



Eastern Area Planning Committee

Date: Wednesday, 19 November 2025
Time: 10.00 am
Venue: The Allendale Centre, Hanham Road, Wimborne, Dorset, BH21 1AS

Members (Quorum: 6)

David Tooke (Chair), Duncan Sowry-House (Vice-Chair), Alex Brenton, Toni Coombs, Beryl Ezzard, Scott Florek, Spencer Flower, Barry Goringe, Hannah Hobbs-Chell, David Morgan, Julie Robinson and Andy Skeats

Chief Executive: Catherine Howe, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic & Governance Services Meeting Contact joshua.kennedy@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. If you would like to attend this meeting and have any specific requirements please contact the Democratic Services Officer named above.

For easy access to all the council's committee agendas and minutes download the free public app called Modern.Gov for use on any iPad, Android, and Windows tablet. Once downloaded select Dorset Council.

Agenda

Item	Pages
1. APOLOGIES	
To receive any apologies for absence	
2. DECLARATIONS OF INTEREST	
To disclose any pecuniary, other registrable or personal interest as set out in the adopted Code of Conduct. In making their decision 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	5 - 10

To confirm the minutes of the meeting held on 08 October.

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 Monday 17 November 2025.

5. P/FUL/2022/07955 - LAND AT STEPPING STONES FIELD, STOBOROUGH 11 - 44

Erection of 9 dwellings (Use Class C3), including access, drainage, landscaping and associated infrastructure.

6. 6/2020/0013 - LAND AT WHITE LOVINGTON, BERE REGIS, BH20 7NF 45 - 86

Erect 17 No. dwellings, create an access and associated parking and landscaping.

7. P/FUL/2024/06961 - LANGTON HOUSE, DURNFORD DROVE, LANGTON MATRAVERS, BH19 3HG 87 - 114

Erect 2 no. semi-detached 3-bed holiday cottages and site 2 no. shepherd huts and associated parking provision (sui generis commercial leisure accommodation).

8. P/VOC/2025/05153 - MOONE HOUSE, VALLEY ROAD, HARMANS CROSS, SWANAGE, BH19 3DZ 115 - 128

Single storey side extension, extend existing room in roof space, alter existing dormers (with variation of condition 1 of planning permission P/HOU/2023/02368 to agree revised fenestration, an increase in height of the parapet to the larger flat roof dormer and alterations to internal layout. There is no increase in the size of first floor windows, or footprint of the proposed work).

9. P/FUL/2025/05198 - THE FOCUS CENTRE 107 HIGH STREET SWANAGE BH19 2NB 129 - 138

Alterations to windows and external doors.

10. 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.

11. EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph x of schedule 12 A to the Local Government Act 1972 (as amended). The public and the press will be asked to leave the meeting whilst the item of business is considered.

There are no exempt items scheduled for this meeting.

This page is intentionally left blank



EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 8 OCTOBER 2025

Present: Cllrs David Tooke (Chair), Duncan Sowry-House (Vice-Chair), Toni Coombs, Beryl Ezzard, Scott Florek, Spencer Flower, Barry Goringe, David Morgan, Julie Robinson and Andy Skeats

Apologies: Cllrs Alex Brenton and Hannah Hobbs-Chell

Also present: Cllr Andrew Starr

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

Elizabeth Adams (Development Management Team Leader), Kim Cowell (Development Management Area Manager (East)), Joshua Kennedy (Democratic Services Officer), Hannah Massey (Lawyer - Regulatory), Megan Rochester (Senior Democratic & Governance Services Officer), Naomi Shinkins (Lead Project Officer), Thomas Whild (Lead Project Officer) and Louis Wicks (Democratic Services Officer Apprentice)

47. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

48. Minutes

The minutes of the meeting held on 24 September were confirmed and signed.

49. 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.

50. 6/2021/0282 - Land east of Wareham Road Lytchett Matravers

The Lead Project Officer presented the application for the residential development of a site comprising 95 dwellings. The application site was identified as being located to the south of Lytchett Matravers village and north of Glebe Road. The extent of the site was outlined on a map. Photographs were shown of the site frontage along Wareham Road, including existing trees and hedgerows. It was noted that there were existing bus stops along Wareham Road and access to the site would be from Wareham Road. Some wetlands were present within the site.

It was explained that the site had been allocated under Policy H06 of the Local Plan. The proposed development included a mix of dwellings and open space and house types ranged from one to five-bedroom dwellings, with their distribution across the site illustrated. Plans of house types and photographs of similar existing developments were presented, along with an indicative street scene and a rendered image of the site entrance.

The Lead Project Officer noted that the application had received 249 objections from members of the public. Concerns raised included highway safety, infrastructure impact, flood risk, and design. Two comments of support were received. No objections were raised by statutory consultees, although Lytchett Matravers Parish Council had submitted an objection.

Officers considered that the principle of development was acceptable as the site complied with Policy H06, which allocated the site for approximately 95 homes and contributed to housing land supply. Although the site was not allocated in the Neighbourhood Plan, it was deemed to meet the relevant planning policies.

The proposed development would provide 40% affordable housing. The tenure mix had been modified due to increased building costs and other factors. The revised mix included 10% social rent, 40% affordable rent, and 50% shared ownership and the final mix was to be agreed between the applicant and the Dorset Council Housing Officer.

Third-party concerns regarding traffic congestion and highway safety had been noted, but no objections were raised by the highways authority, subject to conditions. The road layout allowed for informal on-street parking and compared favourably with Dorset Council guidance. Highway and footpath widening improvements were also required by condition prior to the occupation of the development.

It was explained that the proposed layout and design broadly complied with the Neighbourhood Plan and that a landscape strategy plan had been submitted and amended following consultation with DC Urban Design Officers. Additional landscaping details were to be secured via condition. The Tree Officer had raised concerns regarding an Oak tree and recommended a condition to remove permitted development rights for the affected dwellings.

In order to mitigate against amenity impacts, side-facing dwellings were designed to avoid windows on side elevations or to incorporate obscure glazing. Separation distances were considered acceptable. Plot 32 had also been repositioned and rotated to reduce its impact.

The site was located within Flood Zone 1, however the Dorset Council Lead Flood Authority had raised no objections, subject to conditions and the flood strategy was deemed to comply with Policy E4 of the Purbeck Local Plan.

Ms Pickard and Ms Small spoke in objection to the application. Their concerns included the impact on neighbouring amenity, as a result of overlooking and additional traffic movements. They requested that the committee look into

conditioning additional screening by way of a buffer, to mitigate against overlooking onto existing properties on Glebe Road.

Mr Hoskinson spoke as the agent for the application. He noted that the development would be in keeping with the surrounding area and stand the test of time, with a sensitive design. The development would also provide energy efficient homes to the area.

Cllr Starr spoke as a local Ward Member and requested that the committee look into local infrastructure to ensure that children could access the local school safely.

Officers provided the following responses to members questions:

- The associated SANG served three separate sites and was outlined in the Local Plan under policy H6.
- Allotments were not required for the site in the Local Plan.
- There was existing hedging on the border with Glebe Road and some additional planting was included in the application.
- Highway improvements were proposed as part of the application, including widening the footpath to 2m.
- Any chimneys would be serve a decorative purpose only.
- A condition was included to require more details about landscaping to be submitted.

It was proposed by Cllr Flower and seconded by Cllr Sowry-House, that the application be granted as per the officer's report.

Decision: That the application be granted subject to the conditions set out in the appendix to these minutes and the completion of a legal agreement

Or, if no agreement is completed then refuse for failure to secure the necessary obligations as set out in the appendix to these minutes.

51. 620190639 - Land North of West Lane, Stoborough, Wareham

The Lead Project Officer presented the outline application for the development of 15 residential dwellings, with all matters reserved apart from access from West Lane. The presenting officer noted that the agent had identified an error in paragraph 5.4 of the report, which referenced a previously proposed pond that did not form part of the proposed scheme, however this did not affect the officer's recommendation or the proposed conditions.

It was explained that in August 2021, the Eastern Area Planning Committee had resolved to grant planning permission subject to a planning obligation. However, following the publication of new guidance by Natural England, planning permission could not be issued at that time. Since then, the Purbeck Local Plan had been adopted in 2024, requiring the application to be reassessed against the new policy framework.

The officer, using aerial photographs and maps, provided context for the application site, which was located on the northern side of West Lane and outside

the settlement boundary of Stoborough. The site was shown in relation to Wareham, with a Suitable Alternative Natural Greenspace (SANG) located to the west. Photographs of the site were shown from various viewpoints, including views beyond the site boundary and along West Lane.

The proposal included 15 dwellings, with the applicant's parameter plan indicating the area designated for residential development and land to the north proposed for tree planting. An illustrative master plan was presented, showing a mix of dwelling types and sizes. The plan included six affordable housing units on site.

The proposed access remained unchanged from the previous consideration. Although West Lane currently lacked a pedestrian footpath, the plans included provision for a new pedestrian route, which would be secured by condition.

The site was located within Flood Risk Zone 1 and a surface water flooding map was shown, confirming that the site was not directly affected by surface water flooding. It was explained that nutrient neutrality would be achieved through a combination of temporary credits and land use change.

The Lead Project Officer summarised the key issues. These remained largely unchanged from the previous decision and were now supported by Policy H8 of the adopted Local Plan. Updated biodiversity surveys had also been submitted by the applicant.

Mr Miller spoke as the agent for the application, he noted that the applicant had worked over the past 12 months to reach an agreeable solution for nitrogen mitigation and that the applicants objective was to provide as many affordable homes as possible.

In response to members questions the Lead Project Officer provided the following responses:

- A new s106 planning obligation would be created that would supersede the original, however it would capture all the information that was included in the original legal agreement.
- As the application was outline only, an informative note could be included to advise that additional parking is provided for the 6-bedroom dwellings, rather than a condition.
- Surface water flooding did not impact the application site and a condition required the surface water management plan to be submitted for approval.

It was proposed by Cllr Coombs and seconded by Cllr Skeats that the application be granted as per the officer's recommendation, with an added informative note to provide enhanced parking provision for two plots.

Decision: That authority be delegated to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to grant subject to the completion of a legal agreement and conditions, as set out in the appendix to these minutes.

Or,

Refuse permission for the reasons set out in the appendix to these minutes if the s106 agreement is not completed by 8 April 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East.

52. **Urgent items**

There were no urgent items.

53. **Exempt Business**

There was no exempt business.

Decision Sheet

Duration of meeting: 10.00 - 11.48 am

Chairman

.....

This page is intentionally left blank

Application Number:	P/FUL/2022/07955
Webpage:	Planning application: P/FUL/2022/07955 - dorsetforyou.com
Site address:	Land at Stepping Stones Field Stoborough
Proposal:	Erection of 9 dwellings (Use Class C3), including access, drainage, landscaping and associated infrastructure
Applicant name:	Halsall Homes Ltd
Case Officer:	Thomas Whild
Ward Member(s):	Cllr Ezzard, Cllr Holloway

1. This application is being reported to the Eastern Area Planning Committee at the request of the Chair.
2. **Summary of recommendation:** Delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to Grant, subject to the conditions at the end of this report and the completion of a S106 agreement to secure a financial contribution of £297,000 towards Affordable Housing provision in lieu of on-site provision and an ongoing requirement for property owners to retain and maintain surface water drainage infrastructure in accordance with details to be agreed.

Or

Refuse planning permission for the reason set out at the end of this report, if the S106 agreement is not completed by 19 May 2026 (6 months from the date of the committee) or such date as may be agreed with the Service Manager for Development Management and Enforcement or Development Management Area Manager East

3 Key planning issues

Issue	Conclusion
Principle of development	Acceptable: The site adjoins the settlement of Stoborough and is therefore supported in accordance with local and neighbourhood plan 'small sites' policies.
Housing mix and density	Acceptable: The proposed 9 dwellings result in a low-density scheme that aligns with surrounding development patterns.

Issue	Conclusion
Affordable Housing	Acceptable: A policy-compliant commuted sum will be secured via legal agreement to meet the requirement for 20% Affordable Housing on small sites.
Design and Character	Acceptable: Following amendments to the originally submitted scheme to reduce the quantum of development, layout and design integrate well with the surroundings, using locally distinctive materials and providing safe, accessible homes with appropriate landscaping.
Landscape	Acceptable: Within the Dorset National Landscape. Reductions in scale from the originally submitted scheme, and enhanced planting ensure the development conserves scenic beauty, subject to conditions.
Trees	Acceptable: Protected trees on site will be retained and safeguarded through a Arboricultural Method Statement and planting plan to be secured by condition.
Highways and Access	Acceptable: Vehicular and pedestrian access is acceptable, with off-site improvements to pedestrian infrastructure addressing safety concerns and enhancing connectivity. These measures are to be secured by condition
Biodiversity.	Acceptable: Habitat loss will be offset by new ecological features and mitigation measures, secured through a Landscape and Ecology Management Plan.
Habitats	Acceptable: Mitigation for impacts on protected sites will be secured via financial contributions and nutrient the purchase of nutrient credits, which will be secured by condition.
Flood risk and drainage	Acceptable: the proposed drainage strategy and updated national guidance confirm the site can be safely developed without applying the sequential test and will ensure that the development will remain safe from flooding for its lifetime.
Heritage	Acceptable: The proposed development would not result in Harmful impacts on Designated Heritage Assets.

4 Description of site

- 4.1 The application site is located on the southwestern edge of Stoborough, between the established edge of residential development along Oak Tree Close, to the east of the site, and the A351 to the west. There are open fields to the north and south of the site. Land to the north of the site is currently subject to a planning application, ref 6/2019/0639, for 15 dwellings, for which there is a recent committee resolution to grant planning permission subject to the completion of a Planning obligation.
- 4.2 The site is an open field which is used for grazing. The site is relatively level and is contained by hedgerows along its boundaries. There are a number of mature trees within the hedgerows, with several of these protected by a Tree Preservation Order. The site is accessed via an existing field gate onto West Lane. The boundary with West Lane consists of a drainage ditch with mature hedgerow behind. Ground levels rise slightly from the site entrance to the southeastern boundary.
- 4.3 The site is located outside of the Stoborough settlement boundary and is therefore classed as 'countryside'. It also lies within the Dorset National Landscape, which washes over the adjoining village. The application site extends to 0.8 hectares.

3. Description of development

- 5.1 Planning permission is sought for the construction of 9 dwellings together with associated highway and drainage infrastructure, open space and landscaping. The overall number of dwellings proposed has been reduced from 12 dwellings, down to 9 in response to concerns raised during the application process in respect of the design and landscape impacts of the proposals as originally submitted.
- 5.2 Access is to be formed onto the southern side of West Lane, with a new estate road travelling south eastwards through the site. A main pedestrian route through the site is provided on the southwestern side of the access road, with a secondary pavement provided on the northern side of the road where dwellings are proposed to be located. A secondary pedestrian access is provided to the southern corner of the site, providing for a connection onto the existing pedestrian route along the eastern side of the A351.
- 5.3 The proposed dwellings are set back from West Lane, with existing trees and hedgerows either side of the new access road proposed to be retained, along with an attenuation pond being created in the northern corner of the site. The proposals also include the creation of a new landscape buffer along the southeastern boundary of the site.
- 5.4 The proposals comprise a mix of 2, 3 and 4/5 bedroom detached and semi-detached houses. The houses are generally two storeys in scale, with the dwellings towards the southeastern end of the site being designed with a lowered eaves level and dormered or partially dormered first floor, reducing the overall scale of built form towards that end of the site, which occupies higher ground.
- 5.5 The proposed dwellings comprise largely traditional domestic forms with pitched and gabled roofs and contemporary detailing. The proposed palette of materials comprises a mix of red brick, render and stone walls with roofs finished in either tile or slate. Where brickwork is used, the dwellings incorporate areas of projecting brick coursing, providing added visual interest. Where render is used this is in conjunction with areas of stonework and above a stone plinth, or above brickwork to window cill level.
- 5.6 With the exception of the smaller two-bedroom units on plots 2 and 3, the dwellings have detached garages provided either as individual structures or shared structures with the

neighbouring plots. Each property also has two spaces of off-street parking in addition to any garage provision. All the dwellings have enclosed rear gardens and defensible space to the front of the property. The proposed layout allows for the provision of landscaping within the development including provision of verges and street trees along the access road, and larger structural planting along the site boundaries.

4. Background and relevant planning history

EA1/2018/0003 Decision: EIN Decision Date: 20/07/2018

EIA Screening Opinion - Residential development of approx. 35 dwellings (use Class C3) together with associated highways, drainage, landscaping, public open space and play area.

6/2019/0015 Decision: REF Decision Date: 21/06/2019

Construction of up to 30 residential dwellings (Use Class C3), together with associated highways and drainage infrastructure, public open space and landscaping. Details of access are submitted for approval with all other matters (Layout, Scale, Appearance and Landscaping) reserved for later approval.

Reasons for refusal relating to:

- Principle of development, the site being outside of the defined settlement boundary, not allocated for development and not compromising a rural exceptions site.
- Major development in the Dorset AONB (now National Landscape) which would have significant and long-term adverse effects on the wider landscape and the purposes of the AONB designation, without exceptional circumstances to justify them
- Failure to secure an appropriate contribution towards provision of Affordable Housing through a legal agreement.
- Failure to secure appropriate mitigation on protected habitats (dorset heathlands).
- Lack of an appropriate pedestrian route along west lane to provide access to Stoborough Primary School.
- Impacts of traffic noise on future residents.

6/2019/0400 Decision: REF Decision Date: 11/12/2019

Construction of up to 30 residential dwellings (Use Class C3), together with associated highways and drainage infrastructure, public open space and landscaping. Details of access are submitted for approval with all other matters (Layout, Scale, Appearance and Landscaping) reserved for later approval (Re-submission of 6/2019/0015)

- Principle of development, the site being outside of the defined settlement boundary, not allocated for development and not compromising a rural exceptions site.

- Major development in the Dorset AONB (now National Landscape) which would have significant and long-term adverse effects on the wider landscape and the purposes of the AONB designation, without exceptional circumstances to justify them
- Failure to secure an appropriate contribution towards provision of Affordable Housing through a legal agreement.
- Failure to secure appropriate mitigation on protected habitats (dorset heathlands).

P/PAP/2021/00378 - Decision: RES Decision Date: 14/01/2022

15 Residential units with appropriate Affordable Housing provision

The advice given raised a number of concerns with the proposals in the following regards:

- outside the settlement boundary and within the Dorset AONB, where development is tightly restricted.
- conflict with the Arne Neighbourhood Plan, particularly in terms of landscape impact, settlement character, and cumulative development scale.
- Overlooking issues
- layout and density inconsistent with the historic linear pattern of Stoborough.
- benefits of housing delivery do not outweigh the identified harms.

P/ESC/2021/04547 Decision: EIN Decision Date: 05/01/2022

Request for EIA Screening Opinion under Section 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for the erection of 15no. residential units with appropriate Affordable Housing provision.

5. List of constraints

- Tree Preservation Order (PDC/TPO 489)
- Right of Way: Footpath SE5/14; - Distance: 37.52m
- Wildlife Present: S41 - Grass Snake; - Distance: 6.92m
- Poole Harbour Nutrient Catchment Area; Poole Harbour
- Wessex Water Treatment Works Catchment
- Poole Harbour Catchment Area and Poole Harbour Recreation Zone
- Dorset Heathlands 400m - 5km Heathland Buffer

- Natural England - RAMSAR - Distance: 412.99m
- Special Area of Conservation (SAC) (5km buffer): Dorset Heath (Purbeck & Wareham) & Studland Dunes (UK0030038); - Distance: 412.99m and Special Area of Conservation (SAC) (5km buffer): Dorset Heath (UK0019857); - Distance: 808.48m
- Site of Special Scientific Interest (SSSI) impact risk zone - Natural England consultation required
- Scheduled Monument: The King's Barrow 230m east of Bartlett's Firs (List Entry: 1014295); - Distance: 304.66m
- Groundwater – Susceptibility to flooding
- Risk of Surface Water Flooding Extent 1 in 30, 1 in 100 & 1 in 1000
- Surface water flooding - 1 in 100 year event plus 20% & 40% allowance
- Mineral and Waste - Ball Clay Consultation Area, Sand and Gravel Consultation Area
- Radon: Class: 1.0 – Low Risk, fewer than 1% of homes expected to exceed the radon action level – no protective measures required.

6. Consultations

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

Consultees

1. National Highways

No objection

National highways primary concern is with the potential impact of the proposals on the safe and efficient operation of the Strategic Route Network, comprising the A35 west of Bere Regis and the A31, which pass approximately 12km to the north of the site.

Given the relatively small scale of the development, the distance of the site from the SRN, and the number of potential routing options, we consider that any trips associated with the development will disperse across the intervening highway network such that the proposals are unlikely to result in a material increase in vehicle movements at any one junction on the SRN.

2. Dorset Wildlife Trust

No comments received

3. Ramblers Association

Comment

The proposed improvement to pedestrian provision on West Lane is essential. Ideally a pedestrian link should also be provided to the south, if possible, to FP SE 5/7.

4. Wessex Water (WWA) – No objection.

5. Natural England

No objection- agrees with the conclusion of the Appropriate Assessment.

6. Nuclear Restoration Services (NRS)

No comments received.

7. Dorset Police Architectural Liaison Officer

No comments received

8. Kaolin and Ball Clay Association

No comments received

9. Environment Agency

No comments received

10. Dorset Council (DC) - Natural Environment Team (NET)

Biodiversity plan agreed

11. Dorset Council - Rights of Way Officer (DC ROW)

- The development is not served by any rights of way and the road route West Lane does not have a footway its entire length.
- Notes the proposal with regards to the footway along west lane and pedestrian access to the south, which should join with public right of way SE5/7 or the B3075.
- Cycleways, bridleways and footpaths designed within the development should be of an appropriate standard with consideration given to their future maintenance and designation.

12. Dorset Council - Highways

No objection subject to conditions.

It follows a previous application for the site, which was also considered acceptable in highways terms, provided that appropriate pedestrian infrastructure was secured.

For the current proposal, conditions include:

- Construction Management,
- Junction Completion,
- Estate Road Layout,
- and Highway Improvements.

These works must be secured through Section 278 agreements under the Highways Act 1980. The estate road will remain private, and the Authority emphasizes that each

development must mitigate its own impact and that the proposed layout and parking arrangements are acceptable.

10. Dorset Council Waste Team

No objection - the layout provides vehicle access for refuse collection vehicles.

11. Dorset Council - Building Control Purbeck Team

- New Parts F,L,O and S of the building Regulations are now in force and need to be complied with as is the new Part R Regulations from 26/12/2022 for Electronic Communications Infrastructure.
- May be clay soils.
- Ensure B-5 Access for Fire brigade is compliant with Approved document B-Vol 1. Ensure any glazing on boundaries is also compliant with this Approved document.

12. Dorset Council - Trees (East & Purbeck)

No objection subject to condition

Requires the submission, approval and subsequent implementation of an Arboricultural Method Statement and tree protection plan. Also recommend requiring a detailed planting plan.

13. Dorset Council Landscape

Supports the comments offered by the Dorset AONB team.

Main concerns relate to the suburban quality of the development which AONB team has provided guidance on.

Further specific guidance offered for landscape enhancements to address the concerns.

14. Dorset Council Housing Enabling Team

No objection subject to policy compliance with regard to Affordable Housing provision

15. DC - Flood Risk Management – Initial Comments, 3 Feb 2023

Holding objection on basis of lack of incorporation of appropriate open Sustainable Urban Drainage Systems (SuDS) into the design of the scheme.

**Updated comments following publication of Strategic Flood Risk Assessment (SFRA)
28 March 2024**

Maintains holding objection in respect of lack of open SuDS, High groundwater levels identified through the SFRA and the need for groundwater flooding to be considered, and the presence of surface water flood risk to the site access.

Updated comments following submission of amended proposals 21 October 2024 –
no objection

Drainage strategy provides necessary details to substantiate the proposed surface water strategy subject to conditions and informative notes.

16. Dorset Council - Education Officer

No comments received. Comments received in respect of adjacent site to north which have confirmed that there is no requirement for a contribution towards education provision within Stoborough.

17. Dorset Council - Minerals & Waste Policy

No objection subject to condition

Site is in a location safeguarded for minerals (sand and gravel). No requirement to carry out further mineral assessment

Aggregate may be suitable for re-use on site, reducing the need to import fill material.

Condition recommended to require measures to be taken to ensure the re-use of materials and submit a report to the Minerals Planning Authority setting out the quantum of material re-used within three months of the completion of groundworks.

18. Dorset Council - Environmental Assessment

Appropriate assessment completed

19. Dorset Council Policy - Urban Design

no comments received

20. Dorset Natural Landscape (AONB) Team

Initial comment – Confirmed that the development, at 12 units, was not considered to meet the threshold for ‘major’ development in the National Landscape but should still be considered in the context of paragraph 176 of the NPPF (as it was at the time, the appropriate reference is now paragraph 189 of the current version of the framework). Concerns raised in respect of the impacts of the proposed development on the National Landscape and its integration with the AONB management plan.

Updated comments, following design revisions

Reduced density of development is comparable to the development, with a resolution to grant permission, to the north of West Lane. Welcoming the reduction in scale of the development towards the southern edge of the site. Sensitive approach to detailed design and landscaping needed (to be secured by condition)

21. Dorset Council Environmental. Services (Protection)

No objection subject to condition

Acoustic report conforms to appropriate standards with an acceptable methodology.

Recommend that the acoustic design of the proposed dwellings is submitted to and agreed in writing by the local planning authority

22. Dorset Council- Archaeology

No objection

Agree with the conclusions of the submitted assessment that any archaeology is likely to be of low significance. No need for archaeological evaluation or mitigation.

23. DC - Public Health Dorset – No comments received.

24. Arne Parish Council (PC)

Objection

Concerns raised by councillors and residents. The proposal follows a previous application and is inappropriate due to its location outside the existing settlement boundary and within an Area of Outstanding Natural Beauty.

Key PC objections include:

- Landscape Impact,
- Amenity Pressure,
- Flood Risk,
- Traffic and Access,
- Loss of Agricultural Land,
- Design and character,
- Wildlife Impact,
- and Lack of Local Need.

The scheme does not align with the policies of the Purbeck Local Plan (version adopted November 2012) or the Arne Neighbourhood Plan, particularly in relation to sustainable design and housing need.

Officer note: The PC comments were made prior to the adoption of the adopted Purbeck local plan (2018-2034) in July 2024.

Following submission of amended plans, the parish council was re-consulted and confirmed its objection to the scheme for the same reasons.

25. Wareham ward councillors

No comments received

Representations received

Total - objections	Total - No objections	Total - comments
11	0	1

Summary of comments of objections:

Comments in objection to the proposals raise the following issues:

- The site is outside of the settlement boundary of Stoborough in a location where development shouldn't be supported
- Lack of local housing need and risk of second home ownership
- The development conflicts with the neighbourhood plan which seeks to restrict development to infill sites and limits housing to 15 unit developments
- Concern that the proposals could set a precedent for further development in adjacent fields and the urbanisation of the village
- Concern that the site is subject to flood risk and that the drainage strategy would be insufficient
- Concern that the existing foul drains cannot cope
- Harmful impact on the AONB, rural character and loss of green space which would alter the character of Stoborough
- Impacts upon biodiversity – the site is noted to support species including bats, snakes, birds of prey and deer.
- Loss of grazing land and consequential impact upon agriculture through potential need to reduce herd size, loss of land cropped for winter feed and loss of agricultural heritage within the village
- Impact upon demand for school places
- Additional congestion on West Lane, particularly during school drop-off and pick up and during summer months.
- Insufficient parking provision within the site.
- Proximity to the junction with the A351 and concerns over road safety
- Lack of pavement provision in the area
- Two storey development out of character with locality
- The proposal is a disproportionate number of dwellings for the village and would alter its character

Summary of comments in support:

One comment supports the development, stating that it will help increase the supply of housing in the area.

7. Duties

- 7.1 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.
- 7.2 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)

8. Relevant policies

Development plan

In this case the development plan comprises the adopted Purbeck Local Plan 2018-34 and the Adopted Arne Neighbourhood Plan 2018-34.

Purbeck Local Plan 2018-34 adopted July 2024:

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

V1: Spatial strategy for sustainable communities

E1: Landscape

E4: Assessing flood risk

E5: Sustainable drainage systems (SuDs)

E7: Conservation of protected sites

E8: Dorset heathlands

E9: Poole Harbour

E10: Biodiversity and geodiversity

E12: Design

H2: The housing land supply

H8: Small sites next to existing settlements

H9: Housing mix

H10: Accessible and adaptable homes

H11: Affordable Housing

H14: Second Homes

I1: Developer contributions to deliver Purbeck's infrastructure

I2: Improving accessibility and transport

I3: Green infrastructure, trees, and hedgerows

Arne Neighbourhood Plan 2018-2034 (made June 2021)

The following policies are considered to be relevant to the proposals:

Policy 1: House types

Policy 2: Local character

Policy 3: Sustainable design

Policy 4: Small sites

Policy 10: Key pedestrian routes

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)

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 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

All of Dorset:

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 Heathlands Planning Framework 2020-2025 Supplementary Planning Document

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.

Supplementary Planning Documents/Guidance for Purbeck area:

Swanage Green Infrastructure Strategy

Affordable Housing SPD

District Design Guide SPD

Managing and using traditional building details in Purbeck

Poole Harbour Recreation 2019-2024 SPD

Housing land supply

Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. In addition, the strategies for meeting housing needs in the adopted local plans are not designed to deliver the housing need under the Government's standard method and therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan(s) are out of date and the presumption in favour of sustainable development applies. The emerging Dorset Local Plan is not sufficiently progressed and can be afforded very limited weight in decision making.

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.

9. 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.

10. Public Sector Equalities Duty

10.1 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.

10.2 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.

10.3 Unit 6 is designed as an adaptable unit which would be able to accommodate persons with limited mobility. This includes rooms that have suitable turning space for a wheelchair and the ability to provide a downstairs bedroom. The proposal also includes off-road footpath links throughout the majority of the development, including links to the wider pedestrian network both through the main site access and a new pedestrian link.

11. Public 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	
Affordable Housing commuted sum	£297,000
Non material considerations	
CIL liability	Approx. £205,000

12. Planning Assessment

Principle of development

12.1 The site is located in the countryside outside of the defined development boundary of Arne. Part 5 of policy V1 of the Purbeck Local Plan allows for small scale development on sites adjoining existing settlement boundaries of towns, key service villages, local service villages and other villages with a settlement boundary where:

- The scale of development is proportionate to the size and character of the existing settlement;
- Development does not harm the character and value of any landscape or settlement either individually or cumulatively;
- The development contributes to a mix of different types and sizes of homes; and
- Development would not have an adverse effect on the integrity of sites within the national site network.

- 12.2 Stoborough is identified in the supporting text to policy V1 as being a Local Service Village. These are defined as villages needing some growth to sustain vital rural services such as village schools.
- 12.3 Policy H8 of the local plan builds upon this principle. In considering whether a proposed development would be proportionate to the scale of the village, the policy states that, within local service villages, any single site considered under the policy should not exceed 15 dwellings. The policy also goes on to establish more detailed expectations for such sites which are:
- Individually and cumulatively the size appearance and layout of proposed homes does not harm the character and value of any landscape or settlements potentially affected by the proposals.
 - The development would contribute to the provision of a mix of different housing types
 - The site does not lie within a neighbourhood plan area where small sites have been allocated to meet identified housing needs in a made neighbourhood plan and
 - The development not causing any adverse impacts upon sites within the national site network.
- 12.4 In consideration of the criteria set out in local plan policies V1 and H8, the site is located adjacent to the settlement boundary of Stoborough and is below the individual site maximum threshold of 15 units. Therefore it is not considered that the development would be disproportionate. The site is located within the Arne neighbourhood plan area, but the made Arne Neighbourhood Plan does not include any specific site allocations, instead relying upon a similar policy to that established by the Local Plan of supporting the delivery of small sites adjacent to the established settlement boundaries. The Neighbourhood Plan does not therefore preclude the development from coming forward under policy H8. It is therefore concluded, subject to consideration of impacts upon habitats sites which are considered in detail below and other relevant policies, that the principle of the development is acceptable and will result in a contribution of 9 dwellings towards the overall supply of housing within Dorset and that the proposal complies with policies V1 and H8 of the Local Plan and Policy 4 of the Neighbourhood Plan.

Housing mix and density

- 12.5 The overall density of the development will be 11.25 dwellings per hectare based upon the delivery of 9 dwellings within the site area of 0.8 hectares. If the area of 'left over' land at the south eastern end of the site, shown on the site plan remaining as a field, is included the density of development increases marginally to 12.85 dwellings per hectare. Both scenarios represent a relatively low density of development. However this density of development would not be out of character with the surrounding area.
- 12.6 Development on the southern side of West Lane is at approximately 12.3 dwellings per hectare while development on the north side, including Hollow Oak Road, is at approximately 15 dwellings per hectare. By comparison to these areas, the application site includes significant landscaped areas which are not seen elsewhere. In view of this

comparison and the site's location of the rural edge of Stoborough it is considered that the density of development is appropriate to the site.

- 12.7 The proposed mix of dwellings comprises 2 two-bedroom dwellings, 4 three-bedroom dwellings and 3 four-bedroom dwellings (one of which has potential to provide an additional bedroom at ground floor level). This represents a mix of 22% two-bed units, 44% 3 bed units and 33% 4 bed units.
- 12.8 Policy 1 of the neighbourhood plan establishes an expectation that sites should deliver a mix of house types, including at least 20% Affordable Housing types and at least 30% of the development as one or two bedroom open market housing or homes specifically designed for an ageing population. The proposal would not meet this requirement providing only 22% of the scheme as 2 bedroom units. While one of the homes is designated as accessible, it is not specifically designed for an ageing population. There is, therefore a degree of conflict with policy 1 of the Neighbourhood Plan in this regard.

Affordable Housing

- 12.9 Policy H11 of the local plan requires a contribution of 20% Affordable Housing on all sites of 2-9 dwellings. For sites providing between 2 and 9 dwellings this is secured through the payment of a commuted sum towards off-site provision. In this case the appropriate commuted sum towards off-site Affordable Housing provision is £297,000. The applicant has agreed to a policy compliant contribution, which will be secured by way of a legal agreement. The proposal therefore complies with policy H11 of the local plan.

Design and character

- 12.10 The application proposes 9 dwellings as a mix of detached and semi-detached units, predominantly two storeys in scale, reducing to 1.5 storeys towards the southern end of the site. The houses would be arranged off of a cul-de-sac joining the southern side of West Lane. Policy E12 of the Purbeck Local Plan states that a high quality of design will be expected for development that
- a. Positively integrates with their surroundings;
 - b. Reflects the diverse by localised traditions of building materials found across Purbeck;
 - c. Limits the opportunities for crime and anti-social behaviour;
 - d. Where appropriate supports and promotes sustainable modes of transportation;
 - e. Avoids and mitigates any harmful impacts from overshadowing, overlooking, noise and any other adverse impacts including light pollution from artificial light on local amenity;
 - f. Supports biodiversity through sensitive landscaping and in-built features;
 - g. Minimises energy consumption, including where possible inclusion of renewable energy;
 - h. Supports the efficient use of land taking account of capacity in existing infrastructure and services, access to sustainable means of transport, the local

area's prevailing character and the requirement to deliver high quality building and places; and

- i. Provides buildings which are accessible to all.

- 12.11 Although the site is in a predominantly rural location the immediate vicinity comprises relatively modern development which generally suburban in its character, dating to the mid-late 20th century. This includes bungalows and chalet bungalows on Oaktree Close to the northeast and a mix of bungalows and detached houses on Hollow Oak Road to the north. On land to the northwest of the site, the Council has resolved to grant outline planning permission for the construction of 15 dwellings. While in that case all matters except access have been reserved for future determination, the submitted indicative layout does indicate a development of detached and semi-detached housing accessed from a cul-de-sac in a similar format to the current proposal.
- 12.12 In response to concerns expressed by officers in respect of the initially submitted scheme, several amendments have been incorporated. These have included reducing the overall quantum and therefore density of development on the site and reducing the extent to which built development extends towards the south eastwards, with the intention, recognising the established limits of residential curtilages of the properties on Oaktree Close.
- 12.13 Although the development would to an extent be experienced on its own terms it is considered that the layout and siting are such that the development would positively integrate with its surroundings. It would also incorporate locally distinct building materials as encouraged by policy E12. The proposals would allow for public spaces which have natural surveillance and dwellings with private back gardens, and in so doing would limit opportunities for crime and anti-social behaviour.
- 12.14 With regard to the promotion of sustainable modes of transport, the site's location and scale is such that it is unlikely to deliver a particular modal shift towards sustainable transport modes. However the development does include proposals for off-site highways works which are discussed in further detail below. These would provide for an enhanced pedestrian route towards the centre of Stoborough allowing for access to local facilities, including Stoborough Primary School and bus services towards Swanage and Wareham.
- 12.15 The relatively low density and scale of development is such that it would ensure separation to the nearest properties of around 18-20m back to side. There are not significant level changes between the site and its neighbours, and it is therefore considered that the development would avoid harmful impacts upon neighbouring dwellings through overlooking, overshadowing or overbearing. In respect of noise impacts, residential development is inherently a relatively quiet use of land and would not be expected to generate additional noise levels sufficient to be harmful to neighbouring amenity. The impact of environmental noise on existing residents has been considered through the submitted noise impact assessment which includes recommendations for managing noise levels in the proposed development. Therefore subject to a condition requiring details of the acoustic design of new dwellings to be submitted and approved, the proposed development will also achieve an appropriate level of amenity for its future residents.
- 12.16 The proposal includes provision to enhance biodiversity (outside of the statutory provisions for biodiversity net gain, which does not apply in this instance) and includes provision for renewable energy to be incorporated.

- 12.17 Considering the best use of land, it is the case that the development does result in part of the site left undeveloped, however the design that has been arrived at is the result of extensive discussions with officers and the Dorset National Landscape team over concerns that the scheme, as originally submitted would represent too great an incursion into the open countryside which would be out of character with the area. The need to reduce the scheme to address these concerns indicates that, although the proposals do not involve development of all of the land within the red line boundary, they are making the best use of the application site.
- 12.18 In respect of accessibility, while the proposals are for all units to be two storeys they do include units with sufficient space on the ground floor to allow them to be adapted to provide sleeping accommodation on the ground floor. The units also include step-free approaches and would therefore facilitate access by wheelchair users.
- 12.19 Taking the above into consideration the proposals are assessed to comply with the requirements of policy E12 of the local plan and would represent an appropriate quality of design.

Landscape

- 12.20 The site is located within the Dorset National Landscape (Formerly the Dorset AONB). The Countryside and Rights of Way Act establishes a statutory duty upon the Council to seek to further the purposes of the conserving and enhancing the natural beauty of the area. Policy E1 of the local plan also confirms that great weight is attached conserving and enhancing the landscape and scenic beauty of the National Landscape and that development will only be permitted where proposals would conserve and enhance the natural beauty of the area and be appropriate in terms of appearance, scale height, layout and density and any other effects on landscape character and visual quality.
- 12.21 The Dorset National Landscape Character assessment places the site in the South Purbeck Heaths landscape character area, which is described as a diverse and dynamic landscape which ranges from open heathland to dense conifer plantations, with the western fringes, in which the site sits, being described as pastoral in character. The land to the north of Stoborough is within the Frome Valley pasture character area which follows the valley floor, being characterised by large pastoral fields.
- 12.22 Initial comments from the Dorset AONB team (as it was then known) acknowledged that the reduction in the size of the scheme, from previously refused proposals reduced the development below the threshold of 'major development' in the context of the National Landscape designation but concerns remained in respect of the quantum of development, its density and layout.
- 12.23 In response to these concerns, following discussions with the National Landscape team and DC officers, the scheme was amended resulting in a reduction in the overall quantum of development and the extent to which the development would extend into the site. The density was reduced and the scale of the development on higher parts of the site at the south east was reduced, to reduce the overall impact of the scheme. The proposals have also incorporated additional structural landscape planting both on the edges of the site and throughout, which would help the site to integrate into the surroundings.
- 12.24 Subject to conditions requiring detailed landscape proposals and their ongoing maintenance and management which will be secured through a Landscape and Ecological Management Plan (LEMP) it is considered that the proposals would preserve

the landscape and scenic beauty of the National Landscape and would therefore comply with policy E1 of the local plan.

Trees

- 12.25 There are several trees located at the entrance to the site, and scattered trees on the site boundaries. Three of the trees on the site are subject to tree preservation orders, although the locations of the trees in relation to the proposed development is such that they do not pose a constraint to development. The Council's trees team has commented to confirm that they have no objection to the proposals, subject to the imposition of a condition requiring the submission and approval of an Arboricultural Impact Appraisal and Method Statement detailing how the existing trees are to be protected. The recommended condition would require the development to be carried out strictly in accordance with that statement. Subject to the imposition of that condition the proposal complies with policy E1 of the local plan which requires development to take account of existing trees and hedgerows.

Highways and access

- 12.26 The proposals include construction of a new vehicular and pedestrian access into the southern side of West Lane. The access has been reviewed by the highway authority which raises no objection to the arrangements subject to the imposition of appropriate conditions in respect of the appropriate construction of the junction and access road, and for the submission and agreement of a construction traffic management plan.
- 12.27 The principal pedestrian access to this site is also via this newly created access road where it will link in with the existing shared footway/cycleway along the eastern side of the A351. While this element of the pedestrian access is appropriate, the site's location is such that the pedestrian route eastwards towards the core of the village and the facilities which exist, in particular, Stoborough Primary School, which is located approximately 250m walking distance to the northeast, does not have a dedicated pedestrian route for its full length. Pavements are available in the immediate vicinity of the site and opposite, to just beyond Hollow Oak Road. However, the pavement terminates there, forcing any pedestrians to walk in the road for the remainder of West Lane. Given the additional footfall which would be anticipated from the proposed new houses this arrangement is not considered to be appropriate.
- 12.28 In response to the concerns over the pedestrian route to the centre of the village, the applicant has proposed a package of off-site upgrades which would allow for the widening of existing footways together with a narrowing of part of West Lane to single vehicle width, with a continuation of the footway along the northern edge of the carriageway. The proposed design has been supported by a stage 1 safety audit and reviewed and confirmed as acceptable by the highway authority as a means of providing safe and suitable pedestrian access to the site. The works are to be secured by way of condition which requires them to be completed before the dwellings are occupied. This is considered to represent a material benefit of the scheme to which considerable weight may be afforded and subject to the works being completed it is considered that the proposals comply with policy I2 of the Local Plan.

Biodiversity

- 12.29 The application is supported by an Ecological Impact Assessment (EclA) which has been updated and revised through the lifetime of the application in order to reflect the evolution

of the scheme. The EclA has been approved by the Council's Natural Environment Team in respect of addressing the impacts of the development on biodiversity.

- 12.30 The EclA concludes that The development will result in the loss of approximately 0.76ha of modified grassland, 0.0014ha of neutral grassland, and 0.055ha of broadleaved woodland. Although these losses are not considered significant in a local context, they would result in a net biodiversity loss without mitigation. To compensate, the scheme includes the creation of new habitats, including neutral grassland buffers, an attenuation basin, new broadleaved woodland, a drainage ditch, species-rich hedgerows and scattered trees. These enhancements will be managed under a Landscape and Ecology Management Plan (LEMP), ensuring long-term ecological value.
- 12.31 The site supports a range of fauna, including low populations of slow-worm and grass snake, foraging and commuting bats, common amphibians, hedgehogs, and common bird species. No evidence of dormice, badger setts, or significant invertebrate populations was found. Mitigation measures include supervised clearance to avoid harm to reptiles and amphibians; pre-works checks and protective measures for badgers and hedgehogs, including hedgehog highways in garden fences; retention and buffering of hedgerows to maintain bat connectivity, with lighting designed to avoid impacts on bat foraging and commuting routes, following ILP/BCT guidance; vegetation clearance outside the bird nesting season or under ecological supervision; and installation of bat and bird boxes, and bee bricks, integrated into the built environment.
- 12.32 The proposed development is not anticipated to result in significant adverse ecological effects, provided that the identified mitigation and enhancement measures are implemented in full. This will be secured by a suitable planning condition. On this basis therefore the proposals are considered to comply with policy E10 of the Local Plan.

Habitats

- 12.33 The site is located within 5km of Dorset Heathlands SPA, Ramsar and SAC, and is within the hydrological catchment and recreation zone of the Poole Harbour SPA and Ramsar. Consequently, mitigation is required to address potential recreational and nutrient impacts.
- 12.34 Mitigation for impacts on the Dorset Heathlands will be secured through financial contributions to Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM), in line with the Dorset Heathlands Planning Framework SPD. The new footpath link at the southern end of the site will also facilitate access to nearby Suitable Alternative Natural Greenspace (SANG).
- 12.35 To address potential recreational impacts on Poole Harbour, mitigation will be delivered via Community Infrastructure Levy (CIL) contributions towards Poole Harbour Infrastructure Projects and nutrient neutrality measures.
- 12.36 In respect of nutrient neutrality, the applicant has provided a completed nutrient calculator for the site and has confirmed that they intend to mitigate additional nutrient impacts from the development through the purchase of credits. A pre-commencement condition is proposed to ensure that the credits are secured, The proposal therefore complies with policies E8 and E9 of the Local Plan.

Flood risk and drainage

- 12.37 The site is located within flood zone 1 and is not therefore considered to be at risk of flooding from rivers or the sea. However the site is in an area where there is an identified risk of flooding from surface water, including a surface water flow path from southeast to northwest, across the site. Following initial comments from the Council's Flood Risk Management team, in its capacity as Lead Local Flood Authority, a drainage strategy which includes consideration of flood risk from surface water, has been submitted.
- 12.38 The drainage strategy provides detailed consideration which has confirmed that infiltration cannot be achieved and has therefore proposed a restricted discharge into a nearby watercourse. The proposals also include an interception ditch, open attenuation basin and bio-retention areas (rain gardens and tree pits), and will provide for the access road to be set at a level which would be raised above the modelled on site surface water flood risk.
- 12.39 The LLFA has concluded that, subject to conditions requiring groundwater monitoring to inform the finalised design of surface water drainage, and appropriate management of the surface water drainage, the site would avoid surface water flood risk.
- 12.40 Notwithstanding the LLFA's comments in respect of the acceptability of the drainage proposals, the NPPF and Planning Practice Guidance is clear that a sequential approach should be taken to the location of development which considers all sources of flooding. Paragraph 175 of the National Planning Policy Framework states that the sequential test should be used in areas known to be at risk now or in the future from any form of flooding. Although Paragraph 175 does establish some flexibility in the application of the sequential test, not requiring it where elements of built development avoid areas of flood risk, in this instance the proposed access to the site, and parts of the internal access road are in areas currently affected by surface water flood risk. Therefore the flexibility enshrined in paragraph 175 does not necessarily avoid the need for the sequential test to be considered in this instance.
- 12.41 In September 2025, the government's planning practice guidance on flood risk and coastal change was updated to provide additional guidance on the application of the sequential test. Paragraph 27 of the guidance now states that a proportionate approach should be taken in applying the sequential test as set out in paragraph 175 of the framework. It states that where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development, without increasing flood risk elsewhere, the sequential test need not be applied.
- 12.42 The Court of Appeal has recently confirmed that national policy in the NPPF may be amended or altered by the Planning Practice Guidance, explaining that their legal status is essentially the same and that no legal distinction exists between them. Therefore, although paragraph 175 of the NPPF indicates that the sequential test should be applied, it is also appropriate to take the approach set out by the PPG, that it does not need to be applied if the flood risk assessment demonstrates that the development would remain safe for its lifetime without increasing flood risk elsewhere.
- 12.43 The Council's Flood Risk Management team, in its capacity as Lead Local Flood Authority has reviewed the submitted assessment and has commented that the proposed surface water mitigation for the site, which includes raising the level of the access road above surrounding land so that it is out of the area of surface water flood risk, the construction of a new attenuation basin and an interception ditch to the south eastern

boundary of the site, the proposals are sufficient to ensure that the development would remain safe from surface water flooding. Conditions are recommended to secure the detailed design and management and as the drainage strategy includes infrastructure within individual plots, it is recommended that an ongoing requirement as to the retention and maintenance of that infrastructure is included within a legal agreement.

- 12.44 In view of these comments and the updated guidance as set out in the PPG it is therefore concluded that the Sequential Test does not need to be applied in this instance and that the proposals are acceptable in terms of flood risk and would provide for appropriate surface water drainage. The proposals therefore comply with policies E4 and E5 of the local plan.

Conservation and heritage

- 12.45 The application site does not include any designated or non-designated heritage assets. The nearest heritage assets are the Stoborough Conservation area which is located around 110m to the northeast of the site and a Scheduled Ancient Monument, 'Kings Barrow' located approximately 330m to the southwest.
- 12.46 The site is separated from the conservation area by existing suburban residential development on the northern and southern sides of West Lane. The development of the site would in this context be experienced as a continuation of that suburban development. It is not therefore considered that it would result in harmful effects on the character of the conservation area.
- 12.47 Kings Barrow sits to the southwest and is separated from the site by the A351 and also sits within a secluded copse such that there is no intervisibility between it and the application site. Therefore it is considered that the proposal would not result in harm to the setting of the Scheduled Monument, and the proposals will comply with policy E2 of the Local Plan.

Other matters

- 12.48 In addition to the principal issues, third party comments have identified a number of additional issues.
- 12.49 Concern is raised in respect of the potential for the development to become second homes. This concern is envisaged within the local plan which requires that, within the national landscape, developments should only be made available as primary residences (policy H14). Therefore a condition is recommended to secure this.
- 12.50 Comments indicate concern that the grant of planning permission could set a precedent for additional development within the village. As has been set out above, the principle of the site's development is established through policy H8 of the local plan. Any future application on other sites within or adjoining Stoborough or any other settlement would be considered on its own merits in accordance with the development plan policies which persist at the time.
- 12.51 Concerns have also been raised that the number of dwellings on the site could be increased later if planning permission were to be granted. Any grant of planning permission is limited to the development applied for, which in this instance is 9 dwellings. In order to increase the quantum of development beyond this, a further planning application would be necessary. The Council can only consider the application that is before it, and it would not be appropriate to withhold planning consent on the basis of the potential for further development for which an application has not been made.

12.52 Comments have raised concerns about the loss of the land to agriculture and the impact that this may have on herd sizes and the rural character of the village. While the site is in agricultural use at present, the development represents a relatively small area on the edge of the village, which is bounded by existing residential development to the northeast and by roads to the northwest and southwest. Therefore the development of the site would not result in fragmentation of agricultural land, with the remainder of the fields in the vicinity remaining available. In supporting the development of small sites on the edge of settlements the local plan and neighbourhood plan policies allow for development in this form, a proportion of which will naturally be in use for agriculture prior to development. It is not considered that the loss of the land to agricultural production is sufficiently harmful to outweigh the benefits that would be associated with the delivery of the additional housing or to justify the refusal of planning permission.

13. Environmental implications

13.1 There would be additional CO2 emissions as a result of the construction of the dwellings and their occupation. The dwellings would, however be required to meet modern energy efficiency standards as set out in part L of the building regulations. The site's location is considered to be sustainable, within walking distance to facilities within Stoborough and bus connections available within the village and the development would deliver off-site enhancements, in the form of a new pedestrian route on the northern side of West Lane.

14. Summary of issues and the planning balance

- 14.1 The proposed development of 9 dwellings on land at Stepping Stones Field, Stoborough, is considered acceptable in principle, aligning with local and neighbourhood plan policies that support small-scale development adjacent to settlements. The scheme delivers a low-density housing mix that reflects the surrounding character, with a policy-compliant Affordable Housing contribution secured via legal agreement. The design has been revised to reduce its scale and improve integration with the landscape, incorporating locally distinctive materials and appropriate landscaping.
- 14.2 The site lies within the Dorset National Landscape, but the revised proposals, including enhanced planting and reduced built form, are assessed to conserve scenic beauty. Key environmental and technical matters such as biodiversity, flood risk, and highway safety have been addressed through mitigation measures and planning conditions. Protected trees will be retained, and off-site pedestrian improvements will enhance connectivity.
- 14.3 Overall, the scheme is considered to meet the relevant policy requirements and comply with the development plan as a whole. There are no material considerations which indicate that planning permission should be refused.
- 14.4 While it has been identified that there is a degree of conflict with the neighbourhood plan in respect of the proposed mix of housing, that is not considered to be of sufficient weight to overcome the benefits of the scheme, in particular the provision of additional housing, a commuted sum towards affordable housing provision and the provision of off-site highways works.
- 14.5 In view of the council's housing land supply position the 'tilted balance' as set out in paragraph 11d of the National Planning Policy Framework applies. This indicates that planning permission should be granted unless specific policies within the framework provide a strong reason to refuse development or the adverse impacts of doing so would

significantly and demonstrably outweigh the benefits. The application is therefore recommended for approval, subject to conditions and the completion of a legal agreement.

17. Recommendation

A. Grant, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the Legal Services manager to secure the following:

- Affordable Housing Contribution of £297,000, index-linked using RPI from the date of the committee, in lieu of on-site provision
- An ongoing requirement for property owners to retain and maintain surface water drainage infrastructure in accordance with details to be agreed.

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:

- 203 Location Plan
- 220 E Proposed Site Plan
- 301 B GA Plans - House Type HT1
- 302 B GA Plans - House Types HT2 & HT3
- 304 D GA Plans - House Type HT4
- 305 B GA Plans - House Type HT5
- 306 B GA Plans - House Type HT6
- 307 B GA Plans - House Type HT7
- 401 B GA Elevations - House Types HT1
- 402 B GA Elevations - House Types HT2 & HT3
- 404 F GA Elevations - House Types HT4
- 406 B GA Elevations House Types HT6
- 405 B GA Elevations - House Type HT5
- 407 C GA Elevations - House Types HT7
- 227047/PD03 Proposed Access Sheet 1
- 2309 310 Double Garage Floor Plan and Elevations
- 2309 311 Twin Garage Floor Plan and Elevations
- 2309 312 Single Garage Floor Plans & Elevations
- 2309 313 Single Garage Plus Floor Plans & Elevations

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

3. No development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour/River Avon/Somerset Levels and Moors 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 SAC and Ramsar.

4. Prior to commencement of development hereby approved a Construction Traffic Management Plan and programme of works shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include construction vehicle details (number, size, type and frequency of movement), vehicular routes, delivery hours and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities). The development shall thereafter be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of road safety.

5. Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a method statement detailing timing of events and plan to a minimum scale of 1: 200. The plan will show the location of tree protective fencing or other measure required for the avoidance of damage to retained trees, all in accordance with the current BS5837:2012. Tree protective measures, where specified, shall be erected prior to any other site operations and at least 5 working days notice shall be given to the Local Planning Authority that it has been erected. The protective fencing shall be as specified in Chapter 6 and detailed in figure 3 of BS5837:2012 .

Reason: To ensure the enhancement of the development by the retention of protected trees

6. Prior to the commencement of development, a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction and a timetable for implementation of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS) and it must be demonstrated that it has been informed by groundwater monitoring which must have been carried out across the site for the duration of a minimum winter/spring period (beginning of November to the end of May). The surface water scheme shall be implemented in accordance with the approved details including the timetable for implementation.

Reason: To prevent the increased risk of flooding and to protect water quality and to take into account current national standards for SuDS.

7. No works shall commence on site (other than those required in the formation of the access and surface water drainage works) on the development hereby permitted until the first 15.00m of the proposed access road, including the junction with the existing public highway, has been completed to at least binder course level.

Reason: to ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and or deposited onto the adjacent carriageway causing a safety hazard.

8. Prior to the construction of the proposed dwellings above damp proof course level, details of the acoustic design of the proposed dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the attenuation provided by the design and resulting internal noise levels in comparison to appropriate standards.

Reason: To ensure appropriate living conditions for future residents.

9. Prior to development above damp proof course level, details (including colour photographs) of all external facing materials for the wall(s) and roof(s) shall have been 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.

10. Prior to the installation of any windows or external doors, a schedule and detailed drawings and sections (at a scale of 1:5, 1:10 or 1:20 as appropriate) of all new windows/doors in the development; including additional information relating to (i) the method of opening, (ii) the depth of the reveal from the face of the wall and (iii) the product number where the window is supplied from a manufacturers standard range (copy of catalogue to be included) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such details as have been agreed.

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

11. Prior to the commencement of any development hereby approved, above damp course level, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include

- (i) proposed finished levels or contours;
- (ii) means of enclosure;
- (iii) car parking layouts;
- (iv) other vehicle and pedestrian access and circulation areas;
- (v) hard surfacing materials;

If within a period of 5 years from the date of the planting of any tree/plant, that tree/plant or any tree/plant planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective)

another tree/plant of the same species and size as that originally planted shall be replanted in the first available planting season .

Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality.

- 12.No dwelling hereby permitted shall be occupied until the off-site highway works, comprising the construction of a new footway along the north side of West Lane from the A351 to Corfe Road (B3075) have been completed and are available for use by the public. The works shall be carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

- 13.No part of the development hereby approved shall be occupied or brought into use until details of the proposed access and shared route improvements have been submitted to and approved in writing by the Local Planning Authority, and the approved scheme has been fully implemented.

Reason: To ensure that appropriate highway infrastructure improvements are delivered prior to occupation, in order to mitigate the impact of the development and promote safe and sustainable access.

- 14.Prior to the occupation of the development details of maintenance and management of the surface water sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS). The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These shall include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure the future maintenance of the surface water drainage system, and to prevent the increased risk of flooding and to take into account current national standards for SuDS.

15. Details of measures to limit the potential consumption of wholesome water use by persons occupying the new dwelling to 120 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 to the satisfaction of the Local Planning Authority thereafter.

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

16. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled Ecological Impact Assessment (Revision 3), by GE Consulting and dated April 2025, and certified by the Dorset Council Natural Environment Team on 16 April 2025.

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

- i) the recommendations detailed in section 7 and illustrated in figure 2 of the approved ecology report have been completed in full, in accordance with any specified timetable, unless otherwise agreed in writing with the Local Planning Authority, and
- ii) evidence of compliance has been supplied to the Local Planning Authority prior to: the substantial completion; or the first bringing into use, of the development hereby approved whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved ecology report and thereafter the approved mitigation, compensation and enhancement 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.

17. The dwelling(s) hereby approved shall only be occupied by persons as their sole or principal residence and verifiable evidence to demonstrate proof of compliance shall be made available to the Local Planning Authority within 14 days of receipt of its request.

Reason: To ensure that the approved properties are not used as second homes in accordance with policy H14 of the Purbeck Local Plan in the interests of the sustainability of local communities and meeting local housing need.

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 in full in a subsequent informative 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 are considered to apply.

- The application for planning permission was made before 12 February 2024.
Read more about Biodiversity Net Gain at <https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

2. In addition to this permission, the junction works referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development Team. They can be reached by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development Team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.
3. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on drawing number 200 F must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be retained, kept free from obstruction and available for the purposes specified.
Reason: To ensure the proper and appropriate development of the site.
4. As the new road layout does not meet with the Highway Authority's road adoption standards or is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents, or housing company.
5. In addition to this permission, the highway improvement(s) referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development team. They can be reached by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development Team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.
6. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.

7. If the applicant wishes to offer for adoption any highways drainage to Dorset Council, they should contact Dorset Council's Highways development team at DLI@dorsetcouncil.gov.uk as soon as possible to ensure that any highways drainage proposals meet Dorset Council's design requirements.
8. Prior Land Drainage Consent (LDC) may be required from Dorset Council's Flood Risk Management (FRM) team, as relevant Lead Local Flood Authority (LLFA), for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) - in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or alignment of any OWC associate with the proposal under consideration is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquiries can be sent to floodriskmanagement@dorsetcouncil.gov.uk. We note that the site adjoins an OWC and that this channel is understood to receive and convey overland flow from a broader catchment area.
9. The applicant is advised to have early discussions with Wessex Water in relation to the possible adoption of any SuDS features to ensure that their final designs are in line with the design requirements of Wessex Water.
10. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to Affordable Housing contributions.
11. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.
12. 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 applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.

13. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

14. Informative note: (Second homes condition explanation)

For the purposes of condition number 19 (Second Homes condition) the Council defines a principal residence as a property that is the occupier's only or main residence, where the residents spend the majority of their time when not working away from home. This includes tenants renting a property from a landlord.

Evidence of compliance with this condition could include, but is not limited to, occupiers being registered on the local electoral register and being registered with a local general practitioner.

15. The applicant is advised that wherever viable, environmentally feasible and practicable, measures should be taken to ensure the re-use on-site of all suitable sands or gravels raised during construction, to avoid the unnecessary sterilisation of mineral reserves.

B Refuse if the S106 legal agreement not completed for the following reason:

1. In the absence of a legally binding mechanism to secure an appropriate contribution towards the provision of off-site affordable housing, the development is contrary to policy H11 of the Purbeck Local Plan 2018-2034 and paragraph 64 of the National Planning Policy Framework (2024).

This page is intentionally left blank

Eastern Area Planning Committee
19 November 2025

1.0 **Application Number:** 6/2020/0013

Webpage:

<https://planningsearch.purbeck-dc.gov.uk/Planning/Display/6/2020/0013>

[Planning application: 6/2020/0013 - dorsetforyou.com](#)

Site address: Land at White Lovington Bere Regis BH20 7NF

Proposal: Erect 17 No. dwellings, create an access and associated parking and landscaping

Applicant name: Bayview Developments

Case Officer: Alexandra Dones/ ***Elizabeth Adams***

Ward Member(s): During the consultation period: Councillor Laura Miller and Councillor Peter Wharf

Currently: Councillor Mike Baker and Councillor Laura Beddow

The Nominated Officer ***originally*** identified this application to come before the Planning Committee in light of the concerns raised by ward member and the Parish Council regarding the scale of the proposals and their impact on highway safety and ecology.

Following a positive resolution from the Eastern Area Planning Committee on 7 April 2021, the issuing of the decision was delayed when Natural England issued new advice in relation to nutrient neutrality. The application now returns to the Planning Committee to allow re-consideration in the light of material changes. Additions to the original report are shown in bold italic text. Text that is no longer relevant has been crossed out.

2.0 **Summary of recommendation:**

GRANT subject to conditions and the completion of a satisfactory planning obligation.

3.0 **Reason for the recommendation:**

- Paragraph 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The land is allocated in the Bere Regis Neighbourhood Plan for residential development.
- The location is considered to be sustainable, and the proposal is acceptable in its design and general visual impact.
- It is possible to secure mitigation to make the development acceptable in relation to internationally protected Dorset Heathland ***and Poole Harbour***.

- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable, within settlement boundary. Does not conflict with Neighbourhood Plan.
Affordable housing	Acceptable, in accordance with the Local Plan requirements subject to legal agreement as full justification has been provided via viability assessment to demonstrate that the scheme cannot support any affordable housing provision.
Scale, design, impact on character and appearance	Acceptable, subject to conditions.
Impact on the living conditions of the occupants of neighbouring properties	Acceptable, subject to conditions.
Highway safety, access and parking	Acceptable, subject to conditions.
Flood Risk and Drainage impacts	Acceptable, subject to conditions.
Impact on internationally designated heathland and Poole Harbour	Acceptable, subject to legal agreement and conditions.
Biodiversity impacts	Acceptable, subject to conditions.
Impact on trees	Acceptable, subject to conditions.

5.0 Description of Site

- 5.1 The site is approximately 1.3 hectares and is a 'Y shape' that wraps around the existing cul-de-sac known as White Lovington. The site lies within the Bere Regis village envelope.
- 5.2 White Lovington is accessed via Rye Hill/ Southbrook, the main road through Bere Regis which is a Key Service Village as defined in the Purbeck Local Plan ~~Part 1~~ **2018-2034**. The site is currently agricultural in terms of use and there are no buildings on the land which is currently used for grazing with the boundary defined by mature trees and hedgerows.
- 5.3 The site itself is ~~relatively flat~~ **however gently sloping and** it is sat at a higher level than Rye Hill/Southbrook as the existing White Lovington cul-de-sac slopes

gradually upwards towards the south. Although the site is currently vacant it is located directly adjacent to White Lovington which is an established residential cul-de-sac comprising of mainly two storey dwellings which were consented during the period 1986 to 1993.

- 5.4 The dwellings located on White Lovington are typically set back from the road with garden frontages, driveways and enclosed rear gardens. Beyond White Lovington is Rye Hill/Southbrook and the wider settlement of Bere Regis where houses vary in their style and age.
- 5.5 The site has been allocated in the Bere Regis Neighbourhood Plan for residential development.

6.0 Description of Development

- 6.1 The application proposes the erection of 17no. dwellings with associated access, off-street parking and landscaping. The development will consist of:

Bedrooms	Property Type	Tenure	Number
2	Semi-detached two storey	Affordable rented Open market	2
3	Semi-detached two storey	Affordable rented Open market	4
	Semi- detached two storey	Open market	4
	Bungalow	Open market	2
4	Detached two storey	Open market	5

- 6.2 The majority of the proposed dwellings are two storey and ~~6 of the dwellings will be affordable with monies provided to secure 40% provision.~~
- 6.3 All dwellings have off-street parking and private gardens. Details of materials will be submitted and considered by the Local Planning Authority post decision in accordance with a proposed planning condition (no. 7).
- 6.4 A new vehicular and pedestrian access point is proposed off White Lovington that will be laid out in tarmac.

7.0 Relevant Planning History

There are no specific planning applications on this site. The site is vacant and has been used for grazing land. The residential development on White Lovington was consented during the period 1986 to 1993.

The site is allocated for residential development in the Bere Regis Neighbourhood Plan.

8.0 List of Constraints

- within the Settlement Boundary of Bere Regis.
- On the boundary of 400m from Black Hill Heath (designated as SSSI heathland and Dorset Heaths Special Area of Conservation).
- TPO order – T2 (ash).
- In the catchment of Bere River
- Flood Risk Zone 2 for sewer flooding
- Bere Regis Neighbourhood Plan Housing designation
- ***Within Poole Harbour nutrient catchment area***

9.0 Consultations

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

Consultees

- **Natural England (final comments received 21st December 2020)**

There were ongoing discussions between the Planning Officer, Planning Agent and Natural England. It was agreed that a temporary Heathland Infrastructure Project (HIP) directly adjoining the site would provide suitable mitigation for the site and the details of this are set out in the main body of the report below. In their final comments (date December 2020) Natural England commented that the HIP was acceptable subject to a management plan and a Grampian planning condition regarding first occupancy of any dwelling.

(post Committee comments received 27 January 2025)

The application site lies within the hydrological catchment of Poole Harbour SSSI, SPA and Ramsar. Natural England advises that developments which result in an increased nitrogen discharge to the Poole Harbour catchment should be considered, in combination, to have a likely significant effect on the above habitat and international sites.

The Appropriate Assessment submitted includes a nitrogen budget for the application. 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 120 litres 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 such as Dorset Heathlands SAC, SPA and Ramsar from recreational pressure and air quality impacts 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.

- **Wessex Water (received 11th March 2020)**

The Foul Drainage Strategy proposes connections to the public foul sewer in Rye Hill and White Lovington which is acceptable in principle for foul only flows. Our records indicate that northern parts of the site may be located in a groundwater flood risk area where there is a moderate risk of foul sewer inundation during periods of prolonged wet weather leading to sewer flooding. Wessex Water will be seeking higher levels of design and construction in these areas to ensure that the proposed drainage is resilient to the impacts of groundwater infiltration when the water table rises. On site private sewers and sanitary appliances must be designed to be resilient to the impacts of sewer flooding due to high groundwater.

Surface water arrangements and supporting flood risk measures to be agreed with the Lead Local Flood Authority. In areas where there is a risk of high groundwater levels the adequate performance of soakaways when the water table rises should be demonstrated. We request that a robust surface water strategy is agreed as there are no public Surface Water sewers in proximity of this site and surface water connections to the public foul sewer network will not be permitted at a later date. Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

- **Fire Safety Advisor**

No response received.

- **Dorset Council – Highways (received 17th June 2020 and final comments following amendments received 15th March 2021).**

There were ongoing discussions between the Planning Agent and the Highways Officer and amendments were made to the scheme to address initial concerns (details are set out in the main body of the below report). Following amendments and modifications the proposals are considered to be acceptable subject to a number of conditions.

(received 26 August 2025)

The Council's Highways Team confirmed that there have been no recorded collisions associated with the junction of Southbrook/Rye Hill and White Lovington over the past 5 years.

- **Dorset Council – Arboricultural Officer (received 9th April 2020)**

No objection subject to condition ensuring adherence to the Arboricultural Method Statement and a condition requiring a pre-commencement on site meeting.

- **Dorset Council – Landscape (received 25th February 2020)**

No objections but recommended changes and/or conditions.
Recommended visitor car parking spaces be relocated to the less open areas of the site. Recommended alternative hard surfacing to lessen the visual impact of the road and a planning condition to control this.
Recommended using a planning condition to control the landscaping scheme and the landscaping management plan.

- **Dorset Council – Archaeology (received 26th March 2021)**

No objection.

- **Dorset Council – Lead Local Flood Authority (received 2nd March 2020)**

The site of the proposal is shown to fall within Flood Zone 1, as indicated by the Environment Agency's (EA) indicative flood maps. Whilst the EA's Risk of Flooding from SW (RoFfSW) mapping indicates no theoretical risk of surface water flooding on site up to the 1-in-1000 year rainfall event. The nearest watercourse (to the north and the east) is the Bere Stream which at its nearest is approximately 100m away from the edge of the site and as such Flood Zones 2 and 3 are located nearby.

Regardless of prevailing risk, any development has the potential to exacerbate or create flood risk, if runoff is not appropriately considered and managed as evidenced by a substantiated SW strategy. Further

details should be provided to explain how the developer will ensure that the individual soakaways will be maintained for the lifetime of the development.

(Environment Agency flooding data updates in 2025 have not affected flood risk at the site)

- **Dorset Council – Planning Policy (received 27th February 2020)**

The site is allocated in the Bere Regis Neighbourhood Plan so the principle of development is established as being acceptable. The proposal is in accordance with the Neighbourhood Plan's objectives to 'facilitate the development of a sufficient quantity of new housing to meet local demand'. The Neighbourhood Plan indicates this land would be suitable for 12 homes with a 'lower density' than other land parcels allocated for homes (pg. 18, Bere Regis Neighbourhood Plan). This decision was made in order to 'respect the existing development in that area' allowing for homes to be 'designed in keeping with the character of the area' (pg. 17-18, Bere Regis Neighbourhood Plan). Though the proposal is for more than 12 homes, being 17 homes, it is thought this still to be a suitable density as it retains the ability to maintain the character of the surrounding area. Moreover, the proposal for 17 homes makes best use of land in the constrained area that is Bere Regis and is in accordance with paragraph 123 (NPPF, 2019) ***[officer note: now paragraph 124 (NPPF 2024)]***. Therefore the Council supports the development of 17 homes on this site.

- **Dorset Council – Housing (received 31st March 2020)**

'I can confirm that from the Housing Enabling aspect I am happy with the provision of 6 affordable units on site with a commuted sum to bring it up to the full 40% affordable provision'.

This comment is no longer relevant as viability testing supports the contention that no affordable housing can be provided.

- **Dorset Council- Natural Environment Team**

The latest Ecological Impact Assessment fails to adequately mitigate impacts on protected Dormouse, but this can be overcome by the imposition of a condition to secure a dormouse mitigation including a bridge between existing trees.

- **Bere Regis Parish Council (received 24th February 2020)**

Cannot support this application in its present form and requested the application is presented to committee.

- The application does not conform with the adopted Bere Regis Neighbourhood Plan which allows for development of the site with 'approximately 12' dwellings. Whilst we appreciate the figure is not exact,

a 42% increase is not acceptable. This number of dwellings was put forward by the developer during the consultation process, and the density was confirmed by Purbeck District Council as being appropriate and 'in line with the requirements being included in their Local Plan,'

- It is a requirement of the Neighbourhood Plan that developers discuss their proposals with the Parish Council before submitting a planning application. The developer has not entered into discussions. The Parish Council has sent frequent emails to the developer since the Plan was adopted in June 2019 asking what was happening and would they like to discuss the way forward, but no responses were received, and no indication of their intention was given.

- The Neighbourhood Plan further requests a recreational area on the site (page 18), but this has been completely ignored. It should be stressed that the Parish Council is not averse to construction on this site, but we are looking for the site to be developed in accordance with the adopted Neighbourhood Plan. As has already been demonstrated with a planning application for development of a different site within Bere Regis, the Bere Regis Neighbourhood Plan carries considerable weight and needs to be taken into consideration when determining planning applications within the Plan area.

Regarding comments put forward by the developer regarding housing land supply, we can confirm that figures included in the adopted neighbourhood Plan were based on the most up-to-date evidence of housing need, and not on figures included in PLP1. Consequently, the figures shown in the adopted Plan are sound and, in our opinion, the arguments put forward by the developer for a higher density of housing are ill founded.

- **Councillor Peter Wharf (received 8th February 2020)**

Requested the application is presented to committee due to concerns regarding the increase in dwellings compared to the number allocated in the Bere Regis Neighbourhood Plan.

Summary of Local Representations received

The application was advertised by means of a site notice displayed on 05/02/2020, a press notice in the Daily Echo on 06/02/2020 and by letters sent to neighbours.

The Council received a total of 22 responses from neighbours about the application.

The following list sets out a summary of the key issues and objections raised:

- Concerns regarding highway safety due to an increase in traffic accessing White Lovington off of Rye Hill. Many neighbours cited concerns regarding

the safety of pedestrians, especially children walking to the nearby Primary school.

- The proposals are not in accordance with the Bere Regis Neighbourhood Plan because the proposals are for 17 dwellings and this is considerably more than the 'approximately 12' cited in the Neighbourhood Plan.
- The proposals include too many semi-detached dwellings which is out of keeping with the character of the area.
- The proposals do not include enough parking spaces for occupiers and their visitors.
- Concerns regarding the accuracy of the submitted transport statement.
- Concerns regarding the cumulative impact on highways of other proposed residential development in Bere Regis and further afield.
- Concerns regarding biodiversity and the impact of the proposals on protected species.
- Concerns regarding the density of the proposals being out of keeping with the existing character of White Lovington.
- Concerns regarding the design of the proposals being out of keeping with the existing character of White Lovington.
- Concerns regarding the suitability and appropriateness of the size and type of dwellings proposed.
- Concerns regarding the noise and nuisance during construction.
- Concerns regarding the noise from the increase in traffic and pedestrian movement to the new dwellings.
- Concerns regarding the drainage infrastructure and existing problems with sewage.
- Concerns regarding car headlights interrupting houses currently at the top of White Lovington.
- Concerns regarding overlooking the houses currently at the top of White Lovington (numbers 6, 7, 8 and 9).

10.0 Relevant Development Plan Policies

Purbeck Local Plan Part 1:

~~Policy SD: Presumption in favour of sustainable development~~

~~Policy LD: General location of development~~

~~Policy HS: Housing Supply~~

Eastern Area Planning Committee

19 November 2025

~~Policy D: Design~~

~~Policy LHH: Landscape, historic environment and heritage~~

~~Policy BIO: Biodiversity and geodiversity.~~

~~Policy FR: Flood risk~~

~~Policy IAT: Improving accessibility and transport.~~

Purbeck Local Plan 2018 – 2034

Policy V1- Spatial strategy for sustainable communities

Policy E1- Landscape

Policy E4- Assessing Flood Risk

Policy E5- Sustainable Drainage System

Policy E7- Conservation of Protected Sites

Policy E8- Dorset Heathlands

Policy E9- Poole Harbour

Policy E10- Biodiversity and geodiversity

Policy E12- Design

Policy H1- Local housing requirement

Policy HE2- The housing land supply

Policy HE3- New housing development requirements

Policy H9- Housing mix

Policy H11- Affordable Housing

Policy I1- Developer contributions to deliver Purbeck's infrastructure

Policy I2- Improving accessibility and transport

Policy I4- Recreation, sport and open space

Bere Regis Neighbourhood Plan

Policy BR2 – SANG

Policy BR4 – Bere Regis Groundwater

Policy BR6 – Affordable Housing Tenures

Other material considerations:

~~Emerging Purbeck Local Plan 2018—2034~~

~~Regard has been had to the emerging Purbeck Local Plan 2018-2034. Following initial examination of the plan the Inspector has reported that she is reasonably satisfied that with Main Modifications the Plan is 'likely to be capable of being found legally compliant and sound'. A further consultation has just been completed and the Sustainability Appraisal and Habitats Regulation Assessment will be updated prior to a final decision on whether the plan is found legally compliant and sound.~~

~~Paragraph 48 of the NPPF advises that;~~

~~"Local planning authorities may give weight to relevant policies in emerging plans according to:~~

- ~~a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);~~
- ~~b) the extent to which there are unresolved objections to relevant 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 this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."~~

~~The following relevant policies of the emerging Local Plan are consistent with the Framework, there are no significant unresolved objections and the emerging local plan is considered to be at a stage where weight can be given to these policies:~~

~~E1: Landscape~~

~~E12: Design~~

~~The following policies of the emerging Local Plan are also considered relevant to the application but cannot be given any significant weight in the decision-making process because there remain unresolved objections and/or there are the potential for further objections through Main Modifications consultation. The weight that can be given to these policies will change as the local plan progresses to adoption:~~

~~E8: Dorset Heathlands~~

~~E9: Poole Harbour~~

~~E10: Biodiversity and geodiversity~~

~~I2: Improving accessibility and transport~~

~~I3: Green infrastructure, trees and hedgerows~~

Emerging local plans:

Paragraph 49 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, with further consultation between 18 August and 31 October 2025. 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):

Section 2: Achieving sustainable development – paragraph 8(b)

Section 4: Decision making - paragraph 48

Section 5: Delivering a sufficient supply of homes

Section 9: Promoting sustainable transport.

Section 11: Making effective use of land;

Section 12: Achieving well-designed places;

Section 14: Meeting the challenge of climate change, flooding and coastal change.

Section 15: Conserving and enhancing the natural environment.

National planning practice guidance

National Design Guidance

Purbeck District design guide supplementary planning document adopted January 2014.

Dorset biodiversity appraisal and mitigation plan.

~~Purbeck Strategic Flood Risk Assessment 2018~~ ***Dorset Council Strategic Flood Risk Assessment and Environment Agency Flood Risk Data***

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

11.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property.

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

12.0 Public Sector Equalities Duty

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

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

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

The development includes single and two storey dwellings. No significant disadvantage to persons with protected characteristics has been identified by the proposal ***beyond the construction stage, where neighbours with restricted mobility may have fewer opportunities to avoid associated noise and dust impacts.***

13.0 Financial benefits

What	Amount / value
Material Considerations	
Affordable housing	6 units with a commuted sum to supply the full 40% affordable provision.

	None
Non Material Considerations	
CIL contribution	Approx. £86,112.05.
Council Tax	Approx. £37,710.08 £43,279.71 Based on average Council Tax B and D.

14.0 Climate Implications

The proposal is for seventeen new dwellings and associated infrastructure located within and just beyond the Bere Regis settlement boundary on a site that has been allocated for residential development. The properties will be constructed to current building regulation requirements and will be serviced by suitable drainage to prevent any additional impact on terms of flood risk that may be exacerbated by future climate change.

15.0 Planning Assessment

15.1 The main planning considerations in respect of this application are:

- Principle of development
- Impact on habitat sites/ SSSI Dorset Heathland
- Scale, design, impact on character and appearance of the area
- Impact on the living conditions of the occupants of neighbouring properties
- Highway safety, access and parking
- Flood Risk and Drainage impacts
- Biodiversity impacts
- Impact on trees

These and other considerations are set out below.

Principle of development

15.2 ~~To provide context for the consideration of the application; on 19 January 2021 the Housing Delivery Test: 2020 measurement results were published. Purbeck Local Plan area was found to have delivered only 74% of the total number of homes required and therefore, in accordance with National Planning Policy Framework (NPPF) footnote 7, it is judged that the Purbeck housing policies are out of date and the presumption in favour of sustainable development applies.~~

Dorset Council is currently unable to demonstrate a 5-year housing supply as required by National Policy. In addition, the strategies for meeting housing needs in the adopted local plan is not designed to deliver the housing need under the Government's standard method. The NPPF footnote 8 states that in these circumstances the housing policies within the adopted Development Plan are out of date and the presumption in favour of sustainable development at NPPF paragraph 11(d) applies. The emerging Dorset Local Plan is not sufficiently progressed and can be afforded very limited weight in decision making.

- 15.3 Under paragraph 14 of the NPPF, the presumption in favour of sustainable development does not apply where a proposal for housing conflicts with the neighbourhood plan. Bere Regis Neighbourhood Plan (BRNP) was formally made on 25 June 2019. so it is less than two years old, it contains policies and allocations to meet its identified housing requirement, the local planning authority has at least a three year supply of deliverable housing sites and housing delivery was at least 45% of that required over the previous three years. This means that where development conflicts with the Neighbourhood Plan, the adverse impact of allowing development is likely to significantly and demonstrably outweigh the benefits.

The Bere Regis Neighbourhood Plan (BRNP) was formally made on 25 June 2019. As it is more than 5 years old, para 14 of the NPPF does not apply. As a result, the presumption at paragraph 11(d) of the NPPF continues to apply and any conflict of the proposal with the BRNP should be given less weight in the planning balance.

- 15.4 The majority of the application site is located within Bere Regis settlement boundary as defined in the Purbeck Local Plan **2018-2034** Part 4 (PLP4). Only the road serving the development extends outside of the boundary. The principle of housing on the site is therefore acceptable in accordance with PLP **Policy V1 'Spatial Strategy for Sustainable Communities'**. Policies SD: Presumption in favour of sustainable development and Policy LD: General Location of Development of the Purbeck Local Plan Part 4

- 15.5 The site is allocated for residential development in the Bere Regis Neighbourhood Plan (BRNP). Concerns have been raised by objectors, the Parish and the Ward member that the proposal conflicts with the BRNP because 17 homes proposed is significantly more than the 'approximately 12 homes' identified for the site by policy BR7 of the BRNP. They also note a lack of open space provision and lack of pre-application discussion contrary to **the supporting** text within **for policy BR7 of** the BRNP.

- 15.6 In this case, officers consider that the proposal does not conflict with Bere Regis Neighbourhood Plan (BRNP) for the following reasons:

- The site is allocated for housing in the BRNP
- Policy BR7 states 'New residential development will be allowed on the five

allocated sites shown on Map 3, comprising...

- *White Lovington- Land extending to about 1.0 Hectare (2.5 acres) approximately 12 homes'*

- The supporting text notes that the site '*should be developed at a lower density to respect the existing development in that area*' but the policy does not include an upper limit on housing numbers and the impact of the proposed development on the character of the area is considered appropriate (more detail is provided later in the report). ***Existing housing density in White Lovington is very low at approximately 9 dwellings per hectare. Although the proposed development represents a higher density, of approximately 13 dwellings per hectare, this density remains low at a time where the NPPF encourages making the optimal use of land. (Southbrook to the north has a density of approximately 26 dwellings per ha.)***

- The supporting text of the Bere Regis Neighbourhood Plan identifies that the White Lovington site '*should include areas for informal recreation*' but there is no text within any NP policy specifying the requirements. A temporary open space is anticipated to be necessary to mitigate the impacts of the development on heathland. ~~but there is no policy basis for securing additional public open space; a contribution secured via the Community Infrastructure Levy is policy compliant.~~ ***Local Plan Policy I4: Recreation, sport and open space requires that where a gap in provision is identified, major residential sites (10 dwellings or more) will be required to make a financial contribution to provide and/or enhance facilities off-site. The Council's policy team has confirmed that the Neighbourhood Plan identifies local green spaces and there is plenty of informal open space in the locality. No particular gap in recreation, sport or open space provision has been identified from the available evidence that would necessitate a contribution associated with the proposal.***

- The Neighbourhood Plan encourages developers to '*work closely with BRPC, parishioners and PDC to consider development density and architectural styles before submitting planning applications for any of the sites*' but such engagement is not a policy requirement which can influence the determination of the application.

- 15.7 As Officers judge that the proposal does not conflict with the neighbourhood plan, the application has been considered in the light of the presumption in favour of sustainable development; permission should be granted unless:
- 15.8 The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- 15.9 Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole,

having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Impact on Habitat Sites/SSSI Dorset Heathland

- 15.10 The site is located approximately 400m from Black Hill Heath Site of Special Scientific Interest ***which forms part of the Dorset Heaths Special Area of Conservation and Dorset Heathlands Special Protection Area and Ramsar.*** The site is located on the boundary of the 400m buffer zone which is set out in the Dorset Heathlands Planning Framework 2020- 2025 Supplementary Planning Document. Within the 400m buffer zone evidence has shown that the impacts of additional residential development on the integrity of protected Dorset Heathland cannot be effectively mitigated. The proposals have been designed to take into account this buffer zone and no part of the proposed dwellings or their residential gardens fall within this area.
- 15.11 The site is not large enough in terms of its scale or housing delivery to require mitigation in the form of a Suitable Alternative Natural Greenspace (SANG), however, due to its proximity to the 400m buffer zone and the lack of local SANG provision, a Heathland Infrastructure Project (HIP) has been proposed and agreed as appropriate mitigation by Officers in discussion with Natural England.
- 15.12 The applicants have ownership of land measuring approximately 0.8 ha, shown on the submitted block plan outlined in blue, which adjoins the proposed development site (outlined in red) and this where it is anticipated that the HIP will be located. Natural England consider that a HIP consisting of informal pathways offering dog waste bins and benches would provide sufficient and appropriate mitigation for the development as it would provide open space for new and existing residents to use reducing the likelihood of trips to the designated heathland.
- 15.13 The applicant anticipates that the Heathland Infrastructure Project will be a temporary provision because it is anticipated that appropriate mitigation for the development will be secured via the creation of the SANG at Back Lane allocated in the Bere Regis Neighbourhood Plan. ***The Back Lane SANG is the subject of application P/FUL/2024/05032 which also seeks permission for 67 dwellings and remains under consideration.*** As the applicants have no control over the provision of the SANG it is necessary to secure the provision of the HIP as mitigation via a S106 planning obligation. The proposed HIP land is in the ownership of the applicant but as planning permission will be required to change the use of the agricultural land to open space a condition is not considered appropriate in this instance.
- 15.14 It is also necessary to secure the provision and maintenance of the HIP via the planning obligation for this application, as the HIP will need to remain available to

be used by the public until such time as alternative mitigation, for example the Back Lane SANG, is brought forward and it is agreed in writing by the Council that the mitigation is acceptable.

- 15.15 Natural England have raised no objections to the proposals subject to the provision and maintenance of the HIP together with the contribution to the Strategic Access, Management and Maintenance (SAMM) scheme. In this case the latter will be funded via the Community Infrastructure Levy. ***Subject to a planning obligation to secure the HIP the proposal is judged to accord with policy E8 (Dorset Heathlands).***

Affordable housing

- 15.16 The application site is an allocated site for residential development identified by the Bere Regis Neighbourhood Plan (policy BR7 – Residential Development). ~~Policy AH~~ ***Policy H11 (affordable housing) of the Local Plan*** states that developments that result in a net increase of 2 or more dwellings, ~~or are on a site area of 0.05 hectares or more will be required to provide an affordable housing contribution and identified local need, economic viability and any other overriding planning objectives for the site will also be taken into consideration.~~ ***10 homes or more on a greenfield site will be required to provide 40% affordable housing to comprise 10% social rented housing, 65% affordable rented housing and 25% affordable home ownership.***
- 15.17 ~~For this site in this location, policy AH states the affordable housing contribution must be ‘at least 40%’. The details submitted with the application initially referred only to 6 units which is a contribution of approximately 35% but the Planning Agent subsequently confirmed via email on 31st March 2020 that the scheme would provided~~ ***Members previously agreed that the application could be approved, subject to a legal agreement to secure*** the full 40% affordable housing contribution in the form of 6 dwellings on site and a commuted sum contribution in the amount of 0.8 units. ***It was anticipated that*** Units 10-15 ***will would*** comprise the 6 affordable dwellings on site and all 6 units are ***were*** to be Affordable Rented Tenure. The Senior Housing Officer has confirmed that this is ***was*** an acceptable contribution.
- 15.17A Subsequently, in 2024, the applicants advised that their scheme could no longer support any affordable housing provision nor new open space and education contributions introduced by the Purbeck Local Plan policies I1 and I4.***
- 15.17B An Economic Viability Report has been submitted to justify departure from the policy requirements. As required by policy H11 the document refers back to the viability assessment that informed the Local Plan. It explains that since October 2019 when the Local Plan evidence base was reported, there have been significant changes to the economy impacting the residential development industry including the Covid Pandemic and the***

Ukraine War. These have resulted in higher interest rates and higher inflation pressures within the construction economy. Officers agree that these changes make it appropriate for a review of the proposal's viability.

15.17C The report explains that increased costs, including the requirement to provide mitigation to secure nutrient neutrality costing £104,483 and changes to the Building Regulations, have negatively affected the scheme's viability. The applicant's Economic Viability Report has been subject to independent review for the Council by Dixon Searle. They have re-run the appraisal on the basis of alternative cost assumptions but have confirmed that even a scheme without any affordable housing is only marginally viable. Sturt Company, acting on behalf of the developer, have updated their figures in the light of Dixon Searle's comments and have defended their build costs with reference to other development taking place in the New Forest and Eastern Area of Dorset. Recent decisions by Planning Inspectors have also been provided to demonstrate that other costs in their viability report are reasonable. As required by policy H11 the applicants have demonstrated that the scheme cannot support a contribution towards affordable housing so although no affordable housing is proposed, the scheme is compliant with policy H11.

~~15.18 The proposed affordable housing contribution, in the form of 6 dwellings and a contribution equivalent to 0.8 units, delivers the full 40% affordable housing contribution. The proposal therefore accords with local policy AH and would contribute to affordable housing supply in accordance with the National Planning Policy Framework.~~

Scale, design, impact on character and appearance of the area

15.19 Concerns have been raised by ***the former Ward Councillor***, Councillor Wharf, the Parish Council and neighbours regarding the number of dwellings proposed. The Bere Regis Neighbourhood Plan indicates this land would be suitable for 'approximately 12' homes and the supporting text refers to the site supporting development with a 'lower density' than other land parcels allocated for homes 'to respect the existing development in that area'.

15.20 The current proposal is for 17 dwellings and concerns have been raised that the density is too high and the Bere Regis Neighbourhood Plan is not being adhered to. The Planning Policy Officer was consulted regarding the housing density and adherence to the Bere Regis Neighbourhood Plan and they commented that they support the development of 17 homes on this site. The Planning Policy Officer states that '*though the proposal is for more than 'approximately 12 homes', being 17 homes, it is thought this still to be a suitable density as it retains the ability to maintain the character of the surrounding area*'. A scheme of 12 houses would equate to a net density of 9 dwellings per hectare (dph). The proposed development would achieve 13 dph which is considered to be best use of land in

the constrained area that is Bere Regis in accordance with paragraph 423 **124** of the National Planning Policy Framework.

- 15.21 The area adjoining the development site is characterised by substantial, detached, two storey brick dwellings in generous curtilages with open front gardens and off street parking.
- 15.22 The proposed dwellings are all set back from the road with more modest soft landscaped areas to the front. Off road parking will serve each dwelling and properties have rear gardens which, although smaller than those of existing nearby properties, provide ample amenity space. The inclusion of semi-detached properties allows 17 units to be provided within 12 structures plus associated garage buildings. Whilst sited on the edge of the settlement and adjacent to low density development along White Lovington, Officers consider that the proposed density can be achieved without harm to the character of the area. The existing trees and hedgerows combined with the proposed soft landscaping scheme (details to be secured via planning condition no. **69**) will soften the urban nature of the overall development ensuring it does not appear an incongruous addition in this edge of the settlement boundary location **and accords with policy E1 (Landscape) of the Purbeck Local Plan.**
- 15.23 Neighbours have raised concerns regarding the number of semi-detached dwellings as they consider these are not in keeping with the character of the area. The proposals include 10 semi-detached dwellings: 2no. two bedroom and 8no. three bedroom. These are proposed to be sited in the south eastern part of the site and will be visually distinct from the existing built form, separated by the new road and landscaping. The remaining 7 dwellings are detached: 5no. four bedroom detached dwellings and 2no. three bedroom. Officers consider the form and size of the proposed variety of dwellings will result in a positive contribution to meet local housing need and the layout respects existing development. Although large four bedroom detached dwellings may be more in keeping with the existing buildings located on White Lovington, Officers consider the variety of dwellings proposed is more appropriate to meet the area's need for 2 and 3 bedroom dwellings identified by the Strategic Housing Market Assessment (2015) **and its update in 2018 and therefore accords with policy H9 of the PLP 2018-2034.**
- 15.24 The proposals include 8 different house types across the 17 dwellings and although each type is different in terms of its size and layout, the overall design elements remain similar, pay regard to nearby existing dwellings and complement one another, for example, quoin brick detailing around windows and doors is used across almost all units. The proposed materials are to be agreed via planning condition (no. **713**) prior to the construction of the dwellings so Officers have control over the materials and colours used. There are no Conservation Area or Listed Building impacts to be considered for these proposals.

- 15.25 The overall design of the site is largely shaped by constraints such as the Dorset Heathland 400m buffer zone and tree protection orders. The Landscape Officer requested some of the visitor car parking spaces be relocated away from the most open areas of the site. As a result the car parking spaces are now positioned closer to the proposed dwellings and are positioned less formally within verges to have less of an urban look and feel.
- 15.26 Officers consider the scale, density and design of the proposals are appropriate in this location. The proposals comply with ~~policy D (design) of the Purbeck Local Plan Part 4~~ **policy E12** and the Government's overall objective to significantly boost the supply of homes (~~Paragraph 59 of the NPPF~~ **Paragraph 61 of the NPPF 2024**) and promote an effective use of land (~~Paragraph 117 of the NPPF~~ **paragraph 124 of the NPPF 2024**).

Impact on the living conditions of the occupants of neighbouring properties

- 15.27 The two main concerns raised by neighbours were regarding the increase in traffic generation and the potential highway safety issues that arise from this and the density and design of the proposed dwellings. The concerns regarding highways issues are addressed in the 'Highway safety, access and parking' section of this report and the concerns regarding building density and design are addressed in full in the Scale, design, impact on character and appearance of the area section of this report.
- 15.28 As described above the development site is a 'Y shape' that wraps around the existing cul-de-sac of White Lovington. There are no further residential properties to the south, east or west of the development site and therefore the only properties that have the potential to be impacted by the proposals are those on White Lovington. Concerns were raised regarding the potential overlooking and loss of privacy for the occupiers of some existing dwellings on White Lovington. Officers consider the dwellings most likely to be impacted by the proposals are those at the head of the cul-de-sac, those on the east and the property adjacent to the northern edge of the development site: namely, 4, 5, 6, 7, 8 and 12 White Lovington.
- 15.29 Unit one will be located approximately 10m from the existing building of 12 White Lovington and taking into account the topography of site the finished floor levels will be similar (**finished floor levels will be secured by condition 8**). Unit one is proposed to be a detached four bedroom house (house type 6 as referenced on the submitted proposed plans). Officers note there is one first floor window on the first floor east (side) elevation facing towards 12 White Lovington. Given the fact this is a small secondary window and as a mature protected tree (to be retained) acts as a significant privacy screen, Officers do not consider this window would result in the potential for any harmful level of overlooking.

- 15.30 The rear gardens of 7 and 8 White Lovington will back onto the proposed new road. Originally visitor car parking spaces were located in this position however these have now been repositioned to a different area of the site. The distance between the buildings and the proposed new road is approximately 30m. Officers consider the distance of 30m is more than sufficient to ensure the proposals do not result in demonstrable harm on the occupiers from noise and disturbance. The rear boundaries of 7 and 8 White Lovington are demarcated by **some** mature protected trees that again will be retained and protected during the construction phase of development **but there is also a degree of openness. Details of additional appropriate boundary treatment will be secured by condition xx.**
- 15.31 Units 16 and 17 (house type 4) located to the east of 4, 5 and 6 White Lovington are three bedroom detached bungalows. The distance between the proposed units and the existing dwellings is approximately 30m separated by the newly proposed road and the existing mature trees on site. Given the fact that the units are bungalows set behind mature trees Officers are not concerned regarding overlooking and/or a potential loss of privacy.
- 15.32 Units 14 and 15 (house type 1) located to south east of 6 White Lovington are two bedroom semi-detached dwellings. The distance between the proposed units and the existing dwellings is approximately 27m separated by the newly proposed road and the existing mature trees on site. Again, Officers consider this distance combined with the natural tree screening is more than sufficient in ensuring there is no demonstrable harm on the occupiers of 6 White Lovington.
- 15.33 The proposals will result in an increase in traffic movement on White Lovington due to this being the only vehicular access point. The layout of the scheme means that the new road is not a through road and the design anticipates limited vehicle speeds. The existing and proposed dwellings are all set back from the existing and proposed road which also lessens the impact and reduces the amount of noise. Officers do not consider the additional comings and goings associated with 17 residential dwellings in this location in the settlement boundary would result in demonstrable harm on the occupiers of White Lovington in terms of noise nuisance and/or disturbance.
- 15.34 Given the nature of the development with all new and existing properties having substantial gardens and there being sufficient distances between all buildings Officers do not consider the proposals would result in any overshadowing or overbearing impact on the existing occupiers. The presence of the natural boundary in the form of mature protected trees and hedgerows further mitigates any such impact.
- 15.35 Although noise caused by construction is not a material planning consideration Officers acknowledge the Bere Regis Neighbourhood Plan sets out to ensure

due care and consideration is given to neighbours. Officers suggest adding an informative note (no. 226) to the decision notice recommending the developer signs up to or uses a contractor that is registered with the Considerate Constructors Scheme.

- 15.36 Officers consider the proposals are designed to best make use of the land within the settlement boundary whilst considering the existing built environment and the occupiers of these dwellings. The proposals are considered to be in accordance with ~~policy D (design) of the Purbeck Local Plan Part 1~~ **Policy E12 of the Purbeck Local Plan 2018-2034** and design details recommended in the National Design Guidance and the National Planning Policy Framework as they would not result in any demonstrable harm on the occupiers of nearby residential properties.

Highway safety, access and parking

- 15.37 The proposals include creating a new road from the north west of White Lovington to access the proposed dwellings. The proposals also include creating a total of 52 car parking spaces, a minimum of 2 parking spaces are allocated per unit and the remainder are unallocated guest parking bays.
- 15.38 Officers met with **former** Councillor Peter Wharf and a neighbour at Westport House when the application was first submitted in early 2020. The main concerns raised in this meeting were regarding highway safety and the cumulative impact of proposed development and following the meeting a series of points were put to the Highways Officer during the consultation period. Following this a number of neighbours raised concerns through the application process again regarding highway safety. The Highways Officer addressed the points raised in his first formal response dated June 2020.
- 15.39 White Lovington is an adopted highway with a generous bell-mouth junction with Southbrook (which is a "C class" road) and has very good visibility splays either way from the junction. The Highways Officer commented that the visibility splays are in excess of today's standards as its construction preceded Manual for Streets. The existing carriageway is suitable for two vehicles to pass and has 1.8m wide footways both sides of the access road from the back of its bell-mouth leading into the estate to the point at which the road splits. At this point the road is served by a single footway leading to the south only. However, as highway verges are still provided on both sides of the road on the northern spur this allows for the provision and extension to the footway best suited to the north side of the road.
- 15.40 Neighbours and the Parish Council raised concerns regarding visibility at the junction of White Lovington and Southbrook/ Rye Hill. In his initial comments dated June 2020, the Highways Officer commented that 85th percentile speeds had been obtained and readings of 32mph southbound and 33mph northbound

have been recorded. The visibility splays (in excess of 80 metres) to both to the north and south of White Lovington exceed the requirements of Manual for Streets for even a 40mph road. As Southbrook has a 30mph limit the visibility splays exceed requirements.

- 15.41 Neighbours and the Parish Council raised concerns regarding traffic collisions at the junction of Southbrook/ Rye Hill and White Lovington. The Highways Officer commented that there have been no recorded injury accidents within the vicinity certainly within the last 5 years along Southbrook within 150 metres either side of the junction its junction with White Lovington. It is noted that there was sadly one fatal accident when a trailer became detached and careered onto the footway striking two pedestrians in 2007 and another accident when a 17 year old driver lost control, striking the kerb and with the vehicle ending up on its roof a just after 4am in 2003. Another involved a tractor towing a trailer hitting a car in 2005 and another when a car in a line of traffic was rear ended in 2006 and finally a HGV and pedestrian collided “on the nearside” in 2006. No cause was given. The nearest of these was over 40 metres from the junction of White Lovington and these accidents occurred over a period of 20 years. ***Further confirmation was provided on 8 July 2024 that there have been no recorded collisions related to the junction in the last five years; one slight collision in 2023 related to speed limit changes north of Rye Hill.*** The accident record would not justify refusal on the grounds of highway safety.
- 15.42 Throughout the application process requests were made for pedestrian guard railing to be installed within White Lovington as this is on a route to school. Both the Highways Officer and the Road Safety Officer have considered the situation but have not identified the need for mitigation to make the development acceptable. In response to concerns raised regarding the increase in traffic movement the Highways Officer commented that it is recognised that the proposed 17 units will effectively double the number of dwellings served by White Lovington, but that even this number of some 34 units in total is very low for such an access road particularly noting the geometry and the sight lines of the junction with the “C” class road.
- 15.43 Following receipt of the initial comments the planning agent submitted an amended site plan showing additional footway throughout the site and an amended visibility splay plan. The Highways Officer confirmed in March 2021 that in light of the additional information supplied the proposals are acceptable subject to conditions. ***Subject to conditions 9-12 the application accords with policy 12 (Improving accessibility and transport) of Purbeck Local Plan 2018-2034.***

Flood Risk and Drainage impacts

- 15.44 The proposed development site falls within Flood Zone 1, as indicated by the Environment Agency’s (EA) indicative flood maps and in this respect the proposals are acceptable. The EA’s Risk of Flooding from surface water mapping

indicates no theoretical risk of surface water flooding on site up to the 1-in-1000 year rainfall event. ***The site does not lie within an area identified as being at risk of flooding in the Council's Strategic Flood Risk Assessment.***

- 15.45 The nearest watercourse (to the north and the east) is the Bere Stream which at its nearest is approximately 100m away from the edge of the site and as such Flood Zones 2 and 3 are located nearby. The Lead Local Flood Authority commented that regardless of the prevailing risk, any development has the potential to exacerbate or create flood risk, if runoff is not appropriately considered and managed as evidenced by a substantiated surface water strategy.
- 15.46 Bere Regis is known to have problems with surface water flooding, and policy BR4 (Bere Regis groundwater) of the Bere Regis Neighbourhood Plan states that development will only be permitted where it not only meets Local Plan policies covering flood risk and SUDS but also incorporates specific measures so as to not exacerbate groundwater flooding or flooding from sewers.
- 15.47 A drainage strategy document has been submitted alongside the planning application. The drainage strategy details that foul drainage will be to existing public foul sewers in Rye Hill and White Lovington and Wessex Water have confirmed this is acceptable so long as it is foul only. Wessex Water commented that their records indicate that northern parts of the site may be located in a groundwater flood risk area where there is a moderate risk of foul sewer inundation during periods of prolonged wet weather leading to sewer flooding. Wessex Water will therefore be seeking higher levels of design and construction in these areas to ensure that the proposed drainage is resilient to the impacts of groundwater infiltration when the water table rises. On site private sewers and sanitary appliances must be designed to be resilient to the impacts of sewer flooding due to high groundwater.
- 15.48 The proposals indicate that surface water will be dealt with using soakaways. The Lead Local Flood Authority has commented that this would be acceptable but further details should be provided to explain how the developer will ensure that the individual soakaways will be maintained for the lifetime of the development. In areas where there is a risk of high groundwater levels the adequate performance of soakaways when the water table rises should be demonstrated. Wessex Water requested that a robust surface water strategy is agreed as there are no public surface water sewers in proximity of this site and surface water connections to the public foul sewer network will not be permitted at a later date. Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system.
- 15.49 In order to accord with ***Neighbourhood Plan*** policy BR4 and ***Local Plan policy E5 (Sustainable Drainage Systems)*** it is judged necessary to require by condition 3 that prior to commencement of the development the applicant must

submit details of the robust surface water SUDS strategy including details of all soakaways and details explaining how the developer will ensure that the individual soakaways will be maintained for the lifetime of the development. In addition (and also prior to the commencement of development) the applicant must submit details of the proposed foul connections to be approved by the local Planning Authority under consultation with Wessex Water. This will secure the appropriate level of detail to provide reassurance that ***the new foul drainage will be resilient to the impacts of groundwater and*** the development will not result in flooding.

Biodiversity impacts

- 15.50 The application is ***was originally*** supported by an Ecological Appraisal undertaken by Abbas Ecology that includes bat transect surveys and similar work undertaken for reptiles and other investigations for badgers and dormice. The Ecological Appraisal concludes that there is a low population of slow worms on the site and potentially badger presence. The Ecological Appraisal also states the site is well used by bats for foraging, including commuting along the treelines and hedgerows.
- 15.50A ***Due to the delays in the issuing the decision, the certified BMEP that supported the application has become outdated and it has been necessary for an update to be provided. An Ecological Impact Assessment (EclA) has been submitted that has been informed by a recent site walkover and the findings of local surveys which have identified that the site could support dormice.***
- 15.51 Given the evidence of biodiversity interest on site a full Biodiversity Mitigation and Enhancement Plan (BMEP) has been submitted as part of this planning application ***the updated Ecological Impact Assessment identifies necessary mitigation*** to secure the protection of biodiversity. The plan also includes a number of enhancement measures including 12 integrated bat boxes, 'hedgehog holes' in any new fencing, bee bricks, sparrow terraces and swift blocks on all houses with a gable end on the north or eastern side. In addition to biodiversity measures built into the dwellings and their boundaries there are a number of enhancements set out across the wider site. These include the protection of existing trees and ***enhanced boundary*** hedgerows, details setting out the type of new trees and hedgerows that must be planted, bird boxes in trees, a sympathetic lighting scheme ***and dark corridors***, the monitoring of Ash trees and restrictions on pruning to fit with the bird breeding season.
- 15.52 ~~The Biodiversity Mitigation Enhancement Plan (BMEP) was approved and signed off by the Natural Environment Team on 1st April 2020 and a Dorset Biodiversity Appraisal Protocol Certificate of Approval issued by the Natural Environment Team on 1st April 2020. The proposals are acceptable in accordance with policy BIO (biodiversity and geodiversity) of the Purbeck Local Plan Part 4~~

The Council's Natural Environment team has advised that in addition to the mitigation proposed by the EclA (to be secured by condition 12, additional dormouse mitigation should be secured by condition (no. 6). Conditions requiring the submission of a Construction Environmental Management Plan (no.5), a pre-commencement meeting on site where an ecologist is present (no. 4) and Landscape Ecological Management Plan (no.11) are also necessary to secure details of the development and subsequent management in the interests of biodiversity. Subject to these conditions

~~Officers consider the proposals are acceptable in these terms subject to adherence to the Biodiversity Mitigation Enhancement Plan and a pre-commencement meeting on site where an ecologist is present (Condition 4)~~
comply with policy E10 (Biodiversity and Geodiversity) of the Purbeck Local Plan 2018-2034 and the objectives set out in Section 15: Conserving and enhancing the natural environment of the National Planning Policy Framework.

Impact on trees

- 15.53 The application has been submitted with a number of tree survey plans, a tree protection plan and a detailed Arboricultural Method Statement that covers the entire site. Although the majority of the site where development is proposed is clear of trees, the rear boundaries of the existing properties at White Lovington are lined with mature trees that are protected by Tree Preservation Orders. The Tree Preservation Orders surrounding the site were made in the 1980s.
- 15.54 The Arboricultural Method Statement sets out appropriate measures to protect the trees on site during the construction period including the erection of protective barriers, installing no-dig cellular confinement systems and protecting the soil for new tree planting and landscaping. The Arboricultural Method Statement also sets out details of the proposed materials and methodology for the protective measures that will be used.
- 15.55 The Senior Tree and Landscape Officer has commented that the submitted Arboricultural Method Statement is thorough and the impact assessment is realistic. The Senior Tree and Landscape Officer has raised no objections to the proposals in relation to impact on trees subject to a planning condition be added to the decision notice ensuring adherence to the submitted Arboricultural Method Statement. They also specifically referred to paragraph 5.6 of the Arboricultural Method Statement which suggests a pre-commencement meeting on site; this will be secured via a planning condition.
- 15.56 The proposals are acceptable in accordance with local and national planning policies subject to adherence to the Arboricultural Method Statement and a pre-commencement meeting on site where the Senior Tree and Landscape Officer is present (conditions 4 and 16).

Open Space

- 15.57 The supporting text of the Bere Regis Neighbourhood Plan identifies that the White Lovington site 'should include areas for informal recreation'. Although this was not included as a requirement in policy BR7, concerns have been raised by the parish that no open space is being provided.
- 15.58 Although it is anticipated that open space will need to be secured on adjacent land as mitigation to overcome restrictions relating to Dorset Heathland, this may only be for a temporary period. The open space offered by the proposal is limited to a landscaping area measuring approx. 11m by 62m in front of units 1-3, to the rear of 9 White Lovington. Appropriate landscaping of this modest area of Green Infrastructure can be secured by condition, but it is recognised that lack of informal recreation space fails to meet the aspirations of the Bere Regis Neighbourhood Plan.
- 15.59 ~~Green Infrastructure policy GI of the Purbeck Local Plan requires that new residential development makes provision for open space and green infrastructure~~ ***Policy I3 (Green Infrastructure, trees and hedgerows) requires that new development protects and strengthens the existing green infrastructure network in a manner commensurate to its size and location. This will be achieved on site via the ecological measures secured by condition 14 and additional soft landscaping detail secured by condition 6.***
- 15.59A Policy I4 seeks a financial contribution towards sport or recreation areas where there is a gap in provision, but no local gap has been identified that is relevant to this proposal. On this site a contribution will be secured via the Community Infrastructure Levy so the limited on-site provision included in the application would not be reasonable grounds for refusal.***

Impact on Poole Harbour Habitats Site

- 15.60 Poole Harbour is a designated Special Area of Protection and Ramsar site. In March 2022 Natural England updated their advice for the Poole Harbour catchment area to advise that development where an increase in nutrient loading was likely could only be granted if the proposal included appropriate phosphorus and nitrogen mitigation. On 25 January 2024 Poole Harbour was designated as a nutrient sensitive catchment for both nitrogen and phosphorous by the Secretary of State. Natural England has subsequently confirmed that the measures secured by the Levelling Up and Regeneration Act requiring wastewater treatment work upgrades to reduce the nutrient concentrations in wastewater, are sufficient to reduce the phosphorous levels so phosphorus mitigation is no longer required.***
- 15.62 The applicants have provided evidence that they have purchased temporary mitigation credits from Dorset Council to mitigate the impacts of the development until 2030. A provisional credit certificate has also been provided to demonstrate that Lyscombe Farm credits for in perpetuity***

impacts are available, so it is reasonable to impose a pre-commencement condition to secure their purchase. A condition limited wholesome water to 110litres per person in line with Building Regulations is also necessary as this is the basis on which the credits have been calculated. With this mitigation secured it has been possible to positively conclude a Habitats Regulations appropriate assessment and the proposal accords with policy E7 (Poole Harbour) of the Purbeck Local Plan 2018-2034.

Infrastructure contributions

- 15.64** ***Policy I1 of the Purbeck Local Plan 2018-2034 identifies the need for housing developments of over 10 dwellings to provide an education contribution. The Council's Education team has confirmed that there is capacity at Primary level but that a contribution should be sought for secondary and early years education provision of £5,822 per unit. Policy I1 makes provision for applicants to demonstrate that they are unable to provide infrastructure contributions and this has been demonstrated via the submitted Economic Viability Assessment as confirmed by the Council's independent viability consultants. Although no contribution will be provided, the requirements of policy I1 have been met.***

16.0 Conclusion

Officers consider that the proposed development does not conflict with the Bere Regis Neighbourhood Plan and in the light of the Housing Delivery test it has been necessary to consider this application against paragraph 11 of the National Planning Policy Framework. In this case the NPPF policies do not provide any clear reasons for refusing the development proposed and no adverse impacts have been identified that would outweigh the benefits.

The proposed erection of 17 dwellings makes efficient use of land without harming the character of the area and will contribute to housing supply ***in a sustainable location*** including the provision of affordable housing which can be secured by a planning obligation. ***It is regrettable that no affordable housing or infrastructure contributions are provided but the applicants have demonstrated that these would make the scheme unviable, so there is no conflict with the Local Plan.*** The proposed dwellings are considered to be of an appropriate scale, size and design and are acceptable in terms of impact on the character and appearance of the local area. The impact on neighbouring amenity, highway safety, biodiversity, drainage and Habitat Sites are also considered to be acceptable subject to conditions and securing appropriate heathland mitigation via a planning obligation. The proposal is therefore considered to be sustainable development for the purposes of NPPF paragraph 11. ***Officers do consider there are any material considerations which indicate that permission should be refused.***

Approval is recommended subject to the conditions as set out below. ***Agreement to the pre-commencement conditions was received on 11 November 2025.***

17.0 **Recommendation**

A) Grant, subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

- ~~The 6 units of affordable housing,~~
- ~~The affordable housing contribution~~
- Provision (including a change of use planning application) and management of a Heathland Infrastructure Project until such time that the Council agrees that alternative mitigation can be relied upon.

and the following conditions:

1. Commencement

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

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

2. Plans

The development permitted must be carried out in accordance with the following approved plans:

19-1057-001 Location Plan
19-1057-002-B, Block Plan
19-1057-003-P8, Overall Site Layout
19-1057-004,
19-1057-005,
19-1057-006,
19-1057-007,
19-1057-008,
19- 1057-009,
19-1057-010,
19-1057-011,
19-1057-012,
19-1057-013,
19-1057- 014,
19-1057-015,
19-1057-016,
19-1057-017,
19-1057-018,
19-1057-019,
19-1057-020,

19 November 2025

19-1057-021,
19-1057-022,
19-1057-023,
19-1057-024,
19- 1057-025-A,
19-1057-026,
19-1057-027,
19-1057-028,
19-1057-029,
19- 1057-031,
19-1057-033,
087.5008.001 revision C,
087.5008.002 revision A,
087.5008.003 revision A and
~~Accommodation schedule to be read in accordance with 19-1057-003.~~

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

3. *Surface water drainage*

Prior to commencement of development a scheme for (a) land and (b) surface water (including maintenance for the life time of the development) drainage, must be submitted to and approved in writing by the Local Planning Authority. No land, surface water or foul drainage works must start until this is approved. The development must then be implemented and maintained in accordance with the approved scheme and must be completed before first occupation of any of the dwellings.

Reason: To ensure that these details are agreed before they are undertaken, and to alleviate the possible risk of flooding to the site and the adjoining land, and in the interests of ground stability.

~~4. As referenced in paragraph 5.6 of the Arboricultural Method Statement (reference: ATC/518/2019) before the installation of any tree protection measures, ground works, excavations or the use, storage and movement of any plant machinery or building materials on site an onsite meeting between the developer and the Local Authority Tree Officer must take place to clarify and approve the position of tree protective fencing and no dig cellular confinement systems as marked out before installation, the frequency and timing of arboricultural site supervision (if required), and to agree any modifications to the approved Arboricultural Method Statement. Any modifications shall be submitted to and approved in writing by the Local Planning Authority prior to commencement. An ecologist must also be in attendance at this meeting in accordance with the details set out in Section F (trees) of the NET signed Biodiversity Enhancement and Mitigation Plan⁷ signed 01.04.2020.~~

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

4. Tree protection

The development hereby permitted shall not commence until an arboricultural supervision and monitoring statement has been submitted to and agreed in writing by the Local Planning Authority and which shall be informed by a site meeting between the Local Planning Authority's Tree Officer and the developer's Arboricultural Consultant, Ecologist and Site Manager. The development shall be carried out in accordance with the approved supervision and monitoring statement and the Arboricultural Impact Appraisal and Method Statement prepared by Hellis Solutions Limited ref: 24/10/224/NH dated December 2024 V4.0. A monitoring report shall be prepared and be submitted to and agreed by the Local Planning Authority on completion of development.

Reason: To protect trees which contribute to local amenity and ecology.

5. Construction Environmental Management Plan

Prior to the commencement of development on the site, a Construction Environmental Management Plan (CEMP) (Biodiversity) must be submitted to and approved in writing by the local Planning Authority. The CEMP must include the following:

- a) Risk assessment of potentially damaging construction activities.***
 - b) Identification of "biodiversity protection zones".***
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).***
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.***
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.***
 - f) Responsible persons and lines of communication.***
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.***
 - h) Use of protective fences, exclusion barriers and warning signs***
- The development shall take place strictly in accordance with the approved CEMP.***

Reason: To protect biodiversity during the construction phase.

6. Dormice mitigation

Prior to commencement of development or any clearance of habitat capable of supporting dormice on the site, as identified in table 1 in The Dormouse Conservation Handbook second ed (Bright, P., Morris, P.,

Mitchell-Jones, T., Natural England, 2006), a dormouse mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority (LPA). The strategy shall include, as a minimum, the provision of a dormouse bridge to be positioned on the southern location identified in figure 8 of the Ecological Impact Assessment, Land at White Lovington, Bere Regis by Abbas Ecology (EclA) spanning between existing trees, together with a methodology statement, management plan and monitoring schedule. The development shall thereafter take place fully in accordance with the approved details and the mitigation shall be maintained in accordance with the approved details for the lifetime of the development.

Reason: To mitigate the impacts on a European protected species.

7. Nutrient mitigation credits

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.

8. Finished floor levels

No development of the dwellings shall commence until 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 buildings with sufficient detail to enable comparison with nos. 4-6 and 12 White Lovington have been submitted to, and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: In the interests of the character of the area and neighbouring amenity.

9. Soft Landscaping

No development is to take place until a scheme of soft landscaping has been submitted to and approved by the Council in writing. This ~~needs to~~ ***must*** include:

- i. A survey plan, showing existing levels, and all existing trees, shrubs and hedges on the land subject to the application, plus details of any to be retained, together with measures for their protection during the course of development.
- ii. A landscape proposals plan showing proposed soft landscaping such as trees, shrubs, herbaceous plants and grassed areas. ***Planting outside the residential***

gardens shall be native and dormouse appropriate in accordance with Ecological Impact Assessment.

iii. Planting plans, which should show the species of trees, shrubs and herbaceous plants to be planted and where they will be planted, the size that the trees/shrubs/plants will be on planting, and the number that will be planted.

iv. Written detail, which needs to comply with BS 4428:1989 Code of Practice for General Landscape Operations, of how the ground will be prepared and cultivated before planting, the methods that will be used to plant the trees/shrubs/plants, and seed or turf the grassed areas, and detail of protection from rabbits or other grazing animals that may damage the plants.

v. Details for the provision of hedges in place of close boarded boundary fences.

vi. Details of the planting of a native hedgerow with standard trees alongside the access road to units 4-9.

vii. Details of planting to fill/ thicken up gaps in the existing boundary vegetation.

viii. A timetable for implementation.

The soft landscape works detailed in the scheme agreed by the Council must be carried out ***in accordance with the approved timetable.*** ~~during the first planting season (October to March) following the first occupation of any of the building(s). The approved hard surfacing/paving, walls, fences or other external structures must be carried out before the first occupation of any of the building(s).~~

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

~~8. A landscape management plan, including long term design objectives, must be submitted to and approved in writing by the Council before commencement of any planting work. The management plan must contain information (which needs to comply with BS 7370 Part 1 1991 and Part 4 1993 Grounds Maintenance) about how the planting will be maintained for the first five years following planting. This should include details of watering, weed control and pruning, and the replacement of failed or missing plants with plants of a similar species. The management plan shall also provide details of who will be responsible for the ongoing management and maintenance of the existing vegetation along the boundaries of the site, and all other landscaped areas that are not owned by residents. The approved management plan must be complied with for the lifetime of the development.~~

~~Reason: To ensure that the existing vegetation along the boundaries of the site continues to screen the development effectively, that the planting of the approved scheme establishes successfully, and to ensure that the biodiversity, visual amenity and character of the area are enhanced.~~

10. *Hard landscaping*

No development of the dwellings above damp proof course shall take place until a scheme of hard landscaping has been submitted to and approved in writing by the Council. This needs to ***must*** include a landscape proposals plan showing

proposed land levels, and details of hard landscaping including lighting, walls, fences and any materials to be used in the construction of the roads, parking spaces and footpaths. ***The plans shall include and identify the features required by the Ecological Impact Assessment, Land at White Lovington, Bere Regis by Abbas Ecology and dated August 2025, namely the post and rail fencing to protect soft landscaping and hedgehog holes in fencing.*** The development must be carried out in accordance with the approved scheme ***before the first occupation of any of the building(s) or in accordance with an alternative timetable agreed in writing by the Council.***

Reason: To ensure the satisfactory hard landscaping of the site so that the development is completed to a high standard that is appropriate to the character and appearance of the rural location.

11. Landscape and ecological management plan

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of any planting on site. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.***
- b) Ecological trends and constraints on site that might influence management.***
- c) Aims and objectives of management.***
- d) Appropriate management options for achieving aims and objectives.***
- e) Prescriptions for management actions.***
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).***
- g) Details of the body or organization responsible for implementation of the plan.***
- h) Ongoing monitoring and remedial measures.***

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved LEMP must be implemented in accordance with the approved details.

Reason: To protect the landscape character of the area and to mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

~~14. 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 1st April 2020 must be implemented in accordance with the timings it specifies and completed in full prior to the first occupation of the houses hereby approved. The development shall be implemented entirely in accordance with the approved details. Thereafter, unless otherwise agreed in writing by the local planning authority, 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.~~

12. Biodiversity Mitigation

The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled Ecological Impact Assessment, Land at White Lovington, Bere Regis by Abbas Ecology and dated August 2025.

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

i) the recommendations detailed in sections 6 and 7 of the approved ecology report have been completed in full, in accordance with any specified timetable, and

ii) evidence of compliance has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner.

The development shall subsequently be implemented entirely in accordance with the approved ecology report and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

Reason: To secure mitigation, compensation and enhancement/net gain for impacts on biodiversity

13. Materials

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

Reason: To ensure satisfactory appearance of the development.

14. Footpath extension

Before the approved development is occupied or utilised the following works must have been constructed to the specification of **first agreed in writing by** the Planning Authority: The existing footway should be continued from where it currently ends outside existing house number 16 **White Lovington** and into the proposed estate ~~to along the end of proposed estate road~~ at a width of 2 metres. ~~as opposed to existing 1.83m where it can be provided (or similar scheme to be agreed in writing with the Planning Authority).~~

Reason: To provide the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

15. Highway layout

Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 19-1057-037-P8 (Site Layout) must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

16. Turning and parking

Before the development hereby approved is occupied or utilised the turning and parking shown on the submitted plans must have been constructed. 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 and to ensure that highway safety is not adversely impacted upon.

17. Visibility Splays

Before the development hereby approved is occupied or utilised the visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

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

~~13. The development hereby approved must not be first brought into use unless and until a report or photographs providing evidence of compliance with the Biodiversity Plan certified by Dorset Natural Environment Team on 1st April 2020, has been submitted to and approved in writing by the Local Planning Authority.~~

18. Wholesome water consumption limit

Details of measures to limit the potential consumption of wholesome water use by persons occupying the new dwelling to 120 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 for the lifetime of the development to the satisfaction of the Local Planning Authority thereafter.

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

19. External lighting strategy

No external lighting shall be installed on the site until a lighting strategy including a lighting contour plan demonstrating how the light spill parameters will be achieved in accordance with the specification at section 6.2.2 of the Ecological Impact Assessment, Land at White Lovington, Bere Regis by Abbas Ecology has been submitted to and approved by the local planning authority in writing. All external lighting shall accord with the approved lighting strategy; there shall be no additional external lighting on the site.

Reason: To ensure that the lighting is appropriate in its context so as to avoid harm to protected species and contribute to public safety.

~~16. All works impacting on the retained trees during the development must be carried out as specified in the approved Arboricultural Method Statement (reference: ATC/518/2019).~~

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

Informative Notes:

1. Informative Note - Planning Obligation. This permission is subject to a Section 106 Planning Obligation with respect to affordable housing and the proposed temporary heathland infrastructure project (HIP).
2. Informative Note - Community Infrastructure Levy. This permission is subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice has been issued with this planning permission that requires a financial payment. Full details are explained in the notice.

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

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

5. Informative Note - Wessex Water. The point of foul connection to existing public sewage must be agreed with Wessex Water Services Ltd.

6. Consider signing up to or using a contractor that is registered with the Considerate Constructors Scheme. Members follow a code which promotes best practice for development sites, their workforce, safety, the community and the environment. More details can be found <http://www.ccscheme.org.uk/>

~~7. Please give some thought to how your new development will be ready to connect to superfast broadband for use by the occupants. Find out more about BT Openreach and the Home Builders Federation cost sharing approach via this website link <http://www.newdevelopmentsopenreach.co.uk/> BT Openreach and Virgin Media also have the following guides: <http://www.newdevelopments-openreach.co.uk/developers-andarchitects/developershandbook.aspx> https://keepup.virginmedia.com/Content/networkExpansion/doc/New_Build_Developers_Guide.pdf Dorset County Council has also produced information for developers about providing fibre broadband in new housing developments at: <https://www.dorsetforyou.gov.uk/business-consumers-licences/superfastdorset/about-superfastdorset/guidance-for-property-developers.aspx>~~

7. In relation to condition 6 the Council will expect the bridge design to accord with best practice guidance. The timing of the installation should allow dormouse habituation prior to loss of their habitat. It is anticipated

that an EPS licence will be required; this should be confirmed in the strategy.

8. 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.

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 are considered to apply.

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

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

B) Refuse permission for the reasons set out below if the s106 obligation is not completed by ~~October 2024~~ within 6 months of the committee meeting or such extended time as agreed by the ~~Head of Planning Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East.~~

~~1. The proposal fails to make provision for 40% affordable housing provision where there is an identified need in the area and would therefore be contrary to Purbeck Local Plan Part 1 policy RES and the provisions of the National Planning Policy Framework.~~

1. The entire application site lies within 5km and partially within 400m of the Blackhill Heath Site of Special Scientific Interest (SSSIs) and within 2km of a number of other SSSIs which are designated European wildlife sites, namely

Dorset Heathlands Special Protection Area and Dorset Heaths Special Area of Conservation. The proximity of these European sites means that determination of the application should be undertaken with regard to the requirements of the Conservation of Habitats and Species Regulations 2017, in particular Regulation 63. There are currently no Heathland Infrastructure Projects in the vicinity on which the proposal can rely and it fails to secure avoidance measures identified as necessary to mitigate the impact of the development, in combination with other plans and projects, on the integrity of the designated site as set out in the Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) ~~2015-2020~~ **2020-2025**. As there are no imperative reasons of overriding public interest in support of the proposal the development is contrary to ~~DH~~ **policy E8** of the Purbeck Local Plan, the provisions of the National Planning Policy Framework, particularly paragraphs ~~175-177~~ **192-195** and the Conservation of Habitats and Species Regulations 2017.

This page is intentionally left blank

Application Number:	P/FUL/2024/06961
Webpage:	Planning application: P/FUL/2024/06961 - dorsetforyou.com
Site address:	Langton House, Durnford Drove, Langton Matravers, BH19 3HG
Proposal:	Erect 2 no. semi-detached 3-bed holiday cottages and site 2 no. shepherd huts and associated parking provision (sui generis commercial leisure accommodation)
Applicant name:	HPB Management Limited
Case Officer:	Cari Wooldridge
Ward Member(s):	Cllr Wilson

1. **Reason application is going to committee:**

- 1.1 This application comes before the planning committee at the request of the Committee Chair.

2. **Summary of recommendation:**

A) To delegate authority to the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East to issue planning permission following completion of a S106 Planning Obligation.

or

B) Refuse permission for the reasons set out below if the s106 agreement is not completed by 20th May 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East

Reason for recommendation A:

- The application is judged to accord with the development plan as a whole and there are no material considerations indicating that permission should be refused.

Reason for recommendation B:

- In the absence of a legally binding mechanism to secure the payment of a Strategic Access Management and Monitoring (SAMM) contribution to appropriately mitigate impacts from the development on Dorset Heathland habitat sites the proposal would lead to an adverse effect upon their integrity contrary to Policy E7: Conservation of protected site and E8: Dorset Heathlands of the Purbeck Local Plan 2024.

3. **Key planning issues**

Issue	Conclusion
Principle of development	Acceptable subject to condition.

Issue	Conclusion
Impact on the conservation of protected nature conservation sites and biodiversity	Acceptable subject to conditions and completion of a Unilateral Undertaking to secure the payment of a financial contribution of £664.80 towards Strategic Access Management and Monitoring (SAMM) and Heathland Infrastructure Project (HIP) mitigation to address the potential recreational pressure impacts of the proposed holiday accommodation upon the Dorset Heaths.
Impacts upon local services and the capacity of roads and other infrastructure	Acceptable subject to conditions.
Scale, design and impact on the character and appearance of the area and the Dorset National Landscape (DNL)	Acceptable subject to conditions.
Impact on neighbouring amenity	Acceptable subject to condition.
Impact on trees	Acceptable subject to conditions.
Flood risk and drainage	Acceptable subject to condition.
Affordable Housing and Second Homes Restriction	Policies not applicable subject to condition.

4. Description of site

- 4.1 Langton House consists of a large Purbeck Stone building and several smaller buildings sited within extensive grounds to the south of the village of Langton Matravers. The site provides sui generis commercial leisure accommodation within the main building and several smaller buildings. Facilities also include an indoor pool and tennis courts within the grounds. The portfolio of top-quality holiday properties which allows its investors to holiday in its properties across Europe for life for a no-profit user charge.
- 4.2 The site is accessed via Durnford Drove and a private road which also serves the National Trust's Spyway Car Park and several outlying rural properties. The grounds of Langton House lie to the east of the private access road with most of the built development being located on the northwestern side of the grounds, near the entrance, with open space to the east and south. To the north, the site adjoins the rural exception site of Spyway Orchard with agricultural land adjoining to the south, east and west. A number of public rights of way surround the site providing access to Priests Way and the coastline to the south.
- 4.3 The site is located outside Langton Matravers Settlement Boundary and Conservation Area but is within the Dorset National Landscape which washes over the village and the surrounding countryside. Currently, the application site includes an area of formal parking, informal parking below trees, and part of the open space extending eastwards and downslope towards South Hyde. Mature trees which are covered by a Tree Preservation Order line the access driveway and provide screening to the north of the site along the boundary with Spyway Orchard.

5 Description of development

- 5.1 The application proposes to erect two three-bedroom semi-detached holiday cottages on the western side of the site on an area of formal car parking and adjacent to an existing unit of holiday accommodation. It is also proposed to site two single bedroom shepherd's huts on the eastern area of the site which is currently open space.

6 Background and relevant planning history

- 6.1 Langton House, which was historically a boarding school, changed use in the 1990s to provide holiday accommodation. The planning history since this point has related to the formation of additional accommodation and the provision of ancillary recreational facilities within the grounds. More recently, application P/FUL/2021/04513 to demolish an existing unit of holiday accommodation and erect 4 No. dwellings (holiday accommodation) with associated parking was granted consent on 13/04/2022 but was not implemented.
- 6/1995/0283 - Change use and convert institutional building to provide 20 flats. - Approved
 - 6/1995/0749 - Alterations to gymnasium to provide recreation facilities ancillary to the approved residential use of Langton House. - Approved
 - 6/1995/0750 - Alteration and extension of existing swimming pool building to provide recreation facilities ancillary to the approved residential use of Langton House. - Approved
 - 6/1996/0125 - Temporary site office and adjoining parking for Holiday Property Bond for a period from 1 April 1996 to 6 September 1997. - Approved
 - 6/1996/0198 - Additional temporary site office for Holiday Property Bond for a period from 1 May 1996 to 1 September 1997. - Approved
 - 6/1996/0291 - Carry out works to convert accommodation to form one additional flat (to approved scheme for 20 flats). - Approved
 - 6/1996/0531 - Internal replanning to provide four additional units in main house and two units in clubhouse building, limited to holiday use – Approved
 - 6/1997/0019 - Construct one hard tennis court with fencing. - Approved
 - 6/1997/0756 - Erect detached holiday bungalow for use by disabled on site of derelict structures. - Refused
 - 6/2001/0068 - Alterations to existing derelict structures to form a holiday bungalow for the disabled. - Approved
 - 6/2002/0162 - Erect lean-to storage shed to house swimming pool chemicals. - Approved
 - 6/2002/0421 - Erect detached holiday bungalow for disabled use on site of derelict structures. - Refused
 - 6/2003/0884 - Erect extension to include kitchen to convert games room to garden room. - Approved
 - 6/2017/0738 - Erection of 5 two storey buildings for use as holiday lets – Withdrawn
 - PAP/2020/0067 - Replace existing 2 bed holiday unit and erect 5 holiday cottages – November 2020
 - P/FUL/2021/04513 - Demolish existing unit and erect 4 No. dwellings with associated parking – Granted 13/04/2022



7 List of constraints

- Tree Preservation Order (PDC/TPO 44), TPO (PDC/TPO 434)
- Purbeck Heritage Coast
- Article 4 Direction, Record Key = 131.0 – *Spyway Orchard and Mews to north of site – Historic relating to use of land for any purpose except as caravan site on not more than 28 days in total in any calendar year:*

SCHEDULE	
(a)	The use of land (other than a building or the curtilage of a building) for any purpose or purposes except as a caravan site on not more than 28 days in total in any calendar year (of which not more than 14 days in total may be devoted to use for the purpose of motor car or motor cycle racing or for the purpose of the holding of markets) and the erection or placing of moveable structures on the land for the purposes of that use
(b)	The use of land, other than buildings and not within the curtilage of a dwellinghouse, for the purposes of recreation or instruction by members of an organisation which holds a certificate of exemption granted under Section 269 of the Public Health Act 1936 and the erection or placing of tents on the land for the purposes of that use
(c)	The use of land, other than a building, as a caravan site in any of the circumstances specified in paragraphs 2 to 9 (inclusive) of Schedule I to the Caravan Sites and Control of Development Act 1960 or in the circumstances (other than those relating to winter quarters) specified in paragraph 10 of the said Schedule

- Legal Agreements S106 – 6/95/0283F Section 52 Agreement / Revocation Order
- Wessex Water Treatment Works Catchment area
- Dorset National Landscape - Area of Outstanding Natural Beauty (AONB)
- Existing ecological network & higher potential ecological network
- Site of Special Scientific Interest (SSSI) impact risk zone – Natural England consultation required
- Dorset Heathlands – 400m - 5km Heathland Buffer
- Minerals and Waste Safeguarding Area, Minerals and Waste - Building Stone
- Radon: Class: Class 2: 1 - 3% - indicating a less than 3% probability of radon presence. This classification reflects a low to intermediate level of constraint in relation to radon gas –consult Building Control
- Right of Way: Footpath SE16/25 - Distance: 2.81m
- Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 3402.36m

- Groundwater – Susceptibility to flooding – *Proposed holiday lets and shepherd's huts outside areas at risk*
- *EA Flood Map for Planning: Risk of Surface Water Flooding Extent 1 in 30, 1 in 100 & 1 in 1000 – Area of existing pond*

8 Consultations

8.1 The responses below include those to the original consultation in December 2024 and comments received in response to re-consultations on a submitted drainage scheme in July 2025 and an amended drainage scheme in September 2025. Re-consultation letters were sent to the Parish Council, the Ward Member, Building Control and Wessex Water. New site notices were also displayed.

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

Consultees

1. Natural England

Comments on Appropriate Assessment (AA):

Concur with AA.

Mitigation / avoidance measures will need to be secured to avoid harm to the habitat sites.

Biodiversity mitigation and Biodiversity Net Gain should also be secured by condition or other legally binding mechanism.

2. Wessex Water (WWA)

No comments received.

3. Ramblers Association.

No comments received.

4. Dorset Wildlife Trust (DWT)

No comments received.

5. Dorset Council (DC)– Highways

No objection subject to conditions.

The development proposal lies south of the adjacent adopted public highway which stops north of Spyway Orchard. The lane continues along a public right of way.

Proposal will be served off an existing access, which appears to be a shared surface for vehicles, pedestrians, and cyclists. The pinch point into the site is narrow, so this should function as a give way feature as the entrance is concealed. From the adjacent highway network there is a footway along Dunford Drove for pedestrians to access the local village.

Cycle parking could be accommodated within the site area to support the use of sustainable transport modes.

Car parking areas have been extended and there is capacity on site for movements to be in a forward gear.

Applicant should have due regard for Inclusive Mobility to comply with the Equalities Act.

6. DC – Rights of Way

No objection.

Proposed works are in the vicinity of the public right of way Footpath SE 16/25 and SE16/15 and SE16/22.

Disturbance to users of the Right of Way should not be increased by this development.

The safe free passage of the public on all rights of way must not be obstructed at any time.

Any damage to the surface of the footpath attributable to the development must be repaired to Dorset Council's specification

7. DC – Trees

No objection.

Loss of 3 minor trees and proposed replanting is acceptable.

Conditions required.

8. DC – Natural Environment Team (NET)

The application is within the scope of the Dorset Biodiversity Appraisal Protocol (DBAP) criteria.

The Ecological Impact Assessment (EclA) has not been submitted to NET for review under the DBAP. We recommend that this information is submitted to NET directly for review, with the appropriate fee, to ensure compliance with wildlife legislation, National Planning Policy Framework (NPPF) and that biodiversity mitigation and enhancements are secured.

9. BNG Natural Environment Team:

NET have screened the submitted Biodiversity Net Gain (BNG) information, it does not meet our consultation trigger and has therefore not been reviewed by NET.

10. DC – Wastewater Manager

No comments received.

11. DC – Building Control

Confirm B5-access for Fire Brigade complies.

Ensure boundary conditions are all acceptable under Part B of the Building Regulations

Ground conditions may be clay, and trees may mean deeper depths or possibly engineered foundations.

12. Dorset National Landscape Team

Due to the scale of this proposal, Dorset National Landscape (AONB) can only offer limited comments, specifically in relation to the proposed shepherd's huts, these being positioned in a relatively peripheral location.

Due to the limited scale and the provision of an associated planting scheme, the units are not expected to be particularly conspicuous.

Nonetheless, the use of conditions to exclude any external lighting, including for the access to these units, is recommended. Furthermore, a condition to control the appearance of

these units is recommended. It has not been possible to identify specific details of the materials or colours. The use of natural timber and recessive roofing (matt black or brown) and the exclusion of any brighter colours for the windows, doors, etc, would be expected in this location.

13. DC – Minerals and Waste

No comments received.

14. Langton Matravers Parish Council (LMPC)

Original comments 10/01/25:

Object.

Flooding - evidence of flooding on land surrounding the development site caused by water runoff. Issue acknowledged by the site owners. Proposed development will reduce the amount of grassland available for natural water absorption. Will likely exacerbate surface water runoff, increasing the risk of flooding to nearby properties. Risk must be carefully assessed, and mitigation measures such as sustainable drainage systems should be required to demonstrate that the development will not increase flooding in the vicinity.

Biodiversity Impact: The biodiversity report fails to consider the presence of badgers in the area. Development impacting them must comply with the appropriate legislation. Request a comprehensive ecological survey that includes the presence and activity of badgers should be undertaken.

Sewage and Wastewater Management: The application lacks sufficient detail on sewage discharge and wastewater management. Potential environmental contamination, particularly given the area's susceptibility to water runoff and flooding. Request clear and detailed plans for sewage handling.

Comments of 15/08/25 on drainage scheme:

Welcome more thorough analysis of proposed sewage and wastewater management.

Reiterate objection since concerns relating to flooding are not adequately addressed.

Considers the 45% "climate change factor" to be a moderate estimate for the sort of long-term planning which the development suggests would be appropriate.

Does not make adequate allowance for soil saturation effects and the steep topography in Langton Matravers or the evidence offered every winter that the area is already vulnerable to severe runoff.

Do not understand why the report doesn't identify the site as susceptible to groundwater which is identified on Dorset Explorer mapping.

Parish Council and residents note severity of water run-off issues with heavy rainfall each winter. Much may be due to wetter weather but there has also been considerable development without analysis of cumulative impact and inter-relationship.

Should be no further development under a holistic analysis of surface water run-off for the whole area has been conducted. The documentation does not include analysis of impact to north of site.

Comments of 10/10/25 on amended drainage scheme:

Thank the applicant for amending the plans to take the concerns expressed by LMPC and others with respect to surface water drainage from the site into account through the addition of a shallow swale.

Remain concerned that any development in the zone identified in the objection of 18th August risks making a bad situation worse given the experience of residents over the past few winters.

Nature of surface water flooding that the damage caused at the lower levels of the drainage area (in this case the Hyde) cannot be directly attributed to any single development, but the cumulative impact of any development is undeniable.

LMPC does not possess and cannot afford to employ the professional advice required to dispute the particulars of the submitted Surface Water Drainage Strategy, and therefore we rely on and request that DC Planning should provide robust assurance that the planned surface water mitigation measures as now outlined are able to cope with the severe surface water flows which have been observed in Langton in 2023 and 2025.

Reiterate objection since we remain sceptical that planned mitigation measures based on historical metrics is an appropriate basis for forecasting their efficacy in a period of very rapid climate change.

Should permission for the development be granted, LMPC requests a condition that the landscaping design allows for the swale to be widened and made deeper, so that it can be readily expanded if it proves inadequate to its task with a further condition that the swale should be increased in size should water runoff from the site contribute in any way to flooding to the north and east of the site in Langton.

15. DC - Southeast Purbeck Ward member

Original comments 14/01/25:

Object.

Site below Langton House has experienced significant surface water flooding issues in recent years. This is referenced in the planning statement.

Langton Matravers Parish Council have engaged the owners of Langton House in discussion over mitigating actions to take to reduce the risk of further flooding and despite assurances no further mitigations have been put in place.

The risk of flooding and further damage to properties in the Drove and the Hyde remains.

Whilst the owners of Langton House are only one of a group of stakeholders who need to act to mitigate flooding risk, there should be no further built development on the Langton Matravers site until action has been taken to mitigate existing flooding risks and any further development needs to be accompanied by a plan to mitigate the additional risks of surface water drainage.

This application does not address the existing or new surface water flooding risks, and a SUD has not been submitted.

Comments of 31/07/25 on drainage scheme:

Welcome provision of surface water drainage strategy.

Question of drainage relates to surface water run-off travelling north to neighbouring residential roads.

Drainage mechanisms from the site have failed on multiple occasions in past 12 months resulting flooding to residential properties.

Must be 100% certain that development does not contribute additional or accelerate surface water run-off to the extent that it would exacerbate known flooding issues.

Comments of 07/10/25 on amended drainage scheme:

Acknowledge and appreciate that the applicant has taken steps to answer my concerns and those of Langton Matravers Parish Council and residents regarding drainage and surface water run-off.

My request of DC Planning remains, that they gain an exceedingly high degree of certainty that these developments will not contribute to heightened levels of surface water flowing into neighbouring residential roads and properties. I remind DC Planning that flooding in this area, including this from this site, have twice reached the '1 in 100 years' levels in the past 12 months.

Representations received

Total - objections	Total - No objections	Total - comments
3	0	0

Summary of comments of objections:

- No mention of protected species within area.
- No mention of pond within 10 m of proposed huts. Pond slows flood water when heavy rain.
- Documents do not refer to nearby surface water drains.
- No details provided on how surface water will be dealt with.
- Residents on south end of The Hyde suffered flooding in road and gardens at significant volume / speed again on 5th January 25. Surface water from this higher ground could exacerbate this well-known flooding.
- How will grey water / sewage from Shepherd's huts be disposed? No details.
- Additional lighting will impact on AONB.
- Application form inaccuracies e.g. number of houses proposed.
- Overdevelopment and unnecessary away from main accommodation.
- If allowed, then more building could follow.

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.

s85 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) when making any decision which affects such land.

10 Relevant policies

Development plan

In this case the development plan comprises:

Local Plan Adopted Purbeck Local Plan:

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

- Policy V1: Spatial strategy for sustainable communities
- Policy E1: Landscape
- Policy E4: Assessing flood risk
- Policy E5: Sustainable drainage systems (SuDs)
- Policy E7: Conservation of protected sites
- Policy E8: Dorset heathlands
- Policy E10: Biodiversity and geodiversity
- Policy E12: Design
- Policy H2: The housing land supply
- Policy EE4: Supporting vibrant and attractive tourism
- Policy I2: Improving accessibility and transport
- Policy I3: Green infrastructure, trees, and hedgerows

Material considerations

Emerging local plans:

Paragraph 49 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, with further consultation between 18 Aug – 31 October 2025. 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)

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.

Other material considerations

National Planning Practice Guidance

All of Dorset:

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 Heathlands Planning Framework 2020-2025 Supplementary Planning Document

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.

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

Dorset Biodiversity Protocol.

Dorset Council Level 1 Strategic Flood Risk Assessment 2024

Dorset Council Annual Position Statement - 5-year housing land supply - October 2024

Supplementary Planning Documents/Guidance for Purbeck area:

District Design Guide SPD

Managing and using traditional building details in Purbeck

Housing land supply

Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. In addition, the strategies for meeting housing needs in the adopted local plans are not designed to deliver the housing need under the Government's standard method and therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan(s) are out of date and the presumption in favour of sustainable development applies. The emerging Dorset Local Plan is not sufficiently progressed and can be afforded very limited weight in decision making.

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 considered that the proposed development would not disadvantage persons with protected characteristics.

13 Public 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	
SAMM and HIP financial contributions	£664.80
Non-material considerations	
CIL Contributions	£64,111.26
Business Rates	Rateable value of cottages £4000 each Rateable value of Shepherd's Huts £1500 each

What	Amount / value
	NB Full rates payable would be approximately 50% of the rateable values.

14 Planning Assessment

Proposed Use

- 14.1 The estate is owned by the Holiday Property Bond, with the accommodation and facilities closed to the general public. As a result, the use of the planning unit as a whole (i.e. the private holiday complex at Langton House) would form a 'sui generis use' and the proposal is an expansion of the existing private holiday complex at Langton House (sui generis commercial leisure accommodation). The development description was amended during the application process to clarify this.

Principle of development

- 14.3 The site is located outside the Langton Matravers settlement boundary and is classed as falling within the open countryside in accordance with Policy V1: Spatial strategy for sustainable communities and the settlement hierarchy of the Purbeck Local Plan 2024. Policy V1 is silent on holiday accommodation development. However, Policy EE4: Supporting vibrant and attractive tourism of the Purbeck Local Plan 2024 is relevant.

- 14.4 Policy EE4 supports opportunities to enhance the visitor economy where tourist accommodation proposals are of a scale, type and appearance that is appropriate to the locality and provide local economic benefits. In respect of tourist accommodation outside settlement boundaries, the policy permits several types of development (as listed in the policy wording) including:

(ii) '*limited new development that is closely related to existing buildings*', and

(iv) '*caravan sites*.'

The proposed holiday accommodation and the change of use of land for the siting of two shepherds' huts fall within criterion (ii) and (iv) respectively and can be considered under the policy.

- 14.5 Policy EE4 requires that the holiday accommodation meets a number of other criteria which are summarised as follows:

- (a) acceptable impact on European protected nature conservation sites – ***acceptable subject to the securing of mitigation as detailed in sections below***
- (b) no harmful impacts upon local services and the capacity of roads and other infrastructure – ***acceptable impact as detailed in sections below***
- (c) scale of buildings and nature of development that would not harm the character and value of any landscape and avoids adverse impacts on the amenity of neighbouring uses – ***acceptable impact as detailed in sections below***
- (d) demonstrates benefits for the economy of Purbeck – ***met as detailed in sections below***

- (e) If located within the Dorset National Landscape would meet requirements of national policy in addition to the above – ***met as detailed in sections below.***

- 14.6 National and local planning policies support sustainable growth in rural communities whilst recognising the need to retain the intrinsic character and beauty of the countryside. Paragraph 88 of the National Planning Policy Framework (NPPF) advises that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, including through the conversion of existing buildings and well-designed new buildings. Paragraph 88 also notes that decisions should enable sustainable rural tourism and leisure development which respect the character of the countryside. The proposal would provide two holiday cottages and two shepherds' huts with future occupiers making a modest contribution to supporting the local village facilities and those of nearby villages and Swanage.
- 14.7 In conclusion, the proposed holiday accommodation is considered acceptable in principle in the countryside location as it is compliant with Policy EE4: Supporting vibrant and attractive tourism of the Purbeck Local Plan 2024. The sections below address each of the above criteria in more detail.
- 14.8 To ensure that the cottages and shepherd huts subject of the application remain tied to the wider estate and cannot be marketed for sale as independent dwellings (Use Class C3) a condition (Condition 16) requiring that the cottages are only utilised as holiday accommodation and may not be used as a person's sole or main place or residence will be required on the decision notice. In addition, the sui generis use of the holiday accommodation has been clarified by way of an amendment to the development description which was agreed by the planning agent on 19/03/25.

Impact on the conservation of protected nature conservation sites and biodiversity

Biodiversity

- 14.9 The application falls within the scope of the Dorset Biodiversity Appraisal Protocol (DBAP) criteria which includes proposals which will have an impact on an area greater than 0.1 ha, 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. An Ecological Impact Assessment (EclA) has been submitted with the application and was provided to the Dorset Council Natural Environment Team during the application process for review and approval. Sections 5.0 and 6.0 of the report include details of mitigation measures. Section 7.0 of the report includes details of enhancement measures. The EclA was certified as approved by the DC NET on 12th February 2025 and subject to a condition on the decision (Condition 15) requiring full implementation, the proposal complies with Policy E10: Biodiversity and geodiversity of the Purbeck Local Plan 2024.

Biodiversity Net Gain

- 14.10 Biodiversity Net Gain (BNG) applies to the proposal, and the application is supported by the required metrics and a BNG Statement. This advises that 18.3% BNG will be provided on site and that the BNG is not significant. Informative notes on the decision will secure the BNG.

Appropriate Assessment

- 14.11 The application site lies between 400 m and 5 km of Dorset Heathlands but lies outside the Poole Harbour Nitrates and Recreation Zones.

- 14.12 Policy E7 of the Purbeck Local Plan 2024 seeks to protect Purbeck's biodiversity and states that new development will only be permitted where it would not lead to an adverse effect upon the integrity, either alone or in-combination with other plans and projects, directly or indirectly, of nationally, European and internationally protected nature conservation sites.
- 14.13 Policy E8: Dorset Heaths of the Purbeck Local Plan 2024 sets out the specific policy requirements of the recreational and air quality effects of new development on protected Dorset Heathlands.
- 14.15 An Appropriate Assessment has been undertaken in accordance with requirements of the Conservation of Habitats and Species Regulation 2017, Article 6 (3) of the Habitats Directive having due regard to Section 40(1) of the NERC Act 2006 and the NPPF, which shows that there is no unmitigated harm generated by the proposals to interests of nature importance.
- 14.16 The AA concludes that harm to Dorset Heaths SAC and Dorset Heathlands SPA will be avoided by way of securing a payment of a SAMM contribution for the sui generis holiday accommodation. The Council's Environmental Assessment Team has calculated the SAMM payment to be £277 x 60% x4 (occupation) = £664.80. The payment will be secured and made through a s106 obligation between the applicant and Dorset Council prior to the issue of the planning decision.
- 14.17 Subject to the above, the authority can conclude that there will be no adverse effects on the integrity of the designated heathland sites, and the proposal is compliant with policies E7: Conservation of protected sites and E8: Dorset Heathlands of the Purbeck Local Plan 2024.
- 14.18 Natural England has been consulted on the final AA and has raised no objection.

Impacts upon local services and the capacity of roads and other infrastructure

- 14.19 Langton House is accessed via its own vehicular access that extends southwards from Durnford Drive. Durnford Drove is an unclassified road (highway) that extends from High Street to the junction with Spyway Orchard. The road then becomes a track providing access to a National Trust Car Park to the southwest of Langton House. A public right of way (footpath) follows Durnford Drove from the High Street into the countryside to the south.
- 14.20 Within the grounds of Langton House the vehicular access extends to two main areas of parking and also around the eastern side of the main building. An existing area of car parking to the north of unit 28 (16 spaces) would be partially lost to allow for the two holiday let dwellings. The proposed site layout plan indicates that new parking provision of 21 spaces will be provided to the north and northeast of the proposed holiday lets (16 replacement and 5 new). The Bournemouth, Poole and Dorset residential car parking guidance advises 2 parking spaces per 3-bedroom dwelling and 1 space per 1-bedroom dwelling. Given the level of parking provision within the site, and the provision of 5 additional spaces to serve the new proposal, the proposal judged to be acceptable in terms of parking provision.
- 14.21 The Council's Highway Engineer has been consulted on the proposal and has raised no objection subject to a condition on the decision in relation to the provision of the proposed turning and parking construction before first use and the provision of a cycle parking scheme to encourage the use of active travel. The conditions (Conditions 11 and 12) are considered reasonable to include.
- 14.22 The Engineer has also requested that the red line should be extended to ensure that it adjoins the highway. This request has been considered, but in this case, as no additional

works are required to the lane which is already finished in tarmac to the highway it is considered unreasonable to require the amended plan.

- 14.23 In summary, the impact of the proposed development on highway safety and car parking is considered to be acceptable in accordance with Policy I2: Improving accessibility and transport of the Purbeck Local Plan 2024.
- 14.24 In terms of impacts on local services and other local infrastructure, the small scale of the tourist accommodation is not considered to result in significant harm to community facilities, services or the limited retail offer within the village.

Scale, design and impact on the character and appearance of the area and the Dorset National Landscape (DNL)

- 14.25 The impact of proposed development on the Dorset National Landscape (DNL) (formerly known as AONB) formed a key consideration in the determination of unimplemented application P/FUL/2021/04513 for the erection of 4 holiday let dwellings. Although the site is relatively well screened in wider landscape views by existing trees, hedgerows and Purbeck Stone boundary walling, it is likely that glimpses of the holiday let cottages and the shepherds' huts would still be possible from the surrounding area, particularly in the winter months.
- 14.26 Earlier comments provided by the DNL/AONB Officer noted that:

'.....subject to a suitable and sensitive design, the four units to the north of Langton House are not likely to adversely affect the character and appearance of the AONB to an unacceptable degree.'

In terms of the proposed car parking, the DNL/AONB Officer commented:

'Furthermore, it would be prudent for the applicant to consider if the presence of vehicles amongst the tree may result in additional visibility of vehicles from sensitive viewpoints toward the coast. Filtered visibility of the existing car park is presently possible and it is considered desirable for this relatively limited visibility to be maintained. To achieve this the applicant should consider planting a new hedge to screen the parking area, in a similar approach to that found in other parts of the site'.

- 14.27 The DNL/AONB Team has been consulted on the current proposal but has provided limited comments in respect of the proposed shepherd huts only due to their peripheral location. The team notes that due to the limited scale of the huts, and the provision of an associated planting scheme, the units are not expected to be particularly conspicuous. Nonetheless, the use of conditions (Condition 17) to exclude any external lighting, including for the access to these units, is recommended. Furthermore, a condition to control the appearance of these units is recommended as specific details of the materials or colours are not provided. The team notes that the use of natural timber and recessive roofing (matt black or brown) and the exclusion of any brighter colours for the windows, doors, etc, would be expected in this location. The submitted Design and Access Statement advises that low level downward angled bollard lighting on movement sensors will guide occupants to and from the shepherd hut accommodation on darker evenings albeit no details have been submitted as part of the application. It is considered reasonable to condition the details of both the external finish / materials of the shepherd's huts and any external lighting required (Conditions 7 and 8).
- 14.28 Section 12 of the NPPF highlights the importance of good design which should contribute positively to making places better for people. Paragraph 130 (b) notes that decisions should ensure that development is visually appealing as a result of good architecture, layout and

appropriate and effective landscaping and (c) is sympathetic to local character, including the building environment and landscape setting. This is supported by Local Plan Policy E12: Design which requires all development to demonstrate a high quality of design that positively integrates with its surroundings, and which has regard to the District Design Guide SPD 2014.

- 14.29 In terms of impact on the character and appearance of the area, the site of the holiday cottages is screened to the west by the existing Purbeck Stone wall along the boundary with Durnford Drove and mature hedging extending along the western boundary of the lane on an embankment approx. 1.3 m taller than the site level. In views from the south (public footpath and Priests Way), it is screened by the three storey Langton House and mature trees and hedgerows, and from the east by a band of mature trees lining the access driveway. From the north, the site is also relatively well screened by landscaping and mature trees within the site and from the Spyway Orchard development. The design of the holiday cottages is of traditional character that respects the local vernacular of the village in terms of height, design detail, and use of local materials (natural slate roofs, Purbeck Stone and render). A sample panel of the proposed Purbeck Stone walling can be secured by condition (Condition 8). The proposed alterations to the parking layout adjacent to the cottages together with additional soft landscaping will also serve to soften the impact of the dwellings within the wider setting. A hard and soft landscaping scheme has been submitted with the application and includes a range of tree and hedgerow planting and areas of improved grassland. It is considered reasonable to secure the implementation of the landscaping scheme and any required replacement planting by way of condition (Condition 9).
- 14.30 The proposed shepherd's huts would be sited in a more peripheral location in the northeastern area of the site. Although this is away from the main development at Langton House, it is not too distant from the Pool Building and would be set against the backdrop of recent residential development at Spyway Orchard in more local views. Due to the site topography, the huts would also be located at one of the lower ground levels within the curtilage of Langton House with minimal visual impact on wider landscape views. The huts would be of traditional appearance with screen planting to the front and a small, enclosed area of private amenity space. Subject to the above conditions in respect of lighting and landscaping, they are considered to be acceptable in terms of impact on the character and appearance of the area and the Dorset National Landscape.
- 14.31 In terms of impact on the rural character of the area from the emission of artificial light after dark, windows serving the units are domestic in scale and would be viewed against the backdrop of existing domestic lighting at Langton House and Spyway Orchard. As such, it is not considered necessary to require restrictions on the extent of glazing proposed or the application of a visible light transmission.
- 14.32 Subject to the above conditions, it is considered that the proposal would conserve and further the purposes of the national landscape designation and is acceptable in terms of design and landscape impacts in accordance with Policies E1: Landscape and E12: Design of the Purbeck Local Plan 2024.
- 14.33 The Dorset National Landscape (AONB) is defined as a 'sensitive area' by the Environmental Impact Assessment (EIA) Regulations 2017. As such, an EIA Screening opinion of the proposed development has been undertaken. This concludes that the proposed development is unlikely to have significant effects on the environment due to the minor scale of the development, minimal impact on long range landscape views and proposed landscape mitigation.

Impact on neighbouring amenity

- 14.34 The application site is located within the holiday complex of Langton House which provides both holiday apartments and cottages for year-round use. There are no residential properties of main / sole residences within close proximity of the proposed holiday cottages, the nearest being the new dwellings at Spyway Mews located over 60 m to the north. However, an existing holiday cottage (Unit 28) is located directly to the south of the proposed new dwellings. This unit is single storey with entrance doorway and three windows facing north onto the current parking area (ensuite, bathroom and secondary open plan living area). Unit 1 will include windows facing this elevation at ground floor level serving an entrance doorway, bathroom and lounge (secondary). As the two windows are non-habitable or secondary in nature it is considered reasonable to secure by condition (Condition 13) that they are fitted in obscure glazing in the interest of both occupier and neighbour amenity.
- 14.35 The proposed shepherd's huts are to be located to the south of residential properties on Spyway Orchard, with a distance of approx. 28 m between the nearest shepherd hut and the rear garden boundary fence serving. Although the huts will be visible in the outlook from the neighbouring homes, this will be screened in the summer to some extent by the mature trees along the boundary. The huts will also be low level in height and subject to a condition requiring that the windows serving the bathrooms are fitted in obscure glazing (Condition 14), there is considered to be no demonstrable harm in terms of loss of privacy to the neighbouring or occupier amenity. In conclusion, impacts on neighbouring amenity are judged to be acceptable in accordance with Policy E12: Design of the Purbeck Local Plan 2024.
- 14.36 Objections have been received from three properties – 2 on The Hyde and 1 on Gypshayes – and the Parish Council raising concerns over biodiversity impacts, surface water flood risk, foul water disposal, and the setting of a precedent for further development at the site. The Ward Member have also raised objections in respect of surface water flood risk to the site and the surrounding area. The comments are addressed in the relevant sections of this report.

Impact on trees

- 14.37 The site is screened on its eastern and northern boundaries and along the access drive by established trees that are subject of a blanket Tree Preservation Order (TPO). The application is supported by an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan which proposes the removal of three minor trees and replanting.
- 14.38 The Council's Tree Officer has been consulted on the proposal and has raised no objection to the proposed tree removal and replacement planting. However, conditions (Conditions 5 and 6) have been requested in respect of a pre-commencement meeting to agree protection measures and also details of the proposed no dig cellular confinement system for proposed parking spaces.
- 14.39 On this basis, the proposal is considered to be acceptable in accordance with policies E12: Design and I3: Green infrastructure, trees and hedgerows of the Purbeck Local Plan 2024.

Flood risk and drainage

- 14.40 The Dorset Council Level 1 Strategic Flood Risk Assessment (SFRA) mapping identifies that the application site is located in Flood Risk Zone 1 and the proposal is acceptable in terms of fluvial flood risk. The site is also located outside areas of medium to high surface water flood risk. However, a narrow band of groundwater flood risk crosses the site to the west of the proposed shepherds' huts.

- 14.41 At the time of the officer site visit (January 2025), the field to the east of the access driveway in which the proposed shepherd's huts are to be sited was boggy in locations, and a pond in the lower north-east corner of the site (identified on the Tree Plans) was at capacity – likely a result of surface water exceedance due to the site topography and coinciding with an area of surface water flood risk at the 1 in 100 year extent. Comments of objection have been received from the Parish Council, the Ward Member, and residents on The Hyde and Gypshayes (to the north and northeast) in respect of existing and future surface water drainage from the site and implications for increased flood risk to properties on these roads. The Ward Member advises that the site below Langton House, the Drove and The Hyde have experienced surface water flooding issues in recent years and that Langton Matravers Parish Council have engaged the owners of Langton House in discussion over mitigating actions to reduce the risk of further flooding although despite assurances no further mitigations have been put in place.
- 14.42 Policy E4: Assessing Flood Risk of the Purbeck Local Plan 2024 advises that a Flood Risk Assessment should be provided for development on sites in Flood Zone 1 in a number of cases, including criterion:
- b. are at risk from other sources of flooding (as set out in SFRA maps) and where development would introduce a more vulnerable use (as identified in flood risk vulnerability classification of National Planning Practice Guidance);*
- d. are likely to increase the risks from flooding elsewhere;*
- 14.43 Policy E5: Sustainable drainage systems (SuDs) of the Purbeck Local Plan 2024 requires applicants to submit details of a SuDS with applications for:
- c. development where surface water run-off from development is likely to increase the risks from flooding elsewhere (including sewer flooding caused by high groundwater levels)*
- 14.44 The application meets the above policy criterion but was not originally supported by a site-specific flood risk assessment or detail of a viable conceptual Sustainable Drainage System (SuDS) to ensure that there would be no increased risk of flooding to the site and the surrounding area.
- 14.45 Following consultation with the Council's Drainage Engineer a conceptual surface water drainage scheme was requested. Following site investigations, a scheme was submitted in July 2025. Consultation with the Drainage Engineer identified the need for above ground attenuation in the form of rain gardens serving each of the cottages. It was also noted that the bore hole and infiltration testing was undertaken at a favourable time of the year (May) and as a result additional resilience within the scheme was requested in the form of above ground attenuation measures in accordance with the SUDS hierarchy. A further amended drainage scheme was submitted in September 2025 identifying exceedance flood routes across the site and the provision of a shallow swale in the north-eastern corner of the site to catch exceedance, provide storage and filter surface water run-off to the existing pond via a swale inlet. The amended scheme was discussed with the Drainage Engineer who concluded that the proposals are as sufficient and proportionate to the nature and scale of the proposal to deal with flood risk to the site and also ensure that flood risk is not increased off-site.
- 14.46 Notwithstanding the amendments made to the drainage scheme, the Parish Council has requested that a condition is included on any approval allowing for the swale to be widened and made deeper, so that it can be readily expanded if it proves inadequate to its task, with a further condition enabling the swale to be increased in size should water runoff from the site contribute in any way to flooding to the north and east of the site. Whilst officers acknowledge the reasons for the requested conditions, it is considered that the imposition of such conditions on the decision would be unreasonable, unnecessary and

unenforceable. However, should the applicants consider it necessary to increase the size of the swale at a future date, this could be dealt with by a planning application.

- 14.47 Subject to a condition on the decision requiring implementation of the amended drainage scheme (Condition 3), the proposal is judged to comply with paragraph 182 of the NPPF and Policy E4: Assessing flood risk and E5: Sustainable Drainage Systems of the Purbeck Local Plan 2024.

Affordable Housing and Second Homes Restriction

- 14.48 As the proposed accommodation is to form part of the commercial holiday accommodation within the wider Langton House holiday complex it comprises a sui generis use so Policy H11: Affordable Housing of the Purbeck Local Plan does not apply. As noted above, to ensure that the cottages and shepherd huts subject of the application remain tied to the wider estate and cannot be marketed for sale as independent dwellings (Use Class C3), a restrictive condition (Condition 16) will be included on the decision notice.
- 14.49 In respect of Policy H14: Second homes of the Purbeck Local Plan 2024, the policy wording confirms that the restriction on use as second homes in the National Landscape does not apply to new homes which are commercially let for holiday makers.

Other considerations:

- 14.50 *Foul waste* – Neighbours and the Parish Council have raised concerns that no details of the proposed method of dealing with foul waste have been provided and that this may result in potential environmental contamination, particularly given the area's susceptibility to water runoff and flooding. The application is supported by a Foul Drainage Assessment Form which provides no additional information. As such and given that the shepherd's huts may be unable to connect to a foul sewer, it is considered reasonable to include a pre-commencement condition (Condition 4) on the decision requiring the submission of a foul drainage scheme to the Council for approval prior to implementation on site.
- 14.51 *Setting of precedent* – Neighbours are concerned that if approved, the proposed development would set a precedent for future development at the Langton House site. Each application is assessed on its own merits and in accordance with adopted policy at national and local level at the time of determination.
- 14.52 *Right of way* – A right of way passes to the west of the application site. An informative note will be included on the decision in respect of maintaining access etc.
- 14.53 *Building regulations* – The Council's Building Control Team have made comments on the proposal in respect of fire brigade compliance, boundary conditions, and ground conditions which have been provided to the planning agent. Building Regulations Approved Document B requires (Section B5) that access for a pumping appliance should be provided to within 45m of all points inside a dwellinghouse and that vehicles should not have to reverse more than 20m from the end of an access road. Officers have measured the proposed site plans and note that these requirements are likely to be met for the scheme given the existing vehicular access and turning provision on the site. Section B5 also requires a minimum gateway width of 3.1m and minimum width of road between kerbs of 3.7. The submitted site plans indicate that the gateway width to the site is 3.1m together with an access road width of approx. 4.3m. An informative note on the decision will remind the applicant of the regulation requirements.

15 Environmental implications

- 15.1 The new build construction will meet modern building regulations standards and will include high levels of insulation and modern glazing reducing energy consumption and carbon emissions. Local materials are to be used wherever possible.

16 Summary of issues and the planning balance

- 16.1 For the above reasons, the application is judged to accord with the development plan as a whole and there are no material considerations indicating that permission should be refused.

17 Recommendation

A) Delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to grant planning permission subject to the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) to secure the payment of a financial contribution of £664.80 towards Strategic Access Management and Monitoring (SAMM) and Heathland Infrastructure Project (HIP) mitigation to address the potential recreational pressure impacts of the proposed holiday accommodation upon the Dorset Heaths.

And the following conditions and their reasons (pre commencement conditions have been agreed in writing with the applicant):

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:

- 5985-WLA-A-0103 C Site location and block plan
- 5985-WLA-ZZ-XX-DR-A-0100 H Proposed site plan
- 5985-WLA-ZZ-XX-DR-A-0110 B Ground floor plan 'work in progress'
- 5985-WLA-ZZ-XX-DR-A-0111 A First floor plans
- 5985-WLA-ZZ-XX-DR-A-0112 A Elevations Sheet 1 of 2
- 5985-WLA-XX-ZZ-DR-A-0113 A Elevations Sheet 2 of 2
- 5985-WLA-XX-ZZ-DR-A-0104 A Accommodation ground levels
- 501-1-R3 Biodiversity habitats plan
- 5985-WLA-XX-ZZ-DR-A-0132 A Shepherd hut drawings
- RNapc/569/TPP/4 Tree Protection Plan
- 501-2 1 Planting Moodboard

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

3. Prior to first occupation of any of the holiday accommodation, the development shall be fully implemented and thereafter maintained in accordance with the approved Surface Water Drainage Strategy Statement Ref: 24350 Rev B by Godsell Arnold Partnership Ltd Scheme dated September 2025.

Reason: To prevent the risk of flooding to the site and neighbouring properties.

4. Prior to the commencement of development details of the proposed foul drainage scheme shall have been submitted to and approved in writing by the Local Planning Authority. The

approved scheme shall subsequently be implemented prior to the completion of the development.

Reason: To ensure adequate facilities are provided in the interests of flooding and pollution.

5. The development hereby permitted shall not commence until an arboricultural supervision and monitoring statement has been submitted to and agreed in writing by the Local Planning Authority and which shall be informed by a site meeting between the LPA's Tree Officer, Arboricultural Consultant and Site Manager. The development and protection of trees shall be carried out in accordance with the approved supervision and monitoring statement and the Arboricultural Impact Appraisal and Method Statement prepared by RNapc ref: 569/AMS/1 dated 15.08.2024. A monitoring report shall be prepared and be submitted to and agreed in writing by the Local Planning Authority on completion of development.

Reason: In the interests of tree protection

6. Prior to commencement of works samples of the cellular confinement system to be used, including the samples of the cell infill aggregate, which shall not be of a calcareous nature rather a 4-20mm clean angular granite or flint shall be submitted and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved cellular confinement system.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area

7. Prior to development above damp-proof course level, details and samples of all external facing materials for the walls and roofs of the cottages and shepherd huts 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.

8. Prior to development above damp-proof course level, a sample panel of the proposed external facing Purbeck Stone walling measuring at least 1 metre by 2 metres, demonstrating the proposed coursing, mortar mix and pointing detail, shall be erected on site, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with details of the sample panel as have been agreed and the sample panel shall remain on site until the external walls have been constructed to eaves height.

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

9. The hard landscaping as detailed on approved drawing numbered 501-1-R3 shall be completed before the first occupation/use of any of the holiday cottages / shepherd huts. The soft landscaping works detailed on approved drawing 501-1-R3 and Planting Moodboard drawing 501-2-R1 must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale first 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.

10. The hard surfacing/paving, walls, fences or other external structures as detailed on approved drawing numbered 501-1-R3 shall be completed before the first occupation/use of any of the building/land.

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

11. 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.

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

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

13. Before the holiday cottage Unit 1 is brought into use, the ground floor lounge and bathroom windows in the south elevation must be glazed with obscure glass to a minimum industry standard privacy level 3. Thereafter the obscure glazing shall be retained as such.

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

14. Before the Shepherd Huts are brought into use, the bathroom windows must be glazed with obscure glass to a minimum industry standard privacy level 3. Thereafter the obscure glazing shall be retained as such.

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

15. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled 'Ecological Impact Assessment V2' by Pro Vision and dated September 2024 and certified by the Dorset Council Natural Environment Team on 12th February 2025.

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

- i) the recommendations detailed in sections 5, 6 and 7 of the approved ecology report have been completed in full, in accordance with any specified timetable, , and
- ii) evidence of compliance has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved ecology report and thereafter the approved mitigation,

compensation and enhancement 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.

16. The holiday accommodation hereby approved shall be occupied for holiday purposes only as part of the private holiday complex at Langton House and shall not be occupied as a person's sole, or main place of residence. The owners/operators of the holiday complex must maintain an up-to-date register of the names of all occupiers of holiday accommodation and of their main home addresses and must make this information available at all reasonable hours at the request of a duly authorised officer of the Local Planning Authority.

Reason: To ensure that approved holiday accommodation is as part of the holiday complex only and is not used for unauthorised permanent residential occupation.

17. No lighting shall be installed until details of the lighting scheme have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the lighting scheme shall be installed, operated and maintained in accordance with the agreed details.

Reason: To protect visual amenities and avoid nuisance to adjoining properties.

18. The shepherds huts hereby permitted must have the appearance shown on drawing 5985-WLA-XX-ZZ-DR-A-0132 A and be positioned as shown on 5985-WLA-A-0103 C.

Reason: To control the design and siting of the shepherds huts in the interests of the visual amenity of the National Landscape.

Informative Notes:

1. No development shall be commenced until a timetable for the implementation and maintenance of any proposed on-site (within the red line of the application site) non-significant biodiversity net gain (see informative below), has been submitted to and approved in writing by the Local Planning Authority. The implementation timetable and maintenance details must be prepared in accordance with the approved Biodiversity Gain Plan for the site. Thereafter the on-site non-significant biodiversity net gain shall be implemented and maintained for a period of no less than 5 years following the completion of said biodiversity net gain in accordance with the approved timetable and maintenance details. If within a period of 5 years from the date of the planting of any habitat it is removed, uprooted, destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) the habitat shall be replaced with the same habitat as set out in the approved biodiversity gain plan in the next planting season, unless the Local Planning Authority first agrees in writing to any variation.

Reason: To ensure that non-significant on-site biodiversity net gain is provided on site as required by the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework.

2. 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 the development of land in England is deemed to have been granted subject to the condition "(the 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 require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Read more about Biodiversity Net Gain and Biodiversity Gain Plans at
<https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain> and
<https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

3. 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.

4. It is likely that if the proposed BNG is on-site and it does not meet one or more of the criteria below that it will not be considered to be significant. However, what counts as a significant enhancement will vary depending on the scale of development and existing habitat, but would normally be:

- habitats of medium or higher distinctiveness in the biodiversity metric (both proposed habitats and retained habitats)
- habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development - the combined number of units delivered is equal to or greater than 0.5; and/or the combined number of low distinctiveness units is equivalent to 10% or more of the baseline biodiversity unit value of the site (excluding proposed gardens)
- habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development - higher distinctiveness of any baseline habitat type e.g. low to medium
- enhancements to habitat condition, for example from poor or moderate to good

5. Informative Note: Rights of Way

The safe free passage of the public on all rights of way must not be obstructed at any time. If the public are unlikely to be able to exercise their public rights on a right of way, then a Temporary Path Closure Order must be obtained. This can be applied for through Rights of Way at Dorset Council see <https://www.dorsetcouncil.gov.uk/w/changing-the-definitive-map>, but the application must be completed and returned at least thirteen weeks before the intended closure date. It should be noted that there is a fee applicable to this application. This application and legal order must be confirmed before any works obstructing the path are commenced.

Any damage to the surface of the footpath attributable to the development must be repaired to Dorset Council's specification, in accordance with Section 59 of the Highways Act 1980 by the applicant.

6. Informative Note: Trees on this site or adjoining this site are covered by a Tree Preservation Order (TPO) which may be affected by this proposed development. A TPO prohibits the cutting down, uprooting, topping, lopping, wilful damage or wilful destruction of trees without the Local Authority's consent. Before commencement of any work, you must contact the Council's tree team and seek the necessary advice/consent. It is an offence to damage any part of a protected tree both above and below ground, without appropriate consent. Contact details for your Tree Team and more information can be found on the Council's website <https://www.dorsetcouncil.gov.uk/countryside-coast-parks/countryside-management/tree-management/tree-preservation-orders/tree-preservation-orders>

7. INFORMATIVE NOTE: Fire safety

To fight fires effectively the Fire and Rescue Service needs to be able to manoeuvre its equipment and appliances to suitable positions adjacent to any premises. Therefore, the applicant is advised that they should consult with Building Control and Dorset Fire and Rescue Service to ensure that Fire Safety - Approved Document B Volume 1 Dwelling houses B5 of The Building Regulations 2006 can be fully complied with.

8. Electric vehicle charging points

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.

9. Radon Gas Class 2: 1-3% refers to a property being in a "radon affected area" where 1-3% of homes have levels above the UK's action level of 200Bq/m³. This indicates a moderate risk that does not guarantee that a building has high radon levels but triggers the need for further testing. Depending on the region and specific test results, this level may require basic radon protection / remedial measures in new builds. Further information is available here: [Do I need to consider radon? | LABC](#)

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

B) Refuse permission for the reasons set out below if the agreement is not completed by 20 May 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement.

1. In the absence of a legally binding mechanism to secure the payment of a Strategic Access Management and Monitoring (SAMM) contribution to appropriately mitigate impacts from the development on Dorset Heathland habitat sites the proposal would lead to an adverse effect upon their integrity contrary to Policy E7: Conservation of protected site and E8: Dorset Heathlands of the Purbeck Local Plan 2024.

Application Number:	P/VOC/2025/05153
Webpage:	Planning application: P/VOC/2025/05153 - dorsetforyou.com
Site address:	Moone House, Valley Road, Harmans Cross, Swanage, BH19 3DZ
Proposal:	Single storey side extension, extend existing room in roof space, alter existing dormers (with variation of condition 1 of planning permission P/HOU/2023/02368 to agree revised fenestration, an increase in height of the parapet to the larger flat roof dormer and alterations to internal layout. There is no increase in the size of first floor windows, or footprint of the proposed work)
Applicant name:	Mr and Mrs R Cooper
Case Officer:	Cari Wooldridge
Ward Member(s):	Cllr Wilson

1. Reason application is going to committee:

- 1.1 This application comes before the planning committee at the request of the Committee Chair.

2. Summary of recommendation:

- 2.1 GRANT planning permission subject to conditions as set out in Section 17.

3. Key planning issues

Issue	Conclusion
Scale, design and impact on the character and appearance of the area	Acceptable.
Impact on the Dorset National Landscape (AONB)	Acceptable.
Impact on neighbouring amenity	Acceptable subject to condition.

4. Description of site

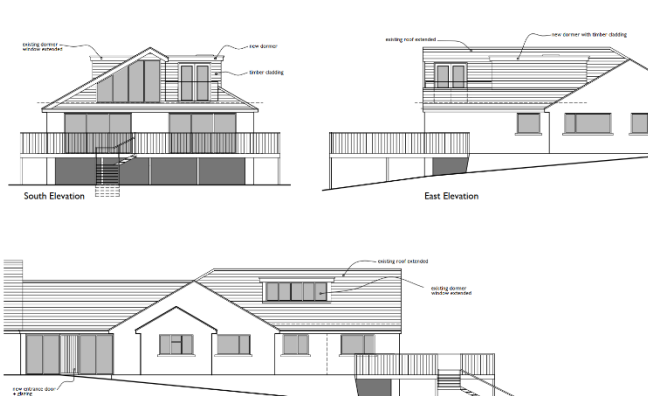
- 4.1 Moone House is a detached dormer bungalow located approx. 65m to the south of Valley Road, Harmans Cross. It is accessed via its own private driveway which slopes downhill from the shared access with properties to the north. The bungalow is positioned in the northeastern corner of its plot with a length garden on the slope to the south. To the east the application site adjoins properties on South Instow, a mix of bungalows and houses set in generous plots. Being located on the valley side, properties to the north and northeast are positioned at higher land levels whereas the properties to the south southeast are positioned at lower land levels.
- 4.2 The entire plot of Moone House is located within the settlement boundary of Harmans Cross with all of the garden to the south and west of the bungalow containing mature trees which are covered by a large Tree Preservation Order. To the south of the plot and outside

the settlement boundary is an agricultural field which adjoins Swanage railway at the valley bottom. There are views towards the application site from the public right of way on the opposite side of the valley although the bungalow and its garden are obscured by the presence of the tree canopy.

5. Description of development

- 5.1 The application proposes to vary the plans approved by Condition 1 of householder consent P/HOU/2023/02368 to agree revised fenestration, an increase in height of the parapet to the larger flat roof dormer, and alterations to the internal layout.

6. Background and relevant planning history

6/1984/0110 - Erect replacement bungalow – Granted 11/04/1984
6/1987/0009 - Erect extension – Granted 03/03/1987
6/1994/0291 - Erect single-storey rear extension – Granted 27/06/1994
6/1995/0769 - Install two dormer windows and two rooflights – Granted 23/01/1996
6/2002/0286 - Erect two storey side extension – Granted 19/07/2002
6/2007/0293 - Erect extension with raised decking to provide access to garden level, garden store under. Erect porch and construct swimming pool. – Granted 18/06/2007
6/2008/0717 - Erect decking at rear and porch at front of property (Retrospective) – Granted 21/01/2009
6/2018/0080 - Extend roof and dormer window to enlarge first floor bedroom. Construct a new dormer window and modify access to balcony. Alterations to porch. – Granted 04/04/2018

PDE/2019/0070 - Use of shipping container in front garden as storage & as a car port – Permitted Development (PDE) Refused - Decision Date: 23/01/2020
P/HOU/2023/02368 - Single storey side extension, extend existing room in roof-space, alter existing dormers – Granted 14/08/2023

Relevant conditions on consent:

3. Before the first-floor roof extension is brought into use, the high-level closet and bathroom windows serving the dormer window in the east elevation must be glazed with obscure glass to a minimum industry standard privacy level 3. Thereafter the high-level windows and obscure glazing shall be retained as such.
Reason: To safeguard the amenity and privacy of the occupiers of adjoining residential properties.
5. Prior to first installation on the building, details / a sample of the external facing weather boarding to be applied to the walls and dormer windows 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.



P/NMA/2024/04471 - Non-Material Amendment to permit alteration to the rear dormer to approval P/HOU/2023/02368 Single storey side extension, extend existing room in roof space, alter existing dormers – Granted 02/09/2024



EN/2025/00169 – Dormers not built as per approved planning permission

7. List of constraints

Tree Preservation Order (TPO) (PDC/TPO 313), (PDC/TPO 199), (PDC/TPO 327)

Within settlement Boundary - Harmans Cross

Wessex Water Treatment Works Catchment- Other WRC catchments

Southern Gas Network - Medium pressure gas pipeline 12.5m or less from 12.5m Buffer on Regional Medium Pressure Pipelines (75 mbar – 2 bar)

Existing ecological network Higher Potential ecological network

Dorset National Landscape: Area of Outstanding Natural Beauty (AONB)

Radon: Class: 1.0 - indicating a less than 1% probability of radon presence. This classification reflects a low level of constraint in relation to radon gas

8. Consultations

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

Consultees

1. Worth Matravers Parish Council

- Object.
- Request refusal or require modifications to ensure extension more in keeping with the character and appearance of area.
- Additional features have been incorporated – specifically fins on the edges of the new extension – which were not part of the original approved plans. Features out of keeping with local character and visual harmony.
- Extensions constructed in solid black colour makes it more noticeable from viewpoints. Not in keeping with local vernacular which features lighter, more subdued tones.
- Cumulative impact of fins and colour are visually intrusive, detracting from aesthetic character of area and amenity of neighbours.

2. DC South East Purbeck Ward Member

- Object to retrospective application.
- Have received correspondence from multiple neighbours and have visited neighbouring site and attach photos.
- Structure visible from number of views and entirely out of character and has negative impact on Dorset National Landscape.
- Buttress structures at either end of black structure are much higher than existing roof line and prominent. Shape entirely out of character to other buildings in vicinity.
- Black weatherboard material out of character but appreciate not specified in 2023 application.
- Structure overbearing to neighbouring property with negative impact on amenity.
- Reduction in height back to original approved plans would benefit adverse impact but would not remove harm.
- Attempts to shield view from neighbouring property have not been successful due to height and scale.

Additional comment of 13/10/25:

- Attach photo that evidences that the windows overlooking the neighbouring property are not opaque and result in overlooking.

Total - objections	Total - No objections	Total - comments
1	0	0

Summary of comments of objection:

- Differs from approved plans and approx. 2ft over ridge.
- New plans do not show difference between authorise extension and reality of unapproved changes made.
- Previous artist impression misleading and incorrect.
- Because the vertical eastern ground elevations are continued upwards in new roof structure the appearance is of an imposing black, 2 storey building very near to our eastern border.
- Has black cladding, a flat roof, slit windows and is of Brutalist design. A tall ugly, imposing structure.
- Object to it as is and any changes in its height as its impact is already too great an impact.
- Not modest or in the character of the neighbourhood.
- A justification for original extension was issue of water ingress and now using this for new height justification.

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.

s85 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) when making any decision which affects such land.

10. Relevant policies

Development plan

In this case the development plan comprises:

Local Plan - Adopted Purbeck Local Plan 2018-34:

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

V1: Spatial strategy for sustainable communities

E1: Landscape

E12: Design

Material considerations

Emerging local plans:

Paragraph 49 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, with further consultation between 18 Aug – 31 October 2025. 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)

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 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 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. Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

National Planning Practice Guidance

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.

Purbeck District Design Guide SPD 2014

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 considered that the proposed development would not disadvantage persons with protected characteristics

13. Public Benefits

The proposals would not provide financial or non-financial benefits

14. Planning Assessment

Background to application

- 14.1 This application has been submitted following an enforcement enquiry which identified that extensions at the property had not been built in accordance with the approved plans.

Proposed development

- 14.2 The application proposes to vary the plans approved by householder consent P/HOU/2023/02368 and subsequent Non-Material Amendment (NMA) consent P/NMA/2024/04471 to reflect the development implemented on site.

<i>Front (west) Elevation</i>
Increased width of dormer window serving first floor study from approx. 2.35m to 2.83m (48cm). Reduced height of dormer window from approx. 3.28m to 3.11m (17cm). Addition of overhang to sides and top of dormer.
Increased width (approx. 0.17m) and height (approx. 0.27m) of entrance porch on ground floor with altered fenestration and addition of overhang to south side and top.
No external cladding applied to ground floor reception room (under implemented).
Increased height of dormer window serving Bedroom 1 from approx. 3.64m to 4.13m (0.49m) resulting in dormer window exceeding ridge of parent bungalow by approx. 0.6m. Overhang to sides and top of dormer.
<i>Rear (east) Elevation</i>
Increased height of dormer window serving Bedroom 1 from approx. 3.64m to 4.13m (0.49m) resulting in dormer window exceeding ridge of parent bungalow by approx. 0.6m. Overhang to sides and top of dormer.
Increased height of dormer window serving closet and bathroom of Bedroom 1 from approx. 3.64m to 4.13m (0.49m) (including buttress height) resulting in dormer window exceeding ridge of parent bungalow by approx. 0.6m. Buttresses to sides.
Ward Member comment received on 13 th October 2025 advises that the closet and bathroom windows are not fitted with obscure glazing.
<i>Side (north) Elevation:</i>
Alterations to dormer window serving first floor study, ground floor entrance porch, and dormer window serving Bedroom 1 as detailed above.
<i>Side (south) Elevation:</i>
Alterations to dormer windows serving first-floor Bedroom 1 and its closet and bathroom as detailed above.

Summary of Key Planning Issues

- 14.3 As this application is for a variation of the approved plans condition (Condition 1) of the original householder consent, matters of principle which were considered as part of the original application cannot be revisited. For information purposes, the table below provides a summary of the key conclusions of the officer assessments for the original householder application, the subsequent non-material amendment application, and the effect of changes proposed by the current variation of condition application.

Issue	Conclusion of original Planning Consent P/HOU/2023/02368	Conclusion of NMA P/NMA/2024/04471	Effect of changes proposed by current VOC application
Principle of development	Acceptable.	N/A	No effect - unchanged.
Scale, design and impact on the character	Acceptable subject to condition requiring details of type and colour of vertical	The alterations would result in a reduction in windows on the southern (side)	See officer assessment below.

and appearance of the area	weatherboarding (Condition 5.	elevation. This proposal is considered to be minor in scale such that it will not have a material change in the character of the area or a significant impact on the amenity of neighbouring properties.	
Impact on the Dorset National Landscape (AONB)	Acceptable.	The alterations would result in a reduction in windows on the southern (side) elevation. This proposal is considered to be minor in scale such that it will not have a material change in the character of the area or a significant impact on the amenity of neighbouring properties.	Acceptable. See officer assessment below.
Impact on neighbouring amenity	No demonstrable harm subject to condition requiring two high-level windows in east facing dormer serving closet and bathroom to be finished in obscure glazing to restrict potential for direct overlooking.	The alterations would result in a reduction in windows on the southern (side) elevation. This proposal is considered to be minor in scale such that it will not have a material change in the character of the area or a significant impact on the amenity of neighbouring properties.	Acceptable. See officer assessment below.
Impact on protected trees	Acceptable.	N/A	No effect - unchanged.
Biodiversity Impacts	Acceptable subject to condition.	N/A	No effect - unchanged.

Scale, design and impact on the character and appearance of the area and the Dorset National Landscape (formerly known as AONB)

- 14.4 Objections have been received from the Ward Member, Parish Council and a neighbour to the east of the application site noting that the alterations to the property – particularly the Bedroom 1 dormer windows – are visually intrusive, detracting from aesthetic character of area and having a negative impact on the visual landscape character of the Dorset National Landscape.
- 14.5 Section 12 of the NPPF highlights the importance of good design which should contribute positively to making places better for people. Paragraph 130 (b) notes that decisions should ensure that development is visually attractive as a result of good architecture, layout and appropriate and effective landscaping and (c) is sympathetic to local character, including the building environment and landscape setting. This is supported by Local Plan Policy E12: Design which requires all development to demonstrate a high quality of design that positively integrates with its surroundings, and which has regard to the District Design Guide SPD 2014.
- 4.6 The Purbeck District Design Guide SPD 2014 advises that the design of an extension should generally harmonise with that of the property being extended in terms of size, scale, form, materials and detailing. In respect of dormer windows, the guide advises:
- You should ensure that dormers form a fully integrated part of the building design. This generally means designing dormers that demonstrate a clear and harmonious relationship with the windows serving lower floors, and sizing and positioning them so as to avoid visual imbalance or conflict within the elevation(s) they serve.*
- 14.7 The dormer windows permitted by the original householder consent and the subsequent Non Material Amendment(NMA) were set just below and at the ridge level of the parent bungalow. As such, they retained an element of subservience and a more harmonious relationship with the property despite the modern design, overhangs and contemporary black cladding (approved by discharge of condition on HOU consent). However, the dormers constructed on site do not accord with the original HOU consent or the NMA.
- 14.8 The west facing dormer serving the first-floor study has been constructed wider but shorter than approved. However, it remains centrally positioned on the roof slope and below the ridge of the parent dwelling. The addition of overhangs to the sides and top increase the bulkiness and visual dominance of the dormer in local views from the north and south. Nevertheless, its visibility from surrounding areas outside of the application site is limited, screened by mature protected trees and woodland to the west and the narrow access driveway to the north. As such, there is judged to be no demonstrable harm to the character and appearance of the area of the visual amenity of the Dorset National Landscape arising from this dormer window.
- 14.9 The Bedroom 1 dormer windows constructed on the east and west elevations towards the rear of the bungalow have been subject to the greatest change compared to the approved plans. The dormers constructed on site are taller than approved (approx. 0.6m) which combined with the overhangs and buttresses results in a significantly bulkier and less

harmonious appearance when viewed from the east, west and south within the site. The increased height – approx. 0.6m above the ridge of the parent bungalow - also appears visually imbalanced.

- 14.10 Nevertheless, the harm to the visual character and appearance of the area is very localised due to the siting of the bungalow off its narrow private access around 60m to the south of the adopted highway of Valley Road. Visibility from the wider surrounding area is also screened by mature protected trees and woodland to the west and trees within the long garden of the application site to the south (also covered by a TPO). Whilst consultation responses consider the size, bulkiness, and contemporary design of the dormer window to be overbearing in character and appearance, the impact is again very localised.
- 14.11 The alterations to the approved porch plans and the lack of weatherboard cladding externally to the reception room are not considered to result in harm to the character and appearance of the area given the ground floor siting and screening to the south, west and north.
- 14.12 Harmans Cross is characterised by a range of property designs, heights, layouts and architectural styles with redevelopments often being of contemporary design and appearance and incorporating various external finishes including cladding and weatherboarding. Although the proposal does not enhance its surroundings, a level of integration is achieved by maintaining an overall modest height. The proposed development fails to demonstrate a high-quality design that positively integrates with its surroundings contrary to Policy E12 but taking account of the fall-back position provided by HOU and NMA, on balance, officers consider that the level of harm to the character and appearance of the area is limited and not so substantial as to form a reason for refusal on design grounds.
- 14.13 In respect of harm to the visual appearance of the Dorset National Landscape (formerly known as AONB), the siting of the extensions within the settlement boundary, well screened by existing trees, landscaping and neighbouring development is judged to result in minimal visual and landscape harm. As such, the extensions and alterations are considered to conserve the natural beauty of the landscape area and further the purposes of the landscape designation in accordance with Policy E1: Landscape of the Purbeck Local Plan 2024.

Impact on neighbouring amenity

- 14.14 As previously assessed, the application site is located on the settlement edge and is relatively well screened from neighbouring dwellings by existing trees and landscaping. The case officer visited the neighbouring property to the east (Bracken) as part of the original householder application and noted that it would be most impacted by the proposed roof extensions, with views of the extensions visible from the garden. Bracken is not served by any west facing windows. Given the distance from the proposed extensions, and the presence of and mature vegetation on the boundary, it was assessed that the proposals would not result in demonstrable harm in terms of overbearing impact or loss of light. It is acknowledged that the increase in height of the east facing dormer window does result in a bulkier appearance than the approved dormer, with the perception of increased

intrusiveness and loss of privacy. However, impacts in terms of loss of light and overbearing development are not substantially altered so as to form significant harm and a reason for refusal.

14.15 The two windows within the east facing dormer that serve a walk-in closet and bathroom are conditioned (Condition 3) to be fitted in obscure glazing to prevent direct overlooking of the neighbouring amenity spaces to the east. In response to queries, the planning agent has submitted photos from within the rooms evidencing that both windows are fitted in opaque glazing thereby meeting the requirements of the condition. The condition wording also states that *‘Thereafter the high-level windows and obscure glazing shall be retained as such’*. This condition wording can be retained on any new consent as an ongoing requirement. If the installed glazing was to be replaced with clear glazing in the future, this could be dealt with as an enforcement enquiry.

14.16 In summary, the proposal is judged to accord with Policy E12: Design of the Purbeck Local Plan 2024 and the objectives of the Purbeck Design Guide in respect of neighbouring amenity.

Review of conditions and informative notes

14.17 As a variation of condition application requires the issue of a new consent, an assessment is required as to which of the original conditions must remain on the decision notice, which can be removed, which require amendment, and any new conditions required. This has been undertaken below.

Condition on P/HOU/2023/02368 as amended by NMA/2024/04471	Detail	Required on new VOC consent?	New condition no.
Conditions			
1	Approved Plans	Yes – New plans to be listed	1
2	Three-year implementation	No – implemented	-
3	Obscure glazing	Yes, with amended wording as windows are fitted but obscure glazing must remain	2
4	Erection of bat or bird box	Yes – Ongoing	3
5	Sample of external weather boarding	No – implemented.	-

15. Environmental implications

The proposal is to retain extensions and alterations to a dwelling. These will have been constructed to current building regulation requirements, potentially improving the thermal qualities of the dwelling.

16. Summary of issues and the planning balance

For the above reasons, the application is judged to accord with the development plan as a whole and there are no material considerations indicating that permission should be refused.

17. Recommendation

Grant, subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 21.79.1 B Site Plans
 - 21.79.4. C Proposed plans and elevations
 - 21.79.5. C Proposed plans and elevations

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

2. The closet and bathroom windows serving the dormer window in the east elevation must be retained at the fitted height and with obscure glazing to a minimum industry standard privacy level 3.

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

3. Prior to first use of the development hereby approved, a bat or bird box shall be erected within the site boundary and shall thereafter be retained.

Reason: To enhance biodiversity.

Informative Notes:

1. 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.

This page is intentionally left blank

Application Number:	P/FUL/2025/05198		
Webpage:	Planning application: P/FUL/2025/05198 - dorsetforyou.com		
Site address:	The Focus Centre 107 High Street Swanage BH19 2NB		
Proposal:	Alterations to windows and external doors.		
Applicant name:	Swanage & Purbeck Development Trust		
Case Officer:	Victoria Chevis		
Ward Member(s):	Cllr Suttle and Cllr Tomes		
Publicity expiry date:	07/10/2025	Officer site visit date:	Desk top assessment
Decision due date:	EOT 21/11/2025	Ext(s) of time:	21/11/2025 – To allow for committee
No of Site Notices:	1 – Junction of Chapel Lane with High Street 2 – In front of the site on High Street		
SN displayed reasoning:	site notices have been displayed in 2 prominent positions in the interest of maximising awareness of the application.		

1. Reason application is going to committee:

The application site includes land owned by Dorset Council.

2. Summary of recommendation:

GRANT subject to conditions.

3. Reason for the recommendation: as set out in paragraph 15 at the end of the report

- The location is considered to be sustainable, and the proposal is acceptable in principle with regard to design, and general visual impact.
- There is considered to be no harm to nearby heritage assets or the Dorset National Landscape
- There is not considered to be any significant harm to neighbouring residential amenity.
- The proposal will deliver community benefits by way of visual enhancement and improved accessibility.
- There are no material considerations which would warrant refusal of this application

4. Key planning issues

Issue	Conclusion
Principle of development	Acceptable within the settlement boundary.
Scale, design, impact on character and appearance of the area and Dorset National Landscape (AONB)	Acceptable within immediate context.
Impact on heritage assets	Acceptable impact on setting of heritage assets and Swanage Conservation Area.
Impact on neighbouring amenity	Acceptable – No demonstrable harm to neighbouring amenity.
Impact on trees	Acceptable subject to condition.
Biodiversity	Acceptable subject to condition.

5. Description of site

The application site forms part of the Swanage 'Focus Centre' which is operated and delivered by the Swanage and Purbeck Development Trust. Located to the south of Swanage High Street, the wider site includes a Day Centre, a Children's Centre and a further building known as 'The Centre'. The group of buildings and land surrounding them provide an inter-generational health and wellbeing complex for the local community via a community cafe and the delivery of children's and adults' services including drug and alcohol outreach programmes, toddler play and support groups, a community food bank, children's speech and language therapy and a drop in wellbeing welcome lounge.

There are a number of trees within the wider area of land forming part of the Focus Centre (within the blue line) and also areas of landscaping and open space. To the east is Chapel Lane, Swanage Methodist Church and Hall (Grade II Listed), and several cottages accessed via the land. To the south, the land rises steeply and the southern site boundary adjoins gardens serving bungalows on Queens Mead. To the north and west are residential properties on Queens Road and High Street. The entire site is located within Swanage Conservation Area and the Dorset National Landscape.

6. Description of development

The proposal is for minor changes to openings in the north elevation. The proposal includes the replacement of an internal door with a window on the north elevation and the replacement of two external windows on the north elevation with doors to facilitate improved access alongside internal alterations.

7. Background and relevant planning history

6/1976/0634 - Decision: GRA - Decision Date: 30/11/1976
Erect a wooden hut for use as storage shed.

6/1981/0963 - Decision: GRA - Decision Date: 08/02/1982

Erect wooden hut for use as storage shed (renewal).

6/1996/0537 - Decision: GRA - Decision Date: 25/10/1996

Erect extensions to improve existing Day Centre facilities and covered set down area

6/2005/0902 - Decision: GRA - Decision Date: 21/11/2005

To extend existing road access and create a new entrance to the centre to facilitate a one way traffic system through the site.

6/2005/0902_1 - Decision: GRA - Decision Date: 21/11/2005

To extend the existing road access and create a new entrance to the centre to facilitate a one way traffic system through the site.

6/2008/0768 - Decision: NOB - Decision Date: 12/01/2009

The erection of a small timber framed building with some works to the landscape immediately adjacent to provide a Sure Start Centre.

6/2008/0768_1 - Decision: GRA - Decision Date: 04/02/2009

The erection of a small timber framed building with some works to the landscape immediately adjacent to provide a Sure Start Centre

P/FUL/2024/07033 - Decision: GRA - Decision Date: 27/02/2025

Erect new store extension, canopy, porch, bin store, new ramp and associated landscaping.

8. List of constraints

Heritage Assets

- Grade II Listed Buildings (LB) - Clarence Cottage and east boundary walls to garden (Historic England (HE) list entry ref: 1152179) and The Methodist Church and hall immediately east and boundary walls to west and north (HE list entry ref: 1152670.0)
- Application is within Swanage Conservation Area

There is a (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Scheduled Monument: The old prison and pump (List Entry: 1002727.0) - Distance: 146.05m Application is within Swanage Statutory Settlement Boundary

Article 4 Direction – Swanage Conservation Area – restricts satellite antenna on dwelling houses

Wessex Water (WWA) Treatment Works Catchment

19 November 2025

Poole Harbour Recreation Zone

Dorset Council Land Freehold: Swanage Connect, High Street, and Swanage Children's Centre, High Street, Swanage

Dorset National Landscape (formerly known as Area of Outstanding Natural Beauty (AONB)) (statutory protection Local Planning Authorities to seek further the purposes of conserving and enhancing the natural beauty of the area of outstanding natural beauty- National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

Site of Special Scientific Interest (SSSI) impact risk zone – requirement to consult Natural England

Dorset Heathlands – 400m- 5km Heathland Buffer

Risk of Surface Water Flooding Extent 1 in 100 plus 20% allowance and 1 in 1000 plus 40% allowance

Radon: Class: Class 1: Less than 1% - Low Risk, fewer than 1% of homes expected to exceed the radon action level – no protective measures required.

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 3472.16m

9. Consultations

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

Consultees

1. Dorset Council (DC)- Conservation Officers

- The proposals would have no additional impact on the settings of the Grade II listed cottages opposite (88, 90 & 92 High Street), setting of the adjacent Grade II listed Methodist Church and hall and boundary walls.
- The proposal would have no additional impact on the character or appearance of the conservation area.
- As such there is no objection from a heritage perspective.

2. DC - Asset & Property

No comments received.

3. Swanage Town Council

Support - The Town Council has no objection to the proposal.

4. DC Ward Councillors - Swanage Ward

No comments received.

Representations received

No comments received.

10. 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

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) when making any decision which affects such land.

11. Relevant policies

Development plan

In this case the development plan comprises The Purbeck Local Plan 2018-34 and the Swanage Local Plan 2017-27:

Local Plan Adopted Purbeck Local Plan:

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

V1: Spatial strategy for sustainable communities

E1: Landscape

E2: Historic environment

E12: Design

I2: Improving accessibility and transport

Adopted Swanage Local Plan:

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

STCD: Swanage townscape character and development

Material considerations

Emerging local plans:

Paragraph 49 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, with further consultation between 18 Aug – 13 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Emerging neighbourhood plans

Swanage Neighbourhood Plan- In preparation – limited weight applied to decision making

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 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).

National Planning Practice Guidance

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.

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)

District Design Guide SPD

Swanage Conservation Area Appraisal

12. 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.

13. 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.

The proposed alterations will improve the accessibility of the buildings through the introduction new doorways. The proposals will remove existing disadvantage and will support the provision of the inter-generational health and wellbeing complex for the local community.

14. Public Benefits

None relevant.

15. Planning Assessment

The main planning considerations for this application are:

- Principle of development
- Scale, design and impact on the character and appearance of the area and the Dorset National Landscape (AONB)
- Impact on heritage assets
- Impact on neighbouring amenity
- Community benefits

Principle of development

The Focus Centre is located within Swanage settlement boundary and the principle of the development is acceptable in accordance with Policy V1: Spatial strategy for sustainable communities and the settlement hierarchy of the Purbeck Local Plan 2024.

Scale, design and impact on the character and appearance of the area and the Dorset national Landscape

Although surrounded by houses and the adjacent Grade II Listed Chapel and Hall, the character of the Focus Centre site is that of an established community centre consisting of low-level buildings within areas of landscaping and open space. The buildings are set back from High Street and Chapel Lane with open areas of hard standing and car parking separated from enclosed areas to the rear by a mixture of boundary fencing and Purbeck Stone walling. The proposed alterations would be well contained within the grounds of the centre and would not appear out of character within the setting.

Given the siting of the proposal within the settlement boundary and the established community centre site, it is considered that the proposal will conserve the visual landscape character of the Dorset National Landscape and High Townscape Value Area. The proposal is not considered to enhance the visual landscape character but given the minor nature of the works proposed it would not be reasonable to refuse the application on these grounds. The proposal is considered to comply with Policy E1: Landscape and E12: Design of the Purbeck Local Plan 2024 and Policy STCD of the Swanage Local Plan 2017.

Impact on heritage assets

The site is located within Swanage Conservation Area and lies adjacent to the Grade II Listed Swanage Methodist Chapel and Hall to the east. The Council's Conservation Officer has raised no objection to the proposal noting in their response that the position of the proposed works within the site would have no harmful impacts on the character or appearance of the Conservation Area or the significance of the Grade II listed Methodist Church and its setting. The proposal is judged to comply with Policy E2: Historic environment of the Purbeck Local Plan 2024.

Impact on neighbouring amenity

The site forms an established community use within a town location. Although residential properties surround the community centre, the proposed alterations would not result in any additional overlooking or loss of privacy. As such, no harm to neighbouring amenity has been identified. The proposal is judged to comply with Policy E12: Design of the Purbeck Local Plan 2024.

Community benefits

The proposals will improve the access and flow of the building and ensure accessibility to all in the local community who will use the inter-generational wellbeing and health complex. This accords with paragraph 128 of the NPPF which advises that local planning authorities should support proposals that make more effective use of sites that provide community services. It also aligns with the objectives of Policy I7: Community facilities and services of the Purbeck Local Plan 2024 which seeks to support the growth of and retain community infrastructure.

16. Environmental implications

None relevant.

17. Conclusion

For the above reasons the proposal accords with the Purbeck Local Plan 2024 as a whole, there are no material considerations than indicate permission should be refused and is recommended for approval subject to conditions.

18. Recommendation: Grant subject to 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:

22125.31 A Location and block plan

22125.37 A Proposed site plan

22125.38 B Proposed floor plan

22125.39 B Proposed elevations (1 of 3)

22125.40 A Proposed elevations (2 of 3)

22125.41 A Proposed elevations (3 of 3)

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

Informative Notes:

1. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

2. 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.