



Eastern Area Planning Committee

Date: Wednesday, 17 December 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	3 - 12

To confirm the minutes of the meeting held on 19 November 2025.

4. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS

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

The deadline for notifying a request to speak is 8.30am Monday 15 December.

5. P/FUL/2025/04931 - LAND REAR OF 11-12 EGDON CLOSE, BERE REGIS, BH20 7LQ 13 - 34

Construction of a detached chalet bungalow.

6. P/FUL/2024/06769 - SHADY GLADES, LONG LANE, WIMBORNE, BH21 7AQ 35 - 72

Change of use to a dog exercise park to include the formation of car parking areas, fencing and storage container.

7. P/FUL/2025/03321 - LAND AT NORTHERN SLIP ROAD, WEST MOORS JUNCTION, WEST MOORS ROAD, FERNDOWN 73 - 90

Demolition of the existing buildings, removal of storage containers and erection of replacement building for the seasonal sale of fireworks and associated year-round storage.

8. URGENT ITEMS

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

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

9. EXEMPT BUSINESS

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.



EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 19 NOVEMBER 2025

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

Apologies: Cllrs Beryl Ezzard and Julie Robinson

Also Present: Cllr Shane Bartlett

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

Elizabeth Adams (Development Management Team Leader), Kim Cowell (Development Management Area Manager (East)), Philip Crowther (Legal Business Partner - Regulatory), Victoria Chevis, Joshua Kennedy (Democratic Services Officer), Megan Rochester (Senior Democratic & Governance Services Officer) and Thomas Whild (Lead Project Officer)

54. Declarations of Interest

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

55. Minutes

The minutes of the meeting held on 08 October were confirmed and signed.

56. 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.

57. P/FUL/2022/07955 - Land at Stepping Stones Field, Stoborough

The Lead Project Officer presented the report for the application and provided an update on the Community Infrastructure Levy (CIL) figures. A map was shown illustrating the application site in relation to Stoborough and Wareham. It was noted that the site was situated outside the settlement boundary of Stoborough. Notable points in the nearby area were highlighted and included a primary school, a village hall and a field north of the site, which had previously been subject to a planning application which members had agreed to approve.

Members were advised that CIL liability on the site had increased to £370k with indexation but this was not a material consideration.

Photographs of the site were displayed, showing that the application site was currently undeveloped pastureland. Existing hedgerows formed the boundaries of the site, along with several trees. A pre-commencement tree protection condition was recommended.

The proposal was for nine dwellings with access from the southern side of West Lane, comprising a mix of two, three and four-bedroom units. It was explained that the scheme had been amended to reduce the number of dwellings from twelve to nine. Plans were presented showing the size, scale, and appearance of the buildings, which would feature varied materials including red brick, render, and Purbeck stone, with roofs finished in a mix of slate and tile. Indicative street scenes were also shown.

Plans for the access from West Lane were outlined, including the extension of the pedestrian footpath. As there was currently no pavement along West Lane connecting to the village, provision would be made for connecting the path to the village, which would be secured through the legal agreement.

It was noted that the site was within walking distance of the Bog Lane Suitable Alternative Natural Greenspace (SANG) and was accessible via existing footpaths. It was located within Flood Zone 1 but was subject to some surface water flood risk. In response to drainage concerns, the applicant had provided a surface water drainage strategy, which included water storage beneath paving and some driveways, with water draining to an attenuation basin.

It was explained that the Council's previous five-year housing supply position had expired, and a new assessment indicated that the Council could only demonstrate 2.53 years of supply. Paragraph 11(d) of the National Planning Policy Framework (NPPF) therefore applied, stating that applications should be granted unless there were strong reasons for refusal. Officers considered that the application was acceptable in principle and that nutrient mitigation could be achieved through credits.

There were no public speakers.

In response to members questions officers provided the following responses:

- One unit was displayed in the plans as featuring solar panels, however renewable energy systems were not required to make the application acceptable in planning terms.
- The surface water drainage scheme had been reviewed by the Lead Local Flood Authority and they were satisfied that the development would be safe for its lifetime from flooding.
- There was an existing pedestrian crossing point on West Lane and the Highways Authority were satisfied that the existing crossing point offered safe access into the development.
- There was no policy requirement that the units be accessible, although one unit was designed to be adaptable with no structural change required if future occupants needed to make alterations to the access.
- A previous application on a site nearby was granted planning permission with a condition that required the improvement of a footway on West Lane.

The application in question also had the same condition as it was necessary to make the application acceptable. It was explained that the two developers were able to decide how the improvements are carried out.

- The S106 legal agreement requires that drainage maintenance is carried out and this responsibility would pass onto the owners of the properties.
- Details about landscaping were required to be submitted and approved and maintenance would be required for 5 years.
- An informative note could be added to state that the hedgerow should be retained and maintained in perpetuity.
- There were no garages for the 2-bedroom units, however all units had off-road parking spaces.

Members commented that the application was well designed and would be in keeping with the area.

It was proposed by Cllr Flower and seconded by Cllr Brenton that the application be granted as per the officer's recommendation and with the added informative note about the retention of the hedgerow.

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 conditions set out in the appendix to these minutes 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

That planning permission be refused for the reason set out at in the appendix to these minutes, 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.

58. 6/2020/0013 - Land at White Lovington, Bere Regis, BH20 7NF

The Development Management Team Leader explained that the application had been brought back to committee for determination following updated advice from Natural England regarding nutrient neutrality in Poole Harbour. It was also noted that the applicant had undergone a viability assessment, following increased costs, which showed that the scheme was no longer able to support any affordable housing.

The location of the site was shown and it was explained that it was considered a sustainable location for new dwellings. The development benefited from local facilities, and the Neighbourhood Plan had allocated the land for residential development for approximately 12 dwellings on the site. Officers did not consider that the proposal conflicted with the Neighbourhood Plan and noted that the

application was being considered in light of the tilted balance, given the housing land supply position.

A location plan was shown, confirming that there was no proposed housing outside the settlement boundary and the development avoided the Dorset Heathland 400m Zone. A Heathland Infrastructure Project (HIP) was to be secured through a legal agreement, as although there was no policy requirement for open space, due to the proximity to local heathland and the lack of a local SANG, there was an identified need for the HIP until such time that alternative effective mitigation measures were demonstrated.

Photographs of the site were displayed, including an aerial image showing hedging along the boundary and trees on the southern boundary, which were protected.

The proposed site plan showed the existing road extending into the site, with three properties provided on the northern part and a further fourteen dwellings on the southern part of the site. The dwellings were mainly 2 storeys, comprising a mixture of semi-detached and detached properties.

Officers accepted that economic changes over time were a reasonable reason for a viability assessment, noting the cost of nutrient mitigation and the increase in bank interest rates. The Council's consultant Dixon Searle agreed that the scheme was not viable for the purposes of affordable housing delivery.

Street views of the existing housing development were shown and officers considered that the proposal represented a low-density development compared to other sites in the Bere Regis Neighbourhood Plan. It was considered that the proposed house types were similar to existing dwellings in the area.

In terms of neighbouring amenity, officers considered that the low density of the proposed and existing site should mitigate against any impact on neighbours, with there being generous distances between properties. Highways had reviewed the proposal and did not consider that further measures were necessary, given the modest additional traffic movements and confirmed that the existing junction layout was appropriate

An updated ecology report was provided and it was agreed that a dormouse bridge would be secured by condition. A summary of the proposed conditions was shown.

Mr Bennett spoke as the agent for the application, he highlighted that the proposal would be in keeping with the existing housing in the area, due to its low-density nature and it would provide a range of housing to suit the needs of the village. He noted that it was recognised that the development could no longer support affordable housing contribution due to rising costs, however emphasised that it would still provide an important contribution to the housing supply of the area.

The following answers were provided in response to members questions:

- As the HIP would be a material change of the use of the land, a legal agreement would require the HIP and its ongoing maintenance. As it was not known when a

SANG would be provided it would be recommended that the HIP was secured for a period of 80 years.

- The viability assessment was done through a criteria set by the government and so was considered policy compliant from a planning perspective.
- The dormouse bridge was proposed to be situated on land owned by the developer and wouldn't impact the use of the land as a HIP and maintenance of the bridge would be required in perpetuity.
- The HIP was required to be completed before any occupation of the dwellings.
- None of the units were identified as being accessible, however building regulations required general accessibility of new dwellings.
- There had been a recent appeal in the Purbeck area where the Inspector judged that a s106 viability review requirement was not justified as there was no specific policy outlining the parameters of when a viability review was appropriate. Therefore, it was recommended that a viability review could not reasonably be required.
- Only the larger properties on the development had outbuildings.
- The build costs used in the viability assessment were based on BCIS figures and were standardised costs used in the viability report.
- The cost of land in the viability report is based on the benchmark land value so officers couldn't comment on whether the land value had changed.
- Officers could not say whether a different mix of housing type and density would have resulted in a scheme which could deliver affordable housing and had to consider the application as presented.

Members expressed concerns about the lack of affordable housing provided through the scheme and the timeline for the provision of the HIP in comparison to the development, however did not conclude that these were sufficient reasons for refusal.

It was proposed by Cllr Sowry-House and seconded by Cllr Coombs that the application be granted, subject to a S106 legal agreement that secured the provision of the HIP prior to any commencement works for the construction of the dwellings.

Decision: That the application be granted subject to the conditions set out in the appendix to these minutes and the completion of a satisfactory planning obligation.

59. P/FUL/2024/06961 - Langton House, Durnford Drove, Langton Matravers, BH19 3HG

The meeting adjourned at 11:59 – 12:10.

The Lead Project Officer introduced the application for the erection of two semi-detached properties. The site location was outlined on a map of the area and photographs of Langton House were shown to members. It was noted that a Tree Preservation Order (TPO) covered the entire site.

The proposed site plan was provided and reference was made to Policy EE4, which supported the visitor economy and it was explained that the proposal fell within the relevant criteria of supporting tourism.

Photographs of the proposed site were shown and the proposed site for the holiday cottages was identified, along with the proposed floorplans and elevations

for the cottages. Proposed elevations for the shepherd's hut were also presented and it was confirmed that a condition would control the external appearance of these units.

Plans showing trees and landscaping were provided and it was confirmed that the biodiversity net gain could be delivered on site. The Lead Project Officer outlined the drainage scheme and reported that concerns had been raised by the Parish Council regarding increased flood risk in the local area. Following site investigations, the scheme proposed rain downpipes on the holiday cottages discharging to a soakaway. Arrows on the plan illustrated the direction of water flow, and a shallow swale was proposed along the north-eastern boundary. The Parish Council had requested that the swale be made wider and deeper but officers considered that a further condition to require it to be increased in size if needed, did not meet the planning tests.

It was noted that the holiday cottages would not contribute to the housing land supply position. The Lead Project Officer explained that a condition would ensure that the cottages and shepherds' huts remained tied to the wider holiday estate. Impacts on neighbouring amenity were considered acceptable, subject to the inclusion of obscure glazing in certain areas.

Mr Moir spoke as the agent for the application. He noted that the properties would be holiday accommodation only and would support the local economy by bringing more tourists to the area and by supporting a local rural business.

In response to members questions the following responses were provided by officers:

- National flood risk modelling had been provided by the Environment Agency and further information had been gained from public consultation which fed into the detailed drainage strategy.
- The foul water drain was highlighted on the plans and it was explained that the full details were to be submitted.
- The application included permission for two shepherds huts and if the applicant wanted to develop them beyond the scope of the submitted plans in the future then a new application would be required.
- The shepherd huts were defined as caravans in planning terms and a condition was included to ensure the appearance of the shepherd huts would be as submitted.
- The ownership of the holiday accommodation would be tied to the wider estate and this would be secured via condition.

Members were in agreement that the application was acceptable.

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

Decision:

That authority be delegated 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

That permission be refused for the reasons set out in the appendix to these minutes 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.

60. **P/VOC/2025/05153 - Moone House, Valley Road, Harmans Cross, Swanage, BH19 3DZ**

The committee agreed to extend the meeting beyond three hours.

The Development Management Team Leader presented the application for retrospective permission, as the development had not been carried out in accordance with previously approved plans. The site location plan was displayed, and it was noted that the site lay within the Dorset National Landscape. It was explained that only the effects of the changes were being considered, with the main concern being whether the amendments were acceptable in terms of the character and appearance of the area.

The proposed alterations and elevations were shown, along with photographs comparing the extensions to the approved plans. The changes included a dormers that were higher than previously approved, exceeding the ridge height of the dwelling.

It was reported that objections had been received from the Ward Member, the Parish Council, and a neighbouring resident. Officers considered that the harm to the visual appearance of the area was very localised and limited by mature protected trees. Consultation responses had raised concerns about the impact on appearance; however, the issue was considered to be confined to the immediate locality.

It was explained that Harmans Cross contained a mixture of dwelling types and that, while the proposal did not enhance the surroundings, its dark colour was recessive against the backdrop of trees. Officers considered that the level of harm to the area was limited and did not warrant refusal. Photographs of the wider landscape were shown, illustrating the housing against the countryside backdrop, and the Development Management Team Leader confirmed dwelling was not visible from these views.

Mr Hicks spoke in opposition to the application as a neighbouring resident. He explained that the extension had been built over the ridge height of the property which considerably increased the bulk and scale of the dwelling compared to the approved plans and impacted on the outlook from his property.

Mr Cooper spoke as the applicant for the application. He explained that the change in design had occurred due to structural reasons that required the height of the extension to be higher than planned.

A statement from the Ward Member Cllr Ben Wilson was read out on his behalf by the Vice-Chair. He stated that he did not agree that with assertion that the harm was localised and believed that a site visit was necessary so that members could see the impact of the works in person.

It was proposed by Cllr Brenton to defer the application to allow the committee to conduct a site visit, the proposal failed to be seconded and so the motion fell.

Members had the opportunity to debate the merits of the application, during which several members stated that they disagreed with the officer's conclusion regarding the harm to the character of the area and that on balance, due to the scale of the carried out works and the fact that it was not subservient to the ridge height of the dwelling it was unacceptable.

Other members expressed their view that the changes from the original approved plans were fairly minimal and they did not believe that the works as carried out caused more harm to the area, supported by the limited visual impact of the property from the wider area.

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

Decision: That the application be granted subject to the conditions set out in the appendix to these minutes.

61. P/FUL/2025/05198 - The Focus Centre 107 High Street Swanage BH19 2NB

The Planning Officer presented the application for alterations to windows and doors on the front elevation of a building situated on land owned by Dorset Council. The location of the site was identified, and it was noted that permission had previously been granted for works to improve the thermal efficiency of the building.

It was explained that the proposal involved converting two windows into doors, changing one door into a window, and enlarging two existing windows. These alterations were intended to increase access, improve the usability and accessibility of the building and allow more natural light into the interior.

Elevations illustrating the proposed changes were displayed, and it was confirmed that the application accorded with relevant planning policy.

It was proposed by Cllr Coombs and seconded by Cllr Flower to grant the application.

Decision: That the application be granted subject to the conditions set out in the appendix to these minutes.

62. Urgent items

There were no urgent items.

63. **Exempt Business**

There was no exempt business.

20251119 Decision List

Duration of meeting: 10.00 am - 1.33 pm

Chairman

.....

This page is intentionally left blank

Application Number:	P/FUL/2025/04931
Webpage:	Planning application: P/FUL/2025/04931 - dorsetforyou.com
Site address:	Land rear of 11-12 Egdon Close, Bere Regis, BH20 7LQ
Proposal:	Construction of a detached chalet bungalow
Applicant name:	Mr J Alford
Case Officer:	Cari Wooldridge
Ward Member(s):	Cllr Beddow and Cllr Baker

1.0 Reason application is going to committee:

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

2.0 Summary of recommendation:

- 2.1 GRANT planning permission subject to conditions.

3.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable. Additional unit towards housing land supply.
Scale, layout, design and impact on the character and appearance of the area	Acceptable subject to condition.
Impact on neighbouring amenity	Acceptable subject to conditions.
Highway safety, access and parking	Acceptable subject to conditions.
Flood risk and drainage	Acceptable subject to condition.
Biodiversity and landscaping	Acceptable subject to conditions.
Other considerations	Acceptable.
Housing Delivery Test and 'Tilted Balance' Assessment	The benefit of the dwelling towards the area housing supply is not outweighed by any identified adverse impacts of the proposal.

4.0 Description of site

- 4.1 The application site is a former garage parking court located to the rear of nos. 11 and 12 Egdon Close. The parking court and its private access off Egdon Close are finished in tarmac surfacing and enclosed by close boarded fencing and a hedgerow on the northern boundary.

- 4.2 Egdon Close is set on a hillside with land sloping downhill from the south to the north. The application site is subject of the same differences in land levels with the main part of the site being lower than the access road and the neighbouring houses of 11 – 13 Egdon Close. To the east of the application site is a narrow area of open land which adjoins the new Bere Regis Primary School. To the north of the site is the vehicular access to the primary school, grass verges, and the Bere Stream Nature Reserve which also provides pedestrian access to Elder Road.
- 4.3 The garage court and access road were formally owned by Alder Housing Association but are now within the private ownership of the applicant.

5.0 Description of development

- 5.1 The application proposes the erection of a detached three-bedroom chalet bungalow with hipped roof to front (south) and gable end to rear (north). Most of the living and bedroom space is proposed at ground floor level with a first-floor bedroom and ensuite towards the rear of the building. The dwelling is centrally located within the plot with garden to the rear, two parking spaces to the side (west), a turning area to the front and provision for bin and cycle storage.
- 5.2 Vehicular access is via the existing private tarmac access which adjoins the western end of Egdon Close at the turning point.

6.0 Background and relevant planning history

6/1995/0777 - Decision: REF - Decision Date: 06/02/1996 - Erect a dwelling with integral garage.

Officer Note: This proposal was for land to the rear of 13 & 14 Egdon Close with same vehicular access as current proposal.

P/PAP/2024/00693 - Erection of 1 house – Response date: 08/01/2025

Summary of officer response:

The proposed residential development of the enquiry site appears to be acceptable in principle, but the design of any property will need to be carefully considered to avoid harm to neighbouring amenity and nutrient neutrality will need to be demonstrated.

7.0 List of constraints

Within Bere Regis Settlement Boundary

Within Bere Regis Neighbourhood Plan Area

Mineral Strategy 2014 – Hydrocarbons - UKCS Licensed Blocks - Organisation: SOUTH WESTERN ENERGY LIMITED (08019159)

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

Natural England Designation - Nutrient Neutrality Catchments

Dorset Heathlands - 5km Heathland Buffer

Wessex Water Treatment Works Catchment Impacts on designated SAC/SPA/Ramsar

Wessex Water Risk of foul sewer inundation 2023 High Risk of Foul Sewer Inundation

Dorset Council Land Freehold: Land for Bere Regis Primary School, Southbrook, Wareham
- Reference FH003496 – *Adjacent school site*

Dorset Council Land (Easement): Easement for water pipe to Bere Regis Primary School at Egdon Close, Bere Regis - Reference LIN003493 – *Along access*

Dorset Council Land (Easement): Easement for gas pipe at Egdon Close, Bere Regis - Reference LIN003494 – *Along access*

Groundwater Source Protection Zone

RAD - Radon: 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

ONR Winfrith Magnox - 12km zone

ONR Winfrith Tradebe Inutec - 12km zone

Right of Way: Footpath SE6/30 - Distance: 3.25m

Site of nature conservation interests (SNCIS): SY89/043 - Southbrook - Distance: 44.63

Natural England - RAMSAR - Distance: 845.93m

Scheduled Monument: Manorial settlement at Court Farm (List Entry: 1015352); - Distance: 302.74m

8.0 Consultations

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

Consultees

1. Natural England

Further information required to determine impacts on designated sites in respect of recreation pressure and water quality / nutrient impacts.

Appropriate Assessment required.

Proposal sited on area of land that is registered common land. Common land consent may be required.

Comment on Appropriate Assessment:

No objection subject to the securing of mitigation in respect of Poole Harbour and Dorset Heaths.

2. Wessex Water

No comments received.

3. Ramblers Association

No comments received.

4. Dorset Wildlife Trust

No comments received.

5. Office for Nuclear Regulation

No comments received.

6. DC - Rights of Way

No comments received.

7. DC – Highways

No objection.

Proposal will utilise existing private access road which adjoins the adopted public highway at Egdon Close in a cul-de-sac location.

Anticipated that the residential use may generate fewer vehicle movements than the previous use.

Opportunities for active travel to nearby village where there are local amenities, employment and education.

Following site visit and assessment consider proposal does not present material harm to transport network or highway safety subject to conditions and informative notes.

8. DC – Waste Team

No comments received.

9. DC – Assets and Property

No comments received.

10. DC – Building Control

Ensure fire brigade access has been thought out under requirement B5 of Building Regulations.

A compliant approach or alternative approach will need to be provided when submitting a building regulations application.

11. DC – Environmental Assessment

Appropriate Assessment drafted for consultation with Natural England.

12. Bere Regis Parish Council

Object.

Narrow cul-de-sac already suffering from lack of parking and frequently blocked by delivery vehicles or refuse collection.

Many properties do not have on plot parking or only have space for one car.

Access road to plot is narrow and doubtful whether emergency service vehicle would gain access especially if parking around cul-de-sac.

Construction lorries will struggle to access site.

Do not believe site is designated as common land as suggested by Natural England but does need to be investigated.

Site is definitely within 400m zone for Black Hill heathland area.

13. DC - West Purbeck Ward Member - Cllr Beddow

Request application is referred to committee.

Significant concern over access, parking, emergency vehicle access, whether site is common land, all as raised at Bere Regis Parish Council meeting.

14.DC - West Purbeck Ward Member – Cllr Baker

No comments received.

Representations received

Total - objections	Total - No objections	Total - comments
5	0	1

Summary of comments of objections:

- Parking and congestion where already an issue with limited off-road parking available.
- Loss of 8 car park spaces previously rented out by Aster with cars needing to park on road.
- Where will visitor parking for new dwelling be?
- Limited visibility for drivers when children play in area due to parked cars.
- How will access and parking for construction vehicles and staff be managed during build?
- Potential harm to neighbouring properties from construction vehicles due to tight access.
- Where will delivery vehicles off-load, and materials be stored?
- Narrow site access does not allow for emergency vehicles which are already restricted due to heavy on street parking.
- No evidence provided that consent has been obtained as site is common land. Granting permission would be premature and contrary to protections for common land.
- Would overlook gardens of Egdon Close and the primary school with loss of privacy and safeguarding concerns.
- Site within AONB which should be protected.
- Direct threat to ability to access my garage via small access road if the road were to be closed or restricted.
- Potential sewer blockages and overflows from additional connection as sewers outdated and struggle with capacity.
- Safety of school children walking along Southbrook as deliveries are made.

9.0 Duties

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

10.0 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:

V1: Spatial strategy for sustainable communities

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

I2: Improving accessibility and transport

I3: Green infrastructure, trees, and hedgerows

Made Neighbourhood Plans

Bere Regis Neighbourhood Plan 2019-2034 (made June 2019)

BR1: Settlement boundaries

BR4: Bere Regis Groundwater

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 5 'Delivering a sufficient supply of homes' This outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:
The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.
Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

National Planning Practice Guidance

Determining a Planning Application

Supplementary planning documents and guidance

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

Purbeck District Design Guide SPD 2014

Managing and using traditional building details in Purbeck

Bere Regis Townscape Character Appraisal Supplementary Planning Document adopted August 2012.

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.

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.

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

13.0 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
Non-material considerations	
CIL Contribution (2025 charging rate)	£4942.82
Council Tax (based on average Council Tax Band D April 2025 to March 2026)	£2614.21

Principle of development

- 14.1 The application site is located within the Bere Regis settlement boundary where the general principle of new residential development is acceptable in accordance with Policy V1: Spatial strategy for sustainable communities, the settlement hierarchy of the Purbeck Local Plan 2024, and Policy BR1: Settlement Boundaries of the Bere Regis Neighbourhood Plan 2018.
- 14.2 However, Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. Therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan are out of date and the presumption in favour of sustainable development applies (i.e. the 'tilted balance'). The proposed dwelling would provide an additional unit towards the Purbeck Housing Land Supply as set out in Policy H2: The Housing Land Supply of the Purbeck Local Plan 2024.

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

- 14.3 The NPPF, paragraph 135, requires planning decisions to achieve good design that adds to the overall quality of an area, and which is sympathetic to local character, history, and the surrounding built environment. Policy E12: Design of the Purbeck Local Plan 2024 requires new development to demonstrate a high quality of design that positively integrates with its surroundings and reflects adopted design guidance.
- 14.4 The application site is located in the 'modern estate development' townscape character type as identified by the Bere Regis Townscape Character Appraisal. Strengths of the character type are identified as its pleasant ubiquitous residential layout and consistent building lines. Threats to the character include loss of boundary walls, front gardens and the widening of entrances to provide parking within the already estate road dominated environment. Opportunities to provide some new infill development on larger rear gardens are noted.
- 14.5 The former car parking court is mainly hardstanding (tarmac), and the proposed development provides the opportunity to deliver betterment to the immediate setting through an appropriate layout, design, landscaping, and biodiversity enhancements. The development of a single dwelling would also make an effective use of the under-utilised land within the settlement boundary in accordance with Section 11 of the NPPF.
- 14.6 Although the proposed back land site does not relate well to the existing pattern of linear development along Egdon Close, the siting of the plot between the residential development to the east and Bere Regis School to the west does allow for an infill development that would not appear overly out of keeping or incongruous within the built area. The hillside setting and slope of the site and surrounding land from south to north also provides the opportunity for the proposed chalet bungalow to sit comfortably within its setting and wider views.
- 14.7 The proposal is for a chalet bungalow with its front elevation facing south onto the access road and its rear elevation facing north with views over the adjacent open space. Although not fully aligned with existing properties along Egdon Close, the proposed layout and dwelling orientation is suitable for the site size and shape. Properties along Egdon Close

are served by hipped roofs and there is no objection to the hipped roof front elevation and gable end to the rear, particularly given the modern design of the school to the west.

- 14.8 Externally the bungalow is to be finished in render at ground floor level and horizontal cladding at first floor level on the rear gable. The roof will be finished in concrete roof tiles, rainwater goods in black upvc and windows in white upvc. Although properties on Egdon Close are finished in red brickwork, the application site is located outside a Conservation Area, and the use of a render and cladding finish is not considered to be inappropriate. A condition on the decision (Condition 5) can require samples of the materials to be submitted for approval prior to first use on the dwelling.
- 14.9 In response to the pre-application advice, the proposed elevation plans include details of finished floor levels and site sections were submitted in support of the proposal during the application process. The sections indicate that the new dwelling would sit comfortably on the slope of the site and in relation to the neighbouring residential properties.
- 14.10 In summary, the proposed infill chalet bungalow is judged to be of a suitable scale, height and design that would positively integrate with its surroundings and support the efficient use of brownfield land within the settlement boundary in accordance with Policy E12: Design of the Purbeck Local Plan 2024.

Impact on neighbouring amenity

- 14.11 The proposed bungalow would be sited to the northwest of nos. 11 and 12 Egdon Close and at a lower finished floor level due to the slope of the site. The hipped roof design at the front of the property also serves to reduce impact on the outlook from the rear facing windows of the neighbouring properties. Nevertheless, concerns have been raised by neighbours in respect of overlooking.
- 14.12 Whilst the outlook to the rear of no. 12 would be altered by the proposal, the siting of the front elevation of the bungalow approx. 10.5m from the nearest point of the rear elevation, combined with the off-setting of the properties, the lower site level of the bungalow, and the presence of boundary fencing in between is not considered to result in harm to the neighbouring amenity in respect of overbearing development, overshadowing or loss of light. The offsetting of windows between the two properties would also result in minimal window to window loss of privacy to neighbours and future occupiers.
- 14.13 No. 13 Egdon Close is located closer to the proposed bungalow at approx. 10.5m to the front elevation and 9.6m to the side elevation. Again, the offsetting of the properties, the lower site level of the bungalow, and the presence of boundary fencing in between is not considered to result in harm to the neighbouring amenity in respect of overbearing development, overshadowing, loss of light or loss of privacy.
- 14.14 Ground floor windows serving the front elevation of the bungalow will face south onto its vehicle turning area with existing close boarded fencing preventing overlooking of the neighbouring rear garden. To the sides, a bathroom window will face east, and a high-level dining room window will face west at ground floor level. Again, existing boundary treatments will prevent any loss of privacy to neighbouring amenity. However, it is considered reasonable to condition the bathroom window to be fitted in obscure glazing (Condition 7).

At first floor level, a bedroom window in the north facing gable end will overlook the school access road and open space. The window would only allow oblique views towards the school (west) and neighbouring gardens (east), and as such there is judged to be no demonstrable harm to the neighbouring amenity. No first-floor windows are proposed on the south elevation. Two high level roof lights are proposed in the east facing roof slope to serve the bedroom and its ensuite. The sill of the rooflights will be positioned approx. 2.5m above the finished floor level of the rooms and as such there is not considered to be significant harm to neighbouring amenity in terms of loss of privacy or overlooking but the obscure glazing of the bathroom window is considered reasonable to secure by condition to protect occupier amenity.

14.15 Neighbours have also raised concerns that the new dwelling would result in safeguarding issues due to overlooking of the primary school to the west. A single roof light is proposed on the west facing roof slope to be positioned above the stairway. Although this will provide light to the stairway it also has a low position on the roof slope enabling an outlook towards the school grounds. As the main purpose of the roof light is to provide daylight only to a non-habitable space, it is considered reasonable to secure its finish as non-opening and obscure glazed to ensure no future safeguarding issues in respect of overlooking of the school grounds. In addition, to ensure that there is no future overlooking of neighbours and the school grounds, it is considered reasonable to include a condition on the consent that restricts permitted development rights in respect of future windows, rooflights, dormer windows etc within the roof (Condition 13).

14.16 In summary, and subject to conditions, the proposal is judged to comply with Policy E12: Design of the Purbeck Local Plan 2024.

Highway safety, access and parking

14.17 The application site is accessed via a private access road which adjoins the adopted public highway in Egdon Close. The Council's Highway Engineer has been consulted on the proposal and has confirmed that they have no objection to the proposal which is anticipated to generate fewer vehicle movements than the former use of the site as a parking court. The Engineer also notes that the site is served by opportunities for active travel to the village centre with local amenities, employment and the adjacent school. In assessing the proposal, the Engineer visited the site and has confirmed that they do not consider that the proposal presents material harm to the transport network or highway safety and therefore raise no objection. Conditions are recommended on the decision in respect of turning/manoeuvring and parking construction and cycle parking construction (Condition 9).

14.18 In respect of parking, the proposed site layout includes parking provision for 2 cars which accords with county wide parking guidance for a three-bedroom dwelling and is acceptable.

14.19 Subject to conditions, the proposal is considered to comply with Policy I2: Improving accessibility and transport of the Purbeck Local Plan 2024.

14.20 Notwithstanding the above, objections have been received from the Parish Council, Ward Member and residents raising concerns over the existing level of on-street parking along

Egdon Close and the loss of parking in the former parking court exacerbating the current position.

- 14.21 It is understood that the application site was formerly provided as free parking to residents by Aster Housing Association. The site was sold by Aster in Spring 2025 and residents were informed that payable licensed parking would be transferred to land behind 1 Egdon Close at the eastern end of the road. Whilst officers acknowledge that residents are upset over the loss of free parking within the application site, it is noted that alternative parking provision has been provided by Aster. The application site is now within different ownership and any dispute over access to the parking space is a private issue that lies outside the planning application process.
- 14.22 In terms of increased on street parking resulting from the loss of the parking court, it is noted that there are no parking restrictions along Egdon Close or Southbrook that would prevent additional on-street parking and that nearly all of the dwellings along the south side of the road and several on the north have off-road parking provision for 1 or 2 cars. On this basis, and given the alternative parking provision provided by Aster, officers consider that it would be unreasonable to refuse the proposal on grounds of inadequate parking provision for neighbouring properties. Notwithstanding this, there are other legal mechanisms in place, outside of the planning remit, to deal with obstructive parking along Egdon Close should this occur.
- 14.23 Comments on the application have also raised concerns regarding the construction phase of the proposed development including construction lorry access, parking of construction workers, storage of materials, and pedestrian safety particularly from lorries accessing the site at school drop off / pick up times. Given the level of concern raised, officers consider that a Construction Management Plan would be appropriate. This would aim to limit adverse impacts of the construction phase of the development on neighbouring amenity, including accessibility along Southbrook and Egdon Close, inconsiderate parking, storage of materials, noise etc. Submission of a Plan for approval by the Council can be secured by way of a condition (Condition 4) on the decision notice.
- 14.24 Finally, neighbours, the Parish Council and Ward Members have raised concerns over the site accessibility for fire appliances and other emergency service vehicles. 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. 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 private access has a minimum width of 3.32m at its junction with Egdon Close however this reduces below 3.1m at several points along the access. In addition, if a fire appliance is unable to reverse along the access due to the narrow width, access for a pumping appliance to within 45m of all points inside the dwellinghouse could not be achieved.
- 14.25 In their consultation response, the Building Control Team advised that the applicants will need to evidence a compliant approach or alternative approach as part of a future building regulations application. The Planning Agent was contacted with this information and in response has advised that the architect has discussed access for emergency vehicles with

Building Control and that in view of the length of the driveway, which isn't uncommon for sites such as this, the property would be installed with a Category B sprinkler system in order to achieve compliance with the Approved document B5.

- 14.26 Nevertheless, the inclusion of the informative note will remind the applicant of the regulation requirements.

Flood Risk and Drainage

- 14.27 The application site is located in Flood Zone 1 and lies outside areas of medium to high surface water flood risk and susceptibility to groundwater flooding (as identified by the Environment Agency Flood Map for Planning 2025 and the Council's Strategic Flood Risk Assessment (SFRA) mapping). The proposed development is therefore considered to be acceptable in respect of flood risk and Policies E4: Assessing flood risk of the Purbeck Local Plan 2024 and Policy BR4: Bere Regis Groundwater of the Bere Regis Neighbourhood Plan 2018.
- 14.28 The application form advises that surface water associated with the new development will be disposed of via a soakaway and that the removal of the existing hard surfacing will increase permeability within the site. On submission, the application was not supported by a conceptual Surface Water Drainage Scheme which raised concerns by the Council's Drainage Engineer given the proximity to an area of high groundwater susceptibility, the need for a suitable separation distance between groundwater and the base of the proposed soakaway, and the lack of alternative drainage options. Following correspondence with the planning agent, a conceptual drainage scheme with soakaway calculations was submitted for consideration. This locates the soakaway in the northwest corner of the site away from the neighbouring properties with any potential exceedance downhill to the north and an existing drain adjacent to the school access road.
- 14.29 Given that the development of the site will reduce the existing impermeable surface area with increased permeability to be provided by the new garden and landscape areas as detailed on the Proposed Site Plan, the provision of the soakaway, and with no increased exceedance flood risk to neighbouring vulnerable uses, the proposed scheme is considered to provide an overall betterment in respect of flood risk and drainage. Although in future the garden could be hard surfaced, the soakaway would remain a betterment on the current situation. A condition on the decision will secure the implementation of the soakaway (Condition 10) and ensure that the proposal complies with Policy E5: Sustainable Drainage Systems of the Purbeck Local Plan 2024.

Biodiversity and Landscaping

Biodiversity and landscaping

- 14.30 The application site consists of an enclosed area of hardstanding with no habitats impacted by the proposal. As such, an ecological survey is not required and has not been submitted as part of the application. Nevertheless, the Dorset Biodiversity Appraisal Protocol Guidance for Minor and Major Development advises that all new residential developments must provide for biodiversity enhancement features that should be specific to the development and ecological context but also include provision for bats and birds,

two bee bricks, fruit tree and hedgehog friendly gravel boards where fencing is proposed. Given the edge of settlement location and proximity to the Bere Stream Nature Reserve it is considered reasonable to secure this level of provision by way of a suitably worded condition (Condition 12) on the decision notice to ensure that the proposal complies with Policy E10: Biodiversity and geodiversity of the Purbeck Local Plan 2024.

- 14.31 In respect of landscaping, the proposed development provides the opportunity for betterment from both hard and soft landscaping provision within the application site. A condition on the decision will require details of a sensitive soft landscaping scheme – including a planting plan – to be submitted for approval (Condition 6). This will ensure that the proposal complies with Policy E12: Design of the Purbeck Local Plan 2024.

Biodiversity Net Gain

- 14.32 There are no priority habitats on site, and the proposed development will require the removal of less than 25sqm of on-site habitat. As such the proposal is within the de minimis BNG exemption.

Impact on protected habitat sites

- 14.33 The Parish Council has advised in their consultation response that the application site is definitely within the 400m zone for Black Hill heathland area. The case officer has reviewed the extent of the 400m heathland buffer and confirms that the site is located outside of the buffer zone to the northeast.
- 14.34 Notwithstanding this, in accordance with the ruling of ECJ C-323/17 People Over Wind, Sweetman v Coillte Teoranta, the Council is required to undertake an Appropriate Assessment (AA) in accordance with Regulation 63. The AA is to enable full consideration of the proposed development and any likely adverse effects on the integrity of European and internationally designated Dorset Heathland sites and additional nitrogen loading within the Poole Harbour catchment which may remain if avoidance / mitigation measures are carried out as proposed.
- 14.35 An AA has been undertaken by the Council's Environmental Assessment Team in advance of the planning application being determined. This shows that suitable mitigation measures can be secured through CIL and the purchase of nutrient credits to address likely adverse effects. Natural England have been consulted on the AA and have raised no objection. Subject to conditions on the decision in respect of the purchase of nutrient credits and water consumption limitations (Conditions 3 and 8), the proposal is considered to comply with policies E7 – E10 of the Purbeck Local Plan 2024.

Other considerations

- 14.36 There is sufficient space within the curtilage of the proposed dwelling for waste and recycling bin storage as identified on the site plan.
- 14.37 There are footpaths within proximity of the site. A consultation response has not been received from the PROW Officer. An informative note will be included on the decision in this respect.

- 14.38 The original consultation response received from Natural England identified that the application site is on an area of land that is registered as common land and that if permission is granted the applicant may be required to apply to the Secretary of State for consent in advance of works commencing. The case officer has checked the extent of the common land and notes that it adjoins the northern boundary of the application site and includes land forming the Souls Moor and Bere Stream Nature Reserve. The application site itself lies outside the common land.
- 14.39 Neighbours have raised concerns that the site is located within the AONB. The site lies outside the AONB – now known as Dorset National Landscape.
- 14.40 Neighbours have also raised concern over damage to neighbouring properties. Any damage to neighbouring properties as a result of the development is a private / civil issue between the relevant landowners and does not form a material planning consideration.
- 14.41 Comments from neighbours have raised concern that they will lose access to their rear gardens and garages via the private access road. Again, this is a private issue to be resolved between the new landowner and the affected residents and as such does not form a material planning consideration.

'Tilted Balance' Assessment

- 14.43 As the tilted balance applies, NPPF paragraph 11 advises that permission should be granted if:
- i. 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
 - ii. 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.
- 14.44 In this case, no assets of particular importance are affected, and it is considered that the benefit of the dwelling towards the area housing supply is not outweighed by any identified adverse impacts of the proposal.

15.0 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.

16.0 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.

17.0 Recommendation

Grant, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
25-130-01 Location & Block Plans
25-130-03 A AMENDED Proposed Site Plan
25-130-04 Proposed Floor & Roof Plans
25-130-05 Proposed Elevations
25-112-06 C1 Site Sections
25-130-07 Surface Water Drainage Plan
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/River Avon/Somerset Levels and Moors SPA and Ramsar.

4. Before any demolition or ground works commence on the site, a Construction Management Plan (CMP) must be submitted to and approved in writing by the Local Planning Authority. The CMP must include:
 - delivery, demolition, construction and working hours and means of notification to neighbours.
 - construction vehicle details including the number, size, type, and frequency of movement
 - the parking of vehicles of site operatives and visitors
 - the loading and unloading of plant and materials
 - the storage of plant and materials used in constructing the development
 - dust, noise and vibration suppression
 - site safety and security including site manager contact detailsThe approved Construction Management Plan shall be adhered to throughout the construction period for the development.
Reason: To minimise the likely impact of the proposed development on the amenity of neighbouring properties.

5. 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.

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

Reason: In the interest of visual amenity.

7. Before the dwelling is brought into use, the bathroom rooflight in the east elevation must be glazed with obscure glass to a minimum industry standard privacy level 3 and the stairway rooflight in the west elevation must be fitted as non-opening glazed with obscure glass to a minimum industry standard privacy level 3. Thereafter, the rooflights shall be retained as such.

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

8. 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

9. 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.

10. The approved surface water drainage scheme detailed on drawing no. 25-130-07 shall be completed before occupation of the development. The works must have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS)

Reason: To avoid drainage problems as a result of the development with consequent pollution or flood risk and to take into account current national standards for SuDS.

11. Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number 25-130-03 must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

12. Prior to first use of the development hereby approved a bat/bird box, two bee bricks, a native fruit tree, and hedgehog friendly gravel boards shall be provided within the application site and shall thereafter be retained.

Reason: To enhance biodiversity.

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

Reason: To protect amenity and the character of the area.

14. The flat roof area of the living room projection shall not be used as a balcony, roof terrace/garden or amenity area.

Reason: To protect amenity and privacy.

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 permission which has been granted is for development which is exempt being:
- Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

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

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
 - 4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.
 - 4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain

Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

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

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

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

3. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.

4. The Dorset and Wiltshire Fire and Rescue Service would recommend that you look to provide at least a 32mm minimum diameter water main which would enable the installation of sprinkler systems within the approved dwelling(s).

The Council considers this to be a key element in reducing the impact of fires. The Council believes there is compelling evidence that sprinklers systems are a cost effective way of not only reducing the number of fire deaths and injuries, but also reducing the economic, social and environmental impact of fires.

5. The applicant is advised that Wessex Water have published guidance notes about their surface water policy for minor development. The policy encourages developers to consider the most effective methods of directing surface water back to the environment in accordance with the Sustainable Drainage Systems hierarchy. Where necessary, applications to Wessex Water for a surface water connection can be made online.

<https://www.wessexwater.co.uk/services/building-and-developing/building-a-new-house-or-extension>

6. 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.

7. Street Naming and Numbering

The Council is responsible for street naming and numbering within our area. This helps to effectively locate property to deliver post and for access by emergency services. New or changed addresses must be registered with the Council. This link has more information.
<https://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering/street-naming-and-numbering>

8. 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.
9. 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.
10. 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](#)
11. 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.

This page is intentionally left blank

Application Number:	P/FUL/2024/06769
Webpage:	Planning application: P/FUL/2024/06769 - dorsetforyou.com
Site address:	Shady Glades Long Lane Wimborne BH21 7AQ
Proposal:	Change of use to a dog exercise park to include the formation of car parking areas, fencing and storage container.
Applicant name:	Lorna Trent
Case Officer:	Ellie Lee/Elizabeth Adams
Ward Member(s):	Cllr Chakawhata

1.0 Reason application is going to committee: The officer recommendation is contrary to the objections received from Holt Parish Council and the Ward Member and is a major application.

2.0 Summary of recommendation: To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to GRANT permission following the 21-day owner notification period subject to no further representations being received from owners which raise new material planning considerations and subject to conditions as set out at the end of this report.

3.0 Key planning issues

Issue	Conclusion
Principle of Development (Location/ Use)	Acceptable in principle – Accords with local policy PC4 and also NPPF paragraphs 88 and 89.
Impact on the Green Belt	Acceptable subject to conditions – Accords with exceptions to inappropriate development in NPPF section 13.
Design and Character of Area	Acceptable subject to conditions – Accords with local policies HE3 and DES11, and NPPF paragraphs 135 & 187.
Neighbouring Amenity	Acceptable subject to conditions – Accords with local policy HE2.
Heritage	Acceptable subject to condition – Accords with local policy HE1 and policies in section 16 of the NPPF. No harm to heritage assets including the Conservation Area and nearby listed buildings.

Issue	Conclusion
Highways and Parking	Acceptable subject to conditions – Accords with local policies KS11 and KS12, and policies within section 9 of the NPPF.
Flood Risk and Drainage	Acceptable subject to condition – Accords with local policy ME6.
Biodiversity	Acceptable subject to condition – Accords with local policy ME1.
Impact upon Dorset Heathlands	Acceptable – Natural England concurs with the Council’s Habitats Regulations Assessment that identified no likely significant effect.

4.0 Description of site

The application site is located in a rural location in the Green Belt, outside of a named settlement boundary, approximately 800 metres drive from the settlement boundary of Colehill, and approximately 2.75km (1.7 miles) north-east of Wimborne Minster town centre. The application form states that the site is a 2-minute drive (or 20 min walk) from Colehill.

The site comprises of fields laid out as woodland; it has a lawful agricultural use. The vehicular access to the site is from the north-west side of Long Lane.

The site is located to the north and north-east of existing residential properties including those at 427 and ‘Old Dairy Cottage’ Long Lane, both Grade II listed buildings. The areas to the north, east and south of the site (excluding the road known as Long Lane) are grassed fields.

The site lies within 5km of Dorset Heathlands Habitats Sites.

A public right of way runs adjacent to the west site boundary. The site is located approximately 11.24m beyond the Burts Hill/Merrifield Conservation Area.

5.0 Description of development

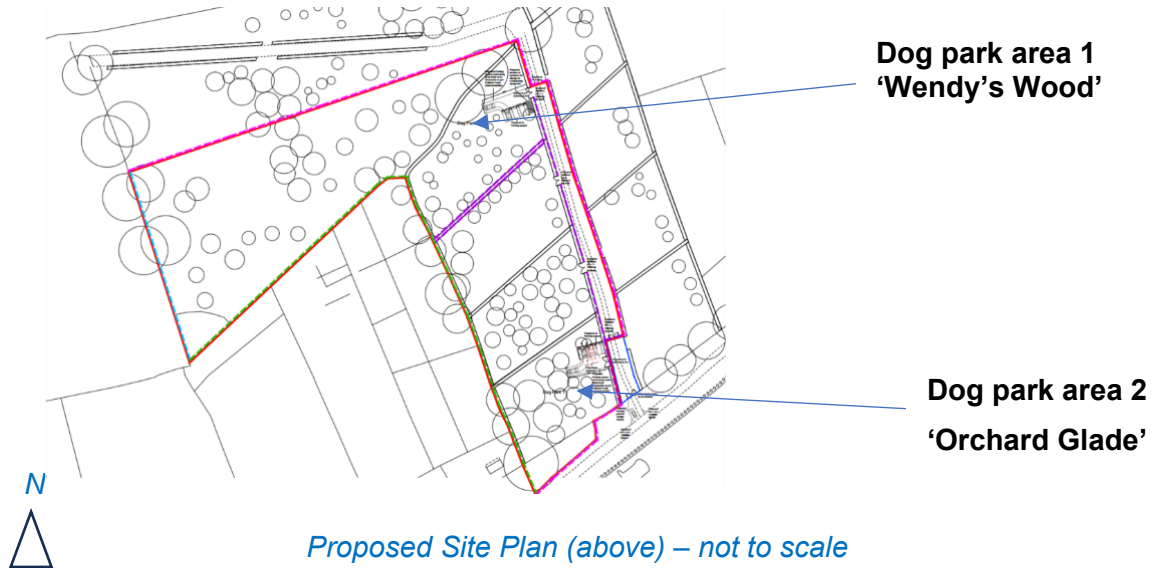
The planning application proposes the following:

‘Change of use to a dog exercise park to include the formation of car parking areas, fencing and storage container.’

The supporting statement sets out that the proposal includes two fenced dog exercise areas, each with a separate car park. The proposal includes parking provision for six cars; three spaces are provided to serve the southern dog park and the other three are in the north park accessed from an existing track widened to 5m. There is space adjacent to the track for vehicles to stop awaiting entrance to the parks and for a waste bin to be sited.

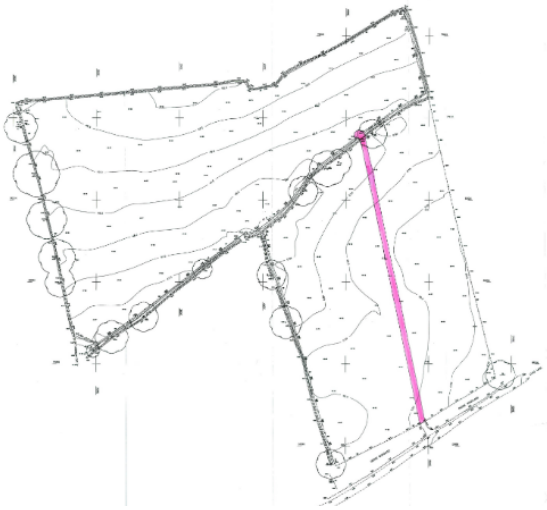
Within Dog Park 2 (to the north and north-west of the site) a single storage container will be sited next to the parking spaces.

An operations plan accompanies the application. Both dog park areas will need to be booked by dog owners, with one booking per 50 minute session in each park and the dog parks will only be used during daylight hours. CCTV cameras will be used for monitoring purposes in both parks.



6.0 Background and relevant planning history

Application No.	Description	Decision	Date
3/04/0473/FUL Land to the west of the application site.	Erect double stable <u>3/04/0473/FUL Conditions include:</u> 2 No ground clearance, demolition or construction work shall commence until a chestnut pale or similar form of protective fencing, at least 1.25m high, and supported and braced with scaffolding, as outlined in BS8837 : 1991 Trees in Relation to Construction, is erected around the tree at a distance of 4m from its stem. Within the areas so fenced the existing ground level shall be neither raised nor lowered and there shall be no development or development-related activity of any description including the deposit of spoil or the storage of materials. Reason: To prevent the Oak tree on site from being damaged. 3 The stables/loose boxes shall be used solely to accommodate the landowners own horses and shall not be used for any commercial riding, livery, breeding or training purposes. Reason: To safeguard the amenities of the area and to minimise the possibilities of inconvenience of nearby residents.	Granted	19/05/2004
03/01/1049/FUL	Renew track with gravel <u>03/01/1049/FUL Conditions:</u> 1 Within 6 months of the date of this decision, the top 3cm of the gravel surface shall be loosened and mixed with an equivalent quantity of top soil which shall then be seeded with a native grass mix to be agreed in writing with the Local Planning Authority, or such other scheme that may be agreed in writing with the Local Planning Authority during this 6 month period. After such time the track shall be retained in this agreed form unless express consent is first obtained from the Local Planning Authority. <u>03/01/1049/FUL Approved Plans:</u>	Granted	13/08/2002

			
03/01/1083/FUL	Create pond for wildlife from existing bog. (Retrospective)	Granted	31/05/2002

The planning application currently under consideration was initially positively determined under delegated powers on 30 April 2025, but this decision was quashed by the court on 3 November 2025. The site area of 2.4ha means that the development falls within the category of a major planning application. The Council did not defend the court case as it was recognised that the decision under delegated powers failed to comply with the Council's Constitution which requires major applications to be considered by the planning committee where the triggers are met. In this case the triggers were the objection by Holt Parish Council and the Ward member. The application therefore falls to be redetermined.

7.0 List of constraints

- Within Green Belt
- Approximately 11.24m from the Burts Hill/Merrifield Conservation Area (application site is not within the Conservation Area)
- Public Right of Way: Footpath E45/33 adjacent to west site boundary
- Existing ecological network & Higher Potential ecological network
- Within 5km of Dorset Heathlands
- Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 4972.91m
- Susceptible to groundwater emergence flooding – covers parts of the site
- EA Risk of Surface Water Flooding Extent 1 in 30 – cuts through the site
- EA Risk of Surface Water Flooding Extent 1 in 100 - cuts through the site
- EA Risk of Surface Water Flooding Extent 1 in 1000 - cuts through the site
- Bournemouth Water Consultation Area
- Wessex Water Treatment Works Catchment

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

8.0 Consultations

All consultee responses can be viewed in full on the website. The following are summaries:

Consultees

1. Natural England – No objection, subject to mitigation (13/02/2025):

Consultation under Reg 63 (3) of The Conservation of Habitats and Species Regulations 2017:

Natural England concur with the Council's Appropriate Assessment (AA) dated 05 Feb 25 in respect of Planning Application: P/FUL/2024/06769.

In respect of the matters considered in the AA, Natural England has no objection to the authority granting the permission.

Natural England note that the planning application includes biodiversity mitigation and provisions for Biodiversity Net Gain and these should be secured by way of a planning condition or other legally binding mechanism.

2. Environment Agency – Comments (16/12/2024 & 07/03/2025):

Environment Agency - Response (16/12/2024):

Application falls outside Environment Agency remit: This application does not fall within the criteria set out in our External Consultation Checklist which defines the planning applications we should be consulted on. We therefore consider we should not be consulted, and we will not be providing any comments on this proposal.

Environment Agency - Response (07/03/2025):

I have re-checked this application against our GIS constraints and consultation requirements. Unfortunately, as this site is not located within a source protection zone (which is one of triggers, along with this being a low environmental risk use), we have no comments to provide against this consultation.

3. Drinking Water Inspectorate (DWI) – Comments (21/03/2025):

As the independent drinking water quality regulator, the Drinking Water Inspectorate does not normally respond to planning applications. The Environment Agency and the local water company (South West Water) may wish to put forward any representations should they deem that the proposed development would pose any concerns from a water quality perspective.

4. Ramblers Association – Comments (19/12/2024):

Thank you for consulting the Ramblers about this application. We note that FP E45/33 runs immediately to the west of the site proposed for development and ask that, in the event that planning permission is granted, the applicant be reminded of the need to keep the path open and available for public use during any works.

5. National Trust

No comments received

6. Dorset Wildlife Trust

No comments received

7. Dorset Council (DC) Highways – No objection subject to conditions (20/12/2024 & 5/12/2025):

Highways Authority- 20/12/2024

The traffic survey shows that speeds are in the region of 40mph so the 79m visibility splays are accepted. The dog exercise park will be pre-booked so parking is acceptable.

The proposal does not present a material harm to the transport network or to highway safety so no objection, subject to the following conditions:

- Visibility splays
- Turning/manoeuvring and parking construction (as per parking plan submitted)

Highways Authority- 5/12/2025

Previous comments repeated but supplemented with additional reference to sufficient space within the site for vehicles to wait should they arrive early. The 5m wide access will allow two vehicles to pass avoiding the need for vehicles to reverse out into the highway. The site will operate in daylight hours only. The traffic impact associated with the use is deemed to be minimal and is not thought to be severe in terms of NPPF para 115 and 116. Recognition that Long Lane is narrow but no concerns raised.

No objection subject to conditions:

- Vehicular access construction
- Turning/manoeuvring and parking construction (as per parking plan submitted)

8. DC Trees – No objection, subject to conditions (07/02/2025 & 11/07/2025):

Tree Officer Response (07/02/2025) following the submission of further information:

The proposal has been considered alongside the arboricultural impact assessment, arboricultural method statement and tree protection plan submitted. The land is not subject to a TPO however, a recent conversation with the applicant indicated that a tree-related covenant on the land may exist. The Forestry Commission have also approved a felling licence for the site.

A group of 5 low-quality crab apple trees (G001) and a low-quality Norway Spruce (T3) are proposed for removal and these trees are not visible from outside the site. There is no objection to the removal of G001 and T3. There will be a minor incursion into the RPA of T002 Oak from the proposed new car parking area for Dog Park 2. Providing the recommendations set out in the submitted AIA/AMS document (ref: 709/AIA/AMS/1) are followed there should be no harm to the tree. No other trees on site are affected by the proposed new car parking for Dog Parks 1 and 2. It is proposed to use Grasscrete (cast on

site cellular reinforced concrete system with voids created by styrene void formers) for the new car parking areas as per National Trust recommendations.

No objection is raised to the proposed development subject to a pre-commencement condition to secure work in accordance with the submitted details.

Tree Officer Response (11/07/2025) following further information:

A pre-commencement meeting took place on the 15/05/2025 between the tree officer, arboricultural consultant, client and architect. The details set out in the submitted arboricultural supervision note 1 reflect the tree protection measures and associated methodology as agreed on site. Further information has been submitted, including photos and information relating to the installation of surfacing with the tree protection measures in place.

The tree protection barriers must remain in place for the duration of the build.

DC Conservation – No objection (19/02/2025 & 9/12/2025):

Conservation officer 19/02/2025

The proposed scheme has been remotely assessed, in relation to perceived impacts on encompassing heritage assets considered of special architectural/ historical significance, and their associated settings. The Burts Hill / Merrifield Colehill Conservation Area also forms part of this assessment based on the designated extent's proximity to the application site.

Based on the application's supporting indicative plans, we consider that the scheme represents a conclusion of no harm and, therefore, no objection is raised.

Where the scheme indicates the adoption of a shipping container, our preference would be for one of a natural green tone.

Conservation Officer 9/12/2025

The contribution made by noises and smells to significance is a consideration when assessing the way in which we experience an asset in its setting.

The proximity of buildings, position close to Long Lane and perceived former agrarian use of Old Dairy House contribute to the historic and aesthetic connection that amplifies the experience of the significance of each heritage asset affected by the proposed development.

Changes to buildings and landscape over time have affected the special character of the listed buildings and their setting.

The proposed development may introduce some additional traffic and noise, but the degree of change arising from the proposed development on an already changed experience of heritage assets are low.

9. DC Environmental Services – Protection- No objection, subject to conditions:

DC Environmental Services Protection - Response (31/01/2025):

Request for additional information in relation to the control of noise from the proposed use advising that the applicant should submit a noise management plan.

DC Environmental Services Protection - Response (07/03/2025):

Environmental health are unable to comment on Drinking Water Safeguard Zones. I would suggest consulting the Drinking Water Inspectorate (DWI) and or the Environment Agency (EA).

DC Environmental Services Protection - Response (06/11/2025):

I have viewed the following documents:

- Noise Impact Assessment, Proposed Dog Walking Facilities, Shady Glades Long Lane Wimborne BH21 7AQ, Report Reference: IMP7871 v1.0, by Impact Acoustics.
- Operations Plan.

I have no adverse comments to make. A condition to ensure that the site is managed in accordance with the Operations Plan is suggested

DC Environmental Services Protection- Response (08/12/2025)

Following the report submitted by Hayes McKenzie, Environmental Protection would suggest the applicants noise consultant (Impact Acoustics) are given the chance to respond to the points raised. I understand planning have provided this opportunity.

There is a lack of recognised standards for specifically assessing noise from dog barking. It is very difficult to predict the likely noise impact from a dog walking field using models to calculate noise levels. This is due to the unpredictability of different dogs, their barking characteristics, behaviours etc. The operational management of such a site is key.

Giving regard to representations made and the proposal for an unmanned facility, Environmental Protection have considered the operations plan again. The plan hasn't fully addressed the following points. Management relies on dog owners supervising their dogs and complying with booking terms. The plan says any dogs that constantly bark will be asked to leave and banned from returning. If the site is unmanned there won't be any staff available to promptly deal with any prolonged barking at the time as suggested. Although the reservation system and CCTV would allow the site's operator to identify those using the park at specific times, noise complaints would likely be considered retrospectively. The plan doesn't advise how long it will take to follow up complaints. If a dog is subsequently banned from returning to the park the plan doesn't demonstrate any measures to prevent a successive booking. Further clarification on these points should be sought from the applicant as good operational management of such a proposed facility will be essential.

Consideration could be given to allowing temporary consent, but careful thought would need to be given to how the operation is monitored during that phase.

DC Environmental Services Protection- Response (09/12/2025)

I note further information has been added to the operations plan providing some further clarification on how the applicant proposes to monitor noise onsite and enforce the site rules. It's essential that such a site is managed well.

I am not aware that our team have received dog barking complaints in relation to any dog park facilities in Dorset. I also don't know how many there are or the nature of them.

10. Dorset Waste Team – comment (13/03/2025)

Need clear indication about how any waste is to be disposed.

11. Rights of Way Officer – Comments (10/01/2025):

Rights of Way comment – E45/33 Footpath



There is a singular public right of way which runs along the western boundary of the site. This footpath will remain unchanged from the proposed dog exercise park.

The map shown in the planning, design and access statement appears to show the footpath being fenced along its length to separate it from the site. The width allowed for the footpath should be an absolute minimum of 2 metres. If any infrastructure (such as gates) is proposed to be installed on the footpath at any point, this must be discussed and agreed with the rights of way team.

The footpath must remain open, unobstructed and safe at all times. If the footpath needs to be temporarily closed, this can be applied for.

12. Natural Environment Team – Comments

NET response (18/12/2024):

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

NET response (27/08/2025)

The Gain Plan has been provided. Provided there are no changes then an updated metric will not be required and the BNG condition can be discharged.

NET response (09/12/2025)

Regarding the concerns raised in relation to protected mammals, we understand that there is no contest between the parties about proximity. The walkover survey conducted by a suitably qualified ecologist did not record evidence of the use of the site.

In relation to potential impacts from disturbance the applicant's ecologist has submitted a separate statement concluding that operational use would not be likely to result in an offence as dogs will be restricted to the site by fencing. NET are not aware of any guidance from Natural England or other best practice guidance in which the presence, noise or scent of dogs is considered a pathway to impacts on the home of protected mammals that would

meet the thresholds for disturbance and which would lead to an offence. It is considered that an offence is unlikely.

Broader biodiversity policies and objectives require consideration of the impact on protected species through loss of habitat and foraging opportunities, however we are satisfied by the ecologist's conclusion that it is unlikely that impacts have occurred as a result of the erection of the deer fencing onsite.

13. Holt Parish Council – Objection (20/01/2025 & 13/11/2025):

Response 20/01/2025

OBJECTION to the proposal due to concerns with the impact of an increase in traffic to access the park on this already over-used, single-track road without passing places and generally through Holt Parish if visiting from afar (and potentially vehicles waiting to access for a booked slot).

The location is considered unsuitable both in terms of traffic and impact on local environment.

We are concerned with noise and disturbance to neighbours, livestock in adjoining fields and local wildlife (whistles, voices, barking etc) without staff permanently on site to monitor.

Fencing appropriate for dogs/local wildlife is necessary.

We are concerned the large number of comments of support are from residents outside of the Parish (some a considerable distance) and are not 'neighbours' as stated on the Dorset Council website. Note, the Tree Officer's comments on the proposal were not available for members to consider.

We request this application is referred to the Planning Committee if your recommendation is at variance to the above.

Response 13/11/2025

The same response was received but omitting the reference to the tree officer's comments.

14. Ward Member – Cllr Will Chakawhata – Objection (30/01/2025 and 14/11/2025):

Response 30/01/2025

In line with the Parish Council, I object to this application.

Response 1/12/2025

Objection:

1. Unsafe and unsuitable access- narrow single track lane with no formal passing places. Route heavily used. Increase in visitor traffic will create unavoidable conflict points; vehicles forced to reverse or mount verges causing damage and danger. No safe waiting area for vehicles arriving for booked sessions; queuing unacceptable. The land lacks capacity to absorb further daily movements without harm.

2. Noise and disturbance to neighbours and livestock

Peaceful rural area. Repeated barking, whistles and general activity will cause significant disturbance. Lack of permanent onsite staff means no credible way to manage or prevent noise impacts. Livestock vulnerable to noise/disruption. Cumulative noise effect underestimated. Unpredictable noise burst patterns will erode amenity and undermine rural character.

3. Harm to wildlife including dormice and other protected species

The site is part of an ecological network. Dog scent trails, movement and noise disrupt wildlife corridors and cause long term behavioural changes reducing breeding success and survival rates. Fencing not demonstrated to be wildlife safe. No enforceable ecological monitoring or long term mitigation provided.

4. A suitable and accessible alternative already exists

Hayters in Holt is already operating and recently expanded with a new field; local need is fully met.

5. Traffic generated from outside the parish

Use of the facility by people living outside Holt would drive further traffic through the village and onto unsuitable roads.

6. No s106 mitigation despite clear and pressing need

7. Request for referral to Planning Committee.

Representations received

Total - objections	Total - No objections	Total - comments
118	166	6

Summary of third party representations received:

<u>Third Party Objections</u>	
Principle of Development (Location/Use)	- Facility not needed, as others available elsewhere (including Hayters Field, The Dog Park, Canford SANG and K9 Woods). - Concerns that dog agility equipment could be added in the future. Concern over long term use. - No supervision on site. Lack of emergency contact details. How will CCTV monitor site? - Contrary to local policy PC4 (The Rural Economy) - Contrary to NPPF para 89 as there would be an unacceptable impact on local roads. (NPPF section 6: Building a strong, competitive economy). - Site is not on the edge of an existing settlement (it is in open countryside). - Site is not in a sustainable location in terms of transport.
Green Belt	- Contrary to NPPF Green Belt aims including paragraph 142 and 143 - Contrary to exceptions in NPPF paragraph 154 - Very special circumstances not identified (NPPF para 153) - Storage container represents inappropriate development in the Green Belt and represents encroachment. - Hardstanding for access track and parking is inappropriate development in the Green Belt. - Proposal introduces built form and encroachment into the countryside.

	Reference to Appeal Decisions: APP/M0655/C/18/3197004 and APP/M0655/C/18/3197005
Design and Character of Area	- Contrary to local saved policy DES11. - Contrary to NPPF paragraph 135, as not sympathetic to local character. - Proposal does not enhance the character of the landscape and there would be harm to tranquillity. - Proposal is out of keeping and will spoil the character of the area. - Concerns over visual impact of proposed fencing. - Hours of lighting to the site would be harmful to visual amenity. - Site unsuitable for proposed use and visitors. - Harm to verges and hedges
Neighbouring Amenity	- Contrary to saved local policy DES2. - No Noise/Acoustic Report submitted with original application. Subsequent noise report inadequate. - Operational Plan lacks detail and unenforceable. Concern site will not be supervised. - Negative impact upon visual amenity. - Negative impact upon neighbouring amenity in terms of overlooking and privacy; hedging will not restrict views into and outside of site to/from neighbouring properties. - Concerns over noise disturbance to occupants of neighbouring properties, including from dogs, people and vehicles (inc. engines). Dogs barking, whistles, shouting general activity. - Concerns over odour from the proposed use of the site. Negative impact upon public health. - Concerns over how noise will be monitored. - Concerns over number of dogs allowed at any one time. - Concern over safety; risk of dogs escaping including banned breeds. - Lighting to the site would be harmful to neighbouring amenity. - Concerns over livestock worrying re: sheep and other animals in nearby fields (reference to Protection of Livestock Act 1953 & Animals Act 1971) - Concerns over dog faeces impacts. - Site is within a Drinking Water Safeguard Zone and proposal would negatively impact this.
Heritage	- Contrary to local policy HE1. - Contrary to policies in the NPPF (inc. paras 212 and 213) - Harmful impacts upon character and setting of designated heritage assets-listed buildings and conservation area

Trees and Landscape	• Contrary to local policy HE3. • Removal of trees will harm landscape character and area.
Highways and Parking	• Contrary to local planning policy KS11. • Contrary to NPPF paragraph 116. Severe impact upon highways safety. • No sustainable modes of transport for the visitors to get to the site. • Inadequate infrastructure. • Narrow access. • Highway safety concerns and risk of accident and injuries. Long Lane is used by walkers, cyclists and horse riders. • Footpaths emerge onto Long Lane. • Increase in traffic and congestion in Long Lane. Concern over increase of vehicles to the site. • Long Lane is unsuitable for the levels of traffic that will visit the site and Long Lane has few passing places. • Traffic survey is out of date (October 2022/November 2022). No evidence has been provided to demonstrate that the visibility splays are suitable and how these will be maintained.
Biodiversity	• Contrary to local policy ME1 and paragraph 187 of the NPPF. • Concerns over impact upon wildlife and the natural environment from disturbance, noise, odour. • Lighting could harm wildlife. • Concerns over dog faeces impacts.
Flood Risk and Drainage	• Contrary to local policy ME6 and NPPF paragraph 173. • Concerns over flood risk and susceptibility to flooding from groundwater emergence. • Flood Risk Assessment (FRA) does not demonstrate how proposal will ensure site is not at risk from groundwater flooding. • There is a point within the site (SW corner near to the adjacent footpath). • There is a stream outside of the application site. • Site is within a Drinking Water Safeguard Zone and proposal would negatively impact this. • Proposal will result in contamination to the watercourse.
Other Matters	• Submitted documents/information incorrect • Queries over land ownership and declarations • No consultation • Work has already been carried out on the site before decision. • Many of the supporters of application do not live near the site.

	- Concerns over livestock worrying re: sheep in nearby fields. Harm to other livestock. Welfare of lambs – concerns. - Reference to a planning application in Yorkshire where the appeal refused on harm to existing land use ZC23/02361/FUL. - Breach of animal welfare act 2006
--	---

Third Party Comments	
Principle of Development (Location/Use)	- Needed facility for dog owners in the local area - Facility not needed as others available - Concern over long term use - No supervision on site. - Lack of emergency contact details
Neighbouring Amenity	- Concerns over lack of privacy - Noise concerns including from barking
Biodiversity	Concerns over impact upon wildlife and livestock worrying
Other Matters	Submitted documents incorrect

Third Party Support	
Principle of Development (Location/Use)	- Needed facility for dog owners in the local area - Provides safe space for dog owners and dogs (and enrichment for dogs) - Community benefits from proposal
Design and Character of Area	- Provides a secure area for dog owners to take their dogs - Maintains natural environment
Amenity of users/customers	- Space provides better mental health for dog owners - Good for welfare of dogs
Neighbouring amenity	Experience of other dog parks is that users are considerate.
Highways and parking	- Easy to access with parking - Limited traffic as need to book
Other matters	Proposal is nature friendly

Summary of comments of support:

9.0 Duties

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

10.0 Relevant policies

Development plan

In this case the development plan comprises:

Adopted Christchurch and East Dorset Local Plan:

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

- KS1: Presumption in favour of sustainable development
- KS2: Settlement hierarchy
- KS3: Green Belt
- KS11: Transport and development
- KS12: Parking provision
- HE2: Design of new development
- HE3: Landscape quality
- ME1: Safeguarding biodiversity and geodiversity
- ME2: Dorset heathlands
- ME6: Flood management, mitigation and defence

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.

Emerging neighbourhood plans

Colehill Neighbourhood Plan- on hold- no weight given.

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'- 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

Including: Determining a planning application.

Supplementary Planning Document (SPD) / Guidance (SPG)

- 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.
- East Dorset Countryside Design Summary Supplementary Planning Guidance

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.

Once the development is complete, no harm to persons with protected characteristics is anticipated.

13.0 Planning Assessment

Principle of Development (Location/Use)

- 13.1. Objections to the proposal from Holt Parish Council and Cllr Chakawhata consider that the location is unsuitable in terms of the impact upon the local environment and traffic concerns. Objectors consider that there is no need for the proposed dog park facility and identify the scheme as contrary to local policy PC4 and NPPF paragraph 89, due to the site's unsustainable location in terms of transport, its location away from the edge of an existing settlement and traffic concerns.
- 13.2. Third party comments received in support of the application identified that dog facilities are in demand by dog owners in the area who are seeking safe spaces to walk and train dogs, that the proposal would provide enrichment for the dogs and that the scheme would benefit the community.
- 13.3. The application site is located outside of any named settlement listed in local planning policy KS2. As such, the site would fall within the *'Hamlets'* category in policy KS2, which sets out that development will not be allowed unless it is functionally required to be in the rural area. It is judged that the proposal does have a functional requirement to be in the rural area as the space needed to provide a dedicated dog walking facility would be very unlikely to be available within a settlement and the functional needs for enclosure would be likely to conflict with the requirements of open space users.
- 13.4. Local plan policy PC4 identifies that *'although economic development will be strictly controlled in open countryside away from existing settlements, in order to promote sustainable economic growth in the rural area, applications for economic development will be encouraged where development is located in or on the edge of existing settlements...Such proposals should be small scale to reflect rural character.'*
- 13.5. The policy is worded in a permissive style, providing support for land-based rural leisure business proposals such as this one, provided they meet the criteria set out in the NPPF and listed policy criteria; the following are of relevance to the current proposal:
- *'are consistent in scale and environmental impact within their rural location avoiding adverse impacts on sensitive habitats, AGLV and landscapes, and the openness of the Green Belt...*
 - *do not harm amenity and enjoyment of the countryside through the impact of noise and traffic generation*
 - *that minimise additional trips on the highway network and are accessible by sustainable modes other than the car'.*
- 13.6. Paragraph 88 of the NPPF similarly sets out that planning policies and decisions should enable the following:
- 'a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;*
 - b) the development and diversification of agricultural and other land-based rural businesses;*
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside;...'*

- 13.7. The entrance to the site is approximately 800m- 1km from the settlement boundary of Colehill by road (travelling either along Merrifield or along Smugglers Lane then Long Lane). Beyond the settlement, the roads have no pavements. Although there is a footpath network from Colehill running near the site, these would still require reliance on rural roads, disincentivising users to walk or cycle to site with their dogs and there are no nearby bus stops. It is therefore reasonable to anticipate that the majority of users will arrive by private vehicle. Without access to sustainable modes of transport the site is not in a sustainable location, but this is only one element of the three overarching objectives of sustainability with also includes economic and social objectives.
- 13.8. NPPG paragraph 89 explains that '*Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.*' The paragraph identifies that in such circumstances the development will need to be sensitive to its surroundings, avoid an unacceptable impact on local roads and exploit any opportunities to make a location more sustainable. These issues are considered in more detail later in the report but in brief the proposal is judged to be appropriately designed for its location and no unacceptable impacts on local roads are anticipated while no sustainability opportunities that could be exploited have been identified.
- 13.9. The proposal would provide an additional dog park where dogs can be exercised and trained in a safe environment which is particularly useful for dogs with a nervous disposition. Objectors have suggested that there is no need for the facility as there are pre-existing facilities in the area including at Hayters Field (Rowe Hill Farm permission ref: 3/20/1505/FUL, new second field unauthorised), The Dog Park (Strawberry Field, application P/FUL/2025/06294 under consideration), Canford SANG (off Magna Road, BCP) and K9 Woods (Heathfield Farm, Christchurch Road- unauthorised). Given the extent of dog ownership, officers consider that the existence of other dog parks a few miles from Wimborne and Colehill does not detract from the social benefits associated with improving access to the countryside for dogs and their owners in this location.
- 13.10. In terms of the principle of development in this rural area, it is recognised that the location is beyond the edge of the settlement, limiting sustainable transport options, but the rural diversification proposal is close to the settlement of Colehill. The dog park offers only two areas for walking so is considered small scale. Other matters relating to impact on the Green Belt and the impact on the character of the area, including traffic are considered below but in summary, although lacking opportunities to secure sustainable modes of transport, the proposal is judged to accord with policy PC4.

Impact on the Green Belt

- 13.11. The site lies in the Green Belt. Policy KS3 identifies that development will be contained by the South East Dorset Green Belt, but specific guidance on when development is inappropriate is found in the NPPF.

- 13.12. Objections received from third parties have raised concerns that the proposal is contrary to the NPPF Green Belt aims and policy, that the storage container represents inappropriate development in the Green Belt and encroachment into the countryside, the hardstanding for the access track and parking would be inappropriate, and that the proposed scheme would introduce built form.
- 13.13. Reference has also been made by an objector to appeal decisions APP/M0655/C/18/3197004 and APP/M0655/C/18/3197005. These date back to 2018 and relate to a site in Warrington where an enforcement notice was issued against the change of use of land to residential use with associated static caravan and storage container. The circumstances are sufficiently different that no relevant conclusions can be drawn from this case.
- 13.14. The relevant exceptions to inappropriate development in the Green Belt for the proposal under consideration are listed below.
- 13.15. NPPF paragraph 154 h) v. allows '*material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)*' provided that the scheme preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- 13.16. Paragraph 154 h) ii. allows '*engineering operations*' provided that the scheme preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- 13.17. Paragraph 154 b) allows '*the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.*'
- 13.18. Although the introduction of any structures on a Green Belt site will have some impact on openness, it is clear from the policy that appropriate facilities are acceptable where they preserve openness and do not conflict with the purposes which include, amongst other requirements '*safeguarding the countryside from encroachment*' (para 143 c)).
- 13.19. The proposal would result in a material change in the use of the land. The use would involve customers who have pre-booked exclusive use of one of the areas on site for a 50 minute session, parking on the site and using the area for walking their dogs. Engineering works, to provide the widened access and parking have taken place, a container has been introduced onto the land and additional 2m high (approx.) boundary fencing and telegraph poles for CCTV erected. Officers judge that the proposed change of use, limited operational development and the siting of a single container for storage associated with maintenance of the site would preserve the openness of the Green Belt and would not conflict with the purposes of the Green Belt.

- 13.20. As the proposal can benefit from NPPF exceptions 154 h) ii. h) v. and 154 b) the proposed scheme is not inappropriate development in terms of Green Belt policy so there is no need to consider whether very special circumstances exist.
- 13.21. The proposal would provide access to and opportunities for outdoor recreation in an area of Green Belt that would be otherwise inaccessible, so also accords with the aims identified at NPPF paragraph 15 which encourages local planning authorities to plan positively to enhance the beneficial use of the Green Belt.

Design and Character of Area

- 13.22. Objections have been received that the proposal does not enhance the landscape and will spoil the character of the area. That there would be harm to the tranquillity of the area, a negative impact on visual amenity, that the use will be out of keeping with the rural setting, lighting may be harmful to visual amenity and that the site is unsuitable for its proposed use and visitors. Concerns were also raised that the removal of trees on the site will harm the character of the area. Reference has been made to local saved policy DES11, Local Plan policy HE3 and NPPF paragraphs 135 and 187.
- 13.23. Third party comments received in support of the planning application highlight that one of the attractions of the site is the natural landscape and that the site will be maintained.
- 13.24. Local plan policy HE2 permits development if it is compatible with or improves its surroundings in relation to 11 criteria including layout, site coverage, scale, materials, landscaping, visual impact, and the relationship to mature trees. This policy accords with NPPF paragraph 135 which seeks good design.
- 13.25. Policy HE3 requires that development should protect and seek to enhance the landscape character of the area. This includes protecting trees, tranquillity and avoiding intrusion from light pollution.
- 13.26. Saved local policy DES11 of the East Dorset Local Plan permits development where the form, materials, lighting, landscape, planting and means of enclosure, roads, cycleways, footpaths and parking areas, together with the relationship of buildings and property boundaries to these spaces respect or enhance their surroundings.
- 13.27. The site is not subject to any landscape designation, but the intrinsic character and beauty of the countryside is recognised by NPPF para 187.
- 13.28. The application provides a detailed drawing for proposed deer fencing on the site which has a maximum height of 1.8m, and the revised Site Plan provides details of the placement of types of fencing including where existing fencing is to be retained. The proposed fencing and gates are judged appropriate for the purpose. The visual permeability of the deer proof fencing is in keeping with the rural character of the area, and would not result in a negative impact upon visual amenity.
- 13.29. The proposed single storey container is small in size and the nature of the facility on the site means that the application site overall is mostly open space. The proposed car parking is modest and is split across two sections (dog park 1 and dog park 2) to reduce

any potential impacts. The parking and turning areas will be provided using grasscrete which maintains a natural appearance. The container is well screened within the site.

- 13.30. Tree information to support the application includes an Arboricultural Impact Assessment, an Arboricultural Method Statement and a Tree Protection Plan. The Council's Tree Officer has noted that the land is not subject to a Tree Preservation Order (TPO) and that the Forestry Commission have approved a felling licence for the site. The Tree Officer notes that there would be a minor incursion into the root protection area (RPA) of Oak tree T001 from the proposed new parking area serving Dog Park 2, but has no objection to the proposed development, subject to tree protection being secured by condition.
- 13.31. Therefore, subject to conditions, the proposal accords with local policy HE3 as it will not harm the landscape character of the area. The proposed development is also in accordance with saved policy DES11 as the relationship with property boundaries is respected, and the proposed form, materials, landscaping, planting and means of enclosure are acceptable.
- 13.32. The proposal accords with paragraph 135 and 187 of the NPPF as it is considered that the development will have appropriate layout and effective landscaping, subject to condition, will be sympathetic to the local character of the area and the surrounding built development in the rural location, and creates a place that will promote health and well-being for visitors.
- 13.33. There are no design and character grounds which would warrant refusal of the planning application, as it is considered that the scheme accords with the relevant design and character planning policies.

Neighbouring Amenity

- 13.34. Holt Parish Council has raised concerns relating to noise and disturbance to neighbours, and that there would be a lack of monitoring. The Ward Councillor has also identified disturbance from barking and activity for neighbours and livestock.
- 13.35. Objections and comments received from third parties include concerns that that there is no Noise/Acoustic Report, that the Operation Plan lacks detail, that the use of the site will be unrestricted, the hedging will not restrict views to neighbouring properties, that the scheme will result in noise disturbance (from dogs barking, people, vehicles) and concerns over how this will be monitored. A potential risk to public health is identified with anticipated harm from odour and other negative impacts from dog faeces/urine, concerns over the number of dogs & dog owners, concerns over safety and hours of lighting which could disturb neighbouring amenity. The proposal is considered by objectors to be contrary to local policy HE2 in respect of failing to minimise harm to neighbouring amenity.
- 13.36. Comments received in support of the proposal include suggestions that dog owners who use dog parks are considerate.

- 13.37. Saved local plan policy DES2 notes that *'development will not be permitted which will either impose or suffer unacceptable impacts on or from...land uses in terms of noise, smell, safety...lighting, disturbance, traffic or other pollution'*. The more recent policy at NPPF paragraph 198 confirms that development should be appropriate for its location. This includes the requirement for potential adverse noise impacts from new development to be mitigated or reduced to a minimum.
- 13.38. The application is supported by an operations plan which was updated during the application process. This includes the following operating practices (summarised):
- 50 minute booking slots with 10 minute gap between bookings for changeover
 - Dog Park 2 session bookable on the hour
 - Dog Park 1 session bookable on the half hour
 - Up to 6 dogs and 6 people per session (up to 10 dogs per session with prior arrangement of management)
 - All admittance by prior booking only using numerical key code on secured access gates.
 - Opening hours 7am until 8pm but not after dark
 - No lighting in or around the parks
 - No water, toilets or agility equipment
 - Bookings non transferable and the person who made the booking must be present
 - A contact number for contacting the client on site will be required at time of booking
 - Clients required to keep all dogs under close personal supervision at all times
 - Gates to be closed and locked by site users on entry
 - No visiting dogs on the track
 - Daily check of park fences, missed poop, refill of poop bag holders, any other hazards with issues addressed.
 - Clients advised to check the fencing and notify management of any problems.
 - Security cameras monitoring of the parking areas and parks enabling remote management
 - Bans for dogs that are identified as constantly barking
 - Clients advised when booking that there are animals in the paddock next to Dog Park 2 and to book Dog Park 1 if their dogs are likely to react
 - Spare poo bags will be available on site
 - A waste disposal company will empty the wheelie bin a minimum of every 4 weeks or more frequently if needed
 - Extra requirements for clients with banned breeds including registration with the index of exempt dogs, providing a copy of life certificate at time of booking and 1:1 dog to handler ratio.
 - Feedback opportunity on website to raise any complaints/concerns or provide positive feedback
- 13.39. The operating plan, which can be secured by condition, provides reassurance that many of the issues raised by objectors can be avoided or the likelihood of harm minimised. Although the site will not be physically manned, the operator will have evidence from

their booking system, security camera and online feedback form enabling them to influence visitor behaviour and restrict access to any disruptive clients.

- 13.40. Given that the proposal will change the nature of the use of the site and there are residential properties nearby, the application is supported by a noise impact assessment. This is based on a survey in May 2025. Background noise levels were recorded between 8th-15th May 2025 to provide a baseline. Source measurements were taken during a one-hour dog walk with six dogs and six people. The assessment confirms that when compared to baseline noise levels, the impact at the closest residential façade to the site is classified as 'low impact'; the anticipated average noise levels would be lower than background noise levels experienced by nearby properties.
- 13.41. The validity of the noise assessment has been challenged by a noise consultant on behalf of objectors. They identify uncertainties in the assessment which they consider could lead to noise impact being significantly underestimated. They consider that the baseline noise level is too high for what would be expected for the area, although no evidence of an alternative baseline has been provided. The consultant has advised that reliance on average noise levels is inappropriate for intermittent noise that would be anticipated from dogs and their handlers. They consider that the noise assessment should have included a correction for the highly impulsive nature of noise anticipated from the park to assist understanding of how loud noise could be perceived and place greater emphasis on the worst case scenario (if all six dogs in part 1 were to bark simultaneously in the corner of the field closest to the property). In combination they contend that this would result in an unacceptable impact above background levels. They also focus on the potential number of barks (10k per week if the dog park was fully booked and each dog barked once every 7 minutes) and highlight the proximity of residential gardens to the site, concluding that the use has the potential to result in significant disturbance for neighbours.
- 13.42. Following the initial submission of the noise report the Council's Environmental Health Officer raised no concerns about the proposal provided any approval was subject to a condition requiring compliance with the operating plan. In the light of the objections, they have reanalysed the scheme and have commented that there is a lack of recognised standards for specifically assessing noise from dog barking. They have advised that it is very difficult to predict the likely noise impact from a dog walking field using models to calculate noise levels due to the unpredictability of different dogs, their barking characteristics, behaviours etc. The operational management of such a site is key.
- 13.43. Having regard to the representations and the proposal for an unmanned facility the Environmental Protection team requested further clarification on management of the site. The applicant has subsequently updated the Operations Plan to clarify that CCTV will be monitoring the site and sample footage will be checked for all new clients in real time, with clients called if dogs are seen barking. Sample CCTV footage will also be reviewed at regular intervals for existing clients who are seen to have quiet dogs.

- 13.44. Objectors have concerns that the Operations Plan is unenforceable as there is too much reliance on voluntary compliance with the requirements, but officers judge that the updated plan is appropriate to reduce the likelihood of harmful impacts from the unmanned site; it is reasonable to anticipate that those paying to use the dog park will comply with the rules and the operator has surveillance and means to receive feedback to enable action to be taken against users who fail to comply and/or cause a nuisance.
- 13.45. Officers recognise that dogs visiting the site may bark causing higher than average noise levels and associated disturbance to local residents, but occasional barking already contributes to the local soundscape with dogs living in the area and/or being walked along footpaths in the vicinity of the site. Objectors have expressed fear of disturbance blighting their enjoyment of their property and reference has been made to conflict with the Human Rights Act, but the operator has committed to contacting the owners in real time if they identify barking via CCTV and banning any dogs that continuously bark. Users and residents will have the opportunity to provide feedback online to help identify any offenders.
- 13.46. The nearest residential properties are 427 Long Lane and Old Dairy Cottage located to the south west approximately 60m and 100m from the site respectively. It is recognised that the garden of Old Dairy Cottage, will be more affected as it extends north so that it is approximately 12m from the southern boundary of Dog Park 2, but with the operating plan limiting the number of dogs to a maximum of 16 on site at any time, it is judged that the proposed use can be accommodated on the site without demonstrable harm to residential amenity from noise.
- 13.47. Concerns have been raised by objectors that the supporting statement refers to the dog park being predominantly used by 'sensitive and reactive dogs who cannot exercise nearby other dogs'. Whilst objectors associate such dogs with greater likelihood of barking, the applicant has clarified that the park will be for any dogs, with the intention of providing a safe place where owners can exercise their animals while avoiding their dogs' triggers.
- 13.48. It is recognised that the use of the land as a dog park will encourage visitors to the area with a worst case scenario of 6 additional trips per hour 7am to 8pm each day, although the intensity of use is likely to be lower as most bookings are anticipated to be individuals/families arriving in one vehicle. It is noted that Long Lane already serves two public houses- the Barley Mow Inn to the northeast and the Horns Inn to the southwest- as well as residential properties and agricultural land so tranquillity is already affected by road use. Whilst it is understandable that objectors are concerned about the impacts of further traffic on the character of the rural lane, the number of trips associated with the development, and their anticipated nature (private cars rather than larger agricultural/commercial vehicles) supports the conclusion that there would be no significant change to the character of the use of the highway.
- 13.49. The Proposed Site Plan provides detail of the proposed boundary enclosure locations, including fencing and gates. This revised drawing includes the proposed deer fence

detail drawing, and can be secured by condition. The proposed double fencing would provide suitable enclosures for the dogs within each dog park. There are also at least two gates between each dog park and the road to provide security. Whilst it is recognised that there is legitimate concern about potential harm that dogs could cause to livestock in the vicinity if they escaped, users of the dog park will remain responsible for their animals with close personal supervision anticipated. A condition requiring the retention and maintenance of the fences is considered necessary and reasonable to mitigate such concerns (condition 4).

- 13.50. Concerns have been raised about smell from dog faeces. A dog waste bin is to be provided with collection by a private waste company; the operations plan envisages this taking place at least every 4 weeks or more often as necessary. Objectors have raised concern that 4 weeks is too long, but this would depend upon the intensity of use of the park and weather conditions, so as the proposed maximum duration without emptying, the period is considered acceptable. Due to the distances from residential properties, no harm to neighbouring amenity is anticipated.
- 13.51. Concerns have been raised about overlooking of neighbouring gardens. The garden of Old Dairy Cottage slopes up from north to south and the northern end of the garden extends to approximately 12m from dog park 2, separated by agricultural land while the dwelling is over 100m from the site boundary. Even in winter only very limited views are available to those using dog park 2 as a result of intervening vegetation and an earth bund/spoil bank in the southwest corner of dog park 2. No significant harm from overlooking has been identified.
- 13.52. Subject to conditions securing the fencing and operations in accordance with the operating plan, the proposal accords with local policy HE2 in terms of impact upon amenity including neighbouring amenity and DES2 as no unacceptable impacts are anticipated.

Heritage

- 13.53. Objections received from third parties set out that the proposal would result in a harmful impact on the character and setting of the listed buildings and Conservation Area and would be contrary to local policy HE1 and paragraphs 212 & 213 of the NPPF.
- 13.54. The application site is not located within a Conservation Area; the edge of the site is approximately 11m distance from the edge of the Burts Hill/Merrifield Conservation Area which incorporates the garden of the grade II listed Old Dairy Cottage.
- 13.55. The proposed use of the site will maintain its wooded, rural character. The visual impact of the additional fencing and CCTV poles is limited in the context of the vegetation on the site and there is significant tree screening between the heritage assets and the proposed position of the container to the northeast of the site.
- 13.56. The Council's Conservation Officer originally raised no objection. With regards to the proposed container within the site, the Conservation Officer requested that the material of the container has a natural green tone which will assist with its visual integration.

- 13.57. Further comments were sought from the Conservation team in the light of objections that raised concern about the impact on the setting of the listed buildings and conservation area. The Conservation officer confirmed that the contribution made by noises and smells to significance is a consideration when assessing the way in which we experience an asset in its setting.
- 13.58. The Conservation officer notes that the 1888-1913 OS Map would suggest that Old Dairy House (aka Cottage) may have functioned as a dairy with agricultural buildings to the rear providing direct access to animals in open fields to the north. The OS Map also shows No 427 to the east of Old Dairy House, set back and visible from Long Lane. The intervisibility, design and materials connect both sites visually with mature green boundary to the side defining site boundaries. Although set back from development elsewhere along Long Lane and Merry Field Hill, the conservation area boundary has been extended to include both sites. The proximity of buildings, position close to Long Lane and perceived former agrarian use of Old Dairy House contribute to the historic and aesthetic connection that amplifies the experience of the significance of each heritage asset affected by the proposed development.
- 13.59. Changes to buildings and landscape over time have affected the special character of the listed buildings and their setting. Both Old Dairy House and No 427 appear to be now in residential use. Land to the rear of the proposed development site has been planted creating a sense of enclosure to the NE of Old Dairy House and No 427 and division from the open wider landscape setting to the east. Increased traffic from Long Lane contributes to noise, movement, and activity close to heritage assets.
- 13.60. The Conservation officer considers that the proposed development may introduce some additional traffic and noise, but the degree of change arising from the proposed development on an already changed experience of heritage assets are low. The impacts are not likely to change the attributes of significance of the heritage assets set out above which will remain in a predominantly undeveloped rural landscape.
- 13.61. Officers conclude that subject to conditions, the proposed development accords with local policy HE1 and with the policies in section 16 of the NPPF as no harm to heritage assets in the area has been identified.

Highways and Parking

- 13.62. In its objections to the application Holt Parish Council has raised concerns over the impact from additional traffic associated with the proposed Dog Park. It notes that Long Lane lacks passing places and considers it is an over-used single track road. It also raises concerns about the impact of additional visitors travelling through Holt Parish to access the site and anticipate issues if vehicles are waiting to access the site for a booked slot.
- 13.63. The Ward Councillor has raised similar concerns about conflicts between different road users (walkers, riders, farm vehicles, and residents) and increased likelihood of vehicles being forced to reverse or damage verges.

- 13.64. Third party objection have raised concerns that the proposal is contrary to local planning policy KS11 and NPPF paragraph 116. A severe impact upon highway safety is anticipated by them in the light of inadequate infrastructure, a narrow access, highway safety concerns and risk of accidents to users of Long Lane (walkers, cyclists and horse riders), that footpaths emerge onto Long Lane, that there will be an increase in traffic/congestion, an increase in vehicles to the site, that there are few passing places and that the proposed visibility splays are not suitable and are unlikely to be maintained.
- 13.65. The Council's Highways Officer was consulted on the planning application. They are aware of the character of Long Lane, which is part of the adopted highway network. The road has a 60mph speed limit which would normally require a visibility splay of 2.4m x 151m but the application is supported by a traffic survey which shows that the 7-day average 85th percentile speed along this section of road is 38.1mph north east bound and 38.5mph south westbound. The existing access benefits from visibility splays of approximately 79m, 79m being the recommended visibility splay for 40mph roads. As the survey shows that speeds are in this region, the Highway Authority has accepted that the access arrangement is appropriate.
- 13.66. Objectors have suggested that the traffic survey, carried out in 2022, is out of date, but as no material changes to the nature of the road have been identified, officers consider it unlikely that traffic speeds would have materially increased so as to prevent this data from being reliable.
- 13.67. The Highway officer has noted third party concerns about the road width and lack of official passing places on the section of Long Lane where the proposed dog exercise park is located but has commented that there are several points where it would be possible for a vehicle to pull over in order to let another vehicle pass, which is not uncommon for a rural road, and that the nature of the road helps to keep speeds down.
- 13.68. As the dog park will be pre-booked by an individual or a small group the Highways officer considers that the parking provision is acceptable for the intended use. Objectors have raised concern about the 'tight changeover times' but 10 minutes is judged appropriate by officers who also note that sufficient space is provided within the site for vehicles to wait away from the highway should they arrive early. Objectors have suggested that these areas could be exploited as additional parking spaces but the operator could take action against such a breach of the operational rules which would be evident via the CCTV.
- 13.69. Concerns have been raised about vehicles stopping on the highway to open the gates, but the gates are set back sufficiently from the highway to enable a vehicle to stop without impacting traffic flow. The sessions for the two dog park areas will commence on the hour and half hour so queues to enter the park are very unlikely.
- 13.70. Objectors are concerned about the provision and maintenance of the proposed 79m wide visibility splays. The splays are over highway land, and it is recognised that vegetation needs to be managed to maintain visibility. The Highways Authority is responsible for the management of road verges and Dorset Council has a programme for cutting in rural and

urban areas. This notes that *'The junctions and visibility splays are cut by the contractors and also regularly throughout the year on an 'as needs' basis by our in-house staff, and we will undertake additional cutting anywhere on the network later in the season where this is required to maintain safe passage along the highway.'* It can therefore reasonably be assumed that the visibility splays can be relied upon.

- 13.71. The Highways Authority considers that the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection, subject to conditions to secure the hard surfacing of the vehicle access and the provision and maintenance of the turning/manoeuvring and parking construction.
- 13.72. No grounds which would warrant refusal of the application in terms of NPPF paragraph 116 have been identified and the scheme is found to accord with local policies KS11 in respect of highway safety and KS12, parking provision, and with the policies of section 9 of the NPPF.

Flood Risk and Drainage

- 13.73. Third party objectors have raised concerns over flooding risk and the susceptibility of the site to flooding from groundwater with concerns that that the proposal is contrary to local planning policy ME6 and NPPF paragraph 173.
- 13.74. The Environment Agency was consulted as the application site lies within 20 metres of a watercourse, but the Environment Agency has confirmed that the application proposal does not fall within its criteria for consultation on planning applications, so have not provided comments.
- 13.75. It is acknowledged that the application site is covered by an area that the Dorset Level 1 Strategic Flood Risk Assessment (SFRA) identifies as having high groundwater levels, and that there are some areas of the site that have surface water risk.
- 13.76. The submitted Flood Risk Assessment (FRA) notes the high groundwater levels, but also states that the proposal would not exacerbate the risk of flooding off site. The use of grasscrete to provide the hardsurfacing maintains existing permeability and the new storage container within proposed Dog Park 2 is of very limited size.
- 13.77. The proposed amenity use of the land falls under the 'water compatible' category of development in relation to flood risk. The Council's Flooding Engineer has advised that any excess water from the site is likely to run towards the south-west of the site given the topography. The proposed container is modest in terms of its size and footprint as are the parking areas, and these proposed elements are not considered to result in a harmful impact in terms of flooding.
- 13.78. The scheme is not considered to increase flood risk in accordance with local policy ME6. The permeable parking surfaces can be secured by condition (no. 7).

Biodiversity

- 13.79. Objections received from the parish, Ward Member and third parties raise concerns over the scheme harming wildlife including as a result of noise, disturbance and lighting contrary to local policy ME1 and NPPF paragraph 187.
- 13.80. An Ecology Report (dated 25/04/2025) was submitted in support of the application, which has been certified by Dorset Council's Natural Environment Team. This identified that the habitat was suitable for dormice, great crested newts, smooth newts, bats and nesting birds. Mitigation measures to ensure that works did not affect protected species and biodiversity enhancement in the form of 5 wooden dormouse nest boxes were identified as appropriate.
- 13.81. Objectors have raised concerns that management works to the woodland prior to the ecological assessment could have impacted on protected species but the assessment took place prior to tree crowns being raised and no evidence has been provided to support this contention.
- 13.82. A supervision statement has been received by the Council confirming that the works to remove 1.5m of hedgerow, work to crown lift the trees and hedgerow laying were undertaken in accordance with the ecology report.
- 13.83. Following recent concerns raised by third parties about impacts on protected mammals, the ecology report has been supplemented by a report dated 19 November 2025 by ABR Ecology; a walkover of the site found no evidence to suggest that protected mammals are using the site. The applicant has also provided documentary evidence from 2001 suggesting that a previous owner of the land erected deer fencing in association with creating a woodland on the site, which could explain the lack of use of the land despite the presence of fruit trees.
- 13.84. Concerns have been raised that the proposed use of the land could result in noise and scent markings disturbing the activity of protected species off-site. The applicant's ecologist has explained that this is unlikely as nocturnal activity would not coincide with the use of the dog park during the day. The dogs will be contained within the park, so operational use is not likely to result in an offence from damage/destruction, obstruction or disturbance. The Council's Natural Environment Team are satisfied with the ecologist's conclusions in the light of Natural England guidance and have not raised an objection.
- 13.85. Biodiversity Net Gain (BNG) is required by statute and is being secured on the site; details were provided prior to commencement of works after the applicant received the initial planning permission that was subsequently quashed. BNG has been secured by enhancing over 1ha of broadleaved other woodland from poor condition to moderate condition representing a total gain of 33.3% for habitat biodiversity. The creation of 170m of species rich native hedgerow has contributed to 10.6% gain of hedgerow biodiversity units and 60m of ditch has also provided 10.32% increase in watercourse biodiversity units.

13.86. Although the majority of works have now been carried out, a biodiversity condition remains relevant to ensure that the proposal accords with local policy ME1 and the Dorset Biodiversity Appraisal Protocol.

13.87. The operating plan identifies that there will be no lighting on the site, but it is considered necessary and reasonable to add a specific condition in the interests of biodiversity. Subject to this condition the proposal is judged to accord with policy ME1.

Impact upon Dorset Heathlands

13.88. The application site is located within 5km of Dorset Heathland. The Council has carried out a Habitats Regulations Assessment that rules out a likely significant effect at the screening stage, so a full Appropriate Assessment has not been necessary. Natural England were consulted and raised no objection.

13.89. No harm to protected Habitats Sites will arise from the proposal so there is no conflict with policy ME2.

Other Matters

13.90. *Groundwater Zone and Drinking Water Zone:*

13.91. Objectors have raised concerns that with a pond on the site and a stream outside of the application site, the proposal will result in contamination of water. Pollution to groundwater and drinking water zones were also mentioned.

13.92. Although dog urine and waste has the potential to contribute to water pollution, this site does not lie in a water catchment area where nutrient pollution would result in harm to protected Habitats Sites. The operating plan identifies that customers will be encouraged to use the dog waste wheelie bin on site and the site will be checked for dog mess daily so it is considered unlikely that any significant waste would remain on site for long.

13.93. The Environment Agency confirm that it has checked the application against its GIS mapping constraints and consultation requirements. It confirms that the site is not located within a source protection zone and that the proposal has a low environmental risk use.

13.94. Therefore, the application is not considered to result in any significant pollution, including any impact upon the groundwater zone and drinking water zones.

Rights of Way:

13.95. The Ramblers Association has commented on the application and notes that footpath ref: FP E45/33 runs immediately to the west boundary of the site (adjacent west boundary of the northern part of the site which branches out to the west). The Ramblers Association has requested that in the event permission is granted, the applicant is reminded of the need to keep the footpath open and available for public use.

13.96. The Council's Rights of Way Team have similarly advised that the footpath must remain open, unobstructed and safe at all times, and that if the footpath needs to be temporarily

closed, this can be applied for via the Council's website by contacting the Rights of Way team. An informative note will be applied to any positive decision notice.

Impact on welfare of local livestock

- 13.97. Concerns over the welfare of farm animals including lambs (livestock worrying) has been raised by third party comments. There are concerns that the proposal would conflict with the Animal Welfare Act 2006 which imposes a duty of care for animals on owners to provide a suitable environment and place to live. The Dorset Shepherding Services and National Sheep Association have noted that chasing and barking can be stressful to sheep. The dog park is intended to provide a secure and interesting environment where dogs will be supervised by their owners in enclosed areas beyond the grazed fields. As explained earlier in the report, the operations plan identifies that dogs who bark consistently will be banned from the site.
- 13.98. Reference has been made by objectors to decision on a planning appeal in Yorkshire which was dismissed (application ref: ZC23/02361/FUL). In that instance use of land as a proposed dog walking field was refused because the Inspector judged that the location was inappropriate; the topography of the site would encourage activity close to timid Hebridean sheep in the neighbouring field. Intervisibility and proximity meant that the sight, smell and sound of dogs in the adjacent field were judged likely to cause distress to sheep resulting in harm to the neighbouring land uses, detracting from the environmental and economic wellbeing of the area. In relation to sheep grazing on another adjacent field, the Inspector found that there were different circumstances and a materially different effect.
- 13.99. In this case it is understood that a small flock of Ouessant sheep are kept in the fields to the south-west of the dog park and when lambing, in the garden of Old Dairy Cottage for security from predators. Although Ouessant sheep are the smallest breed they are not characteristically timid like the Hebridean sheep mentioned in the appeal example. The site is well screened from the neighbouring agricultural land to the west by hedges and an earth mound. Bamboo fencing to supplement the deer fencing has been erected along part of the southern boundary close to the garden of Old Dairy Cottage and there is a strip of third party land between the proposed dog park and the garden of Old Dairy Cottage which would also assist to reduce any potential for dogs to notice sheep if they were in the garden. It is recognised that the proposal will likely increase the occurrences of barking in the vicinity, but this will be limited by the provisions in the operational plan; limited number of animals and separation of booking sessions.
- 13.100. Sheep grazing also occurs on land to the south of Long Lane opposite the site, but this is separated from the site by the highway and hedgerow. Concerns have been raised about dogs escaping, but that is considered very unlikely as they will be in enclosed areas and under the supervision of their owners. The operations plan requires that banned breeds are declared and a one-to-one dog handler ratio is maintained. It is recognised that there is a risk that wild animals may burrow under the fencing at night creating holes that might allow dogs to escape. The applicant has confirmed that existing

boundary fencing alongside the public footpath (where there are some holes evident) is due to be updated prior to the use of the dog parks and that fencing will be checked daily, while users will be expected to supervise their animals and be alert for any fence related issues.

13.101. There are also animals are kept in paddocks adjacent to the dog park. The operating plan includes reference to neighbouring animals close to Dog Park 2 ensuring that potential customers have advance warning so can choose Dog Park 1 if their dogs are likely to react. The erection of double fencing would prevent dogs from accessing the animals by putting their head through the fencing. The park areas are large enough that close proximity to the boundary fences can be avoided.

13.102. Subject to a condition to secure the provision and maintenance of the fencing it is judged that the location and character of the land is such that the proposed use is compatible with and would not harmfully impact on productive use of nearby agricultural land.

Banned Breeds

13.103. The reference to banned breeds in the Operations Plan has heightened objectors' concerns about the safety of the site and risks if a dog escaped.

13.104. The applicant has explained to officers that this was included in recognition that the XL bully ban from December 2023 means that there is the potential that a customer might still own such a dog. The bans on other breeds have been in place for longer so ownership is unlikely and not anticipated.

13.105. Officers are satisfied that the Operations Plan mirrors DEFRA guidance for security purposes. The requirement for a copy of the life certificate to be provided at the time of booking allows the operator to be alert to the presence of a banned dog on site and the CCTV can be used to check that the 1 on 1 dog/handler ratio is complied with.

Consultation/Site Notices:

13.106. Third party comments initially raised concerns over the lack of consultation on the proposals on the application site. The planning application was advertised via the display of 3 no. Site Notices in three locations along Long Lane: near the site entrance, to the east of the site near to the adjacent field, and also to the west of the site near to Acorn Cottage. These were repeated for the re-consultation period.

Supporting comments from third parties who do not live locally:

13.107. Concerns have been raised over the large number of comments of support which are from residents outside of the Parish, and that these supporters are not neighbours as stated on Dorset Council's website. It is recognised that the majority of those in support live outside the area suggesting that dog park users are willing to travel some distance to access such facilities.

Development commencement:

- 13.108. Third party comments have raised concerns that work has started on site before the decision has been made on the planning application.
- 13.109. The Case Officer carried out a site visit on 04/03/2025 and there was no evidence that work has commenced at that time. Subsequently works have taken place as the applicant believed they had been granted a legitimate permission.

Accuracy of submissions

- 13.110. Third party objections and comments received have raised concerns that the submitted documents and drawings are incorrect. During the course of the application an amended plan was received to clarify the works proposed/undertaken.
- 13.111. The application has been considered on the basis of the information submitted and from a site visit which included neighbouring properties and the public right of way.
- 13.112. Concerns have been raised that Ownership Certificate A has been completed when the Land Registry records are yet to confirm ownership. A Land Registry request has provided evidence that registration of her purchase has been pending at the Land Registry since November 2023 in relation to the land edged red on the site plan, so she had legitimate reason to complete certificate A. Officers have also seen evidence to validate the applicant's claim of rights of access to the land over the area edged blue. In recognition that the Land Registry update is still pending, the applicant has latterly agreed to complete certificate B after serving notice on the previous land owners who continue to hold the legal ownership of the land in trust until completion of registration to the applicant. One of those land owners had already written in support of the application. A decision on the application can be made 21 days after notice was served.

14.0 Summary of issues and the planning balance

Subject to conditions, the application is judged to accord with the Development Plan. There are no reasons that would warrant refusal of this application.

15.0 Recommendation:

To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to GRANT permission following the 21 day owner notification period subject to no further representations being received from owners which raise new material planning considerations, and subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 357.GA.01 Block and Location Plan
 - 357.GA.02 B Proposed Site Plan
 - 357.GA.03 Proposed Car Parking Plans
 - 357.GA.04 Proposed Container Plans and Elevations
 - 357.GA.05 Proposed Deer Fence Plans and Elevations

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

2. The development shall be carried out in accordance with the following approved Habitat Management and Monitoring Plan (the HMMP) which has been prepared in accordance with the approved Biodiversity Gain Plan:
 - a) Habitat Management & Monitoring Plan V.1 (dated 16/05/2025, received on 27/05/2025).
 - b) Biodiversity Gain Plan (received on 31/07/2025).Thereafter, the development shall be carried out, along with the management and monitoring of habitat, in accordance with the approved HMMP.

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

3. Only one container shall be positioned on the site at any time and only in the position shown on the approved plan. Any container shall be green in colour.

Reason: To ensure a satisfactory visual appearance of the development near to the Conservation Area.

4. Before the site is brought into use as a dog exercise park, the fence repairs identified on plan 357.GA.02 B Proposed Site Plan shall be carried out and deer fencing to accord with drawing 357.GA.05 Proposed Deer Fence Plans and Elevations shall be in place around the perimeters of the two dog parks. The fencing and access gates shall thereafter be retained and maintained as a secure barrier to prevent dogs escaping.

Reason: To ensure a satisfactory visual appearance of the development and in the interests of safety and the amenities in this rural location.

5. The use of the site shall be undertaken strictly in accordance with the Operations Plan (received 9.12.2025). The owners/operators of the site must maintain an up-to-date register of the names of all customers and of their contact details, and must make this information available at all reasonable hours at the request of a duly authorised officer of the Local Planning Authority.
For clarity, no more than 1 booked session can take place at any one time within each of the two dog park areas (Dog Park 1 and Dog Park 2).

Reason: To protect local and neighbouring amenity and impacts on ecology

6. The hours of use by customer(s) accessing the site with their dog(s) shall only be permitted during daylight hours and not outside the hours of 7am to 8pm daily when daylight permits. Outside of daylight hours, the site shall not be used by customer(s) and/or any dog(s).

Reason: To mitigate harm to the amenity of users of adjacent sites and the rural character of the area.

7. Before the development hereby approved is utilised the turning/manoeuvring and parking shown on Drawing Number 357.GA.03 (Proposed Car Parking Plans) must have been

constructed. The parking area hard standing shall be constructed of Grasscrete (in line with SuDS standards) and maintained as such. 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 interests of highway safety, to avoid increasing the risk of flooding, and in the interests of amenity.

8. The detailed biodiversity mitigation, compensation and enhancement strategy set out within section 5 (Biodiversity mitigation and enhancement plan) of the Ecology & BNG Assessment report (Final V.3, dated 25/04/2025) at paragraphs 5.3 to 5.8, certified by the Dorset Council Natural Environment Team on 25/04/2025, must be strictly adhered to during the carrying out of the development.

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

i) the mitigation, compensation and enhancement measures detailed in the approved ecology report have been completed in full, in accordance with any specified timetable. The development shall subsequently be implemented entirely in accordance with the approved ecology report.

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

9. No external lighting is to be installed on site.

Reason: In the interests of biodiversity and the rural location within the landscape.

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

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

3. 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.

4. 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.

This page is intentionally left blank

Application Number:	P/FUL/2025/03321
Webpage:	Planning application: P/FUL/2025/03321 - dorsetforyou.com
Site address:	Land at Northern Slip Road West Moors Junction West Moors Road Ferndown
Proposal:	Demolition of the existing buildings, removal of storage containers and erection of replacement building for the seasonal sale of fireworks and associated year-round storage
Applicant Name:	Mr John Mitchell
Case Officer:	Claire Hicks.
Ward Member(s):	Cllr Skeats, Cllr Shortell

1. Reason application is going to committee:

At the request of the Committee Chair in the light of an objection from a Ward Member.

2. Summary of recommendation:

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

3. Key planning issues

Issue	Conclusion
Principle of Development and Impact upon the Green Belt	Acceptable: The site benefits from a certificate of lawfulness. The proposed redevelopment of the previously developed land can benefit from exception 154(g) of the NPPF (2024) so is not inappropriate development within the Green Belt.
Impact on the Character of the Area	Acceptable: The design of the proposed development is considered to be appropriate for the context of the site and would not adversely affect the street scene and character of the area so complies with policy HE2.
Impact upon Biodiversity and Dorset Heathlands	Acceptable subject to conditions to secure compliance with with Policy ME1 (Safeguarding biodiversity and geodiversity)
Flood risk and drainage	Acceptable subject to condition to secure surface water management plan. Material

Issue	Conclusion
	considerations weigh in favour of approval despite lack of sequential test.
Economic benefits	Understood to be associated with the maintenance of 3 part time (equated to 0.5 FTE) jobs.

4. Description of site

The site is to the north of the A31 on an island of land surrounded by the slip roads serving West Moors/Ferndown. The application site has a 'curved' rectangular shape following the old highway.

The site benefits from a lawful development certificate (granted on 11 November 2025) for the use of two buildings and containers on the land for use for the seasonal sale of fireworks between 15 October - 10 November and 26 December - 31 December each year and associated year-round firework storage. The operator benefits from an annual licence from Dorset Council Trading Standards to store explosives on the site.

The majority of the site is hard surfaced and it appears that the site was used as a road before changes to the A31, but there is existing vegetation and mature trees alongside the edge of and adjacent to the site.

Slop Bog and Uddens Heath lies to the west of the southern part of the application site. The A31 provides a barrier between the site and designated Dorset Heathland. Land to the east has permission for use by horses (P/FUL/2023/06980).

5. Description of development

The proposed development is to demolish the existing buildings, remove the storage containers and erect a building for the seasonal sale of fireworks and associated year-round storage.

6. Background and relevant planning history

Application No.	Description	Decision	Date
P/CLE/2025/04929	Use of existing 2 no. buildings and land outlined red for the seasonal sale of fireworks between 15 October - 10 November and 26 December - 31 December each year and	Granted	11/11/2025

	associated year-round firework storage, including the permanent stationing of 2 no. storage containers on the land outlined in red and cross-hatched blue for firework storage purpose. Seasonal stationing of a further container for firework storage, between September to January each year, on the land outlined in red and hatched black		
03/01/0507/FUL (only part of the current site included)	Erection of 2 sheds for bee keeping	Granted	14/06/2001
03/96/0284/FUL (only part of the current site included)	Erection of 2 sheds for bee keeping	Granted-temporary until 2001	15/05/1996

7. List of constraints

- Within Green Belt
- Within 400m heathland buffer – Dorset Heathlands (Slop Bog & Uddens Heath)
- Within New Forest Recreational Area with a 13.8km buffer
- Within Environment Agency Flood Zones 2 and 3
- Risk of Surface Water Flooding Extent 1 in 30 – covers part of access into site, but not the proposed building footprint area
- Risk of Surface Water Flooding Extent 1 in 100 – covers part of access into site, but not the proposed building footprint area
- Risk of Surface Water Flooding Extent 1 in 1000 – covers the majority of the site including the proposed building footprint area
- Environment Agency - Groundwater – Susceptibility to flooding
- Ancient & Semi-Natural Woodland - Distance: 4.73m & 373.6m
- Natural England - RAMSAR - Distance: 60.27m
- Site of nature conservation interests (SNCIS): SU00/093 - Uddens Water East; - Distance: 23.16m
- Site of nature conservation interests (SNCIS): SU00/039 - Broadmoor Coppice; - Distance: 30.17m

- Site of nature conservation interests (SNCIS): SU00/040 - Pennington's Carr & Copse; - Distance: 64.65m
- Special Area of Conservation (SAC) (5km buffer): Dorset Heath (UK0019857); - Distance: 60.27m
- Minerals and Waste Safeguarding Area - ID: 5529.0
- Minerals and Waste - Sand and Gravel

8. Consultations

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

Consultees

1. National Highways

No objection

Consider that the development is unlikely to result in a material change in trip generation associated with the existing use of the site.

No existing collision history associated with either use the access or the roundabout junction.

The proposed development is unlikely to result in an unacceptable or severe impact on the SRN in safety or capacity terms, in line with the requirements of DfT Circular 01/2022 and the NPPF, nor should it adversely impact the operational SRN highways asset.

2. Natural England

No formal comments to make on the proposal.

Advised the authority to review any local concerns relating to the application which is located within close proximity to Slop and Bog Uddens Heath SSSI.

3. Dorset Wildlife Trust

No comments received.

4. Dorset Fire & Rescue Service

No comments received.

5. Dorset Council (DC)- Highways

No objection

Parking spaces accord with Dorset Council's standards for parallel parking arrangements. The proposed small stone surfaced turning area to facilitate easier turning within the site is an improvement on the existing situation.

No change is proposed to the existing site access off the roundabout and there are no recorded collisions related to the use of the site access.

No material harm to the transport identified to the transport network or highway safety.

6. DC - Trees (East & Purbeck)

No objection. A condition is recommended.

7. DC- Flood Risk Management Engineer

- It appears that the new building would be on higher ground.
- Noted that the building is in Flood Zone 3- EA Standing Advice should be checked.
- There is no increase in permeable area and it is acknowledged that the proposed development area would be where there is an existing road surface.
- Directing water to a culvert is acceptable.

8. DC - Building Control East Team

No comments received.

9. DC - Rights of Way Officer

No comments received.

10. West Moors Town Council

No objection

11. West Moors and Three Legged Cross- Councillor Skeats

Objection- Inappropriate development of temporary use containers to formal building that will impact on the greenbelt and watercourses with an important site of Slop Bog in close vicinity. Fundamentally this is development of the green belt further with commercial use. Should the recommendation be for approval, would ask it goes to planning committee, otherwise follow officer recommendation.

Representations received

The application was advertised by site notice. No third party comments were received.

9. Duties

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

10. Relevant policies

Development plan

In this case the development plan comprises:

Adopted Christchurch and East Dorset Local Plan:

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

- KS1: Presumption in favour of sustainable development
- KS2: Settlement hierarchy
- KS3: Green Belt
- KS11: Transport and development
- KS12: Parking provision
- HE2: Design of new development
- HE3: Landscape quality

- ME1: Safeguarding biodiversity and geodiversity
- ME2: Dorset heathlands
- ME6: Flood management, mitigation and defence

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

Inc. Determining Planning Applications and Flood Risk and Coastal Change

Supplementary Planning Documents and Guidance

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.

Dorset Council Level 1 Strategic Flood Risk Assessment 2024

East Dorset Countryside Design Summary SPG

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.

There is a ramp to the proposed building to ensure people with disabilities or mobility impairments or pushing buggies have been accommodated. No harm to persons with protected characteristics is anticipated.

13. Public Benefits

Financial and non-financial benefits of the proposal, including public benefits are summarised in the table below:

What	Amount / value
Material considerations	
None	
Non material considerations	
Business rates	Unknown- to be assessed

14. Planning Assessment

Principle of Development and Impact upon the Green Belt:

- 14.1 The principle of use of the site for seasonal sale of fireworks and associated year around storage has been established by the lawful development certificate.
- 14.2 The application site lies within the Green Belt between West Moors and Ferndown.
- 14.3 Cllr Skeats, one of the Ward Members, has objected to the proposed development due to impact on the green belt.
- 14.4 Paragraph 153 of the NPPF (2024) states that
“153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness⁵⁵. Inappropriate development is, by definition, harmful to the Green Belt and

should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

⁵⁵ Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate.”

- 14.5 Exceptions to inappropriate development are set out at paragraphs 154 and 155 of the NPPF (2024). The NPPF (2024) exceptions with potential relevance for the scheme are found at paragraph 154 (d) and (g):
154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:...
d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;...
g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

Exception 154(d) - Same use and not materially larger

- 14.6 There are two buildings on the site which have a lawful use for the seasonal sale of fireworks and associated year-round firework storage.
- 14.7 It is not considered that the proposed building can be classed as a replacement building as the proposed building would not be sited on the footprint of the existing buildings. Additionally, even if the building was considered to be a replacement building, it would be materially larger than the one it replaces:

All measurements approximate	Existing buildings	Proposed building
Floor area	Building 1 = 29m ² Building 2 = 8m ²	59m ²
Volume	Building 1 = 81m ³ Building 2 = 19m ³ (based on details provided with the CLE)	224m ³

- 14.8 The proposed building would be materially larger than either of the existing buildings so 154(d) cannot be relied upon.

Exception 154(g) - Limited infilling or the partial or complete redevelopment

14.9 In addition to the two lawful buildings, the site is also extensively hard surfaced as former highway therefore the site falls within the NPPF definition of previously developed land (PDL):

'Land which is lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.'

14.10 The PDL definition goes on to identify exclusions, but none are relevant to the site which is therefore previously developed land.

All measurements approximate	Existing structures	Proposed building
Total floor area	Building 1 = 29 Building 2 = 8 Container 1 = 14 Container 2 = 7 Total = 58m ²	59m ²
Total volume	Building 1 = 81 Building 2 = 19 Container 1 = (14 x 2.5)= 35 Container 2 = (7 x 2.5)= 17.5 Total = 153m ³	224m ³
Heights	Building 1 = 3.2m Building 2= 2.8m Containers = 2.5m	4.9m

14.11 The proposed building would have a very similar floor area to the existing structures that would be removed and will be sited in a similar location.

14.12 The proposed building would represent an increase in volume of approximately 71m³ compared to the existing structures that would be removed. Although higher than the existing buildings, the proposed structure will remain modest in height and will not have a materially greater visual impact on Green Belt openness than the existing lawful development on the site.

14.13 It is recognised that the Green Belt between Ferndown and West Moors plays an important role in preventing the towns from coalescing, and this strip of Green Belt is narrow, however the redevelopment proposal is of sufficiently modest scale that it would cause only modest loss to Green Belt openness and would avoid substantial harm to the openness of the Green Belt. The proposal therefore accords with exception 154(g) of the NPPF (2024) so is not inappropriate development within the Green Belt.

- 14.14 The current use of the land is low key; during the majority of the year the site is used for the storage of fireworks with seasonal retail sales only. It is judged necessary to impose a condition controlling the use so that it remains seasonal and use of the site for alternative uses within Classes E is prevented without express permission. This is necessary to avoid harm to the character of the area and the Green Belt that could arise from more intensive uses. The proposed development would comply with saved policy KS3 of the Local Plan and the National Planning Policy Framework (2024), Section 13.

Impact on the Character of the Area

- 14.15 Section 12 of the NPPF (2024) highlights the importance of good design which should contribute positively to making places better for people. Local Plan Policy HE2 requires that development should be compatible with or improve its surroundings in relation to 11 criteria which include layout, site coverage, architectural style, bulk, height, materials, landscaping and visual impact.
- 14.16 The proposed building would have a simple apex form and is appropriately designed for its proposed storage use. The proposed dark green colour of the profiled sheet cladding would assist with visual integration, and it would be well screened by existing vegetation and mature trees on the site. The proposed development would not have an adverse visual impact on the immediate area.
- 14.17 The design of the proposed development is considered to be appropriate for the context of the site and would not adversely affect the street scene and character of the area. The proposed development would comply with Policy HE2 (Design of New Development) of the Local Plan, and NPPF (2024) Section 12 (Achieving Well Designed Places).

Impact upon Biodiversity and Dorset Heathlands

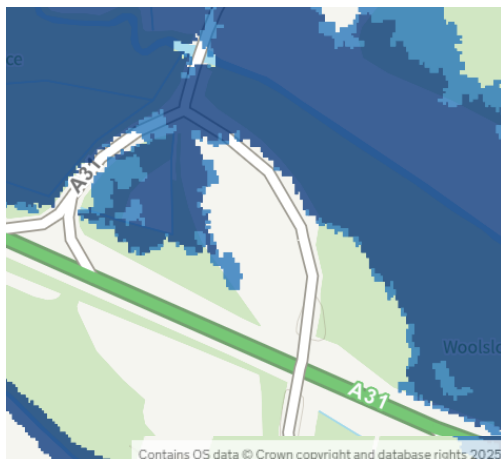
- 14.18 Cllr Skeats has objected to the proposed development due to anticipated impact on the local watercourses and on the adjacent Slop Bog SSSI.
- 14.19 Slop Bog and Uddens Heath lies to the southwest of the application site, while the A31 provides a barrier between the application site and the Dorset Heathlands Habitat Site.
- 14.20 The submitted Flood Risk Assessment explains that water runoff will be northwards away from the SSSI and identifies that the installation of a catchpit to remove any gross solids or sediments before surface water is discharged into the ditch will secure water quality management in line with CIRIA C753 SuDs manual. This can be secured by condition.
- 14.21 Natural England were consulted and raised no objection but as the proposed building and new hardstanding area will be located close to the SSSI boundary it is also judged necessary to require the submission of an Environmental Management Plan by condition.

This is to ensure that potential impacts on the SSSI during construction e.g. dust and water pollution are appropriately managed to avoid harm.

- 14.22 A condition to control the use of the land is also necessary to avoid harm to the SSSI from alternative uses that could be more intensive.
- 14.23 The existing buildings/structures are considered unlikely to be suitable for bats, but a precautionary informative note will be added to any planning approval.
- 14.24 Subject to conditions the proposed development will comply with Policy ME1 (Safeguarding biodiversity and geodiversity) of the Local Plan.

Flood Risk

- 14.25 The application is accompanied by the Flood Risk Assessment which identifies that:
- The site lies within Flood Zone 2
 - The proposed commercial use of the land falls within the 'less vulnerable' classification
 - The flood risk is where the existing ditch is located along the west of the existing tarmac road with an overland surface water path from south to north towards Uddens River (confirmed by topographical levels)
 - Environment Agency data identifies likely flood risk at 14.11m (including 45% increase for climate change)
 - The proposed finished floor level of 4.14 will accommodate for 300m freeboard thereby avoiding flood risk.
 - No flooding has been experienced by the existing and previous owners
 - No flood risk is anticipated because the flood water will follow existing flow paths, being directed north, away from the building which will be significantly higher than existing flood levels.
- 14.26 Evidence available to the Council includes Environment Agency mapping and the Strategic Flood Risk Assessment (SFRA). As evidenced by the latest Environment Agency mapping, the site lies within Flood Zones 2 (light blue) and 3 (dark blue). Although the FRA was completed prior to the Environment Agency update, the change from Flood Zone 2 which denotes medium risk of flooding (1% chance of flooding from rivers) to Flood Zone 3 which denotes high risk of flooding (1% or higher chance of flooding from rivers) does not undermine the conclusion of the assessment as the topography has not altered.





- 14.27 Land to the west of the site is at risk of surface water flooding in a 1 in 30 year event (above) and parts of the application site are at risk in a 1 in 100 year event (below)



- 14.28 These appear to relate to the existing drainage ditch along the west of the tarmac road. Taking into account topography it is considered reasonable to assume that risk of surface water flooding is low.
- 14.29 The site is also identified by the Council's SFRA as being in an area that is susceptible to groundwater flooding.
- 14.30 NPPF para 170 requires that '*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*'
- 14.31 Para 173 requires a sequential risk-based approach to be taken to individual applications in areas known to be at risk from flooding. Para 175 clarifies that '*The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).*'

- 14.32 PPG (ref ID: 7-027-20220825) states *'In applying paragraph 175 a proportionate approach should be taken. 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 (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.'*
- 14.33 The proposed development does not fall within any of the exceptions at footnote 62 and it is clear that the site lies in an area at risk of flooding. The FRA identifies that the new building, intended for a 'less vulnerable' commercial use, would have a floor level with an appropriate freeboard to avoid flood risk, but the parking spaces to serve the commercial use would be at risk of flooding so it is considered that the sequential test is required.
- 14.34 Having regard to NPPG para ref 7-027a-20220825 it is considered that a realistic area of search would be close to the settlements of West Moors or Ferndown as the site sits in a rural area between the two. The majority of these settlements are affected by high ground water but there may be available sites where fluvial and surface water risks are lower. No sequential test has been submitted in support of the application.
- 14.35 Due to high ground water levels infiltration is considered unlikely to be viable for the site. It is recognised that this previously developed site has no surface water drainage so the FRA assumption that the current site surface water (3.3.3) follows existing ground levels appears reasonable. The FRA confirms that the proposed drainage scheme, with water from the new building being diverted to a ditch at a controlled rate, would avoid any increased risk of flooding. The Council's Flood Risk Management Engineer is satisfied in this regard.
- 14.36 Without a sequential test to conclude that there are no other reasonably available sites, the requirements of policy ME6 cannot be fully met, but the scheme will incorporate appropriate flood resistance and resilience measures to reduce overall flood risk so that the proposal is considered acceptable in this regard.

Environmental implications

- 14.37 The demolition of the existing buildings and the erection of the proposed replacement building would be associated with some carbon emissions and waste but the existing buildings do not have foundations so limited waste will be generated. A small part of the building is anticipated to be insulated and heated during the season when sales take place and the new building will improve opportunities for efficiency compared to the existing.

15. Summary of issues and the planning balance

- 15.1 The proposal is acceptable in principle and is not inappropriate in the Green Belt. Impacts on biodiversity can be mitigated by the imposition of conditions. The applicant suggests

that the development is associated with the maintenance of 3 part time (0.5 FTE) jobs although it is not clear whether these would be lost if the application were to be refused.

- 15.2 The conflict with policy ME6 due to failure to demonstrate that proposal meets the flood risk sequential test weighs against approval, however officers are mindful that there are existing buildings on the site in use for firework storage and sales. These are at risk of flooding and there is no evidence of existing surface water management. The proposed building would only marginally increase the footprint of lawful structures on the site, will be positioned on land which is already impermeable and would incorporate flood resistance measures (raised floor) to avoid flood risk for future users. The use is less vulnerable and although four parking spaces and an enlarged turning space will remain located in the Flood Zone, the nature of the use of the site for commercial purposes mean that it is very unlikely that people would enter the site during a flood event, reducing the likely risk to marginal.
- 15.3 Although the development does not comply with the development plan as a whole because compliance with the sequential test has not been demonstrated as required by policy ME6, it is considered that the proposal would reduce flood risk compared to the lawful situation as set out above, and this benefit outweighs the policy conflict.
- 15.4 The agent agreed the pre-commencement conditions on 26 November 2025.

16. Recommendation: Approve subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 6140-001 Location and Block Plans
 - 6140-001 Proposed Site Plan
 - 6140-003 Floor and Roof Plans and Elevations

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

3. 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) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts, including impacts on the SSSI during construction (may be provided as a set of method statements).
 - d) The times during construction when specialist ecologists need to be present on site to oversee works.
 - e) Responsible persons and lines of communication.
 - f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - g) 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.

4. Prior to first use of the replacement building, the development shall be completed in accordance with the proposed works detailed in Appendix G of the Flood Risk Assessment and Drainage Strategy, by Godsell Arnold Partnership Ltd, dated 26/03/2025. The drainage scheme shall be maintained in accordance with the details at Appendix I of that document thereafter.

Reason: To reduce the risk of flooding.

5. Prior to the first use of the replacement building, the existing buildings shall be demolished, as shown in the Site Plan (drawing number 6140 - 001).

Reason: In order to safeguard the green belt.

6. The external materials to be used for the walls and roof shall be maintained dark green in colour.

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

7. Notwithstanding the provisions of the Town and Council Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the application site shall only be used for the seasonal sale of fireworks between 15 October - 10 November and 26 December - 31 December each year and associated year-round firework storage and not for any other purposes whatsoever.

Reason: In the interests of the Green Belt, the character of the area and to protect the nearby SSSI and Dorset Heathlands Habitat Site.

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

2. 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.
3. The Natural Environment Team recommends measures are implemented to minimise the risks of deleterious or polluting materials and detrimental effects to the water, the water channel and the site. The applicant should refer to Pollution Prevention Guidelines ([Withdrawn] Works in, near or over watercourses, PPG5: prevent pollution - GOV.UK (www.gov.uk))

The Natural Environment Team advises that fishery interests are taken into account by timing any in-channel works to avoid the fish spawning season (October-March). Spawning fish are protected from disturbance under the Salmon and Freshwater Fisheries Act 1975. The applicant should contact the Environment Agency for detailed site-specific advice if works will be carried out within the fish spawning season.

4. The applicant is advised that bats are protected in the UK by Schedule 5 of the Wildlife and Countryside Act 1981 and Part 3 of Conservation of Habitats and Species Regulations 2017 (as amended). Work should proceed with caution and if any bats are found, all work should cease, the area in which the bats have been found should be made secure and advice sought from Natural England (tel: 0300 060 3900), website www.naturalengland.org.uk before proceeding.

Further information about the law and bats may be found on the following website <https://www.gov.uk/guidance/bats-protection-surveys-and-licences>

This page is intentionally left blank