, and will work in harmony with, not against existing surroundings.

She urged that the Councillors prioritise the voices of the community and make the right decision for Dorchester's future and residents and to insist that the original application for the townhouses is upheld and reject the proposal.

Mr Williams addressed the Committee. This application was formerly registered for the planning application on the 6th February 2023 and 2 years and 3 months later a recommendation for this proposal was finally made by the planning department. During this extraordinary extended timescale, the proposal drawings had been allowed by the planning department to be amended 4 times. The proposal as presented before you today still remain visually oppressive and overbearing to the residents of adjacent properties on Prince of Wales Road. The closest part of the proposal is only half a metre from the rear boundary of 6 Prince of Wales Road.

The proposed North House would be 1.7 metres higher than the rear gardens on Prince of Wales Road and would be visible to most residents exceeding 30 metres. We are aware that the developer is citing the latest proposal as no higher than the previously approved application which is incorrect as the previously approved clearly detailed the ground levels to be level both sides of the rear boundaries. As previously stated, the developer has raised the ground levels by 1.7 meters which results in their latest proposal being a storey higher than the previously approved.

The total number of windows within the proposal would create a continued sense of overlooking from this structure which is considered and would impact on the wellbeing of properties within Prince of Wales Road. The initial supporting data was invalid and when it was correctly remodelled with the ground level increased by 1.7 metres on the proposal site, the levels of natural sunlight were diminished ensuring that it would reduce these levels for the rear ground of properties on Prince of Wales Road. The proposal would not accord with the clear requirements of the Weymouth Avenue supplementary planning document dated 2004, which clearly sets the design standards for this site. The proposal would visually detract from both the adjacent historic asset and the conservation area itself. The proposed structure is visually bland and lacking in any enriching architecture detail. He asked members of the planning committee to object to the proposal.

Mr Ackland speaking in support of the applications addressed the Committee. These schemes were the culmination of years of work to comprehensively

redevelop this key area of Dorchester. Delivering a high equality and sustainable and well-designed development. It is the final phase of Brewery Square for which the master plan was initially granted outline consent in 2006. Over the years successive phases have developed new homes, commercial space, leisure facilities and an overprovision of affordable housing. The site is sustainably located for residential and flexible commercial uses. It is allocated for development in the local plan and aligns with both local and national policies.

He outlined the key benefits such as, social benefits, delivers 70 much needed new homes, helping meet housing demand, creates a mix of uses including commercial and community space, supporting a vibrant and sustainable neighbourhood.

Economic benefits: Creates employment opportunities both during and after construction, increases footfall for shops, restaurants, leisure and community spaces.

Environmental benefits: repurposes a historic building reducing the need for new materials and provides 119 cycle parking spaces, promoting sustainable transport, introduces comprehensive and sympathetic landscaping, enhancing biodiversity and creating an attractive and inclusive environment/neighbourhood. He was pleased that with the collaborative effort that has gone into shaping this proposal and very much hope that you support it.

Members questions and comments

- **Cllr Jespersen questioned community space within application, who would manage the space and is there evidence that this cycle storage would be used? She commented that it was disappointing that the art centre had disappeared from the plan**
- **Cllr Taylor requested that the windows be frosted and obscured. He asked how affordable housing was calculated.**
- **Cllr Fry asked how far was the building from the gardens and how tall was the building? He commented that the building would have significant impact on the local houses of the community and added that two storey developments would have been better, and Dorchester needed family housing of 2-3 bedrooms.**
- **Cllr Jespersen informed that three years had been spent working on the application and what had come back was better than what we started with.**
- **Cllr Major commented that the proposal was overbearing and overdevelopment and would have significant impact on residents and the community.**

Adjournment 12:25-12:37.

Cllr Major proposed that the application be refused as the development would result in significant adverse effect on the living conditions of the occupiers of the residential properties on the Prince of Wales Road and occupiers would lose privacy from overlooking and the overbearing impact due to the close proximity of

the development and in contrary to the policy EMB16 of the West Dorset and Weymouth Local Plan, Cllr Fry seconded.

The proposal to refuse the application had been lost.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Jespersen, and seconded by Cllr Jones.

Decision: To grant planning permission subject to conditions set out in the officer's report and additional conditions set out below:

17. Prior to the installation of any window on the northern elevation of the Maltings Mews, details of the means of permanent opening restrictors on the windows on the northern elevation shall be submitted to and approved in writing by the Local Planning Authority. Works shall then proceed in accordance with the approved details and the opening restrictors shall be permanently retained in accordance with the submitted details.

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

18. Before the Maltings Mews building is brought into use, all windows in the Northern elevation must be glazed with obscure glass up to 1.4m above finish floor level to a minimum industry standard privacy level 3. Thereafter the obscure glazing shall be permanently retained as such.

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

19. The lower ground floor 200m² flexible Commercial and Community space in the Maltings building shown on drawing number 9547/109 G (The Maltings Amended Proposed Basement floor Plan) shall be used for flexible commercial (Use Class E) and community (Use Class F2) and for no other purpose as per Schedule 2 to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: The Council considers an unrestricted use may not be compatible with the living conditions of surrounding residential properties and to ensure that the commercial/community element of the proposal is retained.

Informative note:

3. The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

50. **P/LBC/2022/05674- Maltings and Maltings and Maltings Mews, Dorchester**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members.

No public participation.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Potheary, and seconded by Cllr Taylor.

Decision: To grant planning permission subject to conditions set out in the officer's report.

51. **P/VOC/2024/06275- Back Lane, Sixpenny Handley**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. The National landscape impact was deemed to have an acceptable impact. Layout was still acceptable and biodiversity still acceptable. It would be viable to secure 5% of affordable housing equivalent to 1 unit. There were no significant adverse effects.

Public Participation

Mr Hiscock addressed the Committee. He informed that the nearby Frogmore development of 7 bungalows has been discussed as a committee. In contrast, this development of 20 *houses* was *delegated*, despite 10 objections, affecting 13 existing homes, 29 consultees, ongoing concerns from neighbours and a Development approximately 3 times the size.

He asked why, was this delegated to a *single* case officer, despite the strong and continued opposition & significance of the development?

Plots 1-8 look directly into our private garden and windows. Privacy and amenity have been lost by this development, in its current format.

Alternative, smaller housing styles were needed, preferably bungalows. This has already been changed and approved for the nearby Frogmore development. Policy HE2 - Bungalows are far more in keeping with the local housing mix of almost exclusively bungalows and could provide the required privacy and amenity.

The SUDS water basin seems to justify the location of plots 1-4, with no regard for the amenity and privacy of our home.

If this location was fixed, plots 1-4 should be redesigned / relocated to afford our property the privacy and amenity required.

Over the 3+ years of this application, the development had undergone many significant changes, including housing styles, quantities and a change of architect. Revised plans and the officer's reports state that all plots have moved both *levels* and *locations*.

He explained that this completely undermined the original grant of permission upon which all original consultees based their professional judgments on. He add that you could not pass something and then simply move the goal posts!

With regards to affordable housing, the case officer's own words include "the proposed housing mix *would not* comply with estimated SHMA figures"

Policy DES11 - All new development should add to and enhance the AONB. The addition of 20, 2 storey houses and the proposal of wooden fence boundaries does Neither.

A native hedge around the property had been planted, that would take years to fully establish and provide privacy.

To meet Policy DES6 – he proposed that the developer does the same, along our 2 boundaries.

Other plots on site have had conditions imposed, such as obscured glass and fixed windows, yet, no such conditions have been imposed that help protect our amenity.

Mr Annen addressed the Committee. He explained that he was a Chartered Town Planner and Director of Pure Town Planning and was speaking in support of the proposal on behalf of the applicant; Stanborough Construction.

He commended the quality of the planning officer's report and thanked Mr McDonald for the professional way he handled the application and worked throughout this application process to overcome initial concerns raised by internal consultees. The amendments which have been made have resulted in a scheme which is fully supported by your planning officer, their team leader and the Council's professional consultees. He outlined the main considerations for why planning permission should be GRANTED today in line with Officer's recommendation.

Firstly the Principle of Development

- The application site has been an allocated for residential development since 2002 under saved Policy CHASE6 in the East Dorset Local Plan.
- As you have heard, planning permission was granted in June last year for the erection of 20 dwellings, including access, parking and landscaping on this site.
- clients purchased the site with that extant planning permission and have implemented it as you have seen from photographs on the screen - the access point and internal roads are in the process of being formed as well as the large soakaway which has been dug.

Secondly; Character and Appearance

- The alterations proposed under this minor amendment application relate to subtle adjustments to the footprint and position of each dwelling, as well as the addition of veranda elements, gable features, car ports and improved porch details which your officer agrees are sympathetic and he concludes the overall design and visual appearance of the amended dwellings architecturally finesses those already consented and provides an overall higher quality visual improvement.

- The officer noted that this amendment scheme continues to exhibit strong traditional building forms and locally appropriate materials which ensure the development would assimilate well within existing built form and the village envelope and not jar with the overall character of Sixpenny Handley.

Thirdly; Amenity

- At paragraphs 16.37 through to 16.74 of your officer's report the case officer has re-assessed the impact of the development on all of the potentially affected neighbouring dwellings surrounding the site again with regard to this amended scheme.
- It had been confirmed by the officer that because the distances to neighbouring properties have been retained and the spatial relationships have been maintained from that of the approved scheme, together with the levels and intervening boundary screening, these amendments would not result in any significant harm by virtue of an over-bearing or overlooking impact - thereby safeguarding neighbouring amenity

Finally; Highway Safety

- The proposed access points and layout of the internal roads have followed the extant permission. The required visibility splays and widths remain and ensure it would be acceptable for refuse vehicles and kerbside collection.
- Initially there was an objection from the Highway Authority, however following submission of amended plans re-introducing a 2m footway and including suitable crossing points, the Highway Authority no have no objection to the development which provides safe provision for pedestrians.

He summarised that the applicant, was a local developer who had been building high quality, beautiful family houses in the Dorset area for many years. This scheme provided the opportunity to help the Council meet its housing targets by delivering 20 new energy efficient family dwellings of good architecture whilst not conflicting with the development plan.

Cllr McLean addressed the Committee. He explained that there were two objections, but the applicant had rescinded the proposed removal of a safe access pavement under threat of non-approval from Dorset Council Highways department.

However, he remained concerned that the proposed changes to property elevations and other building variations encroach upon the amenity and privacy of our parishioners living adjacent to the development in St Mary's Close and Littlefield Lane respectively.

He explained that the Parish Council respectfully submit that the applicant's variation proposals to the original approved plan represent a significant and not minor variation to the elevation and site location of the planned structures.

Specifically, it appears that some 8 properties would overlook existing residences at numbers 12 and 14 Littlefield Lane. The new properties were very close to these existing homes and barely meet accepted separation distances. Despite previous correspondence and requests to the developer that there had been, as

far as we can tell, minimal or no discussion with affected parishioners to answer their concerns. The application contains no information or proposals on what screening or other measures they will provide.

He also noted that it appears plots 15 and 16 are now to be effectively changed to that of houses of 3 storeys resulting in significant increased overlooking and overshadowing of two properties at numbers 16B and 31, St Marys Close. This seems inconsistent with recent elevation conditions imposed on new properties in St Marys Close adjacent to plots 15 and 16.

It was difficult to understand how the applicant can properly articulate the proposals without providing clear and unambiguous details of how they will provide acceptable and suitable measures to protect affected residents' privacy and amenity.

It was his view that these significant variations to the site have not been supported with sufficient evidence of how the privacy and amenity of existing residents will be remediated and asked that more work by the applicant to ensure that these changes do not push the existing approvals (just within "margin") in to becoming unacceptable, unfair and not in the interests of proper planning.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Jespersen, and seconded by Cllr Major.

Decision: To grant planning permission for reasons set out in the officer's report.

52. **P/RES/2023/05768- Land At E 374230 N 117990 Station Road Stalbridge**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. There would be 52 affordable units, of which 40% policy compliant, 36 affordable rents, in which would be spread out throughout most of the parcels. Layout and design considered acceptable, landscaping, acceptable, layout and design acceptable.

Public Participation

Ms Black an Associate Planner at SLR Consulting supporting the applicant addressed the Committee. The application was a Reserved Matters submission, meaning the principle of the development and the access had already been established and so this submission was only seeking the approval of the appearance, landscaping, layout and scale. The development comprises 130 new homes, open space and landscaping.

She was pleased that the proposed development had been recommended for approval by your Officers, alongside the Consultees, to prepare this detailed Reserved Matters scheme that, which if approved, would enable the delivery of well-designed and much needed new housing.

A variety of building materials had been carefully chosen to reflect the character of the local area, including the use of slate grey and cottage red roof tiles, brick and render on the elevations as well as brick quoins and diamond detailing.

A variety of tree, shrub and hedgerow planting was proposed throughout the site, including along the streets to soften and create an attractive new development. Additional trees were added in response to Consultee comments and root cells have been incorporated to ensure trees can grow successfully within hard landscaped areas for the long-term.

She covered the benefits that the development would have for the local area, including:

- Much needed housing, including a mix of 2, 3 and 4-bed homes;
- 52 affordable homes, which equates to 40% of the overall development and is therefore policy compliant;
- Provision of a link to the existing railway footpath to the west of the site, to enable a more direct pedestrian route to the town centre;
- Public open space and landscaping throughout the site and an equipped play area;
- Economic benefits both through employment during the construction phase and long-term local spending by future residents supporting shops and services; and CIL and S106 contributions, including financial contributions towards: community, leisure and indoor sports facilities, education, local healthcare, libraries and biodiversity and local nature reserve mitigation and maintenance.

Cllr Wardell addressed the Committee on behalf of the Stalbridge Town Council. He acknowledged that the Council's initial concerns had been accommodated but there were three principal concerns relating to the reserve matters. Firstly, under the issue of principal development having been established up to 130 dwellings and questioned why there was an automatic assumption that the maximum number could be accommodated within the site without any consideration to have fewer dwellings. 130 dwellings give the figure of 23 dwellings a hectare more dense than necessary in this location in Stalbridge and more than that of the ongoing David Wilson development in Lower Road which is 20.5 dph.

Opening up the development by reducing the number of dwellings would allow for more greenspace and additional trees. A great representation of the rural environment of which Stalbridge is part. So Stalbridge would like to see a reduction of the number of dwellings built on the development reducing the dph to a more rural level. Secondly, Stalbridge Town Council has expressed a desire to include an element of retirement accommodation on the estate. The footprint of which would not be too dissimilar to the existing plans, Hampshire homes have suggested it is not part of their business model and has dismissed this fundamental requirement for the Town.

He requested that the Town Council would like to see a number of retirement properties with communal gardens within the proposed development. The design of the internal boundary areas to the development, should be revised to avoid the apparent segregation of future residents from the rest of the Town by providing a parameter path and linking it to that already planned access to the trial way. Other well-defined developments in the town have well defined perimeter or through

pass allowing permeability both within the estates and for the existing areas. These paths provide interconnecting, unrestricted and accessible routes to other amenities as well as being used for outdoor recreation for all residents of the Town. Improving both mental and physical health and providing the interaction necessary for a welcoming Town. Connectivity and social inclusion with the rest of the Town is extremely important for all of the residents. He informed that development for an isolated out of town settlement should not be encouraged and was concerned why the existing 30 MPH speed limit had not been extended further alongside station road.

Members questions and comments

- Cllr Jespersen commented that it was disappointing that permission for up to 130 dwellings had been granted and it was difficult to see how 130 dwellings could fit on this site and have an acceptable layout. The Committee needed to get 130 houses to fit the best way possible. She proposed that the application be refused on the scale as it was a rural location, and the scale of 2 and a half storey buildings was unjustified and overdevelopment of the site, layout is cramped, very urban layout. She added that there was insufficient surveillance of the LEAP and this would lead to trees to be cut down, landscaping trees on the outside too few.
- Cllr Rideout commented that she was concerned about the LEAP positioning and surveillance. She commended the 33 swift and house martin boxes.
- Cllr Taylor seconded refusal due to overdevelopment

There was an adjournment from 14:42 - 15:05.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **REFUSE** the officer's recommendation to **GRANT** planning permission, was proposed by Cllr Jespersen, and seconded by Cllr Taylor.

Decision: To refuse planning permission for the following reasons:

1. The development through incorporating two and a half storey dwellings would fail to relate to the surrounding development and result in a scale of development that would lead to an overtly urban appearance and cramped form of development which would fail to improve the character and quality of the area within which it is located contrary to policy 24 of the Local Plan and NPPF.
2. The layout would result in a cramped and urban form of development and the LEAP would fail to have adequate levels of surveillance or be well located to the surrounding buildings which is contrary to Policy 24 of the Local Plan and the NPPF.

3. The proposed layout fails to provide sufficient street trees so would fail to integrate the development into its surroundings contrary to Policy 24 of the Local Plan and the NPPF.

53. **P/HOU/2024/06236- Post Office House Church Road Bradford Abbas DT9 6RF**

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. The application had come to the committee in 2023 for change of use. The occupants wished to remove the projecting shop front and replace with a matching window. The Committee went through the history of the shop and saw historical photos. The building was not a listed building but was in a conservation area.

Public Participation

Mr Roach addressed the Committee. He explained that this was now their second Northern Area planning committee meeting with regard to Old Post Office House. In May 2023, Northern Area planning committee granted our change of use application from Mixed Use to solely Residential,

Since that change we have continued to maintain and restore this building. We are its custodians and have a huge responsibility to take care of the property and preserve it. Our application demonstrates our dedication to OLD POST OFFICE HOUSE and commitment to the conservation area.

Objectors have made the following three misleading comments,

UPVC window would not be in keeping with the Conservation area - There is **NO** mention of UPVC windows in our application Removal of the Postbox - Our plans clearly show the retention of the Post Box; it is of historical importance, and it will remain within the fabric of our property. Works have started on the Frontage - No works have commenced on the frontage of our home.

Cllr Legg addressed the Committee and was not arguing whether this property is or becomes a private residence as this matter was settled in 2023. There was an initial concern because the original plan submitted did not show the retention of the post box which is a George V 1934 post box and there was concern that the removal of that would damage the historical reference to this building formerly being a post office and a local village store.

The key issue was whether this renovation is carried out. The key issue was whether the historical reference for this building is properly shown by this particular window. If you look at the photographs that had been submitted, you can see a block work in what is described as a modern shop frontage. The blockwork which is shown in the photograph have a clear reference to buildings which are already in the village. There are only two in the village which are built with that style of blockwork at the base of the window. One of them was purchased by my parents

in 1960 and I think this particular extension to the property was carried out in 1959 and 1960, so the problem is, is this a modern addition? It is about halfway through the life of the building which was built in 1899. The key issue- looking at the paragraph- the proposed window would match the adjacent and respect the style of the window that was there previously then that is completely incorrect. He referenced the 1954 and 1965 photographs to see that was not true. He explained the question was of the level of sill on the window, as it was a much deeper window on the original building.

Members questions and comments

- **Cllr Rideout understood what the applicants were trying to do and Cllr Leggs comments. The new window does not replicate 1954 photograph, and it would be really nice if it did and to have a dummy door side by side to put it back to how it was in the past.**
- **Cllr Jespersen said that it was not a listed building, and it would add to the conservation area and not detract from it.**
- **Cllr Potheary commented that it had to be sympathetically done, and that the post box remains. She had huge confidence that the gentleman would do it sympathetically.**

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Jespersen, and seconded by Cllr Jones.

Decision: To grant planning permission subject to conditions set out in the Officer's report.

54. P/FUL/2022/03334- 93 Newland Sherborne Dorset DT9 3AG

With the aid of a visual presentation including plans and aerial photographs, the Case Officer identified the site and explained the proposal and relevant planning policies to members. The site was in a sustainable location, within the development boundary of Sherborne, 300 metres from cheap street and local facilities within 800 metres of walking distance and town centre. Highly sustainable for new dwelling and smaller sites were needed to meet housing requirements. There would be less than substantial harm which was outweighed by public benefits and a formation of safe vehicle access as the previous access was seen as unsafe. There would be less than substantial harm to the conservation area, design was appropriate for conservation area. The proposal was on an empty site featuring a lawn which could be seen as under-utilised land, and the dwelling sits comfortably within the plot and does not impact on transport network. The Flood risk of the site was high and medium risk of surface water flooding, but the site was outside of the flood zones. The proposal was on an urban site covered by maintained lawn, which had no significant biodiversity value.

Public Participation

Ms Rawlings addressed the Committee that this was not simply about getting planning permission but about what matters - heritage. The NPPF says that great weight should be given to safeguarding heritage assets considering them an irreplaceable resource that should be protected for future generations. Their preservation is for national benefit. The benefit of housing needed to be balanced against any harm. For a listed building the consideration of harm is much higher so there needs to be a much bigger public benefit. Here we are talking about an amazing 12-foot stone wall that is much enjoyed by so many in the town. A popular route to schools and to the doctors and another can never be built as it would cost too much. It forms the boundary of a medieval burial plot which outlines the historic evolution of Sherborne. Building there will erode the character and value of our wall. The poor decisions much higher up the wall on a lower section do not set the benchmarks for the wall. She underlined the importance of historical buildings and that any harm must have convincing justification. One house worth more than 1 million pounds has very little public benefit and not sufficient to outweigh the harm. The proposed design intrudes on the listed buildings settings of 91 and 93 as it impacts how they are seen from the road, the garden and the building themselves. If this is allowed, it sends a message that heritage does not matter.

Mr Marr strongly objected to this application. The applicant claimed that this development "will better enhance the character of the conservation area". In his view this was not true as the site is surrounded by listed buildings in which the character is defined by the gardens, mature trees and local wildlife. A new building in this location would significantly diminish the character bringing no public benefit to the conservation area. This proposal will severely impact the privacy and amenity of the four neighbouring properties, particularly the barn house. The first-floor windows positioned less than three meters from the boundary will directly overlook this property harming residents' privacy and amenity. The application fails at all to mention several large established trees on the site despite their legal protection within the conservation area. These trees contribute to the visual character of the area and their removal would be an irreversible loss to the local environment. Worse still their removal could destabilise the 3.5 metre listed stone wall that divides the property. Additionally, a wildlife pond has been filled in destroying a legally protected habitat for newts and frogs under the Wildlife and Countryside Act. In my opinion, the omission of the trees and ponds from the application was deliberate to avoid ecological scrutiny. Flooding is another major issue, the applicants environmental report states that the site is not at risk of surface water flooding and that no mitigation is needed, local residents would strongly disagree. Surface water from the avenue has already caused repeated flooding in grade two listed buildings on Newland with two homes being flooded four times between 2021 and 2023. The report ignores the Coldharbour footpath which channels rainwater downhill directly onto the avenue and without drainage in place this development will only worsen flooding risks for surrounding homes. The national planning framework is clear - clause 170 states that development should be directly away from flooding and must not increase flood risk elsewhere. Clause 181 reinforces this stating that planning authorities must ensure developments do not worsen flood risks.

Mr Coles addressed the Committee that Sherborne was renowned for its rich heritage and character which would be negatively impacted by the creation of a vehicle access through a grade 2 listed historic boundary wall within a conservation area. The loss of this significant heritage asset would cause substantial harm for the sake of building 1 private home. The applicant states that the new entrance is to place an entrance closer to Newland. However, the new entrance would be significant larger and damaging the integrity of the grade 2 listed wall. It is government policy to increase social and public housing, this application to build a single private house undermines those objectives. He was also concerned about the impact of traffic as the avenue is busy on weekends, weekdays and Saturdays with parking restricted to the East side due to the narrow road. The proposed driveway across from parked cars would worsen congestion at the narrowest part of the road. increasing accident risk and obstructing emergency vehicles. The avenue is frequently used by pedestrians like school children and those with mobility scooters. The west side is safer with fewer driveways. The applicant proposed a 3-car driveway, but this would endanger pedestrians and increase accident risk. He raised the impact on neighbouring properties which would infringe on the privacy to neighbours. He raised concerns about flooding, which proposed a significant risk and would worsen the existing issues, and the proposal impacts biodiversity.

Mr Pitman addressed the Committee; the dwelling was designed for applicant who completed the build for personal reasons including the need to remain close in town where his wife's care home is. Allowing capital release for the care and the applicant is retired and wife suffers from dementia and needs 24-hour care. The dwelling is designed as multigenerational occupational home. The proposed dwelling suites an established pattern of development to the west side of the avenue. The proposal is in a sustainable location under planning policy and is considered to not cause any significant harm to neighbouring amenity. There is no harm to heritage assets and the listed building consent aspect of the application has already been granted for opening the boundary wall and the scheme is supported by the conservation officer. The proposed building is approximately 45 metres away from the listed building and the proposed building takes reference to local architectural features. The Council's flood risk management team concur with the surface water flood risk report and propose a condition of an onsite drainage scheme. A specialist flood risk engineer has advised that the site sits on limestone which is very permeable material and able to deal with onsite water drainage and would manage on surface water with soak aways. Flooding is experienced on the road, but our scheme will not have any runoff from the site. Biodiversity have been considered with onsite surveys and submitted reports. Condition proposed to enforce the enhancement of ecology on site and the vehicle access on the site would comply with highway requirements and Dorset Council highways have no objections.

Members questions and comments

- Cllr Crabb asked if there would be any archaeological surveys on the wall to see if there was anything important? He also added that flood was a concern and if there had been an ecological survey or measures proposed to mitigate wildlife?
- Cllr Taylor requested a condition for an archaeological dig and that the existing stone was used to block the garage so that it all matches up.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having considered the officer's report and presentation; the written representatives; and what they had heard at the meeting, a motion to **APPROVE** the officer's recommendation to **GRANT** planning permission as recommended, was proposed by Cllr Rideout, and seconded by Cllr Taylor.

Decision: To grant planning permission for reasons set out in the report and with additional conditions set out below:

9. Before the development is occupied or utilised the existing highway vehicular crossing must be expunged and reinstated to a specification which must be submitted to and approved in writing by the Planning Authority. Any such scheme shall include the reuse of stone from the new access.

Reason: To ensure the proper and appropriate development of the site in the interest of highway safety

11. The soft landscaping works detailed on the approved site plan must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

12. The new splayed sections of wall shall have been completed using only stone salvaged from the part deconstruction in accordance with drawing PL-1602-200B and to a specification previously submitted to and approved in writing by the local planning authority. This specification shall include details of the mortar mix and finish to be employed as well as the proposed bond.

Reason: To secure the level of harm to the significance of heritage assets to a less than substantial level that is outweighed by the public benefits afforded by the prop

13. Prior to the commencement of any development hereby approved, including any excavation, an Archaeological Desk Based Study shall be submitted to the

local planning authority for approval in writing. The Desk Based Study shall identify whether onsite investigations are necessary prior to excavation. Should the Desk Based Study identify that investigative archaeological works are required, a scheme of the investigate works shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. This scheme shall include archaeological fieldwork together with post-excavation work and publication of the results. The development shall thereafter accord with the approved scheme.

Reason: To safeguard and/or record the archaeological interest on and around the site.

55. Urgent items

There were no urgent items.

56. Exempt Business

There was no exempt business.

Duration of meeting: 10.00 am - 4.12 pm

Chairman

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Application Number:	P/FUL/2024/07190
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	10 Manor Road Dorchester DT1 2AU
Proposal:	Erect bungalow with associated access and parking.
Applicant name:	Mr and Mrs Beavis
Case Officer:	Steven Banks
Ward Member(s):	Cllr Jones and Cllr Major

1. Reason Application Reported to Committee:

During the scheme of delegation, which was triggered by Dorchester Town Council submitting a representation that was contrary to the recommendation of officers, the Chair of the Northern Area Planning Committee expressed that they would like the application be considered by a Committee.

2. Summary of recommendation:

GRANT subject to a Section 106 legal agreement restricting the dwelling to self build and the conditions as set out at the end of this report.

3. Key planning issues

Issue	Conclusion
Principle of development	The application site falls within the Defined Development Boundary of Dorchester. The principle of development, by reason of the nature of the proposal and the location of the proposal, is accepted.
Character and appearance	The proposed dwelling, by reason of its design and positioning, would not harm the character of the area.
Living conditions	The use of the proposed access, by vehicles that would be associated with the proposed dwelling, would not harm the residential amenity of the occupiers of existing dwellings, through a harmful increase in light or a harmful increase in noise. There would not be an overshadowing or overbearing effect, from the proposed and existing structures which would harm the amenity of the occupiers of the proposed and existing dwellings, due to the size, mass and positioning of the buildings. Occupiers of the proposed and existing properties would not be subject to an overlooking effect, which would harm their residential amenity, due to the views that would be possible from openings and vantage points.

Issue	Conclusion
Nutrient Neutrality	The purchasing of sufficient nitrogen credits would mitigate the effect that the nitrogen, of the proposed development, would have on the Poole Harbour SPA and Ramsar.
Ecology	Subject to the adherence to the Preliminary Ecological Appraisal the proposal would not harm wildlife.
Biodiversity Net Gain(BNG)	It is submitted in the application form that BNG does not apply to the development because it is a self build development. The agent has confirmed that the applicant is happy to enter into a legal agreement in order to ensure that a self build development would take place.
Trees	The imposition of a landscaping condition, on any permission, would ensure that the character of the area would not be harmed.
Highways	The proposal would not have a severe detrimental effect on road safety and would be served by a sufficient level of parking.

4. Description of site

The application site comprises of land to the front, side and rear of the dwelling, 10 Manor Road in Dorchester. The site, which slopes gently from northwest down to southeast, can be found to the southeast of Manor Road.

5. Description of development

The development, which is the subject of P/FUL/2024/07190 (this application), includes the construction of a dwelling to the rear of 10 Manor Road. The proposal includes a driveway which would enable the dwelling to be accessed from Manor Road. The driveway falls between 10 Manor Road and 12 Manor Road.

6. Background and relevant planning history

On 05/01/2024, the Council refused planning application P/FUL/2023/04329, for the construction of a bungalow to the rear of number 10 Manor Road. An appeal against the decision was dismissed on 28/06/2024. The application was refused for four reasons that are set out below. The Inspector, in dismissing the appeal, considered that, “the proposed development would not provide acceptable living conditions for future occupants with particular reference to outdoor amenity space.” This was the only reason that was upheld. The Inspector did not agree with the other reasons for refusal. The inspector did not agree that the development would lead to overdevelopment of the site. Nor that the dwelling would be incompatible with the character or the area. This is an important material consideration

The Council refused the previous planning application for the following four reasons:

1. The proposed dwelling, by reason of its location, to the rear of a dwelling on Manor Road, and the way that it would be accessed, from Manor Road, would introduce a type of back land development which would be at odds with and cause severe harm to the character of the area. The proposed development would not meet the requirements of policy ENV10 and policy ENV12 of the West Dorset, Weymouth & Portland Local Plan 2015 and part 12 of the National Planning Policy Framework 2023.

2. The proposed usable outdoor amenity space is not of a sufficient size to serve the proposed dwelling. This would harm the residential amenity of any occupants of the proposed dwelling. The proposed development would not meet the requirements of policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and part 12 of the National Planning Policy Framework 2023.

3. It is proposed that vehicles would access the proposed dwelling via an access which passes in front of and in close proximity to 10 Manor Road. The noise and movement associated with the use of this access would harm the amenity of any occupants of number 10 Manor Road. The proposed development would not meet the requirements of policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and part 12 of the National Planning Policy Framework 2023.

4. The application site falls within the hydrological catchment area of Poole Harbour, a habitat site which is designated as: A Site of Special Scientific Interest; a Special Protection Area and a Ramsar site. Human sewage which is discharged into Poole Harbour results in nutrient enrichment in Poole Harbour. This contributes to Poole Harbour being in an unfavourable condition. The proposal would result in an increase in residents, within the catchment area. Material confirming that the development, by reason of the increase in residents, and the associated increase in sewage, within the hydrological catchment area of Poole Harbour, would have a neutral effect on the phosphorus levels of the habitat site has not been submitted as part of the application. The proposal, by reason of its nature, would harm the habitat site. The proposed development is not supported by policy ENV2 of the West Dorset, Weymouth & Portland Local Plan 2015 and would not meet the requirement of part 15 of the National Planning Policy Framework 2023.

The Inspector, in their Appeal Decision, considered that, “the proposed development would not provide acceptable living conditions for future occupants with particular reference to outdoor amenity space.” The appeal was dismissed solely due to the harm that the lack of proposed outdoor amenity space would cause to the amenity of future occupants.

7. List of constraints

Dorchester Conservation Area - Distance: 78.1

Poole Harbour Nutrient Catchment Area - Distance: 0

Within the Defined Development Boundary of Dorchester - Distance: 0

Public Right of Way - Footpath S2/44 - Distance: 4.17

Medium pressure gas pipeline - 12.5m or less from Medium Pressure Pipelines (75mbar - 2 bar)
Distance: 1.29

Groundwater – Susceptibility to flooding - Distance: 0

Higher Potential ecological network - Distance: 0

Site of Special Scientific Interest (SSSI) impact risk zone - Distance: 0

8. Consultations

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

Consultees

1. DC - Rights of Way Officer

No comments received.

2. DC - Highways

No objection subject to the imposition of conditions on any permission.

3. DC - Dorset Waste Team

No comments received.

4. DC - Trees (North West Weymouth)

"I have carried out a site visit and have some concerns regarding this development and impact on trees and therefore raise an objection.

1. The access into the property looks like it requires widening to accommodate the new driveway, it is not clear if this requires changes to the drop kerb from the highway verge. There are mature highway-maintained trees that would be affected by access changes. These need to be clearly defined and detailed within the AMS.

2. The main concern relates to the avenue of protected mature beech along Knapwater Walk, these are offsite trees that potentially pose constraints to the development but these trees are not shown within the arboricultural information. These trees potentially have constraints through rooting area, canopy overhang and shading of new dwelling, also these trees will have seasonal impacts on the site through leaf/seed fall and concerns over trees

during high winds that should also be considered. Given the proximity of these trees to the proposed dwelling these issues may be a constant source of contact with the tree owner to undertake works that until now have not been an issue.

If the application is to move forward the position of the dwelling needs to be considered and all trees that have an influence on the site detailed within all

arboricultural information."

5. Dorchester Town Council

Objection.

"The Committee determined that the proposed creation of an access drive along the boundary of the property would likely result in undue nuisance to adjacent neighbours. Furthermore, the construction of a bungalow within the back garden was deemed to constitute over-development, contrary to the established character of the neighbourhood, contravening ENV12 of the adopted

local plan. The Committee also expressed concerns regarding the shared use of a single driveway and access point onto Manor Road by the two properties. Overall, the Committee concluded that the proposal represents an over development inconsistent with the character of the residential area.”

6. DC - Building Control North Team

No comments received.

7. Dorset Wildlife Trust

No comments received.

8. Ramblers Association

No comments received.

9. Wessex Water

No comments received.

10. SGN (Southern Gas Networks)

No comments received.

11. Natural England

The application intends to mitigate for the additional nitrogen load generated by the proposal by the purchase of credits from the approved scheme at Lyscombe Farm. We note that it is the intention of your Authority to use a Grampian styled planning condition to ensure sufficient credits are secured prior to commencement. I can confirm, provided your Authority is satisfied that sufficient credits are available then, Natural England has no objection to this approach.

Any permission should also ensure the house meets the 110 l per person water use requirement which is set out in the nutrient calculator for Poole Harbour.

Natural England advises that, on the basis that mitigation measures required for other adverse effects on habitats/international sites are secured prior to the commencement of the development, the authority can conclude that Natural England has no further concerns about the conclusion reached in this Appropriate Assessment.

12. Dorset Fire & Rescue Service

No comments received.

13. Dorchester East Ward Members

No comments received.

15. DC - Natural Environment Team

“The application is within the scope of the Dorset Biodiversity Appraisal Protocol (DBAP) criteria which includes proposals which will have an impact on an area greater than 0.1ha, development on sites where there are known protected species or important habitats/habitat features and development which is likely to have an impact on biodiversity. The Natural Environment Team (NET) notes the submission of an EcIA in support of the application, however this has not been submitted to NET for review under the DBAP and as such has not yet been approved. We recommend that this information is submitted to NET directly for review, with the appropriate

fee, to ensure compliance with wildlife legislation, NPPF (2023) and that biodiversity mitigation and enhancements are secured.

However in this instance NET are reviewing the ecological information outside of the DBAP process.

In principle NET have no objection to this application however we expect to see data searches from Dorset Environmental Records Centre within the reports.

We also expect to see confirmation of how much of each habitat (garden / grassland and hedgerow) will be removed as well as confirmation how the loss of these habitats and the two trees, will be compensated within the ecological report.

As suitable nesting bird habitat has been identified in trees and hedges we expect to see during and post construction mitigation / protection measures in an updated report.

We will look at an updated report.”

Since the submission of the above comments, a document, certifying that a Preliminary Ecological Appraisal submitted by the applicant has been approved by the Dorset Natural Environment Team, has been received.

16. DC - Env. Services – Protection

“No comments with respect to this application.”

Representations received **Dorchester Civic Society**

The proposal would harm the street scene and there is no commitment to install solar panels or a heat pump.

Total - objections	Total - No objections	Total - comments
11		

Summary of comments of objections:

The authors of the statements of objection, to the proposed development, expressed concerns that the proposed development would:

Harm the residential amenity of any occupants of the proposed dwelling due to a lack of amenity space.

Harm the amenity of any occupants of the proposed dwelling due to a lack of light which would result in an oppressive effect.

Reduce the amount of light reaching the vegetable beds of number 8 Manor Road.

Result in the overdevelopment of the site.

By reason of its positioning, massing, design, and footprint, harm the character of the area.

By reason of the positioning of the proposed access, harm the character of the area.

Not provide storage space for garden equipment or bicycles.

Result in traffic movements which would result in pollution, light and noise that would harm the amenity of the occupiers of nearby properties.

Result in increased parking on Manor Road.

Prevent the development of a road along the route of the footpath which can be found to the rear of the application site.

Set a harmful precedent.

Harm trees.

Harm biodiversity.

Reference was also made to:

A legal covenant which limits development on the land concerned.

The possibility that emergency vehicles might not be able to access the proposed dwelling.

A failure to accurately complete the biodiversity checklist.

No evidence of Biodiversity Net Gain.

A lack of evidence concerning the management of services.

A lack space for the parking of two cars associated with number 10.

The proposed access presenting a risk to those existing number 10.

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10. Relevant policies

Development plan

Adopted West Dorset, Weymouth & Portland Local Plan (Local Plan):

The following policies are considered to be relevant to this proposal:

INT1	-	Presumption in favour of Sustainable Development
ENV2	-	Wildlife and habitats
ENV5	-	Flood risk
ENV10	-	The landscape and townscape setting
ENV 12	-	The design and positioning of buildings
ENV13	-	Achieving High Levels of Environmental Performance
ENV15	-	Efficient and Appropriate Use of Land
ENV 16	-	Amenity
SUS2	-	Distribution of development
COM7	-	Creating a safe & efficient transport network
COM9	-	Parking provision
COM10	-	The Provision of Utilities Service Infrastructure

Material considerations

Emerging local plans:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025) (NPPF)

Paragraph 11 sets out the presumption in favour of sustainable development. Proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' This outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:
 - The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
 - Good design is a key aspect of sustainable development.
 - Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment' - Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Housing land supply

On the 26th September 2024, The Planning Inspectorate issued the Inspector's report confirming the Council's Annual Position Statement (APS). The APS confirms that the whole of the Dorset Council area can demonstrate a 5-year supply of housing of 5.02 years, and that this figure is fixed until 31 October 2025 in accordance with paragraph 233 of the NPPF. An updated APS that reflects the Inspector's findings is available on the Council's website.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

11. Human rights

Article 6 - right to a fair trial.

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

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. Public Sector Equalities Duty

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

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

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

Given the type of application and the nature of the proposal it is considered that the proposal would not have implications for those with a protected characteristic.

13. Planning Assessment

Principle of development

Policy SUS2 of the local plan sets out the spatial strategy for the location of new development for the period to 2031. Based on sustainable development principles, it seeks to direct development towards the most sustainable locations.

It is identified, in policy SUS2, amongst other things, that: the main towns of Dorchester and Weymouth will be the highest priority location for new development; elsewhere in the plan area, the market towns of Beaminster, Bridport, Lyme Regis, Portland, Sherborne and Crossways will be a focus for future development; development in rural areas will be directed to the settlements with defined development boundaries, and will take place at an appropriate scale to the size of the settlement; and that settlements with no defined development boundary may also have some growth to meet their local needs.

The application site falls within the Defined Development Boundary of Dorchester. The principle of development, by reason of the nature of the proposal and the location of the proposal, is accepted. The proposal complies with policy SUS2 of the Local Plan.

Character and appearance

Refusal reason one of P/FUL/2023/04329 (the previous decision) reads as follows: The proposed dwelling, by reason of its location, to the rear of a dwelling on Manor Road, and the way that it would be accessed, from Manor Road, would introduce a type of back land development which would be at odds with and cause severe harm to the character of the area. The proposed development would not meet the requirements of policy ENV10 and policy ENV12 of the West Dorset, Weymouth & Portland Local Plan 2015 and part 12 of the National Planning Policy Framework 2023.

The Inspector, in the appeal decision, under the heading of Character and appearance, expressed that: "...there are examples of infill and back land development within the locality including some properties in Barnes Way and Herringston Road."; "The proposed dwelling would be largely screened by existing buildings when viewed from the Manor Road street scene with occasional glimpses between the buildings."; and "the proposed development responds to the sense of place and character of Barnes Way."

The inspector, in the appeal decision concluded that, "the proposed development would preserve the prevailing pattern of development along the frontage of Manor Road and Barnes Way, relating positively to adjoining buildings. The appeal scheme would therefore have an acceptable effect on the character and appearance of the area..."

It is proposed under P/FUL/2024/07190 (this application) to construct a single storey dwelling which is of a contemporary design and behind number 10. The inspector, in the appeal decision, expressed that, "The proposed single storey dwelling would have a generous footprint, be of contemporary design and sited behind No 10. While this would be a departure from the prevailing character of this part of Manor Road, well designed places do not necessarily need to copy their surroundings. The proposed dwelling would be largely screened by existing buildings when viewed from the Manor Road street scene with occasional glimpses between the buildings." The design and positioning of the dwelling that is proposed under this application is similar to the design and positioning of the dwelling of the previous proposal. Both dwellings are of a contemporary design, positioned to the rear of the site, single storey, include standing seam mono pitched roofs, have three bedrooms, include brick and clad walls and incorporate fenestration which is irregular in positioning and shape. One part of the dwelling of the previous application was stepped back from the southeast boundary. Two parts of the dwelling of this application are stepped back from the southeast boundary. The dwelling of the previous application included a garage and a link, which included a WC, to the garage. The current

application does not include a garage and an associated link. It does include two external parking spaces. The previous proposal also included two external parking spaces. The footprint of the previous proposal measured approximately 221 square metres. The footprint of the current proposal measures approximately 184 square metres. In light of the similarities and the decision of the Inspector, it is accepted the proposal would not harm the character of the area.

The application site is of size which can, comfortably, accommodate the proposed dwelling.

The proposal would comply with policies ENV10 and ENV12 of the Local Plan and Part 12 of the NPPF which seek, among other things, a good quality of design which respects the local context.

Living conditions

Refusal reason two of the previous decision reads as follows: The proposed usable outdoor amenity space is not of a sufficient size to serve the proposed dwelling. This would harm the residential amenity of any occupants of the proposed dwelling. The proposed development would not meet the requirements of policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and part 12 of the National Planning Policy Framework 2023.

The inspector identified four zones of outdoor amenity space of the previous scheme. The inspector concluded that, "... these zones would not be coherently linked to each other and would in practice serve as individually discrete spaces limiting their collective use. Each zone would also be constrained by either being narrow in width or limited in size. This layout would unacceptably constrain space to enjoy important outdoor activities such as children's play, private entertaining or sitting out. The limited nature of these proposed private spaces would therefore not meet the reasonable needs of future occupiers.

As a result, the proposed development would not provide acceptable living conditions for future occupants with particular reference to outdoor amenity space."

The footprint of the dwelling of this application is different to the footprint of the dwelling of the previous application. The footprint of the previous application included a protrusion which comprised of a garage and a link to the garage. This element of the previous scheme has been omitted from the current proposal. The current proposal includes two main areas of outdoor amenity space, one to the northwest of the dwelling and one to the southwest of the dwelling. The area to the northwest of the dwelling, inclusive of landscaping, measures approximately 141 square metres and the area to the southwest of the dwelling, inclusive of landscaping, measures approximately 89 square metres. It should be noted that a small area of outdoor space which measures approximately 35 square metres, inclusive of landscaping, can be found to the northwest of the dwelling. It should be further noted that an area of outdoor space, inclusive of landscaping, which measures approximately 13 square metres, can be found to the northeast of the dwelling. It should be, furthermore, noted that an area of outdoor space which, inclusive of landscaping, measures approximately 40 square metres, can be found to the southeast of the proposed dwelling. The revised footprint, of the current proposal, allows for two main areas of outdoor amenity space which are of a size that would allow future occupiers to enjoy important outdoor activities

Officers consider that the proposed layout has overcome the Inspector's sole reason for dismissing the appeal.

Refusal reason three of the previous decision reads as follows: It is proposed that vehicles would access the proposed dwelling via an access which passes in front of and in close proximity to 10 Manor Road. The noise and movement associated with the use of this access would harm the amenity of any occupants of number 10 Manor Road. The proposed development would not meet the requirements of policy ENV16 of the West Dorset, Weymouth & Portland Local Plan 2015 and part 12 of the National Planning Policy Framework 2023.

The inspector, in the appeal decision, expressed that, "There is no documented reason before me to suggest proposed vehicle movements to and from the appeal site would not be commensurate with the normal occupation of a 3-bedroom dwelling. While there would be some noticeable light and sound from vehicles passing Nos 10 and 12, given the limited likely frequency of these movements, it has not been robustly shown that unacceptable harm to the living conditions of the existing occupiers of these dwellings would occur.

The Inspector also expressed that, "Third parties have raised concern about air quality, however, it has not been clearly demonstrated how the proposed development would adversely impact upon air quality. The Council did not object on these grounds and there is no substantive evidence before me to disagree with the Council's findings in this respect."

The access of the current proposal follows a similar route to the access of the previous proposal and would have the same impact in terms of the normal occupation of a 3 bedroom dwelling. There is no new evidence to suggest that the impact would be unacceptable and in light of the comments of the Inspector, it is accepted that the use of the proposed access, by vehicles that would be associated with the proposed dwelling, would not harm the residential amenity of the occupiers of existing dwellings, through a harmful increase in light or a harmful increase in noise.

There would not be an overshadowing or overbearing effect, from the proposed and existing structures which would harm the amenity of the occupiers of the proposed and existing dwellings, due to the size, mass and positioning of the buildings. It is further considered that there would not be an overshadowing or overbearing effect, from existing trees, which would harm the amenity of the occupiers of the proposed dwelling, due to their size and positioning.

Occupiers of the proposed and existing properties would not be subject to an overlooking effect, which would harm their residential amenity, due to the views that would be possible from openings and vantage points.

The proposed development would meet the requirements of policy ENV16 of the Local Plan and part 12 of the National Planning Policy Framework 2023 which, amongst other things, seek to ensure that acceptable living conditions would be experienced by both existing and future residents.

It is however necessary to remove permitted development rights for outbuildings and extensions to ensure that sufficient amenity space is available for the proposed occupier of the dwelling.

Nutrient Neutrality

Refusal reason four of the previous decision reads as follows: The application site falls within the hydrological catchment area of Poole Harbour, a habitat site which is designated as: A Site of Special Scientific Interest; a Special Protection Area and a Ramsar site. Human sewage which is discharged into Poole Harbour results in nutrient enrichment in Poole Harbour. This contributes to Poole Harbour being in an unfavourable condition. The proposal would result in an increase in residents, within the catchment area. Material confirming that the development,

by reason of the increase in residents, and the associated increase in sewage, within the hydrological catchment area of Poole Harbour, would have a neutral effect on the phosphorus levels of the habitat site has not been submitted as part of the application. The proposal, by reason of its nature, would harm the habitat site. The proposed development is not supported by policy ENV2 of the West Dorset, Weymouth & Portland Local Plan 2015 and would not meet the requirement of part 15 of the National Planning Policy Framework 2023.

The inspector, in the appeal decision expressed that, "The evidence submitted suggests that a suitable mitigation strategy may come forward in the future..."

A Nutrient Neutrality Statement has been submitted as part of this application. In this statement, it is proposed that nitrogen credits would be purchased, in order to mitigate the impact that the development would have on the Poole Harbour habitat site. It was concluded in the Appropriate Assessment, of the Council, that, the proposed development would contribute to additional nitrogen entering Poole Harbour and would cause a likely significant effect on the Poole Harbour SPA and Ramsar. It was further submitted that the purchasing of sufficient credits would mitigate the effect that the nitrogen would have on the Poole Harbour SPA and Ramsar. In order to ensure that the mitigation takes place and is successful, conditions relating to credits and water usage should be imposed on any permission.

Natural England confirmed that, subject to the imposition of conditions, relating to credits and water usage, on any permission, the authority can conclude that Natural England has no further concerns about the conclusion of the Appropriate Assessment.

It is therefore concluded that the proposal, subject to the imposition of the recommended conditions, would not harm the integrity of the Poole Harbour habitat site. The proposal complies with policy ENV2 and part 15 of the NPPF which aim to protect habitat sites.

Ecology

A document, certifying that a Preliminary Ecological Appraisal submitted by the applicant has been approved by the Dorset Natural Environment Team, has been received. It is therefore concluded, subject to the adherence to the Preliminary Ecological Appraisal, which should be ensured through the imposition of a relevant condition on any planning permission, the proposal would accord with policy ENV2 which seeks, among other things, to ensure that biodiversity is conserved or enhanced.

Biodiversity Net Gain(BNG)

Biodiversity Net Gain is an approach to development that makes sure that habitats for wildlife are left in a measurably better state than they were before development. BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers, unless the development is exempt, must deliver a BNG of 10%.

It is submitted in the application form that BNG does not apply to the development because it is a self build development.

The agent has confirmed that the applicant is happy to enter into a legal agreement in order to ensure that a self build development would take place.

Trees

In the officer's report that concerned the previous application, the officer submitted that, "the application site does not fall within a conservation area and does not include trees which are subject to a tree preservation order. Material which satisfactorily addresses the treatment of trees has been submitted as part of this application. The trees of which it is proposed to remove are of a low quality. Their removal would, therefore, not cause material harm to the character of the area."

The Inspector, in the appeal decision, stated that, "There is mature vegetation and trees present within and around the site and these contribute to the verdant character and appearance of the area. The proposed drawings show the retention of most trees with only lower quality trees removed. If this appeal was acceptable in all other regards, a landscaping condition could be imposed to further soften any effects of the proposed dwelling."

In light of the comments of the Inspector and the comments of the officer it is considered that the imposition of a landscaping condition, on any permission, would ensure that the character of the area would not be harmed. The proposal would comply with policy ENV10 which requires development to provide for the future retention and protection of trees that contribute to an area's distinctive character.

Highways

It is identified in part (iv) of Policy COM7 that, development will not be permitted unless it can be demonstrated that it would not have a severe detrimental effect on road safety, or measures can be introduced to reasonably mitigate potentially dangerous conditions. Policy COM9, among other things, requires there to be a sufficient level of parking to serve developments.

Subject to the imposition of conditions, relating to: visibility splays; and the construction of the access, manoeuvring areas and parking areas, on any permission, the Highway Authority did not object to the proposal on the grounds that it would have a severe detrimental effect on road safety.

It should be noted that the visibility splay which is shown on drawing ITB19370-GA-001 includes two trees. It should also be noted that the visibility splay which is shown on drawing PL-1616-200 E includes one of the two trees which fall within the visibility splay of drawing ITB19370-GA-001. It is not proposed to remove these trees. Street trees are a notable characteristic feature of the area. The two trees make a significant contribution to the character of the area. In the interest of highways safety, as recommended by the Highways Engineer, a condition, relating to the provision of a visibility splay, should be imposed on any permission.

The proposal includes two parking spaces. The Highway Authority did not object to the application on the grounds that there would be an insufficient level of parking serving the development.

In the interest of highway safety, it is recommended that the conditions, which have been recommended by the Highways Engineer, should be imposed on any permission.

It is therefore concluded that the proposal: subject to the imposition of the recommended conditions, would not have a severe detrimental effect on road safety and therefore complies with Policy COM7; would accord with policy COM9 which requires there to be a sufficient level of parking to serve developments; and that the development should not be prevented on highways grounds.

Other Matters Raised by Third Parties

In the comments of third parties reference was made to a legal covenant which limits development on the land concerned. This is a civil matter which falls outside of the remit of planning legislation.

A concern was also expressed that the proposal would prevent the development of a road along the route of the footpath which can be found to the rear of the application site. A policy which aims to prevent development, in the proposed location, in order to allow for the construction of a road, does not form part of the local plan.

Reference was made to a lack of evidence concerning the management of services. Compliance with building regulations and the involvement of any service provider would ensure that the development meets required standards.

Reference was also made to a lack of storage space for garden equipment and bicycles. There is sufficient space within the application site for the siting of a storage structure.

Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / value
Material Considerations	
Employment created during the phases of the development.	The proposal would require a modest amount of labour from the construction industry during the phases of development. Wages would be paid to those employed. The spending of wages, earned during the phases of development, by those employed, would benefit the economy.
The purchasing of materials and products for the development	The purchasing of materials and products, for the development, would benefit the economy.
Expenditure by residents of the proposed dwelling	The proposed dwelling would house a small number of people who would, in turn, make a small contribution, through expenditure, to the viability of local retailers and service providers.
Residents might join the local labour force	The dwellings might house a small number of workers who might join the local labour force and make a slight contribution to the economic competitiveness of the area.
Non Material Considerations	
CIL Contributions	As per the required payment.
Council Tax payments	As per the required payment.

Environmental implications

The construction of the dwellings would have a carbon footprint. The production of materials and the transportation of materials would contribute to this footprint.

The occupation of the dwellings would create a carbon footprint. Energy from non-renewable sources would be consumed. It is inevitable that journeys to and from the site would be made by vehicles. Vehicles which use internal combustion engines and battery electric vehicles have carbon footprints.

Sustainability measures could be incorporated into the development.

There would be a requirement for the buildings to meet the requirements of building regulations, which among other things, require energy efficiency standards to be met.

14. Summary of issues and the planning balance

The Inspector, in the previous Appeal Decision considered that, “the proposed development would not provide acceptable living conditions for future occupants with particular reference to outdoor amenity space.” The appeal was dismissed due to the harm that the proposed outdoor amenity space would cause to the amenity of future occupants. The revised footprint, of the current proposal, allows for an area of outdoor amenity space which is of a size that would allow future occupiers to enjoy important outdoor activities. Subject to the removal of permitted development rights for outbuildings and extensions, the concern has been overcome.

In light of the content of the Appeal Decision, it is accepted that: the proposed dwelling, by reason of its design and positioning, would not harm the character of the area; the use of the proposed access, by vehicles that would be associated with the proposed dwelling, would not harm the residential amenity of the occupiers of existing dwellings, through a harmful increase in light or a harmful increase in noise; there would not be an overshadowing or overbearing effect, from the proposed and existing structures which would harm the amenity of the occupiers of the proposed and existing dwellings, due to the size, mass and positioning of the buildings; occupiers of the proposed and existing properties would not be subject to an overlooking effect, which would harm their residential amenity, due to the views that would be possible from openings and vantage points.

The purchasing of sufficient nitrogen credits would mitigate the effect that the nitrogen, of the proposed development, would have on the Poole Harbour SPA and Ramsar.

The proposal would not have a severe detrimental effect on road safety and would be served by a sufficient level of parking.

The proposal would comply with the development plan taken as a whole and there are no material planning considerations which suggest that planning permission should not be granted. In the absence of any material consideration which weighs against the proposal, it is recommended that planning permission should be granted.

15. Recommendation

GRANT subject to a S106, restricting the dwelling to self build, and the following conditions.

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

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

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

S-1616-01 B – Received 06/12/2024

PL-1616-200 E – Received 06/12/2024

PL-1616-201 F – Received 06/12/2024

PL-1616-202 C – Received 06/12/2024

PL-1616-203 B – Received 06/12/2024

PL-1616-205 A – Received 06/12/2024

ITB19370-GA-002 – Received 17/12/2024

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

3.The detailed biodiversity measures set out within the approved Preliminary Ecological Appraisal, certified by the Dorset Council Natural Environment Team on 13/02/2025, must be strictly adhered to during the carrying out of the development.

The development hereby approved must not be first brought into use unless and until:

i) the biodiversity measures detailed in the approved Preliminary Ecological Appraisal have been completed in full, in accordance with any specified timetable.

ii) evidence of compliance has been supplied to the Local Planning Authority.

The development shall subsequently be implemented entirely in accordance with the approved Preliminary Ecological Appraisal and thereafter the approved measures must be permanently maintained and retained in accordance with the approved details.

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

4.Before the development hereby approved is first occupied the first 5.00 metres of the vehicular access, measured from the nearside edge of the carriageway, including the visibility splays, shall have been laid out, constructed, and surfaced, to a specification which shall have been submitted to, and agreed in writing by, the Local Planning Authority.

Reason: In the interest of highway safety.

5.Prior to the commencement of any development, hereby approved, precise details of the visibility splay shall have been submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the development all land within the area of the visibility splays, apart from the two trees identified on drawing ITB19370-GA- to be retained, must have been cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. Thereafter, the visibility splay area must be maintained and kept free from obstruction in perpetuity.

Reason: In the interest of highway safety.

6.Before the development hereby approved is first occupied or utilised the turning and parking shall be constructed in accordance with the approved plans. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site in the interest of highway safety.

7. Prior to the commencement of any development hereby approved, above damp course level, details of all proposed means of enclosure, boundary walls and fences to the site, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

Reason: In the interests of the amenities of the area

8. Prior to development above damp proof course level, details and samples of all external facing materials for the walls and roofs shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development.

9. Prior to the commencement of any development hereby approved, above damp course level, a soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: In the interest of visual amenity.

10. No development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour Special Protection Area (SPA) and Ramsar have been secured from an accredited nutrient provider and a copy of the Nutrient Credit Certificate demonstrating that purchase, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour SPA and Ramsar.

11. Details of measures to limit the potential consumption of wholesome water use by persons occupying the new dwelling to 110 litres per person per day as measured in accordance with regulation 36 of the Approved Document for Part G2 of the Building Regulations 2010 (or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) shall be submitted to and approved by the Local Planning Authority before the dwelling is occupied. The submitted details shall include a water consumption calculation for the dwelling in accordance with the Approved Documents referred to above. The approved measures shall be implemented and maintained in accordance with the approved details thereafter.

Reason: To secure nutrient neutrality through effective mitigation in the interests of protected Habitat Sites

12. Plans and particulars showing the finished floor levels, related to ordnance datum or fixed point within the site, of the ground floor of the proposed building, (and as appropriate the closest adjacent building beyond the site) shall be submitted to, and approved in writing by

the Local Planning Authority and development shall not be commenced until these details have been approved, unless otherwise agreed in writing. All works shall be undertaken strictly in accordance with the details as approved.

Reason: In the interest of the character of the area.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargements of the dwellinghouse hereby approved, permitted by Class A of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: In the interest of residential amenity.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no garages, sheds or other outbuildings permitted by Class E of Schedule 2 Part 1 of the 2015 Order shall be erected or constructed.

Reason: In the interest of residential amenity.

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Application Number:	P/FUL/2024/07169
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land Adjacent Piddlehinton Enterprise Park Church Hill Piddlehinton
Proposal:	Permanent retention of gypsy & traveller transit site for 25no. caravans
Applicant name:	Dorset Council
Case Officer:	Cass Worman
Ward Member(s):	Cllr Haynes

1. Reason application is going to committee:

- Dorset Council owned land
- Dorset Council is applicant

2. Summary of recommendation:

GRANT subject to conditions

3. Key planning issues

Issue	Conclusion
Principle of development	The need and justification for a permanent transit site at this location has been satisfactorily demonstrated
Scale, design, impact on character and appearance	Acceptable within the context of the adjacent Enterprise Park
Impact on the living conditions of the occupants and neighbouring properties	Acceptable – site is not within a residential area
Flood risk and drainage	Acceptable – site at low risk of all types of flooding. Surface water runoff from the site drains naturally and infiltrates into the ground. No built development or impervious areas are proposed.
Highway impacts, safety, access and parking	No adverse impacts
Impact on trees	No adverse impacts
Biodiversity	Mitigation and Biodiversity Net Gain enhancements secured via conditions

Issue	Conclusion
Nutrient Neutrality	Waste from on-site portaloos is to be taken to Bournemouth Disposal Depot, therefore no increased inputs into the Poole Harbour Catchment

4. Description of site

The site lies to the southeast of the settlement of Piddlehinton on the southeastern edge of the Piddlehinton Enterprise Park. It is outside the Enterprise Park employment area boundary and the boundary of the Dorset National Landscape/Area of Outstanding Natural Beauty lies approximately 1.2km to the site's northwest.

The site formed part of a military camp during the Second World War. There were huts on the proposed development site at this time and these remained in place in 1972 but had been removed by 1997.

Due to the sites elevated and open position distant views of the site are possible from elevated sections the B3143 to the site's south and Rectory Road and Public Rights of Way to its west within the AONB. Middle distant and more open views of the site are possible from Public Rights of Way on the elevated northeast facing slopes of the River Piddle Valley to the site's south. Close views are possible from the byway to the sites east, though these views are filtered and screened by the existing scrubby woodland along the sites eastern boundary

5. Description of development

Permanent retention of gypsy & traveller transit site for 25no. caravans between 1st April and 30th September

This is an application for permanent retention of the gypsy and traveller transit site, following previous temporary permissions (P/FUL/2024/00163 and WD/D/20/001203) for a gypsy and traveller transit site in this same location.

6. Background and relevant planning history

1/D/12/000150 - Decision: NOB - Decision Date: 29/02/2012 To create a temporary gypsy and traveller site for a nine week period for the duration of the London Olympics 2012

1/D/12/000593 - Decision: NOB - Decision Date: 10/05/2012 Variation of Conditions 5 & 6 of planning permission 1/D/12/00150

1/D/2012/000150 - Decision: TEM - Decision Date: 16/04/2012 To create a temporary gypsy and traveller site for a nine week period for the duration of the London Olympics 2012

1/D/12/000593_1 - Decision: TEM - Decision Date: 20/06/2012 Variation of conditions 5 & 6 of planning permission 1/D/12/000150 - To create a temporary gypsy and traveller site for a nine week period for the duration of the London Olympics 2012

WD/D/14/000368 - Decision: NOB - Decision Date: 05/03/2014 To create a temporary gypsy transit site for three years including August 2016 for 25 caravans. To start March 2014 and end August 2016 inclusive for six months a year

WD/D/14/000368_1 - Decision: TEM - Decision Date: 05/06/2014 To create a temporary gypsy transit site for three years including August 2016 for 25 caravans. To start March 2014 and end August 2016 inclusive for six months a year.

WD/D/16/001217_1 - Decision: TEM - Decision Date: 01/08/2016 Variation of condition 2 of planning permission WD/D/14/000368 to allow for the continued use of the temporary transit site for up to a further three years, to end 31 August 2019, for six months a year.

WD/D/20/001203 - Decision: GRA - Decision Date: 26/03/2021 Create a temporary gypsy and traveller transit site for 3 years for 25 caravans to start 1st April 2020 and end 31st August 2023 inclusive for five months a year

P/FUL/2024/00163 - Decision: GRA - Decision Date: 16/04/2024 One year retention of gypsy & traveller transit site for 25no. caravans between 1st April and 30th September 2024

7. List of constraints

ENV 2; Natural England Designation - Nutrient Neutrality Catchments - Poole Harbour Nutrient Catchment Area; Poole Harbour - Distance: 0

Groundwater Source Protection Areas; LOWER MAGISTON - Distance: 0

Landscape Chara; Chalk Valley and Downland; Cerne and Piddle Valleys and Chalk Downland - Distance: 0

Wessex Water Treatment Works Catchment - Distance: 0

Wessex Water Risk of foul sewer inundation 2023 High Risk of Foul Sewer Inundation - Distance: 0

Wessex Water Sewage Treatment Works 2023 - Distance: 0

Existing ecological network (Polygons) - Distance: 0

Higher Potential ecological network - Distance: 0

Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

Minerals and Waste Safeguarding Area/ Waste Consultation Area - Name: PIDDLEHINTON; - Distance: 0

8. Consultations

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

Consultees

Piddle Valley Parish Council – No objection subject to conditions:

- the security arrangements are maintained
- site will not be in operation all year round
- conditions in the 2014 Management Plan are applied
- CCTV is operational and that Security should be required permanently when there are a minimum of 2 transits on site.

Chalk Valleys Ward member – no comments received

Environment Agency – no comment, application falls outside EA remit

Natural England – no objection, NE concurs with the Councils Appropriate Assessment dated 24 Feb 25

DC - Highways – no objection

DC - Gypsy & Traveller Liaison Officer - confirmation that transit site is still required to provide transit accommodation in the Dorset Council area

DC - Natural Environment Team – biodiversity plan certificate issued

DC - Dorset Waste Team – no details of storage/collection of waste provided

DC - Environmental Assessment – appropriate assessment provided concluding no likely significant effect subject to securing off-site disposal of waste

DC - Planning Policy – advice provided (summarised below) - the transit site would positively contribute to the need for transit accommodation in Dorset Council area

DC - Economic Development and Tourism – no objection

DC - Flood Risk Management – no objections and no recommendations re flood & drainage conditions

DC - Environmental Services – Protection – The site should assist in supplying basic amenity for those using the site, conditions recommended

Wessex Water - no comments received

Dorset Wildlife Trust - - no comments received

Ramblers Association - - no comments received

DC - Camping, Caravan and Park Home sites - no comments received

DC - Public Health Dorset - no comments received

DC - Asset & Property - no comments received

DC - Public Transport - no comments received

DC - Highways Asset Manager - - no comments received

DC - Rights of Way Officer - no comments received

DC - Minerals & Waste Policy - no comments received

DC - Trees (North West Weymouth) – no comments received

Representations received

None received

Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Within setting of Dorset National Landscape/Areas of Outstanding Natural Beauty (AONB boundary lies approximately 1.2km to the site's northwest): Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty)

9. Relevant policies

Development Plan

West Dorset, Weymouth & Portland Local Plan 2011-2031 Adopted October 2015

Relevant policies include:

- o INT1. PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
- o SUS2. DISTRIBUTION OF DEVELOPMENT
- o ENV1. LANDSCAPE, SEASCAPE AND SITES OF GEOLOGICAL INTEREST
- o ENV2. WILDLIFE AND HABITATS
- o ENV5. FLOOD RISK
- o ENV9. POLLUTION AND CONTAMINATED LAND
- o ENV10. THE LANDSCAPE AND TOWNSCAPE SETTING
- o ENV15. EFFICIENT AND APPROPRIATE USE OF LAND
- o ENV16. AMENITY

Piddle Valley Neighbourhood Plan 2018 to 2033, Made 10 May 2018

Relevant policies include:

- o Policy 6. Road safety concerns
- o Policy 7. Development outside development boundaries
- o Policy 10. Enterprise Park
- o Policy 12. The character and design of new development
- o Policy 13. External lighting

Material considerations

Emerging local plans:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Implications of current position for Local Plan:

The council did not seek a permanent planning permission for the transit site through the most recent applications (P/FUL/2024/00163 & WD/D/20/001203), because of work on the preparation of a new local plan.

Work on the Local Plan has been delayed; the current Local Development Scheme (March 2024) states that 'The Dorset Local Plan will be a new-style local plan prepared under the proposed reforms to the plan-making system.'

As such, as the local plan is delayed (adoption anticipated in May 2027), a permanent application for retention of the transit site is now made.

The draft local plan itself is at its early stages of preparation and therefore does not carry weight as a planning consideration when taking decisions on applications. The updated Local Development Scheme prepared for the February 2025 meeting of the council's Cabinet indicates 'The Dorset Council Local Plan will be taken forward under the current plan-making system.' The emerging strategy for meeting the area's needs for Traveller sites that is presented in the draft Dorset Council Local Plan will need to be reviewed (taking account of the responses to the consultation held in 2021, the latest GTAA published in 2022, the latest information on the delivery of sites in the emerging strategy and any further options for Traveller sites that might have arisen) as part of preparing a new style local plan.

Work on the Dorset Council Local Plan has subsequently been delayed. The amended Local Development Scheme, approved by a Dorset Council Cabinet Meeting 12th March 2024 states that '*The Dorset Local Plan will be a new-style local plan prepared under the proposed reforms to the plan-making system and outlines a new timeline for adoption of a new local plan, anticipated that Examination would take place in November 2026 with adoption in May 2027.*

The report to Cabinet 12th March 2024 also clarified that:

The Dorset-wide Gypsy, Traveller and Travelling Showpeople Site Allocations Joint Development Plan Document (DPD) which was being prepared by the former local planning authorities in Dorset, will no longer be taken forward. Any policies relating to, and allocations needed for, Gypsies, Travellers and Travelling Showpeople in the Dorset Council area will be included within the Dorset Council Local Plan.

The emerging strategy for meeting the area's needs for Traveller sites that is presented in the draft Dorset Council Local Plan will need to be reviewed (taking account of the responses to the consultation held in 2021, the latest GTAA published in 2022, the latest information on the delivery of sites in the emerging strategy and any further options for Traveller sites that might have arisen) as part of preparing a new style local plan.

Therefore, decisions on gypsy and traveller sites continue to be determined in accordance with National Planning Policy, with reference to Local Plan Policies INT1 and SUS2, and reference to Dorset and Bournemouth, Christchurch and Poole (BCP), Gypsy and Traveller Accommodation Assessment (GTAA) as outlined below.

Taking account of the baseline position at the point it was prepared, the GTAA indicates that there is a need for a transit site in Dorset and the emerging Dorset Council Local Plan includes a proposed allocation for a transit site at Piddlehinton.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. Proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the

benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' This outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 8 'Promoting healthy and safe communities'
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:
- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Planning policy for traveller sites – PPTS (August 2015 & updated December 2023)

<https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

Relevant chapters:

Policy A. Using evidence to plan positively and manage development

Policy B. Planning for traveller sites

Policy C. Sites in rural areas and the countryside

Policy H. Determining planning applications for traveller sites

Policy I. Implementation

Paragraph 3 of the PPTS states that the overarching aim of the policy is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

Annex 1 of the PPTS provides a glossary which notes that, for the purposes of the policy, "gypsies and travellers" means: "Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding

members of an organised group of travelling showpeople or circus people travelling together as such.”

The PPTS distinguishes between “pitches” for gypsies and travellers and “plots” for travelling show people, the differentiation being between residential pitches for gypsies and travellers and mixed-use plots for travelling showpeople, the latter potentially needing space for the storage of equipment. A further distinction is drawn between permanent and transit site accommodation needs. Definitions are not provided, but the Mobile Homes Act 1983 (as amended) defines “transit pitch” to mean: “... a pitch on which a person is entitled to station a mobile home ... for a fixed period of up to 3 months” and “permanent pitch” to mean: “a pitch which is not a transit pitch.” Paragraph 28 of the PPTS comments that planning objections to particular proposals may be overcome by various means including the use of planning conditions or planning obligations limiting the maximum number of days for which caravans might be permitted to stay on a transit site (PPTS, paragraph 28).

Dorset and Bournemouth, Christchurch and Poole BCP), Gypsy and Traveller Accommodation Assessment (GTAA) August 2022

<https://www.dorsetcouncil.gov.uk/-/gypsy-and-traveller-accommodation-assessment/update>

This assessment should be taken into consideration when taking decisions on planning applications for Travellers in Dorset Council area.

Gypsy and Traveller Land Availability Assessment

<https://www.dorsetcouncil.gov.uk/-/land-availability>

- o live data base

- o interactive mapping

Nitrogen Reduction in Poole Harbour, Supplementary Planning Document (April 2017)

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024 (extended to end of 2025 with the agreement of Dorset Council Cabinet 17/12/2024)

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

10. Human rights

Article 6 - right to a fair trial.

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

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

11. Public Sector Equalities Duty

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

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

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

Having considered the information provided by the applicant, consultation responses, other representations made about the application and relevant planning policies, Officers are satisfied that the proposed development would:

- (i) help to advance equality of opportunity;
- (ii) assist in fostering good relations; and
- (iii) have no material adverse impact on individuals or identifiable groups with protected characteristics.
- (iv) the protected character of race includes Gypsy and Travellers.

The proposed development would have a beneficial impact upon a group with protected characteristics by provision of the transit site.

12. Planning Assessment

Financial Benefits – n/a

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

Environmental implications

- The site is at low risk of flooding
- The application site is outside the AONB
- The site is outside any defined settlement boundaries
- Management, protection & enhancement of on-site green infrastructure (hedgerows and trees) is outlined in the BNG documents and certified Biodiversity Plan & which would be secured by means of planning conditions.

Principle of development

The site has been used as part of the Council’s strategy for meeting the accommodation needs of gypsy and travellers. In particular, a transit site is required in those instances where the Police use their powers pursuant to section 62A of the Criminal Justice and Public Order Act 1994 to direct trespassers to leave land and remove any vehicle and property from the land, which can only be triggered if a transit site or temporary stopping place is made available within a specific local authority area.

The latest assessment around the need for Traveller sites in Dorset is presented in the GTAA that was published in October 2022. The assessments in the GTAA relate to the 15 year period between 2022 and 2037 and are based upon:

- supply of pitches (taking account of planning permissions where it is likely that pitches will be delivered within 5 years and vacant pitches)
- current need (taking account of unauthorised development, concealed/overcrowded households, Traveller households currently living inappropriate accommodation and Traveller households on the waiting lists for public sites)
- future need (taking account households with teenage children who are likely to need accommodation in the next five years, Traveller households living on site with temporary planning permission, new Traveller households that are likely to be formed and Traveller migration into the area)

In total the latest assessment of Traveller sites in Dorset as demonstrated in the GTAA shows a need for 153 pitches, 16 plots and a 25 pitch transit site

In respect to transit sites the GTAA goes states that:

There are currently 2 public transit sites in Dorset. The site at Piddlehinton has temporary permission for 25 transit pitches which expires in August 2023 (although it is currently closed due to COVID). There is also a seasonal transit site that operates for the Great Dorset Steam Fair which has 100 pitches. (Paragraph 1.28).

And:

As a result of the permanent and seasonal transit provision that is already in place in Dorset, the existence of private transit pitches on some sites in Dorset, and historically low numbers of encampments, it is not recommended that there is a need for any additional transit provision in Dorset at this time. (Paragraph 1.29).

The Council does not actively or regularly monitor unauthorised encampments, but it does complete desk top assessments of its planning and planning enforcement records as part of government returns relating to Travellers. The latest GTAA was published in October 2022 (the baseline date for the data used for the forecasting in the GTAA is January 2022), and since its publication there are no records of the council opening any new planning enforcement cases in respect to 'encampments' for Traveller sites during 2024. Nor has the Council granted any planning permissions for any private or public transit sites for Travellers during 2024.

Use of the application site

Since the 2020 application, use of the transit site has been recorded by the DC - Gypsy & Traveller Liaison Officer; details are not routinely kept as to the number of vehicles/people who use the transit site, just the dates that it is in use:

2021 - Total of 8 nights use

7th March 2021 - 7 nights use (relocated from Weymouth)

29th July 2021 - 1 night use (relocated from Weymouth)

2022 - Total of 18 nights use

6th March 2022 – 11 nights use (approx. 12 caravans, relocated from Ferndown)

17th July – 7 nights (approx. 12 caravans, relocated from Weymouth)

2023 - Total 33 nights

8th June – 7 nights (3 caravans, relocated from Weymouth)

25th June – 6 nights (5 caravans, relocated from Weymouth)

26th June – 1 night (7 caravans, relocated from Weymouth)

21st July – 11 nights (approx. 7 caravans, requested transit site be made available)

10th August – 8 nights (3 caravans, relocated from Weymouth

2024 – 0 use

Consideration of justification

National policy and the GTAA recognise that as a matter of principle transit sites may be required to provide temporary accommodation for Travellers whilst working, holidaying, or visiting family in an area. The GTAA shows a resident population of Travellers in Dorset and a need for further permanent pitches and plots which has grown since the last assessment (2017). This resident local population, together with patterns of seasonal working and holidaying connected with Traveller culture, means that there is likely to be a continuing demand for transit site pitches for Travellers in Dorset. The seasonal nature of the proposed use reflects the demand for pitches between early spring (April) and early autumn (September) and patterns of movement connected with working and holidaying.

The above record of use of the Piddlehinton Transit Site demonstrates an ongoing need for such a facility to be provided during this seasonal period. It should also be noted that every year there are number of instances in the Dorset area where Section 62 Notices are served for unauthorised encampments, but the transit site is not subsequently used:

In 2024, 9 Section 62 notices were served, but subsequently the transit site was not used/not required.

It remains very important for a transit facility to be available should the community require it following serving of a Section 62 notice.

It has been previously suggested that a transit site is more appropriately located in in the Bournemouth, Christchurch and Poole (BCP) area. BCP Council is considering a transit site allocation alongside the existing provision in Dorset. The neighbouring council's approach to this issue in their emerging local plan does not mean that there is not also a need for a transit site for Travellers in Dorset Council area.

It should be noted as demonstrated by the records held by the DC - Gypsy & Traveller Liaison Officer as above, that the majority of use of the Transit site flows from the Weymouth area, and therefore a site in the BCP area would not meet the needs of the community in the same way as the Piddlehinton site.

Taking account of the baseline position at the point it was prepared, the GTAA indicates that there is an ongoing need for a transit site in Dorset, and the figures above showing the actual use of the site 2021-2024 support this requirement. Therefore, the ongoing need to provide a transit site is considered to be justified

13. Summary of issues and the planning balance

Location

Local Plan Policy SUS2. Distribution of development (states that: 'Development will be distributed according to the following settlement hierarchy, with a greater proportion of development at the larger and more sustainable settlements.'

It is acknowledged that the site lies outside the development boundaries, however Policy SUS2 clarifies that sites for gypsies, travellers and travelling showpeople are a scenario where development outside development boundaries are acceptable in principle.

The proposal is for a seasonal transit site where occupiers are expected to stay for short periods whilst visiting the area. The range of services and facilities that occupiers of a seasonal, transit site would need to access during these visits is likely to be more limited when compared to permanent residential pitches or plots. The use of the site as demonstrated by records summarised above, indeed shows this to be the case, stays being short in duration. Therefore

the rural location outside a defined settlement boundary is considered to be acceptable in principle.

The application is made for a maximum number of 25 caravans for 6 months of the year; in Officer opinion, this scale of development is unlikely to dominate the nearest settlement, nor place an undue pressure on local services. No representations have been received that use of the transit site negatively impacts on local services/resources etc

Therefore the proposals are considered to be in accordance with SUS2 of the local Plan and National Planning Policy for traveller sites taking into account the justification presented above and the proposed location of the Transit site meeting the needs of the community.

Landscape

No operational development by way of hard surfacing, tracks or access ways are proposed. No removal of vegetation or trees is required for the proposed use. Caravans are positioned between existing vegetation, for the short periods of time they are on the transit site. A detailed assessment of the landscape implications of the proposals was provided by the DC – Senior Landscape Architect in their report dated 12 March 2024 for the previous application.

They summarised that the existing development within the Enterprise Park already has an adverse visual impact on the visual amenity of receptors at a number of surrounding viewpoints and acknowledge that the temporary presence of caravans, associated vehicles and domestic activity is likely to have a cumulative effect adding to and increasing the existing adverse landscape and visual impact the Enterprise Park has on the landscape.

They suggested that protection of existing tree & hedge planting, in combination with further mitigation by way of additional tree planting is desirable to ensure that the use of the transit site does not result in significant adverse cumulative impacts on the landscape. These additional enhancements & planting were and will be again secured via adherence to the certified Biodiversity Plan. BNG enhancements would also be secured via planning conditions

Taking into consideration the temporary and sporadic nature of the use of the site, it is considered that the proposals would not significantly detract from the local landscape character, and is therefore in accordance with Local Plan Policy ENV1.

Highways

The application has been assessed by the Council's Highways Engineer, who confirms that roads leading into Enterprise Park from the B3143 are private and are not highway maintained at public expense. They found the proposals to result in no unacceptable impact on highway safety, and therefore have no objection to the proposals.

Flooding

Overall, the flood risk to the site is very low: - Published flood mapping indicates that the site is outside of the mapped fluvial flood extents, and therefore the flood risk from fluvial flooding is considered to be very low.

- The flood mapping also indicates that the site is outside of the mapped surface water flood extents. Therefore, the flood risk from surface water flooding is considered to be very low.

- The risk of groundwater emergence mapping indicates that the site is in an area of low risk of groundwater emergence. It is proposed that the surface water runoff from the site drains naturally and infiltrates into the ground.

No built development or impervious areas are proposed, and therefore no formal surface water drainage is required. The LLFA have confirmed no objections to the proposed scheme and no drainage related conditions are required.

Nutrient Neutrality

In order to address the potential additional nutrient loading from the proposed development is within the Poole Harbour Hydrological Catchment, the applicant has ensured that the foul waste from the site would be taken to a waste treatment works which is outside of the Poole Harbour catchment. The waste from the site will be treated at the Holdenhurst Waste Water Treatment Works which is located outside the Poole Harbour catchment. This will address the nutrient discharge from the 6 months of operation of the transit site each year.

A method statement from the Waste Disposal company (GAP Ltd) has been provided which outlines the arrangements for collection & waste disposal, and outlines how drivers/operators are and would be made aware of the arrangements via Toolbox Talks and briefing meetings.

Natural England have no objection to the proposed scheme on water quality and nutrient neutrality grounds, on the proviso that the waste disposal arrangements are secured.

A condition is proposed which is worded such that when/if the Waste Disposal company servicing the site changes (currently GAP Ltd), details of the new provisions are submitted to and approved in writing by the LPA to ensure that the waste continues to be taken outside of the Poole Harbour Hydrological Catchment for disposal.

Amenity

There is not considered to be any significant harm to neighbouring residential amenity, the site is not within a residential area, nor close to any residential dwellings. Officers have not been made aware of any complaints from local residents resulting from the use of the transit site.

Other Matters

Environmental Health Officers re-submitted their comments from previous applications re provision of drinking water, waste disposal arrangements etc – arrangements are as previously, and the site is managed by Council staff whilst it is in use.

14. Conclusion

- The proposals are considered to be in accordance with the Development Plan taken as a whole, and there are no material considerations that indicate otherwise. The proposal is also in accordance with National Planning Policy for traveller sites taking into account the justification presented and the proposed location of the Transit site meeting the seasonal accommodation needs of gypsies and travellers.
- A waste disposal methodology ensures that the use of the site has no significant effect on the Poole Harbour Catchment with regards to nutrients.
- The visual impact is considered to be acceptable within the context of the adjacent Enterprise Park
- Biodiversity mitigation & enhancement, and new planting is secured via BNG conditions and the certified Biodiversity Plan
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

15. Recommendation: Grant, subject to the following conditions:

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

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

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

24/90/1 Location and block plan

Poole Harbour Catchment Map TIN207

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

3. The use of the land shown edged red on the approved plans ref 24/90/1 dated November 2023 as a caravan site shall proceed in strict accordance with the GAP Group Ltd correspondence & methodology, received 13.02.2024 and 04.03.2024, namely that all toilet waste collected from the site shall only be disposed at Wessex Water's Holdenhurst Sewage Treatment Works, Bournemouth.

Prior to a new/different waste operator managing the site, details of the new waste management contractor, including a detailed operational methodology shall be submitted to and agreed in writing by the Local Planning Authority, detailing arrangements for toilet waste to be disposed of outside the Poole Harbour Nutrient Catchment (as shown on approved plan Poole Harbour Catchment Map TIN207), and thereafter the site shall be managed & waste disposed of in strict accordance with the details agreed

Reason: To mitigate for the potential for adverse impact on the Poole Harbour Special Protection Area

4. The use of the land shown edged red on the application site location & block plan, Plan Number 23/96/1 dated November 2023 as a caravan site shall be managed as a local authority transit site for occupation by gypsies and travellers only. For the purposes of this permission, the term "gypsies and travellers" shall be taken to mean persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Reason: To regulate the use of the site

5. Occupation of any caravan stationed on the application site shall be limited to persons of nomadic habit falling within the definition of travellers set out in Planning Policy for Traveller Sites (Department for Communities and Local Government, August 2015) including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age or more localised pattern of trading have ceased to travel temporarily.

Reason: To regulate the use of the site

6. Not more than 25 caravans shall be stationed on the application site at any one time.

Reason: To regulate the use of the site

- 7.No caravan shall be stationed on the application site outside of the land shown edged red on the application location & block plan, Plan Number 24/90/1 dated November 2023, and no part of the application site shall be used for the stationing of caravans outside of the period 01 April and 31 August in any year.

Reason: To regulate the use of the site

- 8.The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 17/01/2025 must be implemented in accordance with any specified timetable and completed in full (including photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan). The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

- 9.The development shall not be commenced until a Habitat Management and Monitoring Plan (the HMMP) has been prepared in accordance with the approved Biodiversity Gain Plan and submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:

i) A non-technical summary;

ii) The roles and responsibilities of the people or organisation(s) delivering the HMMP;

iii) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan and a timetable for implementation;

iv) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of the habitat and enhancement works as set out in the HMMP.

v) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority.

Thereafter the development shall be carried out, along with the management and monitoring of habitat, in accordance with the approved HMMP.

Reason: In the interests of biodiversity to secure the monitoring and management of significant onsite habitats.

- 10.Notice in writing shall be given to the Local Planning Authority within one month of the habitat creation and enhancement works as set out in the approved HMMP having been completed. The notice shall include a completion report evidencing the completed habitat enhancements.

Reason: In the interests of biodiversity to secure the monitoring and management of significant onsite habitats.

Informative Notes:**1. Informative: National Planning Policy Framework Statement**

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

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

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

Application Number:	P/FUL/2025/01150
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Site outside / fronting 11 South Street Dorchester
Proposal:	Erect a statue of Sylvia Townsend Warner, information board & associated foundations
Applicant name:	Mr Joe Doak
Case Officer:	Jane Green
Ward Member(s):	Cllr Canning and Cllr Fry

1. Reason application is going to committee:

The application is to be heard at committee, in line with the Council's adopted scheme of delegation, as the application site is within Dorset Council ownership.

2. Summary of recommendation:

GRANT subject to conditions as set out at the end of this report

3. Key planning issues

Issue	Conclusion
Principle of development	The principle of public art is acceptable.
Scale, design, impact on character and appearance	The statue is life-size and appropriate in terms of scale and appearance
Impact on the living conditions of the occupants and neighbouring properties	No significant impact.
Impact on landscape or heritage assets	No harm to the setting of heritage assets
Economic benefits	There is the potential for visitors to the statue to spend money in the town's shops, cafes and facilities
Highway impacts, safety, access and parking	No unacceptable impact
Environmental Implications	No significant implications

4. Description of site

The site of the proposed bench/statue is in South Street where an existing pair of benches are sited outside the department retail store, Goulds. South Street is a pedestrian street located in the Dorchester Town Centre within the Primary Shopping Frontage. The site is also within the designated Conservation Area and there are a number of listed buildings, the nearest being NatWest bank approximately 30m away, with the others further to the north and further to the south of the site.

5. Description of development

The proposal sees the removal of the existing north bench and works to install a new bench with the erection of the statue and associated works. The statue will be life-size and will measure 1.28 metres in height. The statue will be cast in bronze, mounted on a square 8mm thick plate measuring 800mm by 800mm attached to a 50mm stainless steel box section of the same size. This will be anchored to the ground by a concrete sub-base measuring approximately 900mm by 900mm and sunk into the ground to a depth of 500mm. The sculpture will be fixed to the concrete sub-base by stainless steel studding. The statue will be designed so that it is perched above the bench and will remain entirely independent of it so that if it ever needs to be replaced the sculpture will remain unaffected.

The bench will measure 1.8m by 1.28m by 0.62m and of a cast iron framed seat with hardwood slats.

The information board will be of a metal frame and supports and will measure 84cm by 59cm with the bottom edge of the board being placed at 75cm about ground level. It will be located in the gap between the two benches.

6. Background and relevant planning history

No relevant planning history but it is worth a short explanation on how the proposal came about. Information taken from the submitted Planning, Sustainability and Heritage Statement.

Sylvia Townsend Warner was a writer and poet whose career spanned six decades. She is a contemporary of writers such as Virginia Woolf and Djuna Barnes, but her name is rarely mentioned. Her contributions have already been honoured by University College London, which facilitated the formation of the Sylvia Townsend Warner Society in 2000. Townsend Warner's personal life was just as remarkable as her literary achievements. She spent most of her adult life in West Dorset with poet Valentine Ackland, her long-term partner. At a time when same-sex relationships were heavily stigmatised, their partnership defied societal expectations, positioning both Townsend Warner and Ackland as pioneers for LGBTQ+ visibility and acceptance.

During 2023/24 Visible Woman UK ran a campaign and competition to celebrate local women from the past whose contributions had been overlooked. Following a public vote, Sylvia Townsend Warner was selected to be honoured with a statue to enrich Dorchester's literary and visual heritage. As Sylvia was an avid cat lover and often photographed with her feline

companions it was felt fitting to include a cat in the sculpture modelled on the famous 'Susie the Cat'.

The statue is to be sculpted by Denise Dutton who created the Mary Anning statue in Lyme Regis.

7. List of constraints

Application is within Dorchester conservation area

Within the defined development boundary

Within the Town Centre Area

Within the Primary Shopping Frontage

Within the Primary Shopping Area

Public Right of Way: Footpath S2/4; - Distance: 31.73

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

Scheduled Monument: Part of Roman, Saxon, and medieval town in grounds of Wollaston House (List Entry: 1002384.0); - Distance: 122.81

Scheduled Monument: Dorchester Roman walls (List Entry: 1002449.0); - Distance: 182.64

Scheduled Monument: Outer defences of Roman town, W of St Genevieve's Convent (List Entry: 1002380.0); - Distance: 237.86

Scheduled Monument: Colliton Park Roman house (List Entry: 1002721.0); - Distance: 464.73

Radon: Class: Class 1: Less than 1%

8. Consultations

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

Consultees

1. DC - Rights of Way Officer – No comments received

2. DC – Highways – No objection

3. DC - Conservation Officers – No comments received

4. P - Dorchester Town Council – No comments received

5. Ramblers Association – No comments received

6. W - Dorchester West 1 – No comments received

7. W - Dorchester West 2 – No comments received

8. DC - Asset & Property – No comments received

Representations received

Total - objections	Total - No objections	Total - comments
6	79	85

Summary of comments of objections:

- Position of statue would be better by the town pump, which is a nicer, more prominent position rather than outside a department store
- Makes no sense in this location. Should be in garden of the author's home.
- Waste of money
- Not needed
- Not relevant to Dorchester and author's work is not well known enough to warrant this honour
- Trip hazard

Summary of comments of support:

- Worthy contribution to the welcoming and open nature of Dorchester
- Recognises a major writer whose significance is recognised more widely every year – her stories are of local and global importance and Dorchester should be proud to host this statue
- Would bring history and create engagement, reflection and learning opportunities into a communal space
- Interactive proposal, inspiring, focal point for the community
- Will enhance the town centre, will be an attraction to tourists/visitors and is well-designed and a benefit to Dorchester

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Section 66 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

Adopted West Dorset and Weymouth & Portland Local Plan:

The following policies are considered to be relevant to this proposal:

INT1: Presumption in favour of sustainable development
 ENV1: Landscape, seascape & sites of other geological interest
 ENV2: Wildlife and habitats
 ENV4: Heritage assets
 ENV10: The landscape and townscape setting
 ENV12: The design and positioning of buildings
 ENV13: Achieving High Levels of Environmental Performance
 ENV14: Shopfronts & advertisements
 ENV16: Amenity
 SUS2: Distribution of development
 ECON4: Retail and town centre development
 ECON5: Tourism attractions and facilities
 COM7: Creating a safe & efficient transport network
 DOR3: Dorchester Roman town area

Material considerations

Emerging local plans:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Neighbourhood plans

None

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. Proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment' - In National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment' - Paragraph 212 says that when considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Other material considerations

National Planning Practice Guidance:

Design: process and tools 01 October 2019 Guidance

Historic environment: 23 July 2019 Guidance

Town centre and retail: 18 September 2020 Guidance

Supplementary Planning Guidance:

West Dorset District Council Design and Sustainable Development Planning Guidelines
Adopted February 2009

Dorchester Conservation Area Appraisal Adopted July 2003

Dorchester Town Council policy statements:

Dorchester Heritage Tourism Strategy (2020)

Dorchester Town Council Community Implementation Plan (2023-28)

Dorchester Town Council Corporate Plan (2025-29)

All of Dorset:

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

11. Human rights

Article 6 - right to a fair trial.

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

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. Public Sector Equalities Duty

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

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

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning

application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

It is not considered that the proposal will disadvantage any persons with certain protected characteristics and any persons with disabilities or mobility impairments or pushing buggies are accommodated and access for all remains.

13. Planning Assessment

Principle of development

The principle of public art is acceptable. Paragraph 135 of the NPPF encourages development that is sympathetic to local character and history, establishes a strong sense of place and create places that are safe, inclusive and accessible and which promote health and wellbeing. Policy ENV10 of the Local Plan states new development should make a positive contribution to local distinctiveness and incorporates features that would enhance local character, including public art.

Scale, design, impact on character and appearance

The statue is to be life-sized and the according to the submission will be very detailed and a true representation of the subject. It will be of bronze composition and of the highest quality in design. The sculptor is Densie Dutton who is widely known for her representation of Mary Anning located in Lyme Regis which is now regarded as a tourist attraction with many visitors a year enjoying the piece.

Whilst art is subjective it is considered the sculpture has an historical relationship with the area and would contribute positively to local identity and distinctiveness.

As such the proposal would enhance local character and would be a positive focal point and would active addition to the sense of place.

Impact on the living conditions of the occupants and neighbouring properties

It is considered the proposal will not have an unacceptable impact on amenity of neighbouring properties and in fact it is hoped it will have an impact in terms of increased footfall to the town and in turn to the retail shops and cafes and other facilities of South Street and the rest of Dorchester.

Impact on landscape or heritage assets

The site lies within the Dorchester Conservation Area and two listed buildings lie approximately 5m (number 10 South Street) and 15m (numbers 7-9 South Street, as a group) to the north of the bench on which the statue is proposed to be located. 10 South Street is a Grade II* 18th century building which was the house of the Mayor of Casterbridge in Hardy's novel of that name. 7-9 South Street consists of three three-storey 18th century properties with grey and red

brick fronts above modern shops and these are Grade II listed. On the west side of South Street approximately 30m from the site is the NatWest Bank, a late 19th century Grade II building dressed in Ashlar Bath stone. Other listed buildings on South Street lie at some distance from the site to the north and south.

The statue is not considered to detract from the setting of the heritage assets, the proposal is justified and there are public benefits to be gained. As such it is considered that policy ENV4 of the Local Plan is adhered to.

In the absence of any other issues or concerns having been raised to the contrary it is considered that therefore the proposal would not result in any harm to the Conservation Area nor the setting of listed buildings. This conclusion has been reached having regard to: (1) section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Highway impacts, safety, access and parking

The proposed statue is to be located where an existing public bench is sited. The current bench is to be replaced with the statue placed on it (but slightly separated so the bench could be replaced if needed in the future). The existing bench to the south is to be retained. As there is little difference to that which exists in terms of street furniture, it is not considered that the proposal will introduce any significant obstruction. This part of the pedestrian area is wider due to the Goulds building and the adjacent bank being set back further than the other properties which further mitigates the situation. The area is also well lit with streetlights and lights projecting from the retail shops at night.

The proposed information board is to be located between the two benches so again this is not considered to introduce any new obstacles in the street.

Noting the subject will be sitting down it is considered this will provide further inclusivity as wheelchair users and people with mobility issues may well find the statue more accessible than usual standing pieces.

Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits.

Material considerations

There is the potential for visitors to the statue to also frequent the shops, cafes and facilities of the town which would enhance the local economy.

Non-material considerations

Public art can contribute to the sense of place and local identity and can educate and inspire audiences and can create social awareness and improve well-being.

Environmental implications

No significant implications

14. Summary of issues and the planning balance

Noting the significant public support for the statue and for reasons as set out above, the proposal is considered to accord with all relevant policies of the West Dorset, Weymouth & Portland Local Plan, in particular policy ENV10 and the paragraph 135 of the National Planning Policy Framework and is recommended for approval with conditions. The proposal would comply with the development plan, taken as a whole, and there are no material considerations that indicate otherwise.

15. Recommendation

GRANT of planning permission subject to:

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

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

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

PP-13671395v1 Location plan
12 February 2025 Site plan
0.1 Statue Specification Overall Dimensions
0.2 Statue Specification Ground Fixings

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

Informative Notes:

1. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one

or more of the statutory exemptions or transitional arrangements in the list below are considered to apply.

- Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Read more about Biodiversity Net Gain at <https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

2. Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

- (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

- (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

- 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;

- ii) planning permission is granted which has effect before 2 April 2024; or

- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

- 4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

- 4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the

dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

3. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

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

In this case:

- The application was acceptable as submitted and no further assistance was required.