



Northern Area Planning Committee

Date: Tuesday, 17 March 2026
Time: 10.00 am
Venue: Stour Hall - The Exchange, Old Market Hill, Sturminster Newton, DT10 1FH

Members (Quorum: 6)

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

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

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

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda. If you would like to attend this meeting and have any specific requirements please contact the Democratic Services Officer named above.

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Agenda

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

3. MINUTES

To confirm the minutes of the meeting held on 10th February 2026.

4. REGISTRATION FOR PUBLIC SPEAKING AND STATEMENTS

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

The deadline for notifying a request to speak is 8.30am on the 13th March 2026.

5. P/FUL/2025/03574, LAND NORTH OF CASTLE AVENUE, OKEFORD FITZPAINE. 3 - 78

Erect 78 No. dwellings, form vehicular and pedestrian access, landscaping, open space and drainage attenuation.

6. WD/D/19/002710, LAND AT THE GEORGE ALBERT HOTEL AND SOUTHERN COUNTIES LEISURE, LONG ASH LANE, WARDON HILL, DORCHESTER, DT2 9PW. 79 - 148

Change of use of the land & erection of Holiday Lodges & Staff Accommodation units, together with installation of infrastructure to form a 5* exclusive Holiday Lodge Park in lieu of the current land use of motor racing circuit, shooting ground & static caravan park.

7. 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.

8. EXEMPT BUSINESS

There are no exempt items scheduled for this meeting.

Application Number:	P/FUL/2025/03574
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land North Of Castle Avenue Okeford Fitzpaine
Proposal:	Erect 78 No. dwellings, form vehicular and pedestrian access, landscaping, open space and drainage attenuation.
Applicant name:	AJC Developments (South) Limited
Case Officer:	Rob McDonald
Ward Member(s):	Cllr Murcer

1. Reason application is going to committee:

- 1.1 The application is being considered by the Northern Area Planning Committee as it is a major planning application with an officer recommendation that is contrary to comments made by Okeford Fitzpaine Parish Council.

2. Summary of recommendation:

- 2.1 To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Northern Area Manager to either:

A) GRANT planning permission following completion of a S106 Planning Obligation to secure:

- Affordable housing on site
- NHS infrastructure financial contribution
- Education (primary and SEN provision) financial contribution
- Pre-school provision financial contribution
- Community, leisure and sports facilities financial contribution
- Informal open space on site
- Informal open space maintenance financial contribution
- Destination play facilities financial contribution
- LAP (Local Area of Play) on site
- LAP maintenance financial contribution
- Formal outdoor sports facilities financial contribution
- Formal outdoor sports facilities maintenance financial contribution
- Public rights of way financial contribution
- Library financial contribution
- BNG monitoring fee
- General monitoring fee

and subject to the following conditions:

- Time limit
- Approved plans
- Surface water management and drainage designs – pre commencement and pre-occupation
- Foul drainage – pre commencement
- Construction Traffic Management Plan (CTMP) – pre-commencement
- Arboricultural Method Statement – pre commencement

- Tree Officer pre-commencement meeting
- Construction Environmental Management Plan (CEMP) – pre-commencement
- Vehicle crossing construction – pre-construction of dwellings and internal estate roads
- External materials details – pre damp proof course
- Low level lighting scheme – pre installation (if necessary)
- Footway connecting site to recreation ground – Grampian style pre-occupation
- Pedestrian link through to Comerwicke – pre-occupation
- Cycle parking details – pre-occupation
- Finalised soft and hard landscaping and Landscape Implementation and Management Plan – pre-occupation
- Finalised LEMP – pre-occupation
- Finalised EclA – pre-occupation
- Visibility splays – compliance condition
- Estate road construction - compliance condition
- Maintenance of hedgerow adjacent to LAP – compliance condition
- Unexpected potential land contamination

and an informative stipulating that a finalised Habitat Management and Monitoring Plan (HMMP) should be submitted to ensure the statutory ‘Biodiversity Gain Plan condition’ can be satisfied.

or B) Refuse permission for the reasons set out below if the s106 agreement is not completed by 17 September 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement or the Development Management Northern Area Manager.

Reason for refusal: In the absence of a legally binding mechanism to ensure the delivery of affordable housing and grey, green and social infrastructure the proposal is contrary to Policies 8, 13, 14 and 15 of the North Dorset Local Plan Part 1.

3. Key planning issues

Issue	Conclusion
Principle of development – Housing land supply	At present the Council cannot demonstrate a five-year housing land supply, with the figure of 2.53 years supply, indicating a serious level of housing need (including affordable housing need). As such, the NPPF ‘tilted balance’ and presumption in favour of sustainable development is engaged.
Principle of development - Location of development	Location of the site conflicts with the spatial strategy policies. However, it is adjacent to a sustainable ‘larger village’ settlement and accessible to the reasonable provision of services and facilities retained within the village.
Heritage impact	There would be low end less than substantial harm to the significance of the Grade II listed building Castle Cottage. But the harm would be outweighed by substantial public benefits from the scheme.

Issue	Conclusion
Amount of development, design and impact on the character and appearance of the area, including setting of the Dorset National Landscape	The amount of development would make an efficient use of the land and the overall design of the development would result in a well-designed place in its local setting. There would be no significant harm to the special qualities or setting of the DNL.
Flood risk and drainage	The proposed development can demonstrate appropriate surface water management and could be made safe for its lifetime without potentially increasing flood risk elsewhere.
Affordable housing and infrastructure contributions	A policy-compliant provision of affordable housing has been proposed and can be secured by legal agreement. Similarly, planning obligations/contributions necessary to make the development acceptable are also committed and can be secured by legal agreement.
Highway and transport safety	The proposed vehicular access point into the site and internal estate roads and footways would be acceptable and not result in any severe impacts in terms of highway safety.
Biodiversity and ecology	Significant harm to biodiversity can either be avoided or suitably mitigated. The statutory requirement of BNG could, in principle, be secured by condition and/or legal agreement.
Impact on trees	Significant harm to protected trees can either be avoided or suitably mitigated.
Residential amenity	The impact on neighbouring amenity has been designed to not cause any adverse impacts.
Impact on agricultural land	No best and most versatile agricultural land would be lost as a result of the development.
Environmental Implications	Development would meet Building Regulations; use of thermal efficiency materials; reduced water usage measures; installation of air source heat pumps and scope for other renewable energy installations.

4. Description of site

- 4.1 The site is a greenfield site comprising grade 3b agricultural land and extending to some 3.8ha in area, on the west side of Castle Lane and at the northern end of Okeford Fitzpaine. The site lies outside of the settlement boundary for the village; it does not adjoin the boundary line but is adjacent to it. The site would adjoin to the north of a recent development for 27 dwellings (Ref: 2/2017/1952/OUT) known as Comerwicke. The site is enclosed by hedgerows with some hedge trees, although the southern

boundary has newer hedgerows and trees in association with the Comerwicke development, which remains fairly exposed. An existing water main and 5m easement runs southeast/northwest through the site. There is open farmland to the north. On the opposite (east) side of Castle Lane is the main recreation ground and pavilion for the village.

- 4.2 The site lies within fluvial flood zone 1. Flood zone 2 and 3 areas associated with Darknoll Brook lie just beyond the NW corner of the site. There is a small slither of low surface water risk towards the western boundary of the site, but no medium or high risks identified. The site is not shown to have any groundwater flooding issues.
- 4.3 There are no designated heritage assets on the site, but the Grade II listed building of Castle Cottage adjoins to the SE corner of the site. The boundary of the Okeford Fitzpaine Conservation Area lies some 150m south of the site at closest points. The Scheduled Monument (SM) of 'Deserted medieval village at Darknoll Farm' lies some 530m to the north west of the site and on slightly higher ground. The Hillfort at Banbury Hill, also a SM, lies some 1.5km to the north west. To the south east and within the Dorset National Landscape (DNL) area, some 1.1-1.6km from the site, are pillow mounds, a bowl barrow and cross dyke, all SMs. There do not appear to be any non-designated heritage assets previously identified on the site, including archaeology.
- 4.4 The centre of the site is relatively flat at around 70m AOD but drops away towards Castle Cottage and more sharply towards a ditch and pond in the northwest corner. It is contained by slightly higher ground to the north and west, and the North Dorset Chalk Ridge/Escarpment forms a significant feature to the south and more distantly to the east of the settlement. At its closest point, the site lies some 440m north of the DNL boundary, which stretches into the southern portion of the village and then further towards the south east. There are a number of public rights of way and open access areas just to the south east of the village which, on higher land (Chalk Ridge and Chalk Valley & Downland), afford views over towards the village and site, between 1.5km and 3km away. The site lies within the Rolling Vales landscape character type.
- 4.5 There are no public rights of way passing through the site. Footpath N48/1 skirts around the south of the adjacent recreation ground and heads east before then turning back on itself back towards the Shillingstone Lane development site and connecting with other footpaths. Footpath N48/69 provides an offroad footway into the cul-de-sac of Ridouts just beyond the south east corner of the site, on the opposite side of the road. Footpaths N48/44 and N48/46 skirts around the west side of the site, some between 66m and 122m away.
- 4.6 The site does not appear to comprise Priority Habitat or any other ecologically sensitive areas. The site does contain a mature Category A Oak towards the north west corner which is now protected by a TPO (Ref TPO/2025/0065). The native hedgerows along the northern and western boundaries are also protected by a historic TPO (Ref: 42/2/66). Conygar Coppice is an SNCI and ancient woodland some 500m to the north east. Piddles Wood is a SSSI and ancient woodland and some 1.35km to the north west. Shillingstone Quarry is another SSSI and some 2km to the south east.

5. Description of development

- 5.1 Full planning permission is sought for the development of 78 dwellings, form vehicular and pedestrian access, landscaping, open space and drainage attenuation.

6. Background and relevant planning history

PRE/2015/0344/PREAPP - Decision: RES - Decision Date: 04/11/2015

Proposed Residential Development

2/2017/1952/OUT - Decision: GRA - Decision Date: 22/05/2019

Develop land by the erection of up to 27 No. dwellings (Outline application with all matters reserved).

PRE/2019/0233/PREAPP - Decision: RES - Decision Date: 24/10/2019

Reserved matters - 27 dwellings etc

2/2020/0345/REM - Decision: GRA - Decision Date: 14/01/2021

Approval of reserved matters for Access, Appearance, Landscaping, Layout and Scale in relation to outline approval 2/2017/1952/OUT

P/NMA/2023/00096 - Decision: GRA - Decision Date: 31/03/2023

Non-material amendment - changes to planting scheme; to Reserved Matters Approval No. 2/2020/0345/REM (to erect 27 No. dwellings).

P/PAP/2023/00142 - Decision: RES - Decision Date: 07/07/2023

Proposed development of approximately 80 No. dwelling, with associated access, parking, surface water attenuation, public open space and landscaping.

7. List of constraints

Outside settlement boundary

Setting of designated heritage asset (Grade II Listed Building – Castle Cottage)

Tree Preservation Orders on site

Setting of Dorset National Landscape

Medium pressure gas pipeline along eastern boundary of site

8. Consultations

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

Consultees

Cllr Murcer - Blackmore Vale Ward

Asked for application to go to committee as it is a major application for 78 houses outside the settlement boundary and on land liable to flooding and considered as unsustainable development.

Cllr Jones - Sturminster Newton Ward

No response received at time of determination.

Okeford Fitzpaine PC

Initial comments:

- Proposal is one that is under consultation in the Dorset Council Local Plan with two others. All plans need to be seen to make a strategic choice about which development would benefit the community the most and be a priority.
- Dorset Council must ensure that a development of this quality and size is not rushed through the planning process, to the detriment of the unique Dorset landscape.

- The development on the outskirts of the village boundary will form the main gateway, approach and impression to and of Okeford Fitzpaine. It is a rural village with strong Dorset heritage ties.
- The urban design and choice of building materials is out of character and in no way in harmony with the rest of the village. It does not enhance in any way and downgrades the overall impression of a Dorset village.

Objection for following reason:

Over Development

1. The land is outside the settlement boundary on agricultural land when other brownfield sites have not been used and houses on a new development remain unsold.
2. Okeford Fitzpaine has a population of 900-1000 people. It has already accepted 110 houses in the past eight years with a further 74 and possibly 93 (pending appeal) planned and not commenced on two other sites. A further 78 will change the character of the village significantly and is too many for a rural community with a weak infrastructure. If all three developments are in progress at one time there will clearly be chaos in the village and an excess supply of housing for the local community.
3. There are currently 1311 houses for sale which includes 180 new build market homes on Rightmove within 10 miles of Okeford Fitzpaine that have not sold. There are 306 within 5 miles including 53 new build homes unsold. Therefore the market is either already saturated or the wrong kind of houses are being built for the area.
4. The latest development in Okeford Fitzpaine at Shillingstone Fields has unsold houses. In addition, eight units of social housing have not been prioritised and remain empty when there is a housing crisis in North Dorset. We are also aware that brand new social housing has been allocated to individuals from outside Dorset which is not helping the current housing crisis in the county.
5. Although Okeford Fitzpaine does not have a ratified neighbourhood plan, our initial work identified areas for development which would see the village grow by 30%. With this new proposed development the size would grow by 62% and with no supporting infrastructure. We should not be placed at a disadvantage because we have no neighbourhood plan as we received very little support from the local authority in the first place.
6. There appears to be a total disconnect between what the developers are proposing and promising, to what is realistic and deliverable. It backs up evidence with reports such as C&EDLP policy KS11 – this policy is in the consultation and engagement phase.

Infrastructure

1. The developers refer to a 2007 infrastructure assessment in their plans. This is woefully out of date as it indicates we have an industrial estate, a GP surgery, and a school. If anything, the infrastructure has deteriorated with the increase in housing which is very concerning.
2. Dorset has one of the worst waiting times to see a GP in England. 6.88% of appointments take longer than 28 days to process. Okeford Fitzpaine does not have a GP surgery within the parish. The latest CQC inspection suggests the Blandford Group Practice requires improvement. The surgery is also one of the lowest rated in Dorset. Nationally, health economics reports suggest demand for GP services will grow by 33% by 2034 due to an older and sicker population, and yet there is no increase in services to cope with the housing demand. Dorset has a higher than average older population. There are no social workers or community support staff within the parish.

According to data from NHS Digital on GP list sizes, the Blackmore Vale Partnership is over

the safe limit of capacity by 3860 people. The patient per GP ratio is 2102. The Blandford Group of Practices has a patient to GP ratio of 1652 and has capacity, however there are performance concerns which would suggest significant pressure in the practice.

The GP contract set up means it is not practical to set up a practice within Okeford Fitzpaine so anyone needing to see a doctor has to travel. There is no public transport for evening appointments with limited transport to the nearest towns.

3. Okeford Fitzpaine does not have a primary school as the local authority closed it, due to low numbers and despite increased housing development in the area. All primary schools within 7 miles were oversubscribed during the 2025 application process. The development plans state that Shillingstone School is 1.5 miles from Okeford Fitzpaine. This is incorrect. Shillingstone Primary School is 2.4 miles from Okeford Fitzpaine and is therefore outside the recommended acceptable walking distance for primary school age children aged eight and below. In addition, much of the route is on rural roads with no pavement or street lighting. There is no provision for an additional classroom at Shillingstone to accommodate children from the new housing development. In addition, several children from the village travel by car which is leading to increased and sustained congestion in Shillingstone because there is no alternative. We have reports of children moving into new homes in Okeford Fitzpaine who are unable to get into local primary schools.
4. There is no access to NHS dentistry in North Dorset, indeed the entire county.
5. There is no industrial estate for employment in Okeford Fitzpaine. The historic chicken factories have gone and been replaced by housing. In February 2024, Dorset Council approved a planning application for 47 homes at Wessex Park site, despite the parish council wishing to see employment development opportunities to support new homes. As a consequence, there is no sustainable employment in Okeford Fitzpaine. Anyone who does not drive will find it challenging to find work because of the limited bus service which does not operate at weekends.
6. Public transport is limited with no service in the evenings or at weekends. This makes it difficult for working people and shift workers who do not drive. It also limits access for younger people wishing to access further education.
7. The lack of core infrastructure in Okeford Fitzpaine makes housing developments unsustainable and unsuitable for vulnerable people looking for work.
8. This, and other proposed developments in North Dorset adds weight to a much needed review of the A357.
9. The lack of a technical college in North Dorset means that young people living in Okeford Fitzpaine have very limited opportunities for career development unless they have private transport. The nearest technical college is a daily four hour round trip to Yeovil by bus. Weymouth and Bournemouth are not directly accessible using public transport.
10. Contradictory to statements made, there are NO buses running at the weekends and very limited services for workers getting to their final destination in a timely manner during the week. It is also misleading to mention that it's a 3.6km cycle to Shillingstone Station. It's not clear in the context of this report, as to what this is meant to imply. This rail station closed in 1966. It is now a café and a railway. There is currently a café in the village shop, this was not mentioned in the report.

Transportation links

1. Roads in Okeford Fitzpaine are in generally poor condition, particularly in the centre of the village.

2. There is no visitor car park which leads to congestion and inappropriate parking. Many of the houses in the conservation area do not have parking facilities, exacerbating congestion. The roads are used by HGVs, huge farm vehicles, and commuters using it as a rat run, exacerbating congestion.
3. Two roads out of the village including Lower Street, Okeford Hill and Bulbarrow are not gritted in winter. Three have dangerous blind summits and others blind bends.
4. Although additional traffic will likely exit and enter the village at the New Cross junction, there is a pinch point where the road narrows at the top of Castle Lane. This could lead to queuing traffic at the New Cross junction at peak hours. New Cross is a known collision spot. Run off from fields leads to icy conditions in winter despite gritting.
5. The winter of 2024/25 saw an increase in flooding on roads in the area. This will likely deteriorate with an increase in housing.
6. The majority of pavements in Okeford Fitzpaine are unsuitable for wheelchairs, prams, and mobility scooters. The new build at Comerwicke does not have a lowered pavement access at the road junction which means people with disabilities have to use the road or go into the housing estate to find a dropped kerb.
7. We would like to see that any improvements in pavements and pedestrian walkways meet the national standard and are accessible and convenient for the entire parish and not just the residents on the housing estate.
8. Although a pedestrian walkway has been suggested in the plans, we believe this will not be used by residents to get to the recreation ground due to personal safety concerns of walking behind a hedge. A hard pavement should be installed on Castle Lane as part of this development and with significant growth in the population. We welcome a pedestrian crossing to the recreation ground.
9. We would like the parking space allocation reviewed. Currently, some residents from Comerwicke park in other areas of the village as they do not seem to have enough space for their cars. We would not like to see a repetition of this with the new development.
10. Within the parish are at least three equestrian businesses and several horse owners. Okeford Fitzpaine has experienced significant incidents between traffic and horses and Dorset Council has declined to provide safety signage. This problem will deteriorate with an increase in housing.
11. Okeford Fitzpaine Parish Council has for several years requested a pedestrian crossing on the A357 between Little Lane and the junction with the North Dorset Trailway. Although the speed limit has been reduced to 30 mph, a pedestrian crossing would make the road safer and increase access to non driving options for people accessing the Trailway.
12. There are no public electric vehicle charging units in Okeford Fitzpaine apart from new build homes.
13. The transportation plan aspires to change the behaviour of residents to make fewer car journeys. We think this is unlikely from experience. Unless significant investment is made to improve public transport and pedestrian safety in the area, people will continue to use cars.
14. Okeford Fitzpaine already experiences poor broadband and mobile coverage. Adding 78 homes without guaranteed improvements to digital infrastructure risks worsening the situation. The NPPF states that advanced, high-quality communications are essential for sustainable communities. This scheme should demonstrate that it will deliver gigabit-capable broadband and reliable mobile coverage to serve both new and existing residents.

Layout and Density

1. 78 houses is too large a development for the village.

2. As there is an increase in older people needing to downsize and people with complex health needs, this development should include bungalows which would enable individuals to remain independent in their own homes.
3. The apartment building is not in-keeping with Okeford Fitzpaine. In addition, there is no lift which would limit options for accommodation for people with disabilities.
4. Now that the Dorset Local Plan has been published for consultation, surely a part of that consultation should include the ability of parish councils to view all proposals to determine which would benefit the village the most instead of being faced with a developer driven strategy.
5. We note the developer wishes the development to be considered in the same context as the recent proposals for Marnhull. We respectfully consider this to be incomparable. Marnhull has a pharmacy, a GP surgery, small business units, and two primary schools. Okeford Fitzpaine does not have these facilities.

Biodiversity Net Gain (BNG)

1. Current planning law requires all new developments to deliver at least 10% Biodiversity Net Gain. There is no clear evidence within the proposals of how this will be achieved, measured, or maintained over the long term. Without a transparent plan and secured management arrangements, this development risks reducing rather than enhancing biodiversity, contrary to the expectations of the Dorset Local Plan and the NPPF.

Sustainable Drainage & Foul Water

1. While localised flooding has been mentioned, the application does not demonstrate robust Sustainable Drainage Systems (SuDS) designed to meet current climate-change rainfall patterns. In addition, there is no clear confirmation from Wessex Water that the foul sewer network and treatment works can accommodate a further 78 homes without risk of overflows. Without this, the proposal fails to meet national and local planning requirements for sustainable development.

Cumulative Impact

1. The parish has already accepted significant new housing at Shillingstone Fields, Comerwicke, and Old Dairy, with further applications pending at Wessex Park and Pleydells. It is essential that Dorset Council considers the combined impact of all these schemes together, rather than treating each in isolation. The cumulative effect on roads, GP provision, schools, drainage, and the character of the village is already severe and will only worsen if additional large sites are approved without supporting infrastructure.

In summary, this application conflicts with several key planning principles. It is disproportionate to the size of the village (contrary to Local Plan policies on housing distribution), it risks worsening flood risk and overloading foul water infrastructure (contrary to NPPF requirements on climate resilience), and it does not demonstrate how it will protect or enhance the village's character (contrary to both Local Plan design policies and NPPF paragraph 130).

Shillingstone PC

No response received at time of determination.

Sturminster Newton TC

Concerned about the impact on infrastructure from this development, and the effect to Health & Education in the area. We are supportive of Okeford Fitzpaine Parish Council comments.

Historic England

Not offering advice.

Forestry Commission

No response received at time of determination.

DC – Landscape

Initial consultation response

Holding objection, subject to some changes:

The LVIA indicates the potential for major adverse visual effects in association with the proposed development, and proposes a range of measures to mitigate these and other adverse effects reported.

On reviewing the submitted plans and AVRS however, I do not consider that the adverse effects would be adequately mitigated, and therefore suggest a number of changes that are required to comply with Policies 4, 7, 15, 24 and 25 of the North Dorset Local Plan, and paragraphs 128, 135, 137, and 187 of the NPPF including changes to the proposed layout and materials.

I also consider that, in combination with other consented/recently built housing development in Okeford Fitzpaine, there is potential for the proposed development to result in cumulative impact on the character of the village and its setting, including the setting of the Dorset National Landscape. I therefore recommend that the DNL team be offered the opportunity to comment on the proposal, and that the potential for cumulative impact is considered in the planning balance.

Conditions requiring further details of materials (including paving and roofing materials) and boundary treatments, and the implementation of the hard and soft landscape proposals and the Landscape Implementation and Management Plan should also be included with any permission.

The site is located outside the settlement boundary and the proposal is not currently supported by Policies 2 and 20 of the North Dorset Local Plan. The Council may not however be able to demonstrate a 5-year housing land supply into the future due to proposed changes to national policy, which was discussed at the pre-app meeting of 10 January.

The proposal must, however, address the following specific issues:

- The proposed development lies within the setting of the DNL so must recognise the intrinsic character and beauty of the countryside and minimise adverse impacts on the designated area.
- The capacity of the village to accommodate further change must be addressed.
- Light pollution and additional traffic generated has the potential to adversely impact on the tranquillity of the village and its setting.
- TPOd trees within the site must be protected and the fine Oak tree in the NW provided with an appropriate setting which respects its potential status as a veteran tree.

and:

- Adequately assess and mitigate any adverse landscape and visual effects, including cumulative effects in association with other recent/planned housing developments on Public Rights of Way, the adjacent Listed Building, the setting of the Dorset National Landscape, and on the character of Okeford Fitzpaine.
- Accommodate trees and include appropriate arrangements to ensure successful establishment and long-term maintenance.
- Be informed by/sympathetic to local character and history including the surrounding built environment and landscape setting.
- Contribute positively to the maintenance and enhancement of local identity and distinctiveness.
- Be visually attractive as a result of good architecture, layout, and appropriate and effective hard and soft landscaping.

- Use materials are sympathetic to the natural and built surroundings and where practical sourced locally.
- Incorporate Green Infrastructure which is appropriate to the character of the setting, and which is multifunctional, improves resilience to the effects of climate change, and reinforces the existing GI network.
- Clearly demonstrate the need for any external lighting and minimise potential light pollution/glare/spillage.
- Comply with policies contained within the DNL Management Plan in relation to setting.

The LVIA is:

- A comprehensive report produced by a qualified landscape professional.
- Includes an assessment of cumulative impact.
- Form an integral part of the development proposal/used to inform its design.
- Propose measures to mitigate the adverse landscape and visual effects of the development.

The LVIA provides a thorough analysis of the landscape context and views that are available and includes a good range of representative viewpoints (RVPs). I can also confirm that the DNL and LPA agreed the RVPs prior to submission. It also includes an assessment of cumulative impact in association with similar developments in the area notably at Comerwicke (27 dwellings), the former poultry farm at Shillingstone Lane (45 dwellings), former factory site at Higher Street (25 dwellings) and Pleydells Farm (32 dwellings with potential for a further 19) as requested at pre-application stage.

The methodology used for the assessment of landscape sensitivity, landscape effects and visual effects accords with best practice as outlined in GLVIA3, and the report is well put together though there is does appear to be a degree of advocacy for the scheme which is not the role of LVIA's submitted for planning purposes (ref. paragraph 8.9 of GLVIA3 and item 2(4) LI TGN-2024-01). The protected trees on the site also appear to have been undervalued in terms of the contribution that they make to the site and its setting, and I understand that the Tree Officer considers that the TPO'd Category A Oak (T8) in the northwestern corner of the site has the potential to be a veteran tree.

I therefore summarise the conclusions drawn in the LVIA below without reference to the virtues of the proposed development, and comment on the judgements contained where necessary. I recommend that Richard Brown also be provided with the opportunity to comment on the effects of the proposed development, as the site falls within the setting of the DNL.

Landscape sensitivity

Boundaries to the south and the east of the site are currently defined by the settlement edge and recreation ground, and the site is contained by maturing field boundaries to the north and west. The LVIA indicates that, with the exception of Oak T8 in the NW corner of the site, there are no features of high landscape value within the site. It nevertheless notes that the trees hedgerows are key features which positively contribute to the LCA, and that these are retained and enhanced as part of the GI strategy.

Whilst I generally agree that the site exhibits medium susceptibility to housing development reported due to its close proximity to existing development at Comerwicke and the relatively enclosed nature of the site locally, I think that its value is higher than the reported low-moderate due to the individual and group value of the protected trees. The site can also be seen in a number of sensitive views from within the DNL, and extends into the open countryside beyond the existing settlement boundary. Overall therefore, I consider that the site is more sensitive than suggested in the LVIA, being towards the higher end of the moderate sensitivity reported.

Landscape effects

I agree with the LVIA however that the site currently reflects a moderate contribution to the character of the Dorset Rolling Vales LCA, with key characteristics being represented by the gentle undulations in topography, the irregular field pattern, and the mature hedgerows and trees that define the edges of the site and form part of the wider vegetated character. Its rurality and contribution to the surrounding land-use of fields has been eroded by the recent expansion of the settlement, which has resulted in suburban influences and a weak settlement edge – particularly on this northern edge.

The key identified landscape features would largely be retained and enhanced, so their contribution to the LCA would continue. A buffer of open space would also be included around the eastern and western boundaries of the site. The mitigation and design measures proposed would help to integrate the proposals into the setting, resulting in an overall moderate beneficial effect to the wider GI framework. The proposals would nevertheless represent a permanent adverse change to the baseline condition due to the loss of fields to development.

The LVIA recognises that the development would create a new recognisable feature within views, replacing current views of the existing development at Comerwick. The retention and enhancement of the existing mature field hedges and the planting of a new hedgerows and trees along the northern boundary would however create a reasonably well-defined new settlement boundary, and help to screen both the proposed development and the development at Comerwicke. The effects of the proposed development would largely be limited to a local level due to the buffering and enhancement of the existing trees and hedgerows around the edges of the site, and the relatively enclosed nature of the local landscape.

Mitigation planting would include large native trees such as Oak planted along the boundaries, and the additional tree planting suggested at pre-app stage has also been incorporated along the northern boundary, public open spaces (POS) and throughout the built development would help to integrate the development into its setting. Once the planting begins to mature, the effects of the new settlement edge would start to reduce, with glimpses of rooflines only ultimately being visible within the current rural aspect (however see my comments on the efficacy of the mitigation below). The landmark building at the entrance to the site would register in near approaches along Castle Lane, but this is seen as a positive feature in defining a gateway to the settlement.

The LVIA goes on to indicate that at a local level, the proposed development would be experienced cumulatively in association with the adjacent Comerwicke development only, but that in the wider context of the LCA it would be experienced in combination with other recent development within the village. It states however that:

- The proposal represents an opportunity to create a new, more strongly defined settlement edge (to the north).
- It would represent an appropriately scaled northern extension to Okeford Fitzpaine.
- The characteristic nucleated settlement pattern would be retained.
- There would be no notable undue changes in landscape character or the setting of the DNL beyond the replacement of an arable field.

At 78 new dwellings however, I consider that the proposed development would represent a significant increase in the size of the settlement, especially given that the current approvals (148 dwellings) would mean that the population of the village is already set to double (refer to page 4 'A Vision for the Future' Okeford Fitzpaine PC). It therefore seems apparent to me that, in combination with the recently approved/completed housing schemes, the proposed development would impact the character of the village and its wider setting to a greater degree than reported in the LVIA, and that this may need to be considered in the planning balance.

Visual effects

The following visual effects are reported in the LVIA.

Visual receptor	Sensitivity	Magnitude of change
Castle Avenue	Low	Minor adverse
Castle Lane northern approach	Moderate	Moderate adverse
Castle Lane southern approach	Moderate	Minor adverse (negligible in summer)
Recreation ground	Moderate	Moderate adverse reducing to minor adverse as the mitigation planting establishes
PRoW N48/1	Moderate	Moderate adverse reducing to negligible in summer
PRoW N48/5	Moderate	Minor adverse (negligible in summer)
PRoW N48/55	Moderate	Minor adverse (negligible in summer)
PRoW N48/69 at egress onto lane	Moderate	Minor adverse
Dorset National Landscape PRoW N48/50, E27/8 and N48/56,	High - very high	Minor adverse reducing to negligible as planting matures
PRoW N48/46 and N48/44	Moderate	Moderate adverse (less in summer)
PRoW N48/41 Banbury Hill	Moderate	Minor adverse (negligible in summer)
Castle Cottage, Grade II Listed Building	High	Major adverse reducing to moderate adverse as planting matures
Housing at Ridouts (views are available from windows on upper floor only)	Moderate	Moderate adverse
Housing at Comerwicke	Moderate - high	Major adverse with potential to reduce to moderate adverse as planting matures

Housing at Castle Avenue (views are available from windows on upper floor only)	Moderate	Minor adverse
Housing at Banbury Hill	High	Minor adverse reducing to negligible in summer

The LVIA identifies that the existing development at Comerwicke is visible in approaches from the north and northwest, and that the proposed development would form a new feature in these views, but that it would not be considered to detract from or notably alter current expectations or experiences. It also says that the proposals would appear as a minor extension to Comerwicke in views from receptors at Banbury Hill, and would not necessarily be prominent within the context of the wider panorama. Opportunities for cumulative experiences of the proposals with the developments at both Shillingstone Lane and Comerwicke would be restricted to 'very limited seasonal views from PRow's N48/5 & N48/55'. Current views here are characterised by a semi-rural outlook and influenced by the residential settlement edges which are discordant in places, reducing the quality and rurality of experiences along these routes. The LVIA again considers that the proposed development would result in a minor extension of housing within these views and not result in a change of character to this semi-rural outlook. It then goes on to say that cumulative experiences along with existing development at Comerwicke, Shillingstone Lane, Higher Street and Pleydells Farm would be limited to elevated locations within the DNL, and considers that at circa 1.8km the proposed development would form a minor extension to the village in views and would be assimilated into the settlement pattern alongside existing development (see AVR 14 Figures 3 and 4 below). It also considers that the proposed development would not result in any undue effects on the wider landscape or visual character when viewed in the wider panoramic context.

As above however, whilst I accept that the local views are semi-rural in character, I question whether 78 dwellings would represent a minor extension to the settlement, especially when considered in longer views from the DNL. I think it is clear from AVR 14 that the proposed development would cause the settlement to expand further along the horizontal plane in the middle distance. It would be seen in the context of existing development in the foreground but the backdrop of open fields beyond the horizontal plane would essentially remain undeveloped. Whilst the proposed development might appear to sit relatively comfortably within the context of the settlement and its immediate landscape setting when considered on its own, in combination with the Comerwicke and Shillingstone Lane developments it would be seen to significantly extend the settlement edge eastward away from the original core of the settlement. For this reason, I think it is important to further consider the cumulative impact of the development on the setting of the DNL.

The LVIA also indicates that potential major adverse effects would be experienced at Grade II listed Castle Cottage (see Figures 5 and 6 below), and the newly completed housing at Comerwicke (see Figures 9 and 10 below) due to their proximity to the site and the currently open aspect. Mitigation measures including tree planting, orientation of dwellings and landscape buffers are proposed to respond to this and create a positive transition/relationship with these receptors. The LVIA concludes that these effects would have the potential to reduce to moderate as the planting matures.

Whilst I defer to the comments of the Conservation Officer in regard to impact on the setting of Castle Cottage, I have some concerns about the efficacy of the mitigation measures and the residual effects of the proposed development, which I discuss further below.

Mitigation measures

To comply with the requirements of Policy 4 of the LP, the development should be compatible with or improve its surroundings in relationship to nearby properties and seek to minimise environmental and visual impacts and general disturbance to amenity. The efficacy of the proposed mitigation measures is therefore key to compliance with Policy.

The landscape strategy included in the LVIA proposes the following mitigation planting which would form an integral part of the proposed development:

- 115 new native/native cultivar trees (within public realm).
- 285m new species rich native hedgerows.
- Enhancement and gapping up of existing native hedgerow around the site perimeter. To include translocation of circa 18m native hedgerow. Hedgerow kept within public realm to ensure management, permanence and continued contribution to screening within local landscape.
- 877m² of new native shrub mix
- 12 proposed orchard trees.
- 2071m² meadow grassland.
- 1585m² of hedgerow grassland mixture around boundaries.
- 668m² pollinator/planting beds (within public realm).
- 245m² meadow grass mix to the SuDS basin.

The LVIA also indicates that an informal edge would be created around the perimeter of the site to buffer the effects of the proposed development, and help mitigate views from the north, south, east and west. It proposes the following measures to mitigate views from the north:

- Enhance the existing native hedgerow field boundary along the northern edge and retain within a minimum 5m wide landscape buffer.
- Provide additional tree planting to break up and filter views towards the settlement edge.
- Limit dwellings to 2 storeys and form outward facing blocks with gaps between to reduce massing and create visual breaks.
- Materials and architecture in keeping with local character.
- Locate key buildings and public open space at the entrance to the development to provide an attractive threshold to the village along Castle Lane.

The following measures are proposed to mitigate views from the east:

- Development limited to 2 storeys.
- Minimum 15m - 45m wide POS along the eastern boundary acting as a semi-rural transition/buffer/setting for Grade II listed Castle Cottage.
- Reinforce informal character with self-binding gravel paths and natural features/minimal fencing in LAP.
- Native hedgerow planting along the western edge of POS to screen parking and road
- Informal tree planting/landscaping to filter views of built form.
- Residential boundary treatments include single species hedgerows to front gardens and 1.8m high walls to screen rear gardens.
- Orchard planting within POS to create attractive and characteristic setting to listed asset.
- East-west (green) link to provide a visual break.

The measures proposed to mitigate views from the south are:

- Informal landscape buffer with landscaping/planting along boundary with Comerwicke for additional visual screening/room for existing tree planting to mature.
- Dwellings along boundary set back and orientation varied respond to transition in built form and 'interaction' (overlooking?)
- Building heights, scale and materials reflect vernacular in close and distant views.
- Mix of boundary treatments/heights to screen rear gardens and parking whilst also allowing natural surveillance.
- Tree-lined streets/POS provide visual breaks.

The measures proposed to mitigate views from the west include:

- Enhanced boundary vegetation retained within a minimum 10m wide landscape/habitat corridor.
- Existing mature Oak retained and tree and shrub planting in informal POS to filter views and provide scale and setting to built-form.
- High quality frontage onto POS with parking concealed to the rear.
- Proposed hedgerows and appropriate boundary treatments to roads and rear gardens along the western edge to screen domestic curtilage.
- Building heights, scale and materials reflect vernacular of settlement in close and distant views.

The detailed Landscape Proposals show that mitigation planting around the periphery of the site would generally consist of native species, along with some cultivars. The internal planting would include more ornamental planting with species to attract birds and insects. The planting that has been selected would generally be appropriate to the character of the setting and incorporates biodiversity mitigation planting as requested at pre-app stage.

Most of the additional tree planting suggested in my advice of 25 Feb has also been included, and the high proportion of GI proposed would help to integrate the development into the local setting. The management outlined in the Landscape Implementation and Management Plan would also adequately safeguard any mitigatory function of the existing vegetation/proposed planting.

It is also good to see that, where possible, viable sections of the existing hedge in the region of the new access would be translocated (as pre-application advice) meaning that it would have a more immediate effect than wholesale removal and replanting. As identified by the Natural Environment Team, the Landscape and Ecological Management Plan and Landscape Implementation and Management Plan may however need to be reviewed to ensure that a consistent approach is taken to the management of the existing vegetation and proposed planting.

Whilst I consider that the proposed development would also adequately comply with the requirements of NPPF para 136 in relation to tree lined streets, I have some concerns about the efficacy of the proposed mitigation measures in regard to the major adverse effects of the development in views from Comerwicke.

The existing and proposed planting along the southern boundary would help to soften the interface between the proposed development and the existing development, however, Figure 10 (AVR 21) above illustrates that elements of the scheme would remain visually intrusive, even at 10 years. The location and orientation of the electricity substation would also not be sympathetic to the setting, and it would encroach onto the open space meaning that the informal mown path next to it would be constricted. This means that the proposed vegetation would need to be cut back hard to keep the route clear, and access for 'ride-on'/gang mowers may be restricted.

The substation would also be an intrusive element in combination with the unsightly 'Key Clamp' fencing and headwalls of the SuDS basins which serve Comerwicke. (NB 'Key Clamp' fencing and concrete headwall construction would not be appropriate for the SuDS basin in the proposed development). In addition to this, the proposed close boarded fencing shown elsewhere along the south facing edge of the development would be visually intrusive.

The substation should therefore be moved to a less intrusive position if possible. Suitable alternative locations might include the space to the rear of the flats at the entrance to the site, or at the head of the parking area to the rear of plots 59-66. I also suggest that brick walls are provided instead of close boarded fencing along the southern edge and climbers planted in addition to the native shrubs at the foot of these walls (including those to the rear of plot 39) so that they in effect become 'green walls'. This would help to further soften the impact of the development whilst also enhancing the footpath corridor, making it a more pleasant route to walk.

I confirm that over time the proposed tree, shrub and hedge in the POS would provide adequate screening of the development in views from Castle Cottage. I am not however convinced that the 10-12cm girth trees proposed reach the height shown in Figure 6 AVR 05 at 10 years. The section of hedge planting next to the LAP should also be omitted to allow for passive surveillance from the west.

The impact of the development in views from the DNL also needs to be adequately mitigated. Figure 4 (AVR 14) shows that the terracotta/red roof tiles used in recent development at Comerwicke and Shillingstone Lane catch the light and stand out in these views. Any red roof tiles that are specified for the proposed development should therefore be of a more subdued tone/weathered appearance so as to reduce the visual impact of roofs and help integrate the development into the setting.

Layout

The current layout places dwellings in close proximity to TPO'd Oak (T8), resulting in a visually constrained arrangement which would undermine the tree's presence as a natural landmark, and risks encroachment into its Root Protection Area (RPA). I therefore agree with the Tree Officer that the design of the POS here needs to be reviewed to ensure that the TPO'd Oak (T8) is adequately protected, and that the open space would reflect its potential status as a veteran tree.

This could potentially be resolved by reducing the size of the gardens to the rear of the dwellings to the east tree and pulling the building line back, which would be adequately compensated for by having an enhanced outlook onto the POS. Replacing the detached dwellings on plots 57 and 58 with a pair of semi-detached dwellings, and turning these reflect the orientation of the buildings on the other side of POS where it extends into the development could also help to free up some space. Relocating the visitor parking to a less intrusive location would also be desirable, as parked cars would impact the quality of the public realm here.

The dwellings in the southwest corner should also be grouped into a more informal cluster as the current layout is not sympathetic to the rural setting. The amount of hard surfacing also needs to be significantly reduced here as it would impact on the visual amenity of the space and create an inappropriate urban character. In addition to this, all of the parking in the region of the 'green spine'/pedestrian priority area running through the development should be tucked away down the side of the dwellings where possible to reduce its visual impact and allow further green space to be introduced into the streetscene.

Less block paving should also be used in the central pedestrian priority area as there is a lot of hard surfacing here which detracts from the idea of a green spine. I suggest that a variety of surface finishes and materials are required here to add visual interest and break up the reduce the overwhelming visual effect of so much small unit sized paving. The corners of the green spaces may also need to be protected with a simple metal rail as suggest at pre-application

stage as these would be susceptible to over-running by cars turning into driveways. The railings would also add visual interest without impacting the 'flow' of the space.

Hard and soft landscape proposals

The Hard and Soft Landscape Proposals generally respond positively to the pre-application advice that was provided and are appropriate to the character of the setting, but should be amended to reflect the above changes.

Conclusion

Subject to the above changes, and the comments of the DNL team and Conservation Officer, I confirm that the overall proposals would be acceptable in landscape and visual terms, and that proposed mitigation measures would adequately mitigate adverse landscape and visual effects of the proposals in the local area, thereby complying with the requirements of the Policies included below.

Cumulative impact of the character of Okeford Fitzpaine and its setting may however need to be considered in the planning balance as, in combination with other recently consented/completed housing development within the village the proposed development would significantly increase the extent of built development within the village.

Conditions requiring further details of materials (including paving and boundary treatments), and the implementation of the proposed hard and soft landscaping and the Landscape and Implementation Plan should also be included with any permission.

Further comments through re-consultation

No objection, subject to conditions.

- Amendments/additional information are generally acceptable and any outstanding issues can be dealt with by condition.
- Concerns in relation to child safety as the LAP will be partly hidden from view though this may not be considered to be a determinative issue.

CASE OFFICER NOTE: Landscaping plans indicate that a hedgerow adjacent to the LAP would be maintained at a height of 1.2m to soften its visual impact whilst ensuring it would not be completely screened from view. This can be controlled by condition. The case officer is satisfied that there would be sufficient natural surveillance of the play space.

DC - Conservation Officers

The proposed scheme has been reassessed, in relation to perceived impacts on encompassing heritage assets, considered of special architectural/ historical significance, and their associated settings, the outcome of which is addressed further below. Site description, context and significance associated with affected assets has been suitably addressed in the application's supporting *Heritage Statement* and are not, therefore, further itemised here. Our pre-application comments offered for planning application P/PAP/2023/00142 (dated 04/08/2023) and P/PAP/2024/00674 (dated 03/03/2025), please find attached, remain entirely relevant to P/FUL/2025/03574 in their assessment of designations, associated settings, and subsequent conclusion of harm.

Based on the application's supporting indicative plans and conformance with conservation recommendations, offered during two rounds of formal pre-application advice, on heritage grounds, we consider that the overall scheme represents a conclusion of Less than substantial harm (low end). However, predicated on the heritage-led, mitigative measures explored, which have been effectively incorporated into the scheme to reduce concerns regarding impact to Castle Cottage, we are broadly supportive of the application.

Of particular note, the proposed green buffer is welcome in its effective provision of natural separation between Castle Cottage and the application site extent.

DC - Education Officer

No response received at time of determination.

DC - Natural Environment Team

Initial comments

Bats/lighting/dark corridors:

The Ecological Impact Assessment (EclA) identifies that this site supports an assemblage of bats that is of at least regional importance, with surveys of the site in 2024 recording 13 species including nationally rare Greater Horseshoe and Barbastelle and numerous other priority species, some of which are known to be sensitive to lighting. This site also lies on the edge of the Branston SSSI consultation zone which identifies foraging areas utilised by the population of Greater Horseshoes associated with the SSSI. Radiotracking of these bats has identified foraging areas just to the south of Child Okeford indicating that bats from the SSSI could also be foraging at this site. Therefore, bats are a key ecological feature at this site, requiring careful consideration and robust mitigation. In particular, the western and northern boundaries of the site were identified as being important for the bats.

The EclA describes provision of dark corridors in accordance with the Dorset Biodiversity Appraisal Protocol guidance as a means to mitigate impacts on Barbastelle, Greater Horseshoe and other light averse species. This should comprise a minimum 6m wide grassland buffer (measured from the edge of the hedge), with a long sward, within a 10m dark corridor, where light spill does not exceed 0.5lux, or baseline light levels. However, there are numerous locations where the 6m grassland buffer and/or the 10m dark corridor are not actually achieved in practice:

- When measured from the edge of the existing hedgerow along the northern boundary much of the 6m grassland buffer, and residual dark corridor outside of the buffer, actually falls within the road.
- The dark corridor along the western boundaries lies partially within the rear gardens of plots 50-58. In the southwest corner, much of dark corridor and part of the grassland buffer falls within the rear gardens of plots 50 and 51. The EclA, in para 6.3.3, describes that this can be overcome by a suitably worded covenant to ensure the dark corridors are maintained, however it is not sufficiently clear at this stage how this could be achieved, and whether or not is a feasible way of controlling the lighting.

This leaves only ~150m in the northwest corner of the site, out of the ~420m of the northern and western boundaries, where the dark corridor/buffer will function properly. The absence of functionality outside of this location will result in a significant loss of connectivity and ecological function which will result in harm to the assemblage of bats currently using the site.

Street lighting, if required, would further compromise the function of the dark corridor, particularly along the northern boundary where the highway is at the edge of the site.

Biodiversity Net Gain:

The Biodiversity Metric describes that a minimum 10% gain will be achieved onsite for each of habitat, hedgerow and watercourse units.

A number of on-site enhancements are significant, against the government definition for this, and therefore their maintenance must be secured with a legal agreement or planning condition for 30 years. In my view, significant on-site enhancements include the following habitats:

- Created:

- o Other neutral grassland - medium distinctiveness
- o Traditional orchards - medium distinctiveness
- o Mixed scrub - medium distinctiveness
- o Urban tree - medium distinctiveness
- o Modified grassland - low distinctiveness but, create a large number of biodiversity units relative

to the biodiversity value of the site before development (3.56 habitat units out of 9.53 total)

- o Native hedgerow with trees - medium distinctiveness • Enhanced:
- o Native hedgerow with trees - associated with bank or ditch - enhancement in condition from moderate to good
- o Native hedgerow with trees - enhancement in condition from moderate to good
- o Ditches - enhancement in condition from poor to moderate

A Habitat Management and Monitoring Plan (HMMP) for the above habitats will be required to support any application to submit the general biodiversity gain condition.

To date the application is supported by a Landscape and Ecological Management Plan (LEMP) and BNG Habitat Management & Monitoring Plan. There is a significant amount of overlap between these two documents with regards to habitat management and monitoring and therefore I would please ask for clarification of the intended purposes of these two documents. Generally speaking, I would expect the LEMP to describe management and monitoring of non-significant habitats only (plus installation of enhancements and ongoing mitigation for protected species) with the HMMP detailing management and monitoring of significant enhancements, as detailed above.

In addition, I would also recommend separating construction phase mitigation, e.g. the Precautionary Working Method Statement (PWMS) for Dormice, into a Construction Ecological Management Plan (CEMP), rather than having this contained within the LEMP.

Further comments through re-consultation

- Amendments to the road layout and locations of units 50 and 51 are not as significant as anticipated but would improve the provision of grassland buffers and dark corridors around the site to support continued use by commuting bats.
- The absence of street lighting would satisfy that the principle of maintaining acceptable light levels within the dark corridors is achievable in theory. A condition regarding a lighting strategy should be imposed.

CASE OFFICER NOTE: The applicant has confirmed that if any lighting was to installed it would be low level lighting akin to those found in Comerwicke only and not lamp post street lighting.

- The availability of foraging habitat for bats would be, at least, maintained.
- Impacts on other ecological receptors have been adequately addressed.
- Recommend condition to secure LEMP and CEMP.
- A final version of the HMMP will be required post-permission in order to discharge the deemed Biodiversity Gain condition.

No objection subject to contributions (stiles and surfacing)

DC - Highways

Vehicular access to the site will be achieved via the construction of a new priority T-junction with Castle Lane, approximately 225m north of Comerwicke Road. This will incorporate a short section of footway to the southern side of the proposed junction with a crossing point so pedestrians will then be able to cross to the recreation centre. It is also noted that pedestrian connectivity will be provided internally to link up with Comerwicke which will help pedestrians gain access to the village.

2.4 x 43m visibility splays will be provided which comply with guidance provided by Manual for Streets (MfS) for a road subject to a 30mph speed limit.

Swept path analysis has been provided which confirms that this vehicular site access can be freely traversed by large service vehicles.

The application is supported by the submission of a Transport Assessment (TA) that considers the likely impact of all development traffic upon the highway network. Automatic Traffic Counts (ATCs) were established using survey data collected by an independent survey company in October 2024, which also allowed for trip distribution patterns to be identified.

Predicted AM and PM peak traffic flows for the development traffic have been established using TRICS (Trip Rate Information Computer System). The proposed development could generate up to 40 vehicular movements in the AM peak and 37 vehicular movements in the PM peak, with a daily predicted traffic flow of around 367 vehicles.

The conclusion reached by the TA, which is accepted by the Highway Authority, is that the proposed development will not result in material or unacceptable impact upon the highway network.

The resultant scheme meets with adoptive requirements, providing a layout which serves to keep vehicle speeds to 20mph or lower, is considered to be safe and suitable for all road users and which can be fully serviced by refuse vehicles.

To sum up, the Highway Authority considers that the submitted Transport Assessment is satisfactory and robust and that the residual cumulative impact of the development cannot be thought to be "severe" when consideration is given to paragraphs 114 and 115 of the National Planning Policy Framework (NPPF) - December 2023.

No objection subject to conditions re. visibility splays and estate road construction.

DC - Dorset Waste Team

All roads to be accessible for a standard 26t collection vehicle, with minimal reversing as per Dorset Councils guidance to development.

DC – Trees

Initial comments

- The site has native hedgerows with emergent trees and these trees are already protected by an earlier Tree Preservation Order (TPO) reference 42/2/66 and the fine Oak tree located within land at Castle Cottage is also subject to TPO reference TPO reference 557-2016.
- Oak tree (T8) is an exceptional specimen. It is mature but it is also a maiden tree which means it has not been subject to tree surgery interventions and has been allowed to grow as nature intended. It has a low canopy which means its leaves extend low towards

the ground with some only 1m or so above ground level. Considered either a veteran tree, or a notable tree.

- Initial concerns regarding the Root Protection Area (RPA) of T8 - do not support any incursion into the RPA or unnecessary tree surgery operations such as crown lifting or crown reduction to make the tree “fit” within the development.
- Initial concerns that siting of some dwellings nearest the Oak would put pressure on it for tree surgery operations. Suggest re-design in this area. Mitigation for this tree is not achievable through new planting. Buffer zone should be created.
- Arboricultural Method Statement should be submitted up front.
- Whilst new planting is of course commendable the long-term retention of street trees relies on adequate aftercare, and this is often lacking once the development is complete. Consult Landscape Officer on this.

Further comments through re-consultation

Conditional:

- Acknowledge the Arboriculturist’s opinion that the tree is not currently considered veteran but, if properly managed, has the potential to achieve veteran and even ancient status in the future.
- Agree that this tree is of A quality (top grade) and must be afforded the highest level of protection during the development phase and beyond. On this basis, we consider the tree to be at least notable and fully deserving of its TPO status.
- Support the proposed special engineering measures and supervised excavations within the tree’s root protection area. Arboricultural supervision is essential, and tree-related conditions will not be discharged without submission of a supervision report accompanied by photographic evidence from the Arboricultural Consultant throughout the development period.
- Tree T8 should not present shading issues for nearby properties, being located north of Unit 58 and west of Units 62 and 63. It is imperative that the presence of TPOs on site is clearly communicated to prospective purchasers. The local authority will not permit unnecessary or scientifically unfounded tree works, particularly in relation to T8. This is particularly important, as it is common for new occupants to later express concerns about trees and seek unwarranted interventions.
- No objection to the removal of part of Group 13.
- Defer to the Landscape Architects regarding strategic landscaping and new planting proposals.

DC - Policy - Urban Design

Unable to support:

The importance of ensuring that proposals reflect and reinforce the character and identity of the surrounding area, in terms of both landscape and built form, is fundamental in creating a development which is embedded within its local context. NPPF para 135 c states: *‘decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.’*

In terms of built form, referencing local character is not just about architectural features or materials but includes the composition of streets (set-backs, spaces between buildings, parking design), the height, scale and massing of buildings, boundary treatments and detailed design features (National Design Guide para 53). However, it is also accepted that there needs to be some flexibility so that layouts and street patterns can also prioritise pedestrians and cyclists, minimise the impact of parked cars and make more efficient use of land, while also ensuring that there is room for open spaces, sustainable drainage features, trees and other landscaping.

Successive developments within Okeford Fitzpaine have had a cumulative impact on the character and rurality of the village, the use of harsh red roof tiles are particularly visible in views from the wider landscape, and the regularity of layout and parking design is more akin to suburban housing estates than village settings. Development on this site would present an opportunity to soften the village edge with a much looser pattern of development and additional planting on the site's northern boundary together with a palette of materials and hard and soft landscaping that would help settle development into its rural setting.

While the scheme has progressed from pre-application submissions, the uniformity of layout, highways and parking design and the choice of materials has a more suburban character which detracts from the historical scale and pattern of development within Okeford Fitzpaine and will have a detrimental impact on the sensitive rural edge of the village. While the Design and Access Statement demonstrates how brick detailing, chimney and porch style from the village has been considered, it is less obvious how street composition, scale, roof pitches and heights, door positioning, window proportions, boundary treatment and parking design have been considered.

The northern and eastern edges of the site should have a much looser, less regular pattern of development, providing a more suitable setting to the listed cottage and the edge of the village and this could contrast with a tighter built form that follows the line of the street in the less sensitive, south-western section of the site.

Movement and Connections:

Current proposals show a footpath link through to the Comerwicke site. From here it is possible to follow a footpath, albeit somewhat circuitous, into the centre of the village. There is the possibility of an additional link to the north which would be beneficial. These links should be ungated and at least 1.5m wide to enable wheelchairs, cyclists and buggies to easily pass through.

The CR4 bus service runs along Castle Lane – due to the lack of footpath connections to the nearest bus stop it is highly recommended that a conversation is had with Buses of Somerset and an additional stop/ request stop is added either at the entry to Comerwicke or at the site entrance.

The design of road junctions into new developments can have a significant and detrimental impact, especially in sensitive and more rural locations. It is important to ensure that the entrance into the site has been designed to meet minimum standards as specified in Manual for Streets to ensure that the rural character of the lane is preserved as much as possible.

Within the scheme, the Design and Access Statement notes that there is a 'vehicular priority road' shown below in red. The scheme is purely residential in its function – all routes should be pedestrian priority, with vehicle dominance clearly designed out.

Plans show an informal footpath along the western and southern edge of the scheme – while the intention of providing a circular walk is noted, it poses a risk to the security of the houses whose rear boundaries back onto this. There is a complete lack of overlooking here and a risk that the area will be used for fly tipping and anti-social behaviour.

Parking:

Parking is primarily located to the sides of properties. Where dwellings front open spaces to the east and west, parking is to the rear; car barns are also provided to some houses. The repetitive pattern of parking has a more suburban feel and is not in keeping with the character and design of parking within Okeford Fitzpaine where there is a greater variety of approaches to parking design.

Where spaces have been provided in plot, these are as tandem parking spaces. However, these are rarely used as intended and instead encourage indiscriminate roadside parking that often obstructs the pavement. The inclusion of verges and street trees as well as designing parking bays into the street design will help informally manage this.

Where in plot spaces have been provided, they breach the building line which increases the visual prominence of cars on the street and increases the risk of cars overhanging the pavement, which negatively impacts pedestrian accessibility.

Visitor parking around the open space limits its accessibility for pedestrians – a clear and direct link from nearby footpaths should be designed into the space together with additional planting to reduce the dominance of parked cars.

Indication should also be given as to which spaces are to be provided with EV charge points.

Street and Spaces:

There is a clear perimeter block design of streets, with dwellings fronting onto streets and spaces. However, the regularity of parking design, setbacks and use of hard landscaping reflects a more suburban character.

The Design and Access Statement references vehicle priority streets, however within a purely residential scheme all streets should be designed for pedestrian priority where there are safe and legible walking routes that are well landscaped, and parked cars do not dominate. A clear street hierarchy with pedestrian priority can be achieved by varying parking design, house setbacks and landscaping; overall this should reflect the rural character of the site.

Consideration should be given as to how views along streets terminate – they should end with focal buildings, open space or viewpoints. Currently, the view from the site entrance terminates with the parking provision for unit 65; the layout here should be amended so there is a key building here instead. Along the second 'primary' street there is the potential for a view towards the open space and oak tree however, the location of parked cars here diminishes the prominence of the tree and the legibility of the route towards the space. This is exacerbated by the lack of a clear pedestrian route with the abrupt termination of the footpath at plot 16.

While the location of the play space is prominent and well overlooked, it would be better placed within the recreation ground opposite where it can serve the wider community and contribute to a multi-generational, recreational space. The addition of a lockable gate also seems unnecessary as it raises additional management responsibilities, and its limited height negates its usefulness.

Homes:

Affordable housing has been evenly distributed and well-integrated into the scheme. There are a range of house types proposed, and these have been distributed throughout the site. It would more positively contribute to the formation of character areas if there was a more considered approach to their location. For example, smaller cottage style housing that can sit more densely along the street to the south and west of the site with larger, detached housing sitting in more spacious plots along the northern and eastern edge; a reduction in the number of dwellings along the northern boundary would also help preserve the sensitive edge of the site.

Overall, dwellings are small – the largest house type is a 4 bed, 7 person detached unit at 124sqm, 9 sqm above the minimum standard. While this approach may result in a greater unit

total overall, it is out of keeping with the character of the village where there is a much wider mix of house sizes.

House types tend to feature architectural detailing reflective of the village vernacular. However, overall scale, heights, roof pitches, position in plots/ setbacks and window proportions do not reflect the character of the village. The height and pitch of roofs are often higher which increases the overall scale of development; a comparison of heights would be a useful exercise to undertake to ascertain the difference. For example, on house type 2, the space between the eaves dormer and the ridge line appears significantly more than it is on the more historic cottages in the village where the precedent is taken from.

Setbacks are uniform across the site and do not reflect the character of the village where some houses sit tight to the edge of the pavement, some have small front gardens and others have larger set-backs.

Windows often lack the vertical emphasis of more historic homes within the village and tend to have straight brick headers whereas the use of curved headers is more common. Arched doorways and porches are also common features that would add character to the scheme.

The apartment block provides a strong visual entrance to the scheme. However, its scale is significant, and the use of red brick and red roofing tiles exacerbates its bulk. A softer finish, such as render on the main part of the building would help reduce its dominance, while still giving it presence, with brick then used on the more subservient parts of the building. It is beneficial that all apartments have their own front doors; the inclusion of porches would elevate the appearance of the front of the building.

Mixed red brick and red roof tiles can dominate a materials palette. Newer developments in the village show that they can appear harsh and unsympathetic to the softer, more mellow bricks that are more in keeping with the rural character of the area. The use of brick and flint banding and render is prominent in the village, as is the use of stone as opposed to buff bricks which is not an appropriate substitute. Further consideration should be given to the materials palette to ensure the scheme settles into its sensitive rural setting. Materials should be conditioned as part of any permission granted however, samples should be provided and agreed on site to ensure they are appropriate within their surroundings.

Rear and side boundaries that are visible from publicly accessible spaces should be brick or stone walls. Along the boundaries of unit 64,65, 50-58, to the side of apartments near to the parking for plot 38 and the fronts of plots 60-64, close boarded fencing is visible. There are no hard front boundaries; an analysis of the village shows that landscaped front gardens with railing and walls are a feature and this should be reflected in the detailed design of the scheme. Hard landscaping should reflect the rural character of the site – the repetitive use of blockwork driveways is more in keeping with a sub urban character. The inclusion of bonded gravel along paths and in some driveways would be more appropriate.

Unit 2 would benefit from a bay window on its side elevation to provide passive surveillance of the street and to give more prominence to the junction, especially as it marks the connection through to the Comerwicke scheme.

Rear access points are shown for mid terrace units 12 and 28. However the path along the side of parking spaces for units no 11 and 27 are narrow and this may create issues moving larger items such as bins, bikes etc. How will residents of unit no 53 move bins etc from the rear garden to the bin collection point?

Conclusions and policy consideration:

Development on the site provides an opportunity to create a sensitively designed scheme that provides a softer edge to Okeford Fitzpaine. However, amendments to the layout and design of streets and buildings should clearly demonstrate how the whole scheme is more sympathetic to

local character in accordance with NPPF para 135, The National Design Guide and Policy 24 of the North Dorset Local Plan.

Further comments through re-consultation

Unable to support:

Identity/Character:

Revised plans have not been amended to address concerns raised in previous comments.

The regularity of layout and parking design is not in keeping with the rural context of the village and its sensitive edge of countryside location. Specifically housing on the northern edge of the site presents the opportunity for a much looser and more organic pattern of development, additional planting and a softer palette of materials that would help settle development into its rural setting.

Movement and Connections:

Previous comments suggested taking the opportunity for an additional pedestrian connection to the north of the site with the adjacent housing at Comerwicke.

Plans are unclear as to whether a satisfactory pedestrian connection into Comerwicke is to be provided.

There is no indication that progress has been made on providing a bus stop at the site entrance or at Comerwicke. The submitted transport assessment states that the nearest bus stop is 600m away but also that CIHT guidance Planning for Walking 2015 stipulates that walking distances to bus stops should not exceed 400m. Given that there is no

footpath link to the nearest bus stop, consultation should be had with Buses of Somerset to secure an additional stop/ request stop here to promote and encourage active and sustainable travel.

Parking:

The layout has not been amended to respond to concerns raised about the design of parking and its repetitive pattern which is out of keeping with the more varied approach found in the village.

Recent appraisals of new housing developments show that tandem parking is poorly used with residents not utilising both spaces resulting in cars being parked in the highway, often indiscriminately and blocking footways. Where in plot spaces breach the building line the visual prominence of cars is increased as is the risk of cars overhanging the pavement, which negatively impacts pedestrian accessibility.

The addition of spaces that have been designed into the highway, as well as the use of hedges, tree planting and verges can help mitigate this.

NPPF para 109: *'Transport issues should be considered from the earliest stages of planmaking and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve: ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places..'*

And

Para 115: c) *'the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code.'*

National Design Guide para 86: *'Well-designed parking is attractive, welllandscaped and sensitively integrated into the built form so that it does not dominate the development or the street scene.'*

Indication should also be given as to which spaces are to be provided with EV charge points.

Streets and Spaces:

Previous comments still apply.

Revised hard landscaping plans show block paved parking spaces for units 16 and 17, layout plans show these spaces as car barns – clarification on this is required. The omission of car barns would not be supported as the area is already dominated by parking around the area of public open space and removing the car barns would exacerbate this.

Homes:

Previous comments still apply.

Conclusions and policy consideration:

Development on the site provides an opportunity to create a sensitively designed scheme that provides a softer edge to Okeford Fitzpaine. Wider engagement with Urban Design at the pre – app stage and Design West, the Council's Design Review partners would have offered the opportunity to collaboratively improve the design of the scheme. From an urban design perspective, it is considered that proposals are contrary to the NPPF and The National Design Guide as well as Policy 24 of the North Dorset Local Plan.

DC - Housing Enabling Team

There are over 6600 households on the Dorset Council housing register. There are currently 16 households on the Housing Register that have declared a connection to Okeford Fitzpaine. A further 45 households have listed Okeford Fitzpaine as a preferred area.

The application is for 78 dwellings, form vehicular access and pedestrian access, landscaping, open space and drain attenuation. The site proposes 66 houses and 12 flats. This equates to 21 x two-bedroom houses, 39 x three-bedroom houses and 6 four-bedroom houses. The flats consist of 4 x one-bedroom flats and 8x two bedroom flats. The site currently proposes a 40% level of affordable housing. In the instance that the site moves forward with this level of affordable housing, there should be a minimum of 70% of the total to affordable rented dwellings and 30% of the total percentage for intermediate housing.

This would mean that 31.2 dwellings would be towards the affordable housing, with a minimum of 22 dwellings for affordable rent and 9 for intermediate housing. There would be a remaining 0.2 commuted sum required for the onsite affordable housing. Based on the current housing register figures, the biggest need in Okeford Fitzpaine is for 1 and 2 bedroom dwellings with a small number of 3 bedroom and 4 bedroom dwellings within the need. The housing enabling team would prefer 1 bedroom houses over flats to support the needs of those on the housing register who may also require garden space. The current plan provided suggests that all of the current allocation of flats (4x one bedroom and 8x two bedrooms) plus 14X2 Bedroom 3-person houses and 4x 3 bedroom 4-person houses form the affordable housing. There could be consideration for at least 1x 4-bedroom house in the affordable contingent due to there being the need on the housing register for one larger dwelling in the area. Currently 12 of 31 affordable dwellings would be in the form of flats, this could prevent the equal distribution of the affordable housing in section 12 to create a balanced community if all for affordable rent. The rest of the distribution of affordable housing could be acceptable once tenure has been

confirmed. Again it is important to ensure equal distribution of the tenure types to ensure a balanced community across the site.

In summary there is a need for affordable housing in the Okeford Fitzpaine and the wider area and this site could help to provide affordable housing. If the site was to proceed with the current level of housing there could be consideration for the level of flats being allocated to affordable housing. It would also be desirable for a 4-bedroom within the affordable housing contingent and the consideration for 1-bedroom houses over flats to help meet the higher need for 1 bedroom houses.

DC - Economic Development and Tourism

Fully support this application. Providing valuable local jobs in the construction industry, alongside making a positive contribution to providing more homes.

DC - Flood Risk Management

Initial comments

Holding objection:

- Site falls within Flood Zone 1 (low risk of fluvial flooding).
- The EA Risk of Flooding from Surface Water (RoFfSW) mapping indicates a low risk of flooding to the site from surface water up to the 1-in-100 year rainfall event. The mapping does show a small area of surface water ponding is predicted at the east of the site during the more extreme 1-in-1000 year rainfall event. There is also a surface water flow path predicted adjacent to the west boundary following the line of the ordinary watercourse flowing south to north before joining the Darknoll Brook.
- Offsite surface water flooding is also predicted to impact parts of the nearby Castle Lane. Dorset Council holds records of actual flooding on this road and in some cases impacting on nearby property.
- Regardless of prevailing risk, any development has the potential to exacerbate or create flood risk, if runoff is not appropriately considered and managed as evidenced by a substantiated SW strategy. Ordinarily therefore, and in keeping with the requirements of the National Planning Policy Framework (NPPF), all major development proposals must take due consideration of SW water management and should offer a drainage strategy that does not create or exacerbate off site worsening and should mitigate flood risk to the site.
- The initial documents submitted with the application indicated that the applicant intends to follow the SuDS hierarchy and has stated that infiltration will be investigated following any approval of the development and before the surface water drainage scheme is finalised.
- The applicant has proposed to include SuDS features such as an open attenuation basin to attenuate surface water before discharging it at a restricted rate into the nearby watercourse.
- The applicant has also proposed to use a gravity sewer system for the management of surface water on site.
- However, a holding objection was applied as the applicant had not applied the new SuDS standards published on 19 June 2025. Advised that the applicant should resubmit their drainage strategy and provide details to explain how the scheme will address each of the new SuDS standards.

- Site topography – the applicant has highlighted the fact that *‘the site comprises steep slopes with a high point running north-south around the centreline of the site. The gradient either side of the high point falls to the north-west and the eastern boundary respectively.’* Therefore, surface water runoff currently drains to both the north-west and the south-east. The applicant has stated their intention to deliver a surface water management scheme that will manage flows from all parts of the site through a gravity system to an outfall at the existing watercourse at the north-western edge of the site. The LLFA requires that evidence is submitted to demonstrate that this will be viable without any pumping of surface water. The actual onsite watercourse levels should be recorded at the proposed outfall location and included within the updated strategy, along with all pipe and attenuation levels, in order to demonstrate the viability of the proposal.
- Open SuDS – the scheme as proposed currently features a number of geo-cellular tanks. The site is greenfield and there would appear to be plenty of space to allow for more open nature based SuDS. The applicant should review their proposals and look to prioritise the use of open SuDS features.
- Insufficient information has been provided regarding SW management from the development. As such, we are unable to ascertain, to our satisfaction, the appropriateness of any SW management. As relevant LLFA in this matter we are unable to confirm that the applicant has met DEFRA’s technical guidance or relevant local and national policies concerning drainage.
- Objection will be maintained until an adequate a SW scheme has been approved in-principle.

Further comments through re-consultation

The additional information provided gives further details regarding drainage from the applicant’s site. It is acknowledged that:

- SuDS features such as permeable paving, rain gardens and swales have been included on the latest site plan in an effort by the applicant to meet the interception requirements of the new National Standards for SuDS.
- The applicant has provided details of the inputs used within the UK SuDS tool to calculate the greenfield runoff rates for the development site. The LLFA acknowledges that the proposed discharge rate from the site has been reduced and is in line with the calculated greenfield runoff rates for the proposed development area.
- The applicant has calculated the attenuation volume for surface water for the latest version of the surface water drainage strategy using the methodology within the new SuDS standards.

Therefore, the LLFA can advise that the applicant has now provided the necessary detail to substantiate the proposed Surface Water strategy.

As such, there is no objection to the application subject to conditions and informatives.

DC - Env. Services – Protection

Given the historic use of land and proposed change of use to residential, it is considered that the applicant should be required to satisfy the planning authority that the site is adequately characterised in terms of land contamination issues. Please apply the full standard Contaminated Land Condition but advise the applicant that the submission of a suitable desk study report may be sufficient to satisfy the local authority in this matter, and the remainder of the associated conditions may no longer be necessary. In addition to the above, please ensure the Reporting of Unexpected Contamination Condition is included.

Allowing multiple air source heat pumps in proximity introduces the potential for adverse noise impacts. The cumulative noise emissions from several heat pumps could create an unacceptable acoustic environment for residents if not properly assessed and controlled.

It is recommended that the applicant be required to provide a written noise report, produced by a competent and suitably qualified acoustic consultant, ideally with experience of assessing noise from multiple ASHP installations at new multi – dwelling residential developments.

The noise report should assess the effects on the following receptors:

- Existing nearby dwellings
- Proposed new dwellings

The noise assessment should have close regard to the acoustic characteristics of the ASHPs used. Unless otherwise justified, it should assume a ‘worst case scenario’ in terms of noise emitted.

The noise assessment should have regard to appropriate standards and criteria, with justification for their selection. It should also closely reflect the principles found in Planning practice Guidance: Noise.

The noise report should state anticipated levels at receptors without mitigation, detail any mitigation measures considered necessary, and state anticipated levels at receptors with said mitigation measures in place.

Any noise report produced will be carefully and reasonably evaluated for robustness, including criteria and methodologies selected, and validity of conclusions drawn.

Air Quality

I have viewed the document “Air Quality Assessment Land West of Castle, Lane, Okeford Fitzpaine, Project Number: 1682A-10, Dated 17th July 2025, By Logika Group”. I don’t have any adverse comments in relation to Air Quality.

The construction dust mitigation measures at Appendix A5 must be included in the recommended Construction Management Plan as mentioned below.

Construction Management

Due to the close vicinity of existing residential dwellings, I recommend a condition for a Construction Management Plan (CMP) to be agreed with the local authority prior to development of the site should planning permission be granted, to manage any possible adverse effects associated with the development. This would be limited to no bonfires, protection of nearby receptors from dust arising from construction and vehicle movements and storage of waste materials prior to removal from site. The recommended CMP should include appropriate operating times of construction and other mitigation measures to reduce noise during the build.

Further comments received 28 August 2025

I have considered the comments made by the applicant in respect of the proposed ASHP’s. It will be a decision for planning as to whether the ASHP’s are permitted development. In order to be permitted development all limits and conditions must be met: Planning Permission: Air source heat pump - Heat pumps - Planning Portal

The MCS planning standard contains a calculation procedure which a certified installer will need to complete to show the installation will meet the permitted development noise limit:
<https://mcscertified.com/wp-content/uploads/2021/10/MCS-020.pdf>.

As I have commented previously allowing multiple air source heat pumps in proximity introduces the potential for adverse noise impacts. The cumulative noise emissions from several heat pumps could create an unacceptable acoustic environment for residents if not properly assessed and controlled. Where such pumps are installed within a housing development Environmental Health suggest a suitable and sufficient noise assessment is necessary. I note comments that existing neighbours are some distance from the proposed development, but there are potentially 74 new heat pumps near one another. Therefore, the noise impacts on new residents needs to be assessed.

The photograph in the email below appears to be a storage tank. If there is any external air handling unit associated with the installation the noise impact from these needs to be assessed.

CASE OFFICER NOTE: The applicant has confirmed and reiterated that any installed ASHPs would be internal within dwellings and not external, with no associated equipment required externally. Therefore, no adverse noise impacts would occur.

DC - Building Control North Team

No response received at time of determination.

DC – CIL & Section 106 Officer

In order to make development acceptable in planning terms, applications for major housing development are expected to maintain and enhance the level of grey, green & social infrastructure as set out in Policies 13, 14 and 15 of the LPP1.

Affordable Housing	40% On Site Provision Policy 8 Affordable Housing North Dorset Local Plan Part 1
NHS Infrastructure Contribution	£722 per dwelling to support infrastructure for Primary, Secondary and Community care within the NHS system in the local area, which will serve the residents of the development Consistent with the Exploring Developer Contributions for NHS Infrastructure Guidance November 2020
Education (Primary)	£2,017.31 per dwelling towards primary school improvements which support the needs of the development. Reflecting current Government advice in the Dept for Education – Securing Developer Contributions for Education Guidance August 2023
Education – SEN Provision	£1,487.62 per dwelling Reflecting current Government advice in the Dept for Education - Securing Developer Contributions for Education Guidance August 2023
Pre-School Provision Contribution	£190.50 per dwelling towards improvements which support the needs of the development. Reflecting current Government advice in the Dept for Education - Securing Developer Contributions for Education Guidance August 2023

Community, Leisure and Sports Facilities Contribution	£2,006.97 per dwelling Towards improvements to the pavilion at the recreation ground to provide a hub for community use and indoor and outdoor recreational activities.
Informal Open Space	On site provision
Informal Open Space Maintenance Contribution	£1,278.80 per dwelling if open space is transferred to the parish council.
Destination Play Facilities	£967.52 per dwelling Towards play provision and improvements at Castle Lane and Bowey Play Areas.
Destination Play Facilities Maintenance	£359.36 per dwelling Towards the maintenance of play facilities which will serve the development
LAP	On site provision Fields in Trust Guidance recommends a LAP for this scale of development.
LAP Maintenance	£359.36 per dwelling if LAP is transferred to the parish council
Formal Outdoor Sports Facilities Contribution	£1,318.80 per dwelling Towards sports facilities in Okeford Fitzpaine or local area which will serve the development
Formal Outdoor Sports Facilities Maintenance Contribution	£128.73 per dwelling
ROW Contributions	£6,850 - Surfacing of part of footpath N48/1£4,250 - Surfacing the connection of footpaths N48/69 and N48/1£3,600 - 8 x Stiles to Gates across the Parish PRow network £450 per gate
Library Contribution	£75 per dwelling Towards additional equipment and stock at Sturminster Library
Indicative S106 Monitoring Fee	Number of Obligations – 9 Total fee - £835 x 9 = £7,

DC – Libraries

No response received at time of determination.

DC - Environment Mitigation Delivery Team

Please refer to the following guidance documents when considering the practical design details of the Public Open Spaces to ensure they are both accessible and maintainable:

- Public Open Space and Greenspaces Guidance Notes for Design and Management (dorsetcouncil.gov.uk)

- Sustainable Drainage Systems Advice Note (dorsetcouncil.gov.uk)
- Natural Environment Team - Advice Note for Greenspace Management Plans for developers and land managers (dorsetcouncil.gov.uk)

Access and Maintenance Considerations:

- The site should retain an open character, but measures must be taken to prevent unauthorized vehicle access to the greenspaces.
- Certain areas, such as the green corridor to the southwest and the SuDS basin, may be difficult to service with larger machinery. This should be addressed in the design.
- Early engagement with any future managing organization is advised to ensure their equipment and resources can adequately service the site—especially the SuDS features.

Wetland Feature Design Considerations:

- Future management must be carefully planned, including access for desilting and capacity retention. These details should be included in the site's management plan.
- Surrounding areas that may be included in mowing regimes should be accessible by ride-on mowers, even in damp conditions.
- Wetland features should include clearly accessible exit points for anyone who may enter accidentally.
- Inflow/outflow pipes and inspection chambers must be accessible for maintenance, discreet in appearance, and safe for site users.
- Vehicular access routes should be systematically planned. Where ground conditions are likely to be wet or heavy vehicles are needed, reinforcement or temporary access measures should be identified in advance and included in the management plan.
- Gates or gaps with drop-down bollards should be appropriately located and wide enough to accommodate maintenance equipment.

DC - Public Transport

No response received at time of determination.

DC - BNG Natural Environment Team

No response received at time of determination.

DC - Public Health Dorset

Public Health team welcomes:

- Strong commitment to ensuring connectivity of the new development to the existing settlement
- Prioritisation of pedestrians within the new development and between the new development and the existing settlement.
- Provision of 40% affordable housing to help meet identified local need.

The Public Health team would however welcome more detail in relation to:

- Barriers to walking and cycling

Although the updated transport statement makes clear the intention to promote and increase active travel through walking and cycling, which we strongly support, please could more detail be provided as to how barriers to active travel have or will be identified and then how these might be overcome, where this is possible.

There is a known concern about the safety of pavements and lack of pedestrian crossings in the wider Okeford Fitzpaine settlement. Even if improvements are provided in the new

development, this does not guarantee that routes will be perceived as safe or be adequate throughout the course of a journey, which could impact use and reduce the likelihood of active travel.

Given that electric cycles may be a preferable option for those considering making use of the proposed voucher scheme and aid in uptake of active travel options, we would also recommend more detail is provided as to how new development will make provision for EV charging points for electric modes of transport other than cars.

- Adequate space in residential properties

Ensuring new housing provides adequate internal living space is an important component of housing quality which itself is an important determinant of health.

Having looked at the accommodation schedule, it was unclear whether all the apartments are designed over one storey, and as such, whether the space provided meets the Nationally Described Space Standards (NDSS) outlined by the Department of Communities and Local Government (2015). If any apartments are planned to cover two stories or more, all of the apartments fail to meet the minimum NDSS standard by between 2 and 8 square metres. PHD recommends a requirement to meet or exceed the standards outlined in the NDSS to ensure adequate living and storage space for all residents.

It was also unclear whether any outdoor space is to be provided for the apartments. Private outdoor spaces such as gardens, patios, and yards within residential properties play a vital role in supporting public health by promoting physical activity, enhancing mental well-being, and improving thermal comfort, and providing space for activities such as drying clothing and growing food (Oakley et al, 2021; de Bell et al, 2020).

Ensuring all properties have adequate space to dry clothing, whether indoor or outdoor, should be a requirement, the lack of which can contribute toward poor respiratory health and adversely impact those with long term respiratory health conditions.

- Consideration to the lifetime needs of residents

It wasn't clear whether all homes will be accessible to M42 standards, and whether there will be enough room for storage and manoeuvring of equipment such as walking and mobility aids, and equipment required by families with children.

This should be a requirement to ensure that all properties can support healthy living throughout the life course.

- Sustainability information

- Although a sustainability checklist is provided in the documents, we could not see more detailed information about how the development will comply with these guidelines.

The design and access statement provided limited information about the sustainability credentials of the properties themselves, and we would recommend more detail is requested, including around:

- o Provision of EV charging for other electric modes of transport, including bicycles and mobility scooters.
- o How renewable energy will be encompassed in property design to reduce running costs and carbon emissions – a firm commitment to this is recommended.
- o Provision of ventilation to ensure that indoor air quality is not compromised as a result of high levels of insulation and a tight building envelope.

Dorset National Landscape Team

Should the Council be making a decision on this application in the absence of an adequate land supply for housing, the provisions of NPPF (2019) should be noted. These confirm that the

so-called 'titled balance' applies to the decision, unless "the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed". In relation to Dorset National Landscape, the corresponding policies are the application of "great weight" and the reference to the setting that are provided within paragraph 189. For clarity, the presumption against 'major development' provided within paragraph 190 does not apply in this case, due to the location of the site outside of the designated area.

The application is accompanied by a LVIA, with photography and visualisations. Viewpoint locations within the National Landscape were discussed in advance of the study being conducted and are considered appropriate. VPs 13, 14, 15 & 16 are all taken from elevated locations associated with the North Dorset Escarpment, to the south of the village (N.B. the National Landscape boundary is closer to the site, with the southern extent of the village itself being within the designated area). The locations selected are typically between 1.8 – 3 km from the site and represent a range of panoramic views from footpaths across the higher ground. VP 14 is the closest viewpoint and is accompanied by a visualisation (AVR 14) from Okeford Hill. This also approximates the potential impacts upon wider locations, for example from the road as it descends the hillside and also from other locations to the north, where there are footpaths across the hill slopes at lower elevations.

Overall, considering the location of the site, which is seen beyond the existing built form of the village, the additional impacts of the proposed housing development are not considered to be significantly detrimental to the setting of Dorset National Landscape to the extent that these would provide a strong reason for refusal. Clearly this is a relatively large proposal for a village of the size of Okeford Fitzpayne and there may well be some notable impacts upon the character of the village and its local landscape setting. However, I have not identified specific and substantial impacts on the special qualities of the National Landscape that lead me to conclude that an objection to this application would be justified. This observation relates to both the individual impacts of this proposal and the cumulative impacts of the development in combination with other housing developments, particularly the nearby developments at Comerwicke, to the immediate south, and the redevelopment of the former Faccenda chicken factory site, to the southeast. Whilst a development proposal of this scale will often lead to notable impacts, particularly during the construction phase, I consider that the specific location of this site (its greater distance from the National Landscape and appearance beyond existing development), alongside the site's relatively strong relationship with the pattern of development mean that the longer-term effects on the outlook from the National Landscape are not likely to be significant, assuming appropriate materials, landscaping and conditions.

Notwithstanding the above, I would like to offer broad support to some of the observations provided by Helen Liley CMLI, particularly in relation to the selection of appropriate roof materials (i.e. darker hues). Further to this, opportunities to increase provision of internal planting, for example those associated with the 'green spine', would be welcomed, as would early implementation of strategic planting around the edges of the site, insofar as compatible with construction. The use of a lighting condition is also recommended, to ensure that all external lighting within the site is subject to a degree of control and does not adversely impact upon dark skies.

Dorset Wildlife Trust

No response received at time of determination.

Ramblers Association

No response received at time of determination.

NHS Dorset (Dorset Integrated Care Board) ICB

No response received at time of determination.

Woodland Trust

No response received at time of determination.

Wessex Water

No response received at time of determination.

Dorset Police Architectural Liaison Officer

No response received at time of determination.

Dorset Fire & Rescue Service

No response received at time of determination.

WPA Consultants Ltd

No response received at time of determination.

National Gas Transmission

Based on the location entered into the system for assessment the area has been found to not affect any of National Gas Transmission plc's apparatus.

SSEN

Standard guidance provided.

SGN

There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

Representations received

Total - objections	Total - No objections	Total - comments
40	0	0

Summary of comments of objections (40):

- Lack of or limited infrastructure to support development (education, medical);
- Highway safety – increased traffic, visibility, speeding, lack of pavements;
- Already unsold houses in village;
- Foul drainage;
- Parking issues;

- Loss of 'village' character;
- Harmful impact to setting of grade II listed building;
- Should be a focus on brownfield sites;
- No local jobs to support housing;
- Lack of public transport services;
- Light pollution;
- Noise pollution;
- Harm to ecology;
- Quantum not in keeping with other developments in village;
- Loss of greenbelt;
- Loss of green space and agricultural land;
- Harm to nucleated village layout character;
- Impact upon setting of Dorset National Landscape;
- Overdevelopment;
- Harm to remoteness characteristic;
- Dangerous routes to nearest village with more facilities (school)
- Disturbance during construction phase;
- Dust soiling to neighbouring properties;
- Use of footpath link through Comerwicke will increase use and maintenance requirements;
- Overlooking and loss of privacy;
- Loss of light;
- Increase in flooding, groundwater;
- Reliance on private car – increased pollution;
- Drainage system insufficient;
- Impact on trees;
- Roof design of car ports;
- Noise from substation;
- Nearest primary school at full capacity;
- Design not good standard – lack of active frontages to south part of site, blank elevations addressing streets.

- Brownfield sites should be used first;
- Main need in area is social housing;
- Proposal follows positive manner of Comerwicke;
- Building apartments/small flats and social housing is good;
- Drainage strategy acknowledges clay subsoil;
- Bird bricks, artificial nests, muddy areas by attenuation basin and bat boxes should be used;
- Orchard is nice idea;

9. Duties

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

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Section 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty) when making any decision which affects such land.

10. Relevant policies

Development plan

North Dorset Local Plan Part 1 (2016)

Policy 1 – Presumption in favour of sustainable development

Policy 2 – Core Spatial Strategy

Policy 3 – Climate Change

Policy 4 – The Natural Environment

Policy 5 - The Historic Environment

Policy 6 - Housing Distribution

Policy 7 - Delivering Homes

Policy 8 - Affordable Housing

Policy 13 – Grey Infrastructure

Policy 14 - Social Infrastructure

Policy 15 – Green Infrastructure

Policy 20 - The Countryside

Policy 23 – Parking

Policy 24 – Design

Policy 25 – Amenity

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

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

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 13 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Okeford Fitzpaine Neighbourhood Plan

The Neighbourhood Plan area was designated in April 2014, with a draft Plan produced later in 2017. Further progress on the plan has since been paused and, thus, the NP should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

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

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' This outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'

- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

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

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

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

National Planning Practice Guidance

Dorset AONB Landscape Character Assessment

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

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

National Model Design Code

National Design Guide

Dorset Council: Guidance notes for Residential Developments (2022)

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. 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

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

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

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

12.3 Paragraph 117(b) of the NPPF states that applications for development should address the needs of people with disabilities and reduced mobility in relation to all modes of transport. Poor accessibility may be most strongly felt by elderly or disabled future occupiers. Such residents would share protected characteristics as defined in the Equality Act 2010 (the EA).

12.4 The plans submitted illustrate that a pedestrian link would be formed between the site and Comerwicke development. In addition, a new crossing point would be formed by vehicular access point to cross Castle Lane and provide pedestrian access to the recreation ground opposite. A path through the east side public open space would link these two key connection points and enable future occupiers of the scheme the ability to safely navigate into the village to access services and facilities, as well as the recreation ground. Furthermore, the path link would also provide a safe, off-road pedestrian connection between the main recreation ground and remainder of the village, therefore providing a substantial public benefit in terms of wider village connectivity. Surfacing and level details of the path, as well as the crossing points, can be agreed by condition to ensure they are appropriate and meet the needs of all, including those with protected characteristics.

13. Public Benefits

13.1 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
<u>Material considerations</u>	
Housing	A total of 78 dwellings.

What	Amount / value
Affordable housing	At least 31 of the 78 dwellings. 0.2 of a unit will be paid as a commuted sum (offsite contribution), unless increased levels of affordable housing on site are delivered through additionality.
Public open (green) space	Approximately 1ha of public open green space, including an on-site LAP.
Financial contributions to education (inc. SEN)	£3,504.93 per dwelling
Financial contributions to healthcare	£722 per dwelling
Financial contributions to pre-schools	£190.50 per dwelling
Financial contributions to Community, Leisure and Sports Facilities	£2,006.97 per dwelling
Financial contributions to Formal Outdoor Sports Facilities Contribution (inc. maintenance)	£1,447.53 per dwelling
Financial contributions to play spaces (inc. on site LAP and off site maintenance)	£1,686.24 per dwelling
Financial contributions to rights of way	£14,700
Financial contributions to libraries	£75 per dwelling
Improved connectivity between recreation ground and village	New off road footway link through site and crossing point to recreation ground.
Employment during construction phase	The proposal would support local jobs in the construction sector and will bring about 'added value' in the local area through associated spending and economic activity.
Spending in the local economy by future occupiers	The proposal would support the local economy and provide housing required to support the long-term economic growth in the area, with new residents spending on goods and services as they move in.
<u>Non material considerations</u>	
Council Tax	According to appropriate charging bands/property value.
New Homes Bonus	A proportion of the allocation.

14. Planning Assessment

14.1 The main planning considerations for this application are considered to relate to:

- Principle of development - Housing land supply
- Principle of development - Location of development
- Heritage impact
- Amount of development, design and impact on the character and appearance of the area, including setting of the Dorset National Landscape
- Flood risks and drainage
- Affordable housing and infrastructure contributions
- Highway and transport safety
- Biodiversity and ecology
- Impact on protected trees
- Residential amenity
- Impact on agricultural land

Principle of development – Housing Land Supply

14.2 At the time the application was submitted the Council had an Annual Position Statement (APS) that confirmed that the whole Dorset Council area could demonstrate a housing land supply of 5.02 years. However, in accordance with the Planning Inspectorate's report, the Council were only able to rely on this position until 31 October 2025. The latest version of the NPPF (published December 2024 and updated February 2025) removed provision for local authorities to produce an APS to confirm their housing land supply.

14.3 In response to the expiration of the APS the Council published its latest 5 year housing land supply position statement in October 2025, with the latest housing requirement and local housing need, using the standard methodology set out in the NPPF and planning practice guidance (PPG). As per the position statement, the latest local housing need figure for the Dorset Council area is calculated to be 3,246 dwellings per annum for 1 April 2025 using the standard method. Over five years, this need is 17,040 dwellings, including a 5% buffer. However, the Council can only demonstrate a deliverable housing supply of 8,639 dwellings for the 2025-2030 period, which is equivalent to 2.53 years supply.

14.4 Thus, whilst the Council still benefits from a result of 106% in the 2023 Housing Delivery Test measurement (published December 2024), it is unable to demonstrate a deliverable housing land supply of 5 years. 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 North Dorset Local Plan Part 1 are out of date. This means that the tilted balance and presumption in favour of sustainable development applies in decision-making. The case officer's balancing exercise in this context is set out later in the 'Planning Balance' section of this report.

Principle of development – Location of development

Spatial strategy

- 14.5 The statutory basis for decision taking in planning is that determinations must be made in accordance with the development plan unless material considerations indicate otherwise. The North Dorset Local Plan Part 1 ('Local Plan') establishes the Council's approach to the distribution of development, including housing, across the district. Policy 2 of the Local Plan seeks to focus growth, including the vast majority of housing, mainly towards the four main towns of Blandford, Gillingham, Shaftesbury and Sturminster Newton. Lower tier settlements such as Stalbridge and the 18 larger villages, which includes Okeford Fitzpaine, should focus on growth to meet local (rather than strategic) needs. Settlement boundaries, including that of Okeford Fitzpaine, have been retained by saved policy 1.7 of the 2003 North Dorset District-Wide Local Plan. Beyond the settlement boundaries of the main towns and villages, countryside development plan policies apply to strictly control new development.
- 14.6 Policy 20 of the Local Plan applies to all development outside of the settlement boundaries and states that development will only be permitted where it is a type appropriate for the countryside or can be demonstrated that there is an overriding need for it to be located in the countryside. The supporting text to Policy 20 suggests that 'overriding need' relates to development that requires a countryside location rather than addressing generic needs for housing that are unable to be met within settlements.
- 14.7 Although adjacent to the boundary, the application site is located outside of the settlement boundary of Okeford Fitzpaine. The proposed development would not represent a type of development that would be appropriate in the countryside or otherwise have a demonstrable overriding need for a countryside location.
- 14.8 Policy 6 of the Local Plan sets a minimum housing requirement of at least 825 dwellings to be built in the countryside between 2011 and 2031. The figure has been increased by more recent housing needs assessments. This figure is not a cap and has already been exceeded, with the Council anticipating that more than 1800 homes would be delivered in the countryside by the end of the current plan period. The Local Plan is clear that focus is on meeting local and essential needs, rather than strategic needs, to meet the Policy 6 figure.
- 14.9 The proposed development would be in conflict with Policies 2, 6 and 20 of the Local Plan and not supported in principle, unless other material considerations indicate otherwise. One such material consideration is the NPPF and, given the housing land supply situation, the engagement of the 'tilted balance' and presumption in favour of sustainable development under paragraph 11d.
- 14.10 The PC have objected, in part, on the basis that other brownfield sites have not been used and houses on a new development in the village remain unsold. There is one brownfield site (Wessex Park Homes) some 1km to the east of the village core which has extant permission for 47 dwellings (Ref: P/OUT/2022/04243). There is no control on when this should be built out by. The PC also refer to some 180 new build market homes for sale according to Rightmove. However, the scope of the search (10 miles) is a wide catchment that extends beyond the Okeford Fitzpaine and stretches to three of the five largest settlements in North Dorset (Blandford Forum, Sturminster Newton and Stalbridge). It also provides a snapshot in time, with market conditions fluctuating over time. The fact that there may be some unsold new build houses locally does not provide a material reason to resist further applications for new development to meet the Council's serious housing needs.

Accessibility to local services and facilities

- 14.11 Paragraph 83 of the NPPF recognises that “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities...”. It goes on to say that “Where there are groups of smaller settlements, development in one village may support services in a village nearby.”
- 14.12 The PC have raised concerns about the level of infrastructure provision currently available in Okeford Fitzpaine, which has declined over the last 20 years, and that there would be too many houses for a rural community with what they describe as “weak infrastructure”. Relative to the service provision identified by the Council in 2007 Okeford Fitzpaine no longer has any healthcare provision (previously it had a one day a week GP surgery), or education provision (following the merger of the primary school with Shillingstone Primary School in 2023), or an industrial estate (following the gradual redundancy of the Wessex Park Homes site). However, Okeford Fitzpaine is not the only ‘larger village’ that lacks or has lost some of these provisions so, whilst not ideal, this is not an unusual situation. The Planning Statement submitted with the application recognises that these facilities no longer exist.
- 14.13 The village still retains a local shop/post office, a public house, a church, a village hall, a vehicle repair garage, two children’s play areas and a recreation ground and therefore a reasonable level of facilities to meet some day-to-day needs. All of the village services and facilities are within 800 metres (via footways), or a 10-minute walk from the site, which the Sustrans paper on ‘Walkable neighbourhoods’ considers to be a standard distance for the majority of people to access existing services and facilities. On this basis, Okeford Fitzpaine is still regarded as a sustainable ‘larger village’ for growth. Major residential development in Okeford Fitzpaine not only provides an opportunity to enhance or at least maintain the vitality of the village, but it would also support services in neighbouring Shillingstone, as well as other nearby villages.
- 14.14 Whilst the village may still contain a reasonable level of local services and facilities, pedestrian connectivity to these is a key consideration and, if poor, could indicate an unsuitable location for proposed development. In this regard, there is a general lack of footways along Castle Lane into the heart of the village, some 400m to the south. However, the Castle Avenue estate contains footways from the entrance with Castle Lane down to Lower Street and then into the village. Importantly, the permission for the Comerwicke site secured the provision of a kerbed footway along the western side of Castle Lane, linking the site access to the aforementioned existing footways.
- 14.15 The plans submitted illustrate that a pedestrian link would be formed between the site and Comerwicke development. The applicant has confirmed in writing that an easement and maintenance arrangements have been agreed with the adjoining landowner. In addition, a new crossing point would be formed by the vehicular access point to cross Castle Lane and provide pedestrian access to the recreation ground opposite. A path through the east side public open space would link these two key connection points and enable future occupiers of the scheme the ability to navigate into the village to access services and facilities, as well as the recreation ground. As a dual benefit, the path link would also provide a safe, off-road pedestrian connection between the main recreation ground and remainder of the village, therefore improving accessibility to wider green infrastructure and support healthy lifestyles. As this is currently lacking along Castle Lane, and likely unrealistic to introduce given the relatively narrow width of the carriageway, this path link would provide a substantial public benefit in terms of wider village connectivity. Final details of the Comerwicke link, surfacing and level details of the

path, and the crossing points, can be agreed by condition to ensure they are appropriate and meet the needs of all, including those with protected characteristics.

- 14.16 Major residential development in Okeford Fitzpaine not only provides an opportunity to enhance or at least maintain the vitality of the village, but also support services in neighbouring Shillingstone, as well as other nearby villages. Okeford Fitzpaine lies within the catchment area of the next nearest primary school in Shillingstone, some 2.3 miles to the east (a 7 minute drive). As such, the merged schools would be expected to accommodate children residing in Okeford Fitzpaine. The proximity of the school from the proposed development would not be undesirable or impractical. Shillingstone also currently has an industrial estate.
- 14.17 Okeford Fitzpaine benefits from bus service running weekdays between 7am and 7pm, providing a means of alternative transport to the car.
- 14.18 Taking these points into account, despite lying outside of a settlement boundary and in conflict with spatial strategy Policies 2, 6 and 20, future occupiers of the proposed development would be able to access the reasonable level of services and facilities available within a sustainable, 'larger village' in the North Dorset Local Plan area. As such, location of the development would not be unsuitable for housing.

Heritage impact

- 14.19 Under s66 of the Planning and Listed Building Act 1990 it is a statutory duty for the LPA, when considering whether to grant planning permission for development affecting a listed building or its setting, to have special regard to the desirability of preserving the buildings or its setting or any features of special architectural or historic interest which it possesses.
- 14.20 In addition, it is a statutory general duty under s72 of the same Act in the exercise of planning functions with respect to any buildings or other land in a conservation area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 14.21 Both Local Plan Policy 5 and paragraph 212 of the NPPF require 'great weight' to be given to the conservation of a designated heritage asset when considering the impact of a proposed development on the significance of the asset. The more important the asset the greater the weight should be.
- 14.22 Whilst there are no designated heritage assets on the site itself, including any known archaeological assets, the proposal has the potential to affect the significance of heritage assets through development in their settings. The following heritage assets could potentially be affected by the development:
- Castle Cottage (Grade II listed building)
 - Okeford Fitzpaine Conservation Area
 - Deserted medieval village at Darknoll Farm (Scheduled Monument (SM))
 - Hillfort on Banbury Hill (SM)
 - Cross dyke on Okeford Hill 880m south east of Hartcliff Farm (SM)
 - Bowl barrow on Okeford Hill 760m ESE of Hartcliff Farm (SM)
 - Pillow mound on Okeford Hill 690m east of Hartcliff Farm (SM)
 - Pillow mound on Okeford Hill 660m east of Hartcliff Farm (SM)

14.23 The applicant's Heritage Statement (HS) has considered each of these in turn. Officers' assessment of significance, including the contribution of their setting, and the effect on this for each of these assets is also considered in turn below:

Castle Cottage (Grade II listed building)

14.24 The Historic England listing description for the asset is quite brief and mainly highlights its architectural interest. This value is most apparent from its principal elevation which faces Castle Lane. The cottage is of typical Dorset vernacular. Elements of the cottage's setting also contribute to its significance. As the HS identifies, this includes: its rural location north of the village which allows it to be experienced within its historic, agricultural setting; its immediate spatial and visual relationship with Castle Lane; the shape and extent of its plot and its orientation parallel with the road are characteristic elements of buildings constructed on waste land as a result of post-medieval field enclosure; and the visual experience of the building from its principal eastern elevation on Castle Lane which allows its architectural form and historic interest to be understood and appreciated. These are all agreed by officers.

14.25 The HS considers that the rural setting of the site has been somewhat eroded by the infill of land between the cottage and historic core of the village with post-war and more modern developments. The HS also considers that the proposed development would further diminish the contribution the parcel of land makes its significance. However, the extent of the harm would be reduced by limiting new dwelling heights to two storeys and retaining a green buffer to its west to ensure the cottage retains a degree of its green setting and a visual buffer. As such, the HS opines that the development would avoid dominating the listed building. The shape and extent of its plot would be unaffected and remain appreciable. These are fair assessments and it is satisfied that, over time, the proposed planting in the public open space would suitably mitigate effects and provide adequate screening of the development in views from Castle Cottage. With development taking place to the rear (west side) of the cottage, the visual experience and understanding of the historic and architectural interest of its eastern elevation, appreciated from Castle Lane, would not be affected and remain appreciable.

14.26 Taking these points into consideration, the HS considers that the proposed development would result in less than substantial harm to the significance of the asset through impact on its setting. The degree of harm would be at the lower end of this category.

14.27 The Council's Senior Conservation Officer does not dispute this assessment and agrees the degree of harm would be at the lower end of less than substantial harm. The case officer concurs with this assessment.

Okeford Fitzpaine Conservation Area (OFCA)

14.28 The site is some 150m north of the OFCA boundary and shares no visible intervisibility owing to intervening modern developments. Both the outline and reserved matters permissions for the Comerwicke development adjoining to south assessed that there would be no impact and, thus, no harm to the setting of the OFCA. Being set even further away, it is accepted by officers that there would similarly be no harm as a result of the proposal. The same view is shared in the HS.

Deserted medieval village at Darknoll Farm (SM)

14.29 The HS identifies that the significance of this deserted medieval village derives from its immediate surroundings and relationship with post-medieval field boundaries, allowing it to be understood and appreciated as a deserted site within its rural and agricultural setting.

14.30 The site is situated some 1km SE of the SM and is screened by the undulating surrounding topography and field boundary vegetation. Officers do not dispute the assessment in the HS that the site makes no contribution to the significance of the asset and therefore no harm would be caused.

Hillfort on Banbury Hill (SM)

14.31 The site is situated some 1.6km SE of this SM and makes no contribution to its significance as it would not affect the historic connection between the asset and other surrounding hillforts. Officers therefore do not dispute the applicant's assessment of no harm to the significance of the asset through impacts on its setting.

Cross dyke on Okeford Hill 880m south east of Hartcliff Farm (SM)

14.32 The site is some 1.7km north of this SM and causes no impact on its significance insofar as the ability to appreciate the cross dyke as part of a wider landscape of prehistoric monuments on Okeford Hill. Whilst the proposed development would be visible from the plateau, it would read as an extension to the built-up area of the village and not diminish the ability to appreciate the cross dyke within its wider historic landscape. Officers therefore do not dispute the applicant's assessment of no harm to the significance of the asset through impacts on its setting.

Bowl barrow on Okeford Hill 760m ESE of Hartcliff Farm (SM)

14.33 As the HS details, the site lies some 1.4km NW from this barrow but is visible within the wider panoramic views appreciable from Okeford Hill. However, the far-reaching views only contribute to the significance of this monument to a minor extent, which is instead primarily derived from its archaeological interest. The development would not diminish the ability to appreciate the bowl barrow as a prehistoric funerary earthwork, nor will it detract from the significance of the network of prehistoric monuments at Okeford Hill. Officers therefore do not dispute the applicant's assessment of no harm to the significance of the asset through impacts on its setting.

Pillow mound on Okeford Hill 690m east of Hartcliff Farm (SM) and Pillow mound on Okeford Hill 660m east of Hartcliff Farm (SM)

14.34 The HS states that, whilst the site would be visible from Okeford Hill, neither the site, nor the panoramic views over the landscape make any contribution to the significance of the assets, which derive from their archaeological interest and their immediate landscape setting on Okeford Hill itself. Officers therefore do not dispute the applicant's assessment of no harm to the significance of the asset through impacts on its setting.

Designated heritage assets conclusion

- 14.35 Officers do not dispute the conclusions opined in the applicant's HS. This includes no harm to the OFCA and a series of no harms to the significance of SMs in the surrounding landscape.
- 14.36 It is also agreed that less than substantial harm, albeit at the lower end, would be caused to the significance of a Grade II listed building through major development within its setting. As less than substantial harm has been identified it follows that paragraph 215 of the NPPF is engaged and this degree of harm needs to be weighed against the public benefits of the proposal. The same balancing exercise is set out in Policy 5 of the Local Plan. As discussed later in this report, officers consider that the collective public benefits of the scheme would outweigh the lower end less than substantial harm caused to the Grade II listed building. Therefore, the proposed development would comply with Policy 5 of the Local Plan.

Amount of development, design and impact on the character and appearance of the area, including setting of the Dorset National Landscape

Amount of development and design aspects

- 14.37 The proposed development would comprise 78 dwellings across a 3.8ha sized site. This would equate to a site-wide density of some 20.5ha. This is comparable with densities of phases of development within the village, including those on the village edges, and therefore not uncharacteristic, inappropriate or overdevelopment for a village fringe location. The Council's Urban Design Officer (UDO) has not made any specific comments with regard to quantum and density. The amount of development is acceptable and would make efficient use of the land. It would also make a worthwhile contribution to the Council's housing land supply shortage, which is afforded significant weight.
- 14.38 The scheme proposes 66 houses and 12 flats. 31 of these units would be for affordable housing. The open market and affordable housing mix would comprise:

Market housing

- 7x two bedroom houses
- 35x three bedroom houses
- 6x four bedroom houses

Affordable housing

- 4x one bedroom flats
- 8x two bedroom flats
- 14x two bedroom houses
- 4x three bedroom houses
- 1x four bedroom house

- 14.39 This equates to around 15% of the market housing being one or two bedroom properties and 85% as three bedroom or larger properties. The affordable housing percentages almost mirror the open market mix, with 84% in favour of one and two bedroom properties and 16% for three bedroom or larger properties. Whilst these mixes would not meet the Council's more balanced targets (as set out in Policy 7 of the Local Plan) of 40%:60% in favour of larger properties for market housing and 60%:40% in favour of smaller properties for affordable housing, the mix would not be harmfully inappropriate

and would at least ensure that favoured targets would be met. The Housing Enabling Team have also indicated that current housing register figures indicate that there is a greater need for smaller affordable housing properties in Okeford Fitzpaine, which the proposal would satisfactorily meet. Officers agree that the affordable housing would be evenly distributed and well-integrated into the scheme and designed to be indistinguishable from the market housing.

- 14.40 The UDO comments that, on the whole, the proposed dwellings would be small in floor area, with some just above minimum national space standards. However, all of the proposed units would meet these standards, ensuring that there would be adequate living conditions for future occupiers. The smaller size of dwellings is also not necessarily a negative consideration as, arguably, smaller sized properties would likely be more affordable as family homes or those wishing to downsize and, thus, there is potentially less risk that houses will be 'priced out' and remain unsold (a concern shared by the PC and through public representations). Proposed dwellings appear to be comparable in terms of floor area with other modern developments throughout the village, including the adjoining Comerwicke, as well as Ridouts, Old Dairy, Bowey, Nether Meads and Fairfield Close. Therefore, the case officer does not share the view that the size of the proposed dwellings would be undesirably or uncharacteristically small. The scheme includes an appropriate variety of detached houses, semi-detached houses and terraced rows to reflect the village character.
- 14.41 In terms of general design aspects, two rounds of pre-application enquiry have provided a foundation to the design of the scheme, with suggested amendments recommended on each occasion. Recommendations such as improving the layout by using informal perimeter blocks, with lower densities around the edges, as well as ensuring good permeability, tree lined streets and careful consideration of storage and waste collection have followed through into the current scheme.

Layout

- 14.42 Whilst the layout does not meet the UDO's ideal design, the clear primacy of informal perimeter blocks that comprise the scheme is a positive design approach and not uncommon with new housing development on the edge of villages. It provides a fundamentally acceptable layout whereby most dwellings positively address streets or open spaces (a benefit the UDO does recognise). A perimeter block features at the core of the Shillingstone Lane scheme on the eastern edge of the village, so is comparable in this respect. However, the layout of the proposed development relies far less on the often-criticised suburban solution of multiple cul-de-sacs. Comerwicke adjoining to the south is essentially composed of two cul-de-sacs. This leads the case officer to consider that the overall layout is comparable with, but more so an improvement over other modern developments within the village.
- 14.43 The UDO agrees that the scheme has progressed from pre-application submission stage, but considers that the uniformity of layout, highways and parking design has a more suburban character which detracts from the historical scale and pattern of development within Okeford Fitzpaine and will have a detrimental impact on the sensitive rural edge of the village. The UDO also does not consider that these concerns have been overcome through submitted amendments during the course of the application.
- 14.44 There is some uniformity to the scheme, perhaps most notably the semi-detached row of Plots 32-38. The UDO opines that this northern edge of the site should have a much looser, less regular pattern of development to provide a more suitable edge of village

setting. The stretch of estate highway running parallel within the northern boundary has been designed to not only support two effective perimeter blocks (one bound by carriageway, the other by footway), but also take into account necessary biodiversity buffers and sufficient space for effective mitigating tree and hedgerow planting to create, as the Landscape Officer also accepts, a reasonably well-defined and well screened new settlement boundary.

- 14.45 The UDO also comments that the eastern edge of the site should also have a much looser, less regular pattern of development to provide a more suitable setting to the listed cottage. There are four dwellings that would read most noticeably in the background of the listed building; three of these are orientated to generally face east towards the cottage but would have subtle variance in orientation. One of the dwellings would face north. The building line of these dwellings is curved and approximately in line with equivalent built form along the west side of Castle Lane, giving the sense that the development is set back from the main road and respects this spaciousness. This also allows the listed building, which abuts Castle Lane, to retain prominence within the street scene. Thus, the case officer does not consider the eastern edge of the development to be inappropriately designed in this respect.
- 14.46 Whilst it is acknowledged that uniformity may be perceived as a characteristic that is more commonly associated with 'suburban' developments, it is not an alien characteristic within Okeford Fitzpaine. The proposed development has no greater uniformity than other streets within the village, including the more historic Lower Street and Higher Street which feature stretches of consistent building setbacks. The proposed scheme has sufficient variation in building lines and orientations to not be overtly 'suburban' in character. Moreover, the setbacks and building lines allow sufficient space for street trees and front gardens, presenting attractive spaces and avoiding a sense of buildings incongruously dominating street scenes. Setbacks and uniformity are comparable with other modern developments throughout the village. Therefore, the spatial pattern of the development and relationship of buildings with street frontages is not out of character.
- 14.47 The road layout is also not considered to be overtly suburban. It is made up of perimeter blocks rather than a series of cul-de-sacs. It is logical and safe, with some subtle curves to add interest and not composed of either squared block patterns or chaotic, snaking lanes. Footways are present throughout the majority of the site, with some limited shared surfacing towards the trickier SW corner, which is not uncommon in village schemes and has not attracted any Highway Authority objection. Parking has been improved and has a mix of tandem spaces, side-by-side bays, courtyards and car ports, so not an unappealingly repetitive, singular design solution. This includes improvements made to the parking arrangement in the principal 'green spine' street to tuck parking to the sides of dwellings as much as possible and allow additional street trees and improved pedestrian accesses. The amended visitor parking spaces around the perimeter of the open space 'node' area close to Plot 58 is acceptable. Again, the parking designs are comparable and therefore not out of character with other recent developments in the village.
- 14.48 Views of how streets terminate has also been sympathetically considered and designed. The dwelling occupying Plot 65 would provide a suitable terminus for the northern stretch of estate road upon entrance to the site. Plot 39 would have a similar effect for the southern route, with the orientation of Plot 5 also adding interest. Plots 59 and 60 would provide positive termini to the main spine route through the site. The most positive terminal view through the site would be of the protected Oak tree, which would be visible from as far as Plot 2 when heading in a north westerly direction. This has been

intentionally designed to draw receptors toward the public open space in the NW corner of the site. The layout of the scheme would not only ensure that mature Oak tree would be suitably protected from encroachment into its RPA but also allow this high value tree to be celebrated as a focal point at the end of one of the main streets.

- 14.49 The SW corner of the site is the cul-de-sac exception to an otherwise perimeter block design approach. However, the applicants have considered feedback from officers to improve this segment, with a sketch illustrating a more spacious space, an increase in planting and a courtyard approach. A street tree with high quality grille has latterly been included in the centre of the courtyard as a means of further enhancing the visual appearance of this area. Landscape conditions requiring details of an engineered tree pit and further detail of the proposed materials including surfacing and edge treatments are therefore required to ensure the design of this space is viable.
- 14.50 SGN in their consultation response advise that no mechanical excavations should take place above or within 0.5m of a medium pressure system. The only element of the proposal that could potentially be affected by this is the existing footway in Comerwicke that would be on the receiving side of the pedestrian connection and crossing. Final details of this proposed link and crossing can be secured by condition to ensure this would not present a logistical issue.
- 14.51 Overall, the case officer considers that the proposed layout of the development would be of an acceptable design.

Scale

- 14.52 The UDO has questioned whether the scale, heights and roof pitches of the proposed buildings suitably reflects local character. All of the buildings proposed would be no greater than 2 storeys in nature. This includes the curved entrance gateway building which would not appear overly dominating upon arrival. Some house types would be modest 1.5 storey cottages in scale. Car ports would be subservient buildings to the dwellings. Roof pitches would be proportionate to each house type and not appear either too shallow or too steep relative to the proportions of buildings and would be commensurate with other dwellings throughout the village, including those within the historic core. The variety in built form is in keeping with the existing mix in the village and the inclusion of some wider frontage detached housing is a positive addition. The scales and forms of the buildings are therefore not only appropriate for its edge of village location but is also deemed characteristic of Okeford Fitzpaine.

Appearance

- 14.53 The UDO accepts that the proposed dwellings would feature architectural detailing reflective of the village vernacular, including brick detailing, chimneys and porch styles. However, the UDO considers that the choice of materials has a more suburban character which detracts from the historical scale and pattern of development within Okeford Fitzpaine and will have a detrimental impact on the sensitive rural edge of the village.
- 14.54 The palette of materials proposed includes: red brick, buff brick, painted brick, flint, timber cladding and slate and plain tiles. Given the use of all of these materials is evident throughout the village, the proposed palette would take reference from local character and would not be inappropriate.

- 14.55 Both the UDO and landscape officers have raised some concerns regarding the effect of red brick and red roof tiles and how these can exacerbate bulk and landscape impacts. This includes concern regarding the use of these materials for the 'focal' apartment building, suggesting that render would provide a softer finish and help reduce its dominance. Red brick is a prevalent external material throughout Okeford Fitzpaine, as are red plain (clay) roof tiles, and therefore not inappropriate or uncharacteristic choices. Render is not a material that is proposed for any of the dwellings and is not a material that features particularly prominently or especially positively throughout the village. Light coloured painted brickwork, as proposed, is more evident and therefore considered a more appropriate alternative. Notwithstanding this, the case officer does not agree that a change to render or increased use of painted brick for the apartment building would reduce any perception of dominance. The final product choices of the red toned materials can be agreed and controlled by condition to ensure they are high quality and present an acceptable visual appearance.
- 14.56 The use of buff brick has also been somewhat scrutinised by the UDO, but this material, banded with red brick, has been used to positive effect at Fairfield Close, so would not be out of character in this sense. As with the red toned materials all of the proposed external materials can be conditioned, as recommended by the UDO, to ensure they are appropriate within their surroundings.
- 14.57 The UDO also comments that many of the windows for the proposed dwellings lack the vertical emphasis of more historic homes within the village and tend to have straight brick headers (whereas the use of curved headers is more common). The case officer considers that the proportions of the windows and solid to void ratios are not inappropriate or give the appearances of 'squashed', horizontal emphasis buildings. The scheme also has a mix of brick window headers, including relieving, flat and soldier arches to reflect the variety found throughout the village. These details are therefore also deemed acceptable.
- 14.58 Through some amendments to the scheme, Plot 2 now benefits from a bay window on its (north) side elevation to provide passive surveillance of the street and to give more prominence to the junction, especially as it marks the connection through to the Comerwicke scheme.
- 14.59 The substation to the south of Plot 50 has attracted some concern from consultees, especially forming a cumulative impact with fencing and the SuDS basin headwalls serving the adjoining Comerwicke development. The applicant has indicated that the substation cannot be relocated elsewhere within the site owing to the position of the electric infrastructure and point of connection located on the adjacent site. The connection has been agreed with the adjoining landowner by way of a legal agreement. Additional landscaping is proposed around the substation to screen it from Comerwicke. The case officer accepts that the location of the substation is the least obtrusive option available.
- 14.60 Overall, the case officer accepts that, subject to conditions to control the material palette and detailing, the appearance of the development would take appropriate reference from local character and not be out of keeping within its village context.

Landscaping

- 14.61 The plans submitted with the application illustrate that the scheme would provide for a generous amount of green space, including good sized rear gardens, landscape buffers

around boundaries and public open spaces in the NW and eastern side of the site. This reaffirms the sense that the site would not be overdeveloped or that dwellings would be harmfully crammed onto a greenfield site.

- 14.62 Public Health Dorset in their consultation response queried whether any outdoor space and clothes drying areas would be allocated to the flats. The applicants have clarified there would be a communal outdoor amenity/clothes drying area.
- 14.63 The public open spaces would be positive green spaces, with the eastern area providing an orchard, as well as a modest LAP as a positive public benefit and addition to the village which is currently lacking within this part of the village (the play area in the recreation ground is not for younger children and severely devoid of equipment). The position of the LAP is deemed appropriate given it would be well overlooked by dwellings and is sufficiently separated from the curtilage of the listed building. As this site is on the edge of a rural village, the equipment and any seating should be 'natural' wooden structures. The space should be accessible and inclusive, ensuring suitable access for pushchairs and wheelchairs. Details of this can be controlled by condition and/or legal agreement. The protected Oak tree towards the NW corner would be retained, protected from encroachment and celebrated within the site.
- 14.64 In terms of boundary treatments, the UDO comments that rear and side boundaries that are visible from publicly accessible spaces should be brick or stone walls. It is also recognised that landscaped front gardens with railing and walls is a village characteristic and should be reflected in the detailed design of the scheme. Hard landscaping details can be finalised and controlled by condition to ensure they are appropriate and sympathetic to the character of the site and its rural context.

Design conclusion

- 14.65 Overall, the case officer accepts that the proposed development has been designed to take appropriate consideration of housing mix and design principles set out in Policies 7 and 24 of the Local Plan and to improve the character and quality of the area within which it is located.

Landscape character and visual effects, including setting of DNL

- 14.66 Close views to the site are available from Castle Lane, which together with the recreation ground and pavilion to the east form the northern 'gateway' to the settlement. Close views are also available from the Public Rights of Way (PRoW) to the west of the site, though views are, increasingly filtered and screened by intervening mature trees along the Darknoll Brook (PRoW N48/44 and N48/46) with distance. With the exception of the recreation ground, close views from publicly accessible viewpoints to the east of the site are relatively well screened/filtered due to falling ground levels and intervening field boundary vegetation (PRoW N48/1, N48/4, N48/5, N48/55, N48/69 and N48/69).
- 14.67 Middle-distance views to the site are available from PRoWs N48/22, N48/25, N48/41 and N48/42 to the west and south of the site and settlement, though intervening mature trees and built development generally filter these views which are seen in the context of existing development.
- 14.68 Distant and far distant views are also available from the open access land, roads and PRoWs N48/3, N48/12, N48/50, N48/52, N35/26, and N40/28 on the chalk ridge/escarpment within the DNL to the south, though again the development would be seen in the context of existing development in these views.

- 14.69 The site forms a part of the Rolling Vales Landscape Character Type (LCT)/South Blackmore Rolling Vales Landscape Character Area (LCA). This is a transitional rolling and undulating farmland landscape between the clay vale to its west and north and the chalk ridge/escarpment to the south and east. The area is characterised by an irregular pattern of predominantly pastoral fields surrounded by dense hedges, copses, many small streams and brooks and scattered farmsteads. As at Okeford Fitzpaine, settlements are typically located at the foot of the escarpment or on elevated slopes overlooking the vale. Together these elements combine to form a tranquil, secluded and unified landscape.
- 14.70 The overall management objective for the Rolling Vales LCT is to conserve and enhance the diverse pattern of trees, woodlands, hedgerows and small-scale fields, watercourses and narrow lanes. Conservation of the rural and tranquil nature of the area is also a key objective.
- 14.71 In terms of landscape sensitivity, the Landscape Officer considers that the site exhibits medium susceptibility to housing development due to its close proximity to existing development at Comerwicke and the relatively enclosed nature of the site locally. However, differing from the applicant's LVIA, the Landscape Officer considers that the value of the site is higher than the reported low-moderate, being more towards the higher end of moderate due to the individual and group value of the protected trees, as well as its visibility within the DNL and perceived extension into the open countryside. This is agreed by the case officer.
- 14.72 In terms of landscape effects, the Landscape Officer agrees that the site currently reflects a moderate contribution to the character of the Dorset Rolling Vales LCA, with key characteristics being represented by the gentle undulations in topography, the irregular field pattern, and the mature hedgerows and trees that define the edges of the site and form part of the wider vegetated character. However its rurality and contribution to the surrounding land use of fields have been eroded by the recent expansion of the settlement, which has resulted in suburban influences and a weak settlement edge.
- 14.73 Whilst the proposal would permanently change the baseline condition of the site, the key identified landscape features would largely be retained and enhanced, so their contribution to the LCA would continue.
- 14.74 The LVIA recognises that the development would create a new recognisable feature within views, replacing current views of the existing development at Comerwicke. Contrary to some public representations received, the site is not considered to exhibit a strong sense of remoteness given the Comerwicke development currently provides a clear backdrop to the site. The retention and enhancement of the existing mature field hedges and the planting of a new hedgerows and trees along the northern boundary would create a reasonably well-defined new settlement boundary and help to screen both the proposed development and the existing development at Comerwicke. The effects of the proposed development would largely be limited to a local level due to the buffering and enhancement of the existing trees and hedgerows around the edges of the site, and the relatively enclosed to nature of the local landscape.
- 14.75 Mitigation planting would include large native trees such as Oak planted along the boundaries, with additional tree planting along the northern boundary, public open spaces and throughout the built development assisting the integration of the development into its setting. Once the planting begins to mature, the effects of the new settlement edge would start to reduce, with glimpses of rooflines only ultimately being visible within the current rural aspect. Sections of hedging close to the new access point would be translocated, resulting in a more immediate and positive effect.

- 14.76 In their initial consultation response, the Landscape Officer raised concerns regarding the efficacy of mitigation measures proposed along the southern boundary. However, the applicant has since indicated that additional landscaping could be provided along the southern boundary to improve the interface between the site and Comerwicke to the satisfaction of officers.
- 14.77 Although subject to a condition for finalised plans, the indicative planting and soft landscaping proposed throughout the site would also be appropriate to the local character and setting. The planting scheme would include a high proportion of green infrastructure to help integrate the development into the local setting. The streets would also be lined with trees, as required by paragraph 136 of the NPPF.
- 14.78 The Landscape Officer considers that the proposed development would not represent a 'minor extension' to the settlement, as opined in the LVIA, and this is a fair assessment to make. AVRs indicate that, in combination with the Comerwicke and Shillingstone Lane developments, the proposed development would expand the village envelope eastwards further along the horizontal plane in the middle distance.
- 14.79 As noted, the site lies some 440m north of the DNL boundary and therefore has the potential to affect the setting of the NL designation. Under s85(1) of the Countryside and Rights of Way Act 2000 (as amended) it is a statutory duty for the LPA, in exercising or performing any function in relation to, or so as to affect, a NL to seek to further the purpose of conserving and enhancing the natural beauty of the NL. In decision-making this duty includes development that affects the setting of a NL. This duty needs to be considered in tandem with paragraph 189 of the NPPF, which states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes (which have the highest status of protection in relation to these issues). The same paragraph adds that development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
- 14.80 In terms of assessing the wider landscape impact and setting of the DNL, the DNL Team have provided useful comments on the application. The DNL Team conclude that, given the location of the site, which is seen beyond the existing built form of the village, the additional impacts of the proposed development would not be significantly detrimental to the setting of DNL to an extent that these would provide a strong reason for refusal under footnote 7 of the NPPF. There are no specific and substantial impacts on the special qualities of the DNL that result in harm to the setting of it. This conclusion bears in mind both the individual impacts of the proposal and the cumulative impacts of the development in combination with other housing developments, including Comerwicke and Shillingstone Lane. The specific location of the site, alongside the site's relatively strong relationship with the pattern of development mean that the longer-term effects on the outlook from the DNL are not likely to be significant, subject to conditions to secure appropriate materials and landscaping.
- 14.81 The applicant has confirmed that no street lighting on lamp posts would be provided as part of the scheme. This would assist with reducing the visual and landscape impact of the development. Instead, low level lighting along the footways and outside properties, similar to those found in the adjoining Comerwicke scheme, would be provided and details of these can be secured by condition.
- 14.82 The Landscape Officer has recommended conditions be imposed regarding details of materials and boundary treatments, as well as soft and hard landscaping and a Landscape Implementation and Management Plan. As it is possible that some minor changes may be realised through the development of final, detailed design drawings, it is accepted that finalised landscaping plans could be provided and approved prior to the occupation of any of the dwellings.

Landscape conclusion

- 14.83 Overall, it is accepted that, subject to materials and landscaping conditions, the visual impact of the development, including within the local setting and wider landscape, would be acceptable and in compliance with Policies 4 and 24 of the Local Plan.

Flood risks and drainage

- 14.84 As noted, the site lies within fluvial flood zone 1. The government's latest flood map for planning data indicates that there are no medium or high surface water risks on the site, with only a very small part of the site shown to be subject to 'low' (1 in 1000 year events) risk and not in an area where built development is proposed. Therefore, risks to the development are low. The site is not shown to have any susceptibility to groundwater flooding and the LLFA have not flagged this as a potential concern. However, the LLFA have alerted to the fact that off-site surface water flooding is predicted to impact parts of Castle Lane, with records of actual flooding events, including upon nearby property. Development has the potential to exacerbate or create flood risk if runoff is not appropriately considered and managed as evidenced by a substantiated surface water strategy.
- 14.85 Through the initial submission the applicant indicated that it is the intention to follow the SuDS hierarchy and investigate infiltration should permission be granted and before the surface water drainage scheme is finalised. In terms of SuDS features, an open attenuation basin in the NW corner of the site, in addition to a number of geo-cellular tanks are proposed to attenuate surface water before discharging it at a restricted rate into the nearby watercourse. A gravity sewer system would also be used to manage surface water on site, with the LLFA requiring evidence that this would be viable without any pumping of surface water.
- 14.86 At the time of first commenting, the LLFA raised a holding objection on the basis that the new National SuDS Standards had not been addressed through the applicant's strategy.
- 14.87 Following this, the new information submitted indicates that SuDS features such as permeable paving, rain gardens and swales have been included to meet the interception requirements of the new National Standards for SuDS. It has also been demonstrated that the proposed discharge rate from the site has been reduced and is in line with the calculated greenfield runoff rates for the proposed development area. The LLFA are also encouraged that the applicant has calculated the attenuation volume for surface water for the latest version of the surface water drainage strategy using the methodology within the new SuDS standards. Accordingly, the LLFA have indicated that the necessary detail to substantiate the proposed Surface Water strategy has been provided and the holding objection can be withdrawn, subject to conditions being imposed with regards to finalised drainage strategies.
- 14.88 As such, officers are satisfied that the proposed development can demonstrate appropriate surface water management and could be made safe for its lifetime without potentially increasing flood risk elsewhere in accordance with Policies 3 and 15 of the Local Plan.
- 14.89 The drainage plans provided include details of the disposal of foul water from the development which would be via a connection to the existing foul drainage network running along Castle Lane. The Drainage Strategy indicates that due to existing topography some 17 dwellings on the west side of the site would discharge to a new on site package pumping station. The foul system would then presumably be offered to Wessex Water for adoption. Wessex Water have not provided any comments throughout the course of the application and it is noted that they also did not respond to queries made by the applicant. Notwithstanding the lack of response from Wessex Water, the

foul drainage proposals appear feasible on plan and would only be able to be implemented following separate formal agreement with Wessex Water.

Affordable housing and infrastructure contributions

Affordable housing

- 14.90 There are over 6600 households on the Dorset Council housing register. The Council's Housing Enabling Team have confirmed that, at the time of their comment, there were 16 households on the Housing Register that declared a connection to Okeford Fitzpaine. A further 45 households listed Okeford Fitzpaine as a preferred area.
- 14.91 The application proposes the policy-compliant figure of 40% (31.2 units) affordable housing for a countryside location. The tenure split would also be the expected 70% (22 units) in favour of affordable rented dwellings and 30% (9 units) for shared ownership/intermediate housing. The applicant has committed to this, as reflected by the draft s106 agreement.
- 14.92 There would be a remaining 0.2 commuted sum required for off-site affordable housing. The applicant has indicated that there is also potential scope to provide 100% affordable housing on the site through additionality. Either scenario would provide substantial benefits. As such, the applicant queried with the Council whether the s106 agreement could include terms whereby the 0.2 commuted sum would fall away in the event that more than the policy-compliant 40% affordable housing is provided on site through additionality. In this instance, this can be accepted as there would be sufficient security if the affordable housing is transferred to a registered provider. Therefore, a mechanism can be included in the legal agreement that removes the requirement to pay the off-site contribution if the site delivers increased levels of affordable housing through additionality.
- 14.93 As the Housing Enabling Team set out, current housing register figures reveal that there is more need in Okeford Fitzpaine for 1 and 2 bedroom dwellings, with a small number of 3 bedroom and 4 bedroom dwellings. It has been indicated that all of the flats (4x one bedroom and 8x two bedrooms), as well as 14x two bedroom 3-person houses and 4x three bedroom 4-person houses comprise the affordable housing. Whilst the Housing Enabling Team would prefer 1 bedroom houses over flats to support those who may also require garden space, the provision of flats is also acceptable.
- 14.94 As such, the proposed development would provide the required provision of affordable housing in accordance with Policy 8 of the Local Plan.

Infrastructure contributions

- 14.95 The Council's CIL & Section 106 Officer response sets out the necessary obligations in order to make development acceptable in planning terms and to maintain and enhance the level of grey, green and social infrastructure as set out in Policies 13, 14 and 15 of the Local Plan. This includes necessary and evidenced financial contributions towards improving healthcare and education provision in the locality. The applicant has agreed to the obligations and contributions, as reflected by the draft s106 agreement in process.

Highway and transport safety

- 14.96 The proposed vehicular access to the site would be formed in the NE corner of the site, directly onto Castle Lane, some 225m north of the Comerwicke access road. Plans

submitted demonstrate that the required 2.4 x 43m visibility splays can be achieved for a road subject to a 30mph speed limit and a condition can be imposed to ensure the splays are kept free from obstruction. Swept path analysis has been provided which confirms that this vehicular site access can be freely traversed by large service vehicles. The Highway Authority have confirmed this would be acceptable.

- 14.97 No Highway Authority objections have been raised with regards to the internal estate road proposed and comment that the road layout would meet adoptive requirements, could be fully serviced by refuse vehicles and serve vehicle speeds of 20mph or lower. As such, the Highway Authority consider the internal road is considered to be safe and suitable for all road users.
- 14.98 A very brief comment from the Dorset Waste Team advises that all roads should be accessible for the standard collection vehicle, with minimal reversing, as per the Council's 'Guidance notes for Residential Developments' document. This guidance recommends that road networks must be designed to create a well-connected flow of streets, rather than multiple cul-de-sacs. This is to allow bins to be emptied most efficiently and environmentally. The guidance also suggests that communal bin collection points should be avoided or otherwise positioned in discrete, unobtrusive locations. Roads should have a minimum width of 5m and refuse vehicles should not be expected to reverse in a straight line for more than 12m. Adequate height clearance with regard to barriers, balconies, tree and cables, etc.
- 14.99 Taking the guidance into account as a material planning consideration, the SW part of the development, which is essentially akin to a cul-de-sac, poses a challenge with regard to refuse collection access. In response to this, the applicant has provided tracking plans which would indicate that refuse vehicles would be able to enter and exit the cul-de-sac courtyard area in a forward gear, turning around the proposed central tree. A separate bin collection point for some plots in the NW corner of the site is also shown, but could be readily accessed via the main estate road.
- 14.100 Whilst there is some scepticism about some of the tracking information, it is accepted that, on balance, the internal road layout would not present any severe highway safety issues resulting from refuse collection vehicles.
- 14.101 In terms of pedestrian safety and movement, footways would be provided throughout the site, with some appropriate shared surfacing in the SW and SE corners. The scheme would include paths winding through the public open spaces. The path through the east side public open space would link with two key connections proposed as part of the development. One of these would a connection at the southern end, opposite the garaging for Plot 2, linking through to the Comerwicke development. A new crossing point would be formed to access the existing footway serving this neighbouring development. A footway is then uninterrupted into the village core, providing future occupiers of the scheme the ability to safely navigate into the village to access services and facilities. At the northern end of the path, adjacent to the main vehicular access, is proposed to be a new crossing over Castle Lane to the recreation ground on the opposite side of the road. This link through the site would therefore also provide a safe, off-road pedestrian connection between the main recreation ground and remainder of the village that is currently lacking along Castle Lane (and unrealistic to introduce given the relatively narrow width of the carriageway). This would provide a substantial public benefit in terms of wider village connectivity. Final details of the Comerwicke link, surfacing and level details of the path, and the crossing points, can be agreed by condition to ensure they are appropriate and meet the needs of all, including those with

protected characteristics. No objections have been raised by the Highway Authority on these proposals.

14.102 In terms of wider traffic impacts, the PC have raised concerns that if a series of consented developments throughout the village are all progressed at one time then there would be “chaos” in the village. It is not explained in the representation the context of the “chaos”, but it could be reasonably surmised as relating to traffic movements during the construction phase. In this regard, the Highway Authority have been consulted on such considerations and note that the Transport Assessment includes automatic traffic counts to identify trip distribution patterns, as well as predicted morning and afternoon peak traffic flows. The TA concludes that the proposed development could generate up to 40 vehicular movements in the AM peak and 37 vehicular movements in the PM peak, with a daily predicted traffic flow of around 367 vehicles. No objections have been raised by the Highway Authority in this regard as the scheme would not result in a severe, unacceptable cumulative impact upon the highway network. A Construction Traffic Management Plan (CTMP) is recommended to be submitted by way of condition to ensure that traffic is managed accordingly to minimise disruption. The CTMP for this application could take into account likely traffic from other developments being constructed locally in a similar timeframe.

14.103 The Rights of Way Officer has raised no objection to the proposal subject to financial contributions being secured to upgrade stiles and footpath surfacing in the vicinity of the site which would experience increased use for leisure activities from the additional population. There are numerous footpaths throughout the village that provide access to other residential areas and village facilities. As such, it is likely that improvements would be required on footpaths close to the development site. Such a contribution is deemed to meet the tests set out in paragraph 58 of the NPPF.

Biodiversity and ecology

Impact on habitats and biodiversity

14.104 The site has not previously been identified as comprising any Priority Habitat or any other ecological designations, nor does it adjoin these. However, the submitted EclA reveals that the site supports an assemblage of bats that is of at least regional importance, with surveys of the site in 2024 recording 13 species including nationally rare Greater Horseshoe and Barbastelle and numerous other priority species, some of which are known to be sensitive to lighting. The site also lies on the edge of the Branston SSSI consultation zone which identifies foraging areas utilised by the population of Greater Horseshoes associated with the SSSI. Radiotracking of these bats has identified foraging areas just to the south of Child Okeford indicating that bats from the SSSI could also be foraging at this site. Therefore, as the Council’s NET confirm, bats are a key ecological feature at this site, requiring careful consideration and robust mitigation. In particular, the western and northern boundaries of the site were identified as being important for the bats.

14.105 The initial plans for the development did not demonstrate that all of the recommended mitigation measures, such as grassland buffers and dark corridors, could be met, leading to significant loss of connectivity and ecological function and harm to the assemblage of bats currently using the site.

- 14.106 Following amended plans to take these points into account, officers are satisfied that amendments to the road layout and the positioning of some units would improve the provision of grassland buffers and dark corridors around the site to support continued use by commuting bats. The control of lighting would also satisfy that the principle of maintaining acceptable light levels within the dark corridors is achievable and this can be secured by condition. The availability of foraging habitat for bats would be, at least, maintained.
- 14.107 Impacts on other ecological receptors have been adequately addressed. Conditions are recommended to secure finalised a Landscape and Ecological Management Plan (LEMP) and a Construction and Environmental Management Plan (CEMP).
- 14.108 The site lies within the outer fringes of the Piddles Wood SSSI and Shillingstone Quarry SSSI. However the proposal is a type of development that would not adversely impact on either of these SSSIs.
- 14.109 The proposal would therefore comply with Policy 4 of the Local Plan and paragraph 193(a) of the NPPF which require, amongst other matters, that significant harm should be avoided or mitigated (and compensated for as a last resort).

BNG

- 14.110 The Biodiversity Metric describes that a minimum 10% gain will be achieved onsite for each of habitat, hedgerow and watercourse units. The Council's NET have confirmed that a finalised Habitat Management and Monitoring Plan (HMMP) will need to be submitted to satisfy the statutory Biodiversity Gain Plan condition. For major applications this is usually secured by a post-decision legal agreement as associated monitoring fees over the 30 year period need to be calculated. The applicant's preference is for this monitoring fee to be calculated now and inserted into the draft s106 agreement, rather than forming a separate post-decision legal agreement. On this occasion this is accepted by officers. The BNG monitoring fee has been calculated as £1,548 and can be inserted into the draft legal agreement.

Impact on protected trees

- 14.111 As noted, the native hedgerow trees along the northern and western boundaries are protected by an historic TPO (Ref: 42/2/66). The site itself also contains a mature Category A Oak towards the NW which has recently been protected by a TPO (Ref: TPO/2025/0065). The Tree Officer considers the Oak (referred to as 'T8' in submitted arboricultural documentation) to be an exceptional, mature, maiden specimen that has not been subject to any tree surgery interventions. It has a low canopy which means its leaves extend low towards the ground with some only 1m or so above ground level. Given its characteristics, the Tree Officer opined it could be considered a veteran tree, or notable tree, which are defined as irreplaceable habitats as defined in the NPPF and given strong policy protection in the NPPF.
- 14.112 In response, the applicant has provided a fully detailed Arboricultural Method Statement (AMS) which opines that T8 does not currently meet veteran status. However, it is acknowledged that, if managed, it has the potential to. Special engineering measures and supervised excavations within the tree's root protection area are supported and can be conditioned. The applicant has also confirmed that there would be no crown lifting or reduction of T8 and service pipes have been diverted to avoid RPA, with no other works expected within its RPA.

14.113 Accordingly, the Tree Officer raises no objection, including to the removal of part of the hedgerow to facilitate the new vehicular access, subject to conditions. The impact on protected trees i.e. their future retention and protection for the lifetime of the development would therefore be acceptable and in accordance with Policies 4, 15 and 24 of the Local Plan.

Residential amenity

14.114 The Comerwicke development adjoins to the site on the south side whereby a handful of dwellings closest to the mutual boundary could be affected, especially those directly facing north towards the site. Separations between the potentially affected Comerwicke properties and dwellings proposed closest to the southern boundary of the development site would be at least 20m (the closest relationship appearing to be between the side elevation of proposed Plot 49 and 17 Comerwicke). Separations would range from 20m to around 27m. These are not uncommon or unreasonable mutual separation distances on relatively level ground. With existing trees planted along the southern boundary of the site that will continue to mature, a good degree of intervening screening would exist over time between the respective developments. With these points in mind, it is considered that the proposed development would not adversely affect the residential amenity of properties in Comerwicke.

14.115 The only other potentially affected neighbouring property would be Castle Cottage. Proposed Plots 1, 3 and 4 would all face towards the rear of Castle Cottage but separated by some 39m. This is an acceptable separation distance. Furthermore, the intervening proposed green buffer and orchard area would also provide a means of screening some mutual intervisibility. Similarly, it is accepted that the proposed development has been designed to avoid adversely affecting the residential amenity of Castle Cottage.

14.116 The layout of the scheme itself has been designed to avoid any mutual amenity issues, with back-to-back separations either at least 20m in separation or buildings orientated in a way that would only enable obtuse angles of sight.

14.117 The Council's Environmental Protection team have raised some concerns with regards to the intended installation of air source heat pumps, which can potentially introduce adverse noise impacts. The applicant has, however, confirmed that any air source heat pumps would be installed internally within the dwellings and, with no associated equipment required to be installed externally, would not result in adverse noise impacts within their environment.

14.118 Both a CTMP and CEMP can be imposed as conditions to ensure that any potential disruption associated with the construction phase of the development, including operational hours, can be suitably controlled and minimised.

14.119 Overall, the impact upon neighbouring amenity would be acceptable and in compliance with Policy 25 of the Local Plan.

Impact on agricultural land

14.120 Policy 4 of the Local Plan states that the Council will seek to protect the best and most versatile agricultural land from development. As both Policy 4 and Annex 2 in the NPPF

confirm, 'best and most versatile agricultural land' is land in grades 1, 2 and 3a of the Agricultural Land Classification.

- 14.121 The applicant has provided an Agricultural Land Classification Report confirming that the entirety of the site comprises grade 3b (moderate) agricultural land. As such, the development would avoid the permanent loss of the best and most versatile agricultural land in accordance with the relevant part of Policy 4 of the Local Plan.

15. Environmental implications

- 15.1 In May 2019, Dorset Council declared a Climate Emergency and there is a heightened expectation that the planning department will secure reductions in the carbon footprint of developments.
- 15.2 The submitted Planning Statement indicates that the development would meet Building Regulations which requires the provision of renewable energy.
- 15.3 The proposal has been orientated so that all properties can benefit from generous levels of natural light, minimising the need for artificial light.
- 15.4 It is intended that overall construction of the dwellings would follow a 'fabric first' approach by enhancing the overall individual 'U' values through the specification of thermally efficient materials. In conjunction with the enhancement of the building fabric, improvement to the detailing and air tightness of the building would also be considered.
- 15.5 The proposed development would be constructed in accordance with the standards for domestic properties in Part G of the Building Regulations. Consideration would be given to measures that reduce water usage further, such as more efficient kitchen and bathroom fixtures, fittings and appliances.
- 15.6 Consideration will be given to the generation of renewable energy needs for the proposed dwellings through a combination of photovoltaic technology, solar panel technology and air source heat pumps in accordance with Part L of the Building Regulations. The applicant has already indicated that all dwellings would accommodate internal air source heat pumps.

16. Summary of issues and the planning balance

- 16.1 The site is located adjacent but outside of the settlement boundary of Okeford Fitzpaine and therefore in the countryside for the sake of planning policy. The proposal is not a type of development listed within Policy 20 of the Local Plan that would be appropriate in the countryside and it has not otherwise been demonstrated that there is an overriding need for the development to be in the countryside. As such, the proposed development would be contrary to the spatial strategy Policies 2, 6 and 20 in the Local Plan and, thus, not supported in principle unless other material considerations indicate otherwise.
- 16.2 Key material considerations in this respect are the Council's current housing land supply position and the NPPF.
- 16.3 At present the Council cannot demonstrate a five-year housing land supply, with the figure of 2.53 years supply indicating a serious level of housing need (that includes an affordable housing need). There is no up to date spatial strategy that responds to this position and a new Dorset Council wide local plan is not forecast to be adopted imminently. Going forward, it is expected that the larger villages will be required to accommodate the housing need.
- 16.4 With a lack of five-year housing land supply, paragraph 11(d) of the NPPF dictates that the policies which are most important for determining the application (Policies 2, 6 and 20) should be considered out-of-date.

- 16.5 The consequences of this are that the NPPF's tilted balance is engaged and planning permission should be granted unless:
- (i) the application of policies in the Framework that protect areas or assets of particular importance provides a strong 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 this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 16.6 Criterion (i) are the "footnote 7" reasons detailed in the NPPF. The relevant 'Footnote 7' policies in this instance would be those that are related to designated heritage assets and land designated as a National Landscape.
- 16.7 Great weight is attached to any harm to the significance of heritage assets. Officers accept that a low level of less than substantial harm would be caused to the significance of Grade II listed building Castle Cottage by virtue of major development taking place within its setting. Less than substantial harm does not equate to a less than substantial planning objection and, bearing in mind the statutory duty set out in the Planning (Listed Buildings and Conservation) Act 1990, the harm still attracts considerable importance and weight. However, with paragraph 215 of the NPPF engaged, the case officer considers that the low level of less than substantial harm to Castle Cottage would be outweighed by the public benefits of the proposal, which are headlined in section 13 of this report and elaborated upon further below. As such, the application of policies in the NPPF that protect heritage assets does not provide a strong reason to refuse the proposal on this ground.
- 16.8 Under s85(1) of the Countryside and Rights of Way Act 2000 (as amended) it is a statutory duty for the LPA, in exercising or performing any function in relation to, or so as to affect, a NL to seek to further the purpose of conserving and enhancing the natural beauty of the NL. In decision-making this duty includes development that affects the setting of a NL. This duty needs to be considered in tandem with paragraph 189 of the NPPF, which states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes (which have the highest status of protection in relation to these issues). The same paragraph adds that development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. The site lies within the wider setting of the DNL. No specific and substantial harmful impacts to the special qualities of the DNL, resulting from the proposed development, alongside other housing developments, have been identified by officers. As such, officers consider that the impacts of the proposed development would not be significantly detrimental to the setting of DNL to an extent that these would provide a strong reason for refusal under footnote 7 of the NPPF. The DNL would therefore be conserved and enhanced as a result of the development.
- 16.9 With no strong reasons found to refuse planning permission under paragraph 11d(i) of the NPPF, it follows that paragraph 11d(ii) is engaged, whereby planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The same paragraph states that particular regard must be given to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 16.10 In terms of benefits, the proposed development would provide a positive contribution towards the Council's much needed housing land supply. This would include a policy-

compliant provision of affordable housing, with scope for this to upscale with additionality. The location of the site would be in conflict with the spatial strategy and not adjacent to a settlement with a full range of services and facilities. However, the site is within walking distance of the reasonable provision of services and facilities retained within Okeford Fitzpaine. The new footpath link between Comerwicke and the recreation ground, in addition to the on-site open spaces (including play area) would improve connectivity within the village and help to retain some trips and encourage walking, minimising the number and distance of car journeys. The additional housing and associated spend from future occupiers would also support the existing services and facilities. Given the Council's serious housing land supply shortage and direction of travel of the emerging Dorset Council Local Plan seeking to place residential development at the edge of the larger villages such as Okeford Fitzpaine, the harm from conflict with spatial strategy policies and the location of the site in relation to a full range of services and facilities carries only limited weight in the balance. The delivery of new market and affordable dwellings on the edge of a sustainable larger village, along with improved wider village connectivity, outweighs this harm and significantly weighs in favour of the proposal.

- 16.11 Additional public benefits, as set out in section 13 of the report, include the provision of on site public open space, a new village LAP, financial contributions towards infrastructure, economic benefits from construction jobs, supply chain, local expenditure, Council Tax receipts and NHB are all affordable moderate weight in favour of the proposal.
- 16.12 The density of the proposed development would be comparable and characteristic with other development within the village, including those on the village edges. As such, the proposed amount of the development would make an efficient use of land and not result in any harmful overdevelopment.
- 16.13 The case officer accepts that the overall layout of the development would be comparable with but also an improvement over other modern development within Okeford Fitzpaine. Scale and visual appearances would also not be inappropriate and would take suitable references from local character. Landscaping would also be sympathetic to its setting, with a good provision of public open space and a play area for younger children. As such, the case officer considers that the proposed development would secure a well-designed place which would not detrimentally affect any key, identifiable landscape features. Visual effects of the proposal would be limited to a local level owing to the relatively enclosed nature of the local landscape. With the imposition of conditions to control materials and landscape, the design and visual impact of the development would be acceptable and not provide a significant and demonstrable adverse impact. This weighs in favour of the proposal.
- 16.14 Subject to conditions, the proposed development can demonstrate appropriate surface water management and could be made safe for its lifetime without potentially increasing flood risk elsewhere. The proposed vehicular access point into the site and internal estate roads and footways would be acceptable and not result in any severe impacts in terms of highway safety. Significant harm to biodiversity and protected trees can either be avoided or suitably mitigated. The impact on neighbouring amenity has been designed to not cause any adverse impacts. The development would not result in the loss of any best and most versatile agricultural land. The statutory requirement of BNG could, in principle, be secured by condition and/or legal agreement. These points provide neutral benefits, affording limited weight in the balance.
- 16.15 The proposal would conflict with the spatial strategy and thus not in accordance with the comprehensive strategy for housing development set out in the Local Plan. As such, the proposal would conflict with the development plan as a whole. However, given the Council's five-year housing land supply position, only very limited weight can be given to

the conflict with spatial strategy Policies 2, 6 and 20 of the Local Plan. However, there are strong material considerations, including the NPPF, which justify a decision other than in accordance with the development plan.

- 16.16 Taking all of the above points and the material consideration of paragraph 11d of the NPPF into account, there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies of the NPPF as a whole. As such the proposed development benefits from the NPPF's presumption in favour of sustainable development and is recommended for approval, subject to conditions and completion of the s106 agreement.

17. Recommendation

- 17.1 To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Northern Area Manager to either:

A) GRANT planning permission following completion of a S106 Planning Obligation to secure:

- Affordable housing on site
- NHS infrastructure financial contribution
- Education (primary and SEN provision) financial contribution
- Pre-school provision financial contribution
- Community, leisure and sports facilities financial contribution
- Informal open space on site
- Informal open space maintenance financial contribution
- Destination play facilities financial contribution
- LAP (Local Area of Play) on site
- LAP maintenance financial contribution
- Formal outdoor sports facilities financial contribution
- Formal outdoor sports facilities maintenance financial contribution
- Public rights of way financial contribution
- Library financial contribution
- BNG monitoring fee
- General monitoring fee

and 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:

22082-300 B Location Plan & Existing Block Plan

22082-303 D Location & Block Plans

22082-304 H Site Layout Plan

22082-305 E House Types Plan

22082-307 Proposed Street Scene A

22082-308 Proposed Street Scene B

22082-310 A House Type 1 Floor Plans
 22082-311 A House Type 1- Elevations
 22082-312 C House Type 2 - Semi detached - Floor Plans
 22082-313 A House Type 2 - Semi detached – Elevations
 22082-339 A House Type 2 - Terraced - Floor Plans
 22082-340 House Type 2 - Terraced – Elevations
 22082-314 A House Type 3 Floor Plans
 22082-315 A House Type 3 Front Elevation & Gable Elevation A House Type 3 – Elevations
 22082-316 House Type 3 Rear Elevation & Gable Elevation B
 22082-317 A House Type 3A Floor Plans
 22082-318 A House Type 3A Front Elevation & Gable Elevation A
 22082-319 House Type 3A Rear Elevation & Gable Elevation B
 22082-320 A House Type 3B Floor Plans
 22082-321 A House Type 3B Elevations
 22082-324 A House Type 4 & 5 Floor Plans
 22082-325 B House Type 4 & 5 Elevations
 22082-326 A House Type 6 Floor Plans
 22082-327 B House Type 6 Elevations
 22082-328 A House Type 7 Floor Plans
 22082-329 B House Type 7 – Elevations
 22082-347 A House Type 7a - Floor Plans
 22082-348 A House Type 7a – Elevations
 22082-331 B Apartment Block Floor Plans
 22082-332 B Apartment Block South East & South West Elevations
 22082-333 B Apartment Block West & North Elevations
 22082-334 B Apartment Block Elevations A & B
 22082-343 B Car Port Key Plan
 22082-335 Car Port A - Floor Plan & Elevations
 22082-341 Car Port B - Floor Plan & Elevations
 22082-342 Car Port C - Floor Plan & Elevations
 22082-343 Car Port D - Floor Plan & Elevations
 22082-344 Car Port E - Floor Plan & Elevations
 22082-338 E Affordable Housing Plan
 6156/001 Access & Visibility
 6156/003 Footway Connection to Recreation Ground

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

3. Prior to the commencement of any development hereby approved details and specifications of the following works must have been submitted to and approved in writing by the Local Planning Authority:

The provision of a pedestrian footway link from the development through to the adjoining housing estate to the south (known as Comerwicke) and crossing point within the Comerwicke housing estate, as indicated on drawing number 22082-304 Rev H. The

crossing point should include dropped kerbs and tactile paving to facilitate crossing movements.

Thereafter, the pedestrian footway link must be constructed in accordance with the approved details prior to the occupation of any dwelling.

Reason: These specified works are a pre-requisite for allowing the development to be implemented and ensure the development would be suitably connected and accessible to the village services and facilities.

4. Prior to the commencement of the development hereby approved a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the Local Planning Authority. The surface water scheme shall be fully implemented in accordance with the submitted details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity.

5. Prior to the commencement of the development hereby approved details of a foul drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented prior to the completion of the development.

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

6. Prior to the commencement of the development hereby approved a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Local Planning Authority. The CTMP must include:

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

- temporary traffic management measures where necessary
- A sweeper will be required periodically to ensure the public highway is kept clear of loose debris that may be transferred from the site.
- Any site entrance gate that may need to be erected, will need to be set back a minimum of 15m from the edge of the carriageway.

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

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

7. Prior to the commencement of any development hereby approved an Arboricultural Method Statement (AMS) prepared by a qualified tree specialist providing comprehensive details of construction works in relation to trees that have the potential to be affected by the development must be submitted to, and approved in writing by the Local Planning Authority. All works must be carried out in accordance with the approved details. In particular, the method statement must provide the following:

- a) a specification for protective fencing to trees and hedges during both demolition and construction phases which complies with BS5837 (2012) and a plan indicating the alignment of the protective fencing;
- b) a specification for scaffolding of building works and ground protection within the tree protection zones in accordance with BS5837 (2012);
- c) a schedule of tree work conforming to BS3998;
- d) details of the area for storage of materials, concrete mixing and any bonfires;
- e) plans and particulars showing proposed cables, pipes and ducts above and below ground as well as the location of any soakaway or water or sewerage storage facility;
- f) details of any no-dig specification for all works within the root protection area for retained trees;
- g) details of the supervision to be carried out by the developer's tree specialist.

Reason: This information is required to be submitted and agreed before any work starts on site to ensure that the trees and hedges deemed worthy of retention on-site will not be damaged prior to, or during the construction works.

8. Prior to any equipment, materials or machinery being brought onto the site, other than for the erection of tree protection, a pre-commencement site meeting between the Council's Tree Officer, Arboricultural Consultant and Site Manager shall take place to confirm the methods of protecting trees on and adjacent to the site during development in accordance with the Arboricultural Impact Assessment prepared by Treework Environmental Practice ref. 250508-1.2-LWCLD-AIA-HB, dated 1 May 2025. The tree protection shall be positioned

as shown on the Tree Protection Plan, ref 250508-1.1-LNOF-TPP-SH (contained within the Arboricultural Impact Assessment) before any equipment, materials or machinery are brought onto the site for the purposes of the development. The tree protection shall be retained until the development is completed and nothing shall be placed within the fencing, nor shall any ground levels within the fencing be altered or excavated.

Reason: This meeting is required prior to commencement of development in the interests of tree protection.

9. Prior to the commencement of the development hereby approved a Construction Environment Management Plan (CEMP) or equivalent method statement shall be submitted to and approved in writing by the Local Planning Authority. This shall assess the impact of likely noise, vibration, dust and other pollution, and suggest mitigation and control strategies to protect nearby residents. The development shall be constructed in accordance with the approved CEMP.

Reason: To protect nearby residents from noise, vibration, dust and other pollution during construction.

10. Prior to the commencement of works on the dwellings and internal estate roads hereby approved the first 15.00m of the proposed access road, including the junction with the existing public highway, shall be completed to at least binder course level.

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

11. Prior to the commencement of any development above damp course level details (including colour photographs) of all external facing materials for the walls and roofs of all buildings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development achieves a high-quality design and the materials utilised integrate effectively with the surrounding area.

12. Prior to the commencement of any development above damp course level finalised details of all tree, shrub and hedge planting (including positions and/or density, species and planting size) and a Landscape Management Plan must be submitted to and approved in writing by the Local Planning Authority. Thereafter the planting and soft landscaping must be carried out in accordance with the approved details and carried out before the end of the first available planting season following substantial completion of the development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as shall be agreed in writing with the Local Planning Authority. In the event of any

disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes. The Landscape Management Plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscaped areas. The management of these areas shall be implemented in accordance with the approved plan.

Reason: To ensure that adequate mitigation for the landscape and visual impact of the proposals and the provision of an appropriate landscaping scheme has been agreed.

13. Prior to the commencement of any development above damp course level full details of all hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, where appropriate: proposed finished levels or contours, means of enclosure, hard surfacing materials, minor artefacts and structures (e.g.; furniture, play equipment, signs, lighting, refuse or other storage units, proposed and existing functional services above and below ground (e.g.; drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc). Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.

14. Prior to the commencement of any development above damp course level a finalised Landscape and Ecological Management Plan (LEMP) must be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include details of the long-term management, maintenance and monitoring of the landscape and environment of the site. Thereafter, the LEMP shall be implemented in full and in accordance with the details and timescales within the approved document throughout the lifetime of the development.

Reason: To ensure impacts upon the local landscape, nature conservation interests and biodiversity are satisfactorily mitigated and enhanced.

15. Prior to the commencement of any development above damp course level a finalised Ecological Impact Assessment (EclA) must be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented entirely in accordance with the approved finalised EclA and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

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

16. Prior to the installation of any external lighting as part of the development hereby approved, a detailed external lighting strategy which reflects the need to avoid harm to protected species and to minimise light spill shall be submitted to and approved in writing

by the Local Planning Authority. The strategy should address all aspects of lighting that will be introduced, including:

- the extent of areas to be illuminated including lux levels;
- the types of lighting that will be used;
- the specification for all light fixtures including measures to prevent light spillage.

Thereafter the lighting shall be implemented in accordance with the approved strategy.

Reason: In the interests of biodiversity and to protect the character and appearance of the nearby Dorset National Landscape, with specific regard to its dark night skies and undeveloped rural character.?

17. Prior to the occupation of the development hereby approved the following works must have been constructed to the specification submitted to and approved in writing by the Local Planning Authority:

The provision of a 2m wide footway located south of the new proposed vehicular access into the site, as shown on drawing number 6156/003 with dropped kerbs and tactile paving to facilitate crossing movements at the recreation ground.

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

18. Prior to the occupation of the development hereby approved details of maintenance and management of both the surface water sustainable drainage scheme and any receiving system shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

19. Prior to the occupation of the development hereby approved a scheme showing precise details of the proposed cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme must be constructed before the development is first occupied and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

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

20. Prior to the occupation of the development hereby approved the visibility splay areas as shown on drawing 6156/001 must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained as approved and kept free from all obstructions.

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

21. Prior to the occupation of the development hereby approved the geometric highway layout, turning and parking areas shown on Drawing Number 22082-304 must be constructed. Thereafter, these must be maintained as approved, kept free from obstruction and available for the purposes specified.

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

22. The section of hedgerow that is proposed to be situated adjacent to the LAP shall be maintained at a height of 1.2 metres above ground level.

Reason: To ensure that there is adequate surveillance of the LAP.

23. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. Development must be suspended and a risk assessment carried out and submitted to the Local Planning Authority for approval in writing. Where unacceptable risks are found remediation and verification schemes must be submitted to and approved in writing by the Local Planning Authority. The approved remediation and verification schemes must be carried out before the development is resumed or continued.

Reason: To safeguard the living conditions of future and neighbouring occupiers and to protect the water environment and other sensitive receptors.

or B) Refuse permission for the reasons set out below if the s106 agreement is not completed by 17 September 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement or the Development Management Northern Area Manager.

Reason for refusal: In the absence of a legally binding mechanism to ensure the delivery of affordable housing and grey, green and social infrastructure the proposal is contrary to Policies 8, 13, 14 and 15 of the North Dorset Local Plan Part 1.

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.
- The applicant was provided with pre-application advice.

2. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated [TBC].

3. Biodiversity Net Gain

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

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

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

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

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

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

4. If the applicant wishes to offer for adoption any highways drainage to DC, they should contact DC Highway's Development team at DLI@dorsetcouncil.gov.uk as soon as possible to ensure that any highways drainage proposals meet DCC's design requirements.
5. Prior Land Drainage Consent (LDC) may be required from DC's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the

applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquires can be sent to floodriskmanagement@dorsetcouncil.gov.uk.

6. The applicant is advised to have early discussions with Wessex Water in relation to the possible adoption of SuDS features in order to ensure that the final design of the attenuation features are in line with their design requirements.
7. The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Highways Development team. They can be reached by telephone at 01305 225401, by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.
8. The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset Council's Highways Development team. They can be reached by email highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.
9. The junction works referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development team. They can be reached by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.
10. 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.

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Application Number:	WD/D/19/002710
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	LAND AT THE GEORGE ALBERT HOTEL & SOUTHERN COUNTIES LEISURE, LONG ASH LANE, WARDON HILL, DORCHESTER, DT2 9PW
Proposal:	Change of use of the land & erection of Holiday Lodges & Staff Accommodation units, together with installation of infrastructure to form a 5* exclusive Holiday Lodge Park in lieu of the current land use of motor racing circuit, shooting ground & static caravan park.
Applicant name:	Lambe Planning and Design Ltd
Case Officer:	Penny Canning
Ward Member(s):	Cllr Haynes

1. Reason application is going to committee

- 1.1. The application is reported to committee in light of the neighbouring Parish Council objections and in agreement with the Service Manager for Development Management and Enforcement.

2. Summary of recommendation

- 2.1. A: To delegate authority to the Service Manager for Development Management and Enforcement and the Area Manager to grant planning permission subject to conditions, and subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:
- 2.1.1. A replacement Bio-Bubble Package Treatment Plant (PTP), as detailed within the submitted Nutrient Neutrality and Mitigation Strategy (NNMS) dated 12 Sep 2024, to be installed prior to occupation of any holiday lodge;
- 2.1.2. The submission of a Waste Water Management Scheme to be first agreed in writing, and implemented with immediate effect on installation of the PTP. The Waste Water Management Scheme shall include a management/maintenance plan for the PTP for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker or any other arrangements to secure the operation of the PTP throughout its lifetime;
- 2.1.3. In the event the PTP needs replacing or upgrading, the replacement PTP shall have an effluent discharge of no greater than 1.2mg/l total ammoniacal nitrogen, and nitrate of 35mg/l.
- 2.1.4. A monitoring fee.

2.2. B: Refuse permission for the reasons set out below if the Section 106 agreement is not completed within 6 months from the date of committee, or such extended time as agreed by the Service Manager for Development Management and Enforcement and the Area Manager.

2.2.1. In the absence of any formally agreed mechanism to secure a suitable PTP to address nutrient neutrality matters, the proposed development would fail to provide an appropriate level of mitigation to avoid likely significant effects on Poole Harbour Special Protection Area (SPA and Ramsar), a European Protected site, and would fail to comply with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006, Policy ENV2 of the West Dorset, Weymouth and Portland Local Plan (2015), and the provisions set out under para 192-195 of the NPPF.

3. Key Planning Issues

Issue	Conclusion
Principle of development	Given the provision of facilities on site to serve the development, together with the presence of an existing holiday use, the principle of a tourism use in this location complies with the policies and Spatial Strategy as set out within the adopted Local Plan. With no net increase in established residential units on site, and an understanding that some on-site presence would be required from a security perspective, the provision of two staff units at the site complies with the adopted rural exceptions policy. Further, owing to insufficient demonstrable need for the existing sporting facilities, policies do not warrant their retention. As such, the principle of development is accepted in policy terms, having regard to Policies SUS2, ECON7, COM5 and HOUS6 of the West Dorset Weymouth and Portland Local Plan.

Issue	Conclusion
Impact on landscape character and the Dorset National Landscape	Owing to the well screened boundaries, and proposals to further enhance boundary treatments; and owing to the appropriate treatment of lodges and lighting, the impact of the development on the wider landscape would be acceptable having regard to policy ENV1 of the adopted Local Plan.
Flood risk and drainage	The proposed development is considered to be acceptable having regard to the impacts on flood risk, subject to conditions, in line with Local Plan Policy ENV5
Impact on contamination	Sufficient information has been submitted to demonstrate that the proposed development would not pose an unacceptable risk of pollution to groundwaters from non-mains foul drainage, thereby safeguarding the source protection zone 1. The proposed development likewise successfully demonstrates that it would not have a harmful impact upon potable water supplies. Thus it accords with policy ENV9 of the West Dorset Weymouth and Portland Local Plan (2015).
Highway impacts, safety, access and parking	The traffic generated from the proposed development would be unlikely to exceed the capacity of the permitted uses at the site, and the volume of traffic using the site would not exceed the capacity of the junction or A37. As such, the proposed development is considered to comply with Local Plan policy COM7 and para 116 of the NPPF having regard to highway safety and efficiency.
Biodiversity	The impacts of the development on protected species and habitats at the site would be minimised to an acceptable level through securing a LEMP and CEMP in line with the submitted EclA which secures appropriate mitigation and enhancement. Sufficient information has also been provided to demonstrate that the impacts of nitrogen generated from the development can be successfully mitigated to prevent

Issue	Conclusion
	likely significant adverse impacts on the integrity of Poole Harbour, designated a Special Protection Area (SPA) and a European Protected Wetlands (RAMSAR) site. Subject to securing mitigation under a Section 106 legal agreement, the proposed development consequently passes the Appropriate Assessment and accords with the provisions set out in Policy ENV2 of the Local Plan.
Impact on the living conditions of the occupants and neighbouring properties	The impacts on the residential amenity of the area are also considered acceptable, in line with Local Plan policy ENV16.

4. Description of Site

4.1. The application site is accessed by the A37 and located at Warden Hill. The site comprises the former shooting ground at the Southern Counties complex, an existing racing circuit together with clubhouse, a holiday park comprising approx. 41 static caravans at present, with space for a further 12 static caravans, and a touring site, retail stores/café, car parking areas, telecommunication masts, and the George Albert Hotel and Spa.

4.2. The site sits in an elevated position within the wider landscape and is bound to the east by a bridleway, and to the west by the A37 trunk road. To the north is a lane which connects the A37 with some of the nearby rural villages, and currently offers a further two accesses into the site. Surrounding the site is largely agricultural land, with the exception of a solar park located to the north east.

4.3. The site falls within the Dorset National Landscape (DNL) (formerly known as Area of Outstanding Natural Beauty (AONB)), situated at an elevated position within the rural landscape, and straddles two distinct Landscape Character Areas identified as the Upper Frome Valley and Cerne & Sydling Valley.

4.4. As a whole, the site's current land uses can be described as follows:

- Holiday park;
- Go-karting circuit;
- Former shooting ground;
- Gun shop, antique store, and tea room;
- Car parking areas;
- Telecommunication masts;
- George Albert Hotel and Spa; and
- Bungalow and warden's caravan.

4.5. The only uses that are proposed to remain within the site as part of the proposed development are the George Albert Hotel and Spa, and the holiday use, which is proposed to be redeveloped and expanded.

- 4.6. The existing racing circuit, retail units including a gun shop and antique store, and the redundant shooting school within the site would be re-developed or replaced as part of the proposals.
- 4.7. The site boundaries frequently comprise high existing berms and are generally well landscaped, which restricts views in and out of the site.

5. Description of Development

- 5.1. The applicant is seeking consent for 226 holiday lodges (amended from the previous 313 lodges originally sought), together with 2 staff units (amended from the previous 8 originally sought) to provide onsite accommodation for employees, and associated landscaping, including the provision of a wildlife pond and formal lake. All existing structures would be demolished, with the exception of the Hotel, clubhouse and water tower. This would see the removal of the existing holiday park, comprising approximately 41 units and a dwellinghouse, the garage buildings, shop and spectating and commentator stands associated with the racing circuit, the removal of the gun shop, antique store and café, and the removal of the open stands/shed associated with the shooting ground.
- 5.2. It is proposed that the lodges would be constructed of timber and stained in a range of muted environmental colours, to be agreed. The holiday lodges, as shown on the submitted plan, would be sited on average between 7m and 9m apart, with a distance of 7.5m to 8m between units seen most frequently; this is when measured at their nearest points. The agent refers within the Design and Access Statement to units being sited 10m to 15m apart. These distances can be seen between some lodges, but they are not a common feature of the park. Generally, such separation distances are only seen when measuring units at their furthest points, and discounting their external decking area, and so such measurements need to be read in that context, with an understanding that the gaps between units are variable depending on the positioning of units on their plots, and all units are shown to include an external decked area extending the length and width of the units. The units would be interspersed throughout the site, with small recreational areas and pathways connecting spaces, and some of the existing berms retained offering separation between different parts of the site; others are proposed to be removed. The boundary of the proposed holiday park would be landscaped, providing an ecological corridor, extending between 30m to 50m in width along the site's eastern boundary. It is also proposed to provide a purpose built bat roost and swallow nesting structure, whilst maintaining and preserving the existing water tower as a bat roost.
- 5.3. The retained clubhouse is proposed to provide on-site facilities to serve the holiday park, including a takeaway, convenience store/farm shop, and café/bar/restaurant and would sit adjacent to a small recreation area and lake. The adjacent hotel would provide additional facilities open to users of the holiday park, including a spa, jacuzzi, steam room, sauna, beauty treatment, restaurant and bar.

- 5.4. The holiday park would be served by the existing A37 access, with the two other existing accesses from the lane to the north closed off. Two additional pedestrian accesses would be created onto the bridleway to the East.

6. Relevant Planning History

- 6.1. There is an extensive planning history in respect of the site, which was first established as a WWII hospital site, and has been subject to various permissions over time. It is not considered relevant to site all these here, and some of those uses are no longer present at the site. In order to provide the most relevant overview of the site as it is seen today, the following planning history is provided in respect of the following uses.

6.2. Existing holiday park

- 6.2.1. Following consent in the late 70s for use of the site for seasonal caravans, application 1/E/92/000259 saw the release of earlier restrictive conditions limiting the site to seasonal holiday use only; a condition remained on that consent preventing any individual caravan or tent remaining on site for more than 21 days. A further application (1/D/09/1347) saw the release of this further restrictive condition, establishing the site as a permanent holiday site, offering occupation all year round, restricted by condition for holiday purposes only. The permission related to the use of the site for the siting of static caravans, touring caravans, and tents. The application at the time was retrospective and related to 20 pitches for static units, and land for a maximum of 40 pitches for touring/tented camping, though the permission does not limit the number of caravans beyond any limitation enforced by separate site licensing restrictions.

6.3. Existing residential accommodation on site

- 6.3.1. The only lawful permanent residential accommodation on site relates to the bungalow and warden's unit.
- 6.3.2. The warden's unit on site, which relates to the unit directly to the east of the northern site entrance to the holiday park, has resulted from a protracted planning history, and has been situated on the land for approximately 40 years, having first been granted consent in 1979 under reference 1/E/79/000093. It was originally approved as temporary accommodation in advance of a permanent dwelling on site (this relates to the bungalow referred to below). The mobile home was subsequently retained by a succession of temporary consents – the last one of which was approved in 1998 (1/E/98/000580), which expired on 30 November 2003. Between 2003 and 2009 the caravan remained on site in breach of planning control, until it was regularised as a rural workers dwelling, accepted in recognition of the length of time the unit had been on site and the personal circumstances of the occupants, under application 1/D/09/1029. The warden's unit is subject to a restrictive condition limiting the occupation of the mobile home to a person employed as a warden of the Clay Pigeon Caravan Park
- 6.3.3. The bungalow, which is located within the holiday park, adjacent to the southern entrance, was granted outline consent under application 1/E/81/0480, and was subsequently granted detailed consent under

application 1/E/83/0314 as an essential rural workers dwelling. The consent was subject to a condition to this effect, limiting the occupation of the dwelling to a person directly involved in the administration of the caravan site.

6.4. Hotel

6.4.1. The hotel was granted consent under application 1/D/08/1862, as a country club in association with the Shooting Ground, enabling the hosting of World Cup competitions. Various applications have since been approved to allow the extension of the hotel facilities.

6.5. Go-kart racing track

6.5.1. The earliest planning record in respect of the go-kart track is in 1964. Further consents throughout the 60s, 70s, 80s, and 90s seek to continue the use of the site as a go-kart track with ancillary buildings, on a temporary basis. The latest consent (application 1/E/96/00033) gave permission for the permanent use of the site, subject to restrictive conditions seeking to minimise the impacts of the development, particularly in respect of light and sound pollution.

6.5.2. The associated garage structure was approved under application 1/E/96/00033, and the karting clubhouse, which is proposed to be retained and re-used, was granted consent under application 1/D/11/1148 providing shower and changing facilities, store, staff room and office space, medical room, laundry room, shop area, a small kitchen and a sitting area with servery.

6.6. Clay Pigeon shooting ground

6.6.1. The use of the land for clay pigeon shooting dates back to 1977. The clay pigeon shooting ground has now been vacant since 2015 as a consequence of viability issues associated with the contaminated land issues at the site. This relates to lead shot deposited in soils in affected fields, and the outcome was to cease shooting activities over the affected land, which eventually lead to its closure.

6.6.2. Since the use of the shooting ground ceased, permission was later granted for use of the former shooting ground, alongside an adjacent field, for use for ground mounted solar panels for energy generation. This was approved under application WD/D/14/3367 with the benefits of energy production weighing heavily in favour of the application. Since permission has been granted, the adjacent field is now occupied by ground mounted solar panels, however, the former shooting ground remains as undeveloped grassland.

6.7. Other uses

6.7.1. The gun shop, antique store and café are contained within the original pavilion building resulting from consents in the late 70s, and which has later been extended and modified under subsequent permissions. The planning history in respect of these elements is not clear without further investigation, and not probably critical to the consideration of the current application, with the retail and café uses well established.

6.7.2. Application P/FUL/2021/01497 approved a new telecommunications mast outside of the application site. This mast renders the telecommunications mast on the application site obsolete.

7. Constraints

- Poole Harbour Catchment Area
- Surface water flooding
- Groundwater Source Prot. Zones
- Public Right of Way adjacent to the site.
- Area of Outstanding Natural Beauty/Dorset National Landscape: statutory protection to conserve and enhance the natural beauty of the landscape - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000.
- Landscape Character Areas: Upper Frome Valley; Cerne & Sydling Valley.
- Outside of any defined development boundary

8. Duties

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

Section 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty) when making any decision which affects such land.

9. Development Plan policies

9.1. Adopted West Dorset and Weymouth & Portland Local Plan (2015): The following policies are considered to be relevant to this proposal:

- | | | | |
|---|--------|---|---|
| • | INT1 | - | Presumption in favour of Sustainable Development |
| • | ENV1 | - | Landscape, seascape & sites of other geological interest |
| • | ENV2 | - | Wildlife and habitats |
| • | ENV5 | - | Flood risk |
| • | ENV9 | - | Pollution and contaminated land |
| • | ENV10 | - | The landscape and townscape setting |
| • | ENV 12 | - | The design and positioning of buildings |
| • | ENV 15 | - | Efficient use of land |
| • | ENV 16 | - | Amenity |
| • | SUS2 | - | Distribution of development |
| • | SUS3 | - | Adaptation and re-use of buildings outside defined development boundaries |
| • | ECON6 | - | Built tourist accommodation |
| • | ECON7 | - | Caravan and camping sites |
| • | HOUS6 | - | Other residential development outside DDB's |
| • | COM5 | - | Retention of recreational facilities |
| • | COM7 | - | Creating a safe & efficient transport network |
| • | COM9 | - | Parking provision |

9.2. Neighbourhood Plans - Not applicable

9.3. Other Material Considerations:

- Design Guide Supplementary Planning Guidance – Sets out additional guidance in respect of the design of development and the criteria against which design should be assessed.
- Landscape Character Assessment
- Dorset National Landscape Management Plan 2026-2031
- Dorset Local Nature Recovery Strategy (2025)
- 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.
- WDDC Design & Sustainable Development Planning Guidelines (2009)
- National Planning Policy Framework (Dec 24):
Paragraph 11 sets out the presumption in favour of sustainable development. Development plan 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 any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Relevant NPPF sections include:

- Section 4. Decision taking: 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 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 Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 189). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- 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.

When considering impacts of the development, it is important to note that as per para 12 of the NPPF, *"the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making"*. As such policies within the adopted Local Plan unrelated to housing provision can still be given weight in the decision making process.

- Housing Delivery Test (HDT)

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

9.3.1. 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).

9.3.2. 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.

The emerging Dorset Local Plan is not sufficiently progressed and can be afforded very limited weight in decision making.

10. Consultation Responses

- 10.1. **Natural England** – have approved the Appropriate Assessment, confirming that they are satisfied that the development demonstrates nutrient neutrality. The outstanding objection in respect of this matter can therefore be considered to have been met.
- 10.2. **Environment Agency** – raise no objection.
- 10.3. **Dorset National Landscape Team** - raise no objection. The DNL Team are supportive of the amendments to the internal layout and consider the proposed development to offer a rare opportunity to achieve a new tourist facility within the AONB/National Landscape, using previously developed land and removing detracting features. Concern is raised relating to ground preparation and necessary remedial works due to contamination which is likely to have a significant bearing on the success of the project. The DNL Team also offer advice in terms of phasing, seeking the early implementation of those elements of the scheme which support the successful integration of the development within its sensitive setting.
- 10.4. **Dorset Police Architectural Design** – raised initial concerns in relation to the security and management of the holiday park, particularly bearing in mind the lack of surveillance to secondary accesses to the site, and the wider park.
- 10.5. **WPA** - raise no objection subject to conditions requiring appropriate site investigation, risk assessment and a scheme for remediation in respect of land contamination.
- 10.6. **Sport England** - raise no objection.
- 10.7. **Environmental Health** - has no comment to make.
- 10.8. **The Landscape Officer** requests further information and raises significant concerns over a number of site issues ranging from phasing, soil management, the lack of an acceptable Landscape and Ecological Management Plan (LEMP),

use of materials for the lodges, and concerns surrounding the achievability of the scheme.

10.9. **Natural Environment Team** – No objection, subject to conditions.

10.10. **Highways Authority** - raise no objection, subject to conditions.

10.11. **Technical Services** - no comment.

10.12. **Lead Local Flood Authority** - raise no objection, subject to conditions.

10.13. **Dorset Waste Partnership** – no objections.

10.14. **Rights of Way Team** - raise no objection.

10.15. **Batcombe and High Stoy Parish Council** object for the following reasons:

- Insufficient demand for a holiday park in this location
- Excessive number of lodges proposed resulting in a high density development;
- Road Safety due to increase in movement at the junction with the A37, and impact on Stile Way due to increased traffic movement;
- The site is remote from key conurbations and tourist attractions alike;
- Unacceptable light pollution and glare;
- Use of public transport is unviable due to distance from bus stops, and lack of safe footways;
- Impact on visual amenity;
- Additional hedge and tree planting would be required;
- Impact on local infrastructure;
- Elevated site, subject to poor weather conditions makes the site unsuitable and unviable. This coupled with the sites remote location makes the site unsustainable;
- Concern that statements within the Design and Access Statement are misleading;
- Walking and cycling within the area requires accessing unsafe roads;
- Impact on existing residents on site;
- Impact on existing broadband mast on site.

10.16. **Frome Valley Parish Council** object for the following reasons:

- Insufficient demand for a holiday park in this location;
- At full capacity there could potentially be 1560 people occupying the lodges, 320 cars, plus a further 50 staff members on site, with 50 cars, plus potentially 78 hotel guests, with 39 cars. At 75% occupancy this still equates to 1170 lodge guests, with 240 cars, 50 staff members and their cars, and 58 hotel guests, with 29 cars. The volume of people would be too many to cope;
- Impact on the natural beauty of the area and impact on views within the area;
- Impact on highway safety and the highway network; disagreement with Transport Statement;
- Lack of detail relating to the provision of facilities;
- Rural location, meaning guests would need to travel to attractions and towns, contrary to section 9 of the NPPF;

- Impact from light pollution;
- Lack of public transport;
- Concern that statements within the Design and Access Statement are misleading;
- Loss of national quality racing track at the Clay Pigeon Raceway;
- Impact on the amenity of local residents

10.17. A full copy of the consultee comments made can be viewed on the Council's website www.dorsetcouncil.gov.uk.

10.18. **Representations**

10.18.1. 40 third party representations were received in respect of the proposed development as originally submitted.

10.18.2. 1 comment has been received supporting the proposed development for the following reasons:

- Generate tourism and employment within the local community
- Design pleasing and in-keeping with the environment
- The loss of the go-karting circuit and use for holiday purposes would result in less noise pollution within the AONB (Dorset National Landscape).

10.18.3. 38 comments have been received raising the following material planning concerns:

- Design and Access Statement misleading
- Referencing the site as brownfield land, the site is not fully developed.
- Fails to comply with the principles of the NPPF and Local Plan policies seeking to protect the natural environment
- Not a sustainable location, 16km in any direction from any town, remote from facilities, and some distance from the coast and other tourist destinations. Lack of public transport, nearest bus stop (with the exception of a school service bus stop) would be Cerne Abbas some distance away. Limited safe walking/cycling opportunities
- Impact on the rural area, and AONB (National Landscape). Loss of tranquillity through increase of light and traffic movement. Concern regarding light pollution and impact on dark night skies. Visual impact of the development impacting upon the character of the area. The site is not considered to be well screened
- The site is of high density and the development is over development of the site. Opportunity to provide high quality natural open space for play/dog walking within the site has not been realised
- Highway safety concerns including concerns regarding the volume and speed of traffic along the A37, the number of accidents in this location, constrained local lane network, and concerns that contrary to the Transport Statement, which accounts for the operational use of the shooting ground and events, additional traffic would be generated within the locality due to current uses generating lower traffic levels.
- Loss of national quality go-karting circuit
- Job losses from existing uses at the site have not been taken into account
- Impact on residential amenity

- No added value to the community. Impact on other tourist providers within the locality. Impact on existing infrastructure including local medical services.
- No demand
- Impact on occupants of mobile homes
- Site highly contaminated
- Concern regarding the viability of the scheme, particularly regarding the site's remoteness from tourist facilities, and the poor weather conditions experienced at this elevated site
- Impact on the local aquifer due to significant drainage required. Impact from waste disposal system.
- Concern regarding loss of telephone mast
- Impact from solar panels
- Impact from signage

10.18.4. An objection has also been received from CPRE, having regard to the impact of the development on the Dorset AONB (National Landscape) dark night skies as a consequence of the level of lighting indicated within the lighting assessment.

10.18.5. Following the submission of amended plans, a further 27 representations were received from 21 third parties, 12 of which had previously made representation. A further representation was also received from Frome Valley Parish Council maintaining their objection, particularly on highway safety grounds.

10.18.6. The comments received raised the following material planning concerns:

- Inaccurate reporting
- Fails to comply with the principles of the NPPF and Local Plan policies seeking to protect the natural environment
- Not a sustainable location, 16km in any direction from any town, and some distance from the coast and other tourist destinations. Lack of public transport, nearest bus stop (with the exception of a school service bus stop) would be Cerne Abbas some distance away. Limited safe walking/cycling opportunities. Lack of on-site facilities would add congestion to local villages.
- Impact on the rural area, and AONB (National Landscape). Loss of tranquillity through increase of light and traffic movement. Concern regarding light pollution and impact on dark night skies. Visual impact of the development impacting upon the character of the area.
- The site is of high density and the development is over development of the site.
- Highway safety concerns including concerns regarding the volume and speed of traffic along the A37, the number of accidents in this location, constrained local lane network, including service vehicles, and concerns that contrary to the Transport Statement, which accounts for the operational use of the shooting ground and events, additional traffic would be generated within the locality due to current uses generating lower traffic levels.
- Impact on residential amenity and amenity of area.
- Impact on other businesses and tourist providers within the locality. Impact on existing infrastructure including local medical services.
- No demand, unattractive location.

- Concern regarding the viability of the scheme and potential impacts upon phasing/completion. Structure of phasing plan resulting in non-compatible uses running alongside each other.
- Lack of security.
- Concern over future uses.
- Concern over noise impacts.

10.18.7. A full copy of third party comments can be viewed on the Council's website www.dorsetcouncil.gov.uk.

11. Human rights

11.1. Article 6 - Right to a fair trial.

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

11.3. The first protocol of Article 1 Protection of property

11.4. 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

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

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

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

12.3. In this case proposed lodges would all comprise single story level accommodation. The lodges would be raised approximately 1.5m from the ground and in this regard a condition would be placed on any consent regarding access details to ensure a reasonable proportion of the lodges would have ramped access having regard to Inclusive Mobility. Parking is proposed for each lodge and located within reasonable proximity of the lodge to which it is served. Access roads are shared routes but considered to be of a suitable width and given the nature of the internal roads the shared use in this instance is considered to be acceptable. Details of final ground levels would be required prior to commencement where consideration will be given to Inclusive Mobility Guidance having regard to slope ratios and the need to ensure the development is accessible to those with protected characteristics. A range of facilities are to be provided on site and would be within reach of the lodges to which they would serve.

13. Public Benefits

- 13.1. The proposals would have economic benefits in respect of the local tourism trade and increased spending by visitors locally.

14. Environmental Impact Assessment

- 14.1. An Environmental Impact Assessment (EIA) Screening Opinion was adopted in 2019 ahead of submission of the application, following a formal request. Consideration was given to the characteristics of the development, the location of the development and the characteristics of the impact. Following consideration of the relevant selection criteria for screening Schedule 2 development presented in Schedule 3 of the EIA Regulations, it was concluded that subject to mitigation measures being set out, the proposed development would not be likely to have significant environmental impacts.
- 14.2. The mitigation measures set out the need for full land contamination conditions to be applied to any grant of consent to ensure that elevated levels of contaminants do not result in significant impacts upon the environment, human health and building materials. Matters relating to land contamination are considered in para 15.4 of the report and addressed within the submitted Phase 1 and Phase 2 desk study and Site Investigation Report; Supplementary Site Investigation and Updated Contaminated Land Risk Assessment; Site Investigation and Risk Assessment Update; and Framework Construction Environmental Management Plan (F-CEMP). WPA land contaminant consultants and the Environment Agency have been consulted on the application and raise no objection, subject to conditions. Recommended conditions 12 (water efficiency); 20 (soil importation); 21, 22 and 23 (land contaminations) are designed to address matters of contamination in accordance with specialist advice and the recommendations of the EIA screening opinion.
- 14.3. The mitigation measures also include the need to secure a Biodiversity Mitigation and Enhancement Plan (BMEP) certified by the Natural Environment Team. The Screening Opinion sets out what (at the time of writing) the BMEP would be expected to secure. A certified BMEP is before the Council, and since its submission/certification further survey work has been carried out to address the passage of time since initial survey work was carried out, and an updated Ecological Impact Assessment (EcIA) has been submitted and reviewed by the Natural Environment Team, who are satisfied with its contents. The EIA screening opinion acknowledges that the ecological measures contained within the screening opinion may be subject to change given the upcoming ecological surveys and discussions with the Natural Environment Team. Deviating from the recommendations made at the time of the Screening Opinion, the proposal no longer proposes 9 ponds but seeks to provide 2 ponds within the development. This is considered to be a betterment to the scheme by the Natural Environment Team, and as such, the deviation in this regard is not considered to alter the conclusions of the EIA Screening Opinion. Matters of ecology and the impacts upon bats, which are specifically mentioned within the Screening Opinion, are addressed within section 15.6 of the report, and recommended conditions 15 (landscape and ecological management plan); 17 (Ecological Impact Assessment); 18 (construction and Environmental Management Plan); and 25 (lighting strategy) are designed to address and mitigate impacts on biodiversity,

including bats, in accordance with specialist advice. While the above conditions seek to secure the measures set out in the EclA as opposed to the BMEP, this is on the advice of the Natural Environment Team who are satisfied that the measures contained within the EclA are reflective of those contained within the certified BMEP and are more up to date, hence the EclA should be secured in this instance.

- 14.4. It is considered that the Screening Opinion adopted for the site remains relevant in terms of its assessment of the sensitivities of the site and the characteristics of the development, and the proposed scheme is considered to appropriately address the recommendations of the screening opinion such that, in the context of the EIA Regulations, the development would not be likely to have significant environmental impacts and does not comprise 'EIA development'.

15. Planning Assessment

15.1. Principle of development:

15.1.1. Spatial Strategy

- 15.1.2. The Parish Council, and third parties alike, have objected to the application with concerns that the site is an unsustainable location to support the proposed development, situated some distance from any main settlement and not easily accessible by modes of transport other than the car. The Parish Council specifically refer to the provisions of Section 9 of the NPPF (promoting sustainable transport) as not being met.

- 15.1.3. Section 9 of the NPPF relates to promoting sustainable transport. In this regard para 110 states the following:

- 15.1.4. *Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.*

- 15.1.5. In accordance with the NPPF, Policy SUS2 of the West Dorset Weymouth and Portland (WDWP) Local Plan sets out the spatial strategy for the wider area and seeks to distribute a large proportion of development to sustainable locations. Outside defined development boundaries the policy seeks to strictly control development, restricting development to the prescribed types within the policy itself. These uses include tourism, as proposed under the current application.

- 15.1.6. Policy ECON7 sets out the policy provision specifically relating to caravan and camping sites, and states the following:

- i) *New caravan and camping sites should be well located in relation to existing facilities or make appropriate provision for facilities on site. Farm diversification projects (for agricultural and other land-based rural businesses) for new caravan and camping sites will be supported, provided they are in keeping with the rural character and the development makes an on going contribution to the business that is diversifying.*
- ii) *Proposals for the expansion, intensification or reorganisation of existing sites must clearly demonstrate that development forms part of a long term management plan to improve the quality and appearance of the accommodation and site.*
- iii) *All development (including the change of use from touring to static units) must not, individually or cumulatively, have a significant adverse impact on the distinctive characteristics of the areas landscape, heritage or built environment. Proposals in the Heritage Coast are unlikely to be supported.*
- iv) *Development proposals must include an appropriate landscape scheme and provision for its ongoing maintenance*

15.1.7. Provided within the holiday park would be the retained clubhouse which offers facilities including WCs and shower facilities, first aid room, offices, staff facilities, laundry, plant room, kitchen with servery, and shop, including the sale of food and drinks. It is proposed to operate a café/restaurant/bar and takeaway, and to expand the shop to provide a convenience store/farm shop. Holiday Park guests would also be able to share the existing hotel facilities, which include spa, jacuzzi, steam room, sauna, beauty treatment rooms, and a restaurant and bar.

15.1.8. It is acknowledged that many holiday makers to the site are likely to want to travel to visit nearby settlements and tourist attractions, and the site's location away from other sustainable transport hubs means there would be reliance on the car to access the site and other tourist destinations. However, considering the proposal against the above policy provisions, the site would have access to appropriate facilities, despite its remote location from any main settlement, in accordance with policy ECON7 (i); and whilst opportunities to maximise sustainable modes of transport are limited in this location, it is considered that through provision of facilities on site, the need to travel has been reduced, taking on board the provisions of Para 110 of the NPPF.

15.1.9. It is also relevant to note that use of part of the site for holiday purposes already exists. In this regard there is policy support for the expansion, intensification or reorganisation of existing sites under Policy ECON7 (ii). Whilst the nature of the resulting lodge park differs to the touring and caravan provision currently offered at the site, the use of the site as a caravan site is a material planning consideration which weighs further in favour of the principle of a holiday lodge park at the site, subject to a long term management plan to improve the quality and appearance of the accommodation. The proposed tourism use would also complement the existing provision offered by the hotel at the site.

- 15.1.10. The concerns raised in respect of the site's location away from main settlements and public transport routes are understood. However, in light of the above, the principle of a holiday park in this location would be acceptable in terms of the adopted spatial strategy, subject to the impact of the development, particularly having regard to the visual and landscape character of the site and area, bearing in mind its sensitive location within the National Landscape. This is considered later in the report.
- 15.1.11. **Use of Previously Developed Land**
- 15.1.12. The applicants have identified one of the benefits of this proposal as being the use of previously developed land, and it is considered appropriate to consider this in more detail. The NPPF's definition of previously developed land is as follows:
- 15.1.13. *Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*
- 15.1.14. Part of the site has been occupied by a small range of shooting stands for some time, but the ground coverage of those stands is relatively limited. The vast majority of the former shooting ground is undeveloped and remains as grassland. The existing caravan site and the racing course and associated buildings occupy the other portion of the site with associated fixed surface infrastructure or buildings. The surrounding land is generally laid to grass, subdivided by berms. In this case, part of the site would be considered as previously developed land, although arguably not the site in its entirety.
- 15.1.15. Policy ENV15 of the WDWP Local Plan seeks to encourage the efficient and appropriate use of land and encourages the re-use of previously developed (brownfield) land provided it is not of high environmental value. The NPPF at section 11 also seeks to ensure the effective use of land and gives substantial weight to the value of using suitable brownfield land within settlements, or where it relates to meeting housing needs. Neither of these circumstances relate to the site. In turn, the NPPF states that Local planning authorities should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers. Dorset Council has produced a Brown Field Register, but the site is not included.

- 15.1.16. The thrust of local and national policy is to reuse land that has already been compromised by the effects of development, where the land is not of high environmental value, and with a particular emphasis on the suitability of the site for housing, the delivery of which is a high priority for the Government. Part of the site would be considered to be brownfield land, although the loss of the existing uses would have to be weighed in the balance, yet the extent of development proposed does not reflect the balance between the built up areas of the site, and the undeveloped areas. The proposed development does not seek to develop the site for housing and would not be considered a suitable location for housing in any event as a consequence of its remote location away from any settlement. Furthermore, given the site's location within the National Landscape, it could be regarded as 'high environmental value' for the purposes of interpreting the policy advice. As such, the reuse of some of the previously developed parts of the site could be considered a benefit of the scheme, but given the site circumstances and policy interpretation, this would not weigh heavily in the balance, and due regard should be given to the loss of open undeveloped land that would result. This missed opportunity to provide a significant element of open space to support the holiday use proposed and to reduce the built form in this sensitive location, lacks an understanding of the site's sensitive position and an opportunity to moderate the impacts of development.
- 15.1.17. It is also worth noting, that the supporting information makes a number of references to provisions under the Caravan Sites and Control of Development Act 1960. Whilst the guidance provided is a useful consideration, it should be made clear that planning permission is required for the development proposed, and density and visual amenity are material planning considerations.
- 15.1.18. **Loss of recreation facilities**
- 15.1.19. Other material planning considerations relate to the loss of recreational facilities at the site.
- 15.1.20. In this regard, the proposed development would result in the loss of the clay pigeon shooting ground and the racing track. The clay pigeon shooting ground has been vacant for several years as a consequence of viability issues associated with the contaminated land issues at the site. The racing track is however still in operation, and is a unique facility offering an 815 metre circuit track and the ability to race at up to 60mph, used for British and National Championships. The track was the home circuit of Jenson Button and the circuit where Lewis Hamilton won his first race.
- 15.1.21. Policy COM5 of the Local Plan seeks the retention of recreational facilities and, in brief, the relevant parts of the policy state the following (please refer to the Local Plan for a full version of this policy):
- 15.1.22. *Development on, or change of use of open spaces of public value and recreational facilities (including school playing fields) will not be permitted unless:*

- *The development proposed is ancillary to the use of the site and the proposal will either support or improve the recreational and amenity value of the site ... ; or*
- *The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the ... recreational facilities; or*
- *Alternative and/or suitable replacement outdoor or indoor provision of equal or better recreational quality or value is provided ... and there is a clear community benefit; or*
- *It can be demonstrated that the ... land [is] surplus to requirements and there is no need for ... recreational uses which could reasonably take place at the site.*

15.1.23. Due to the unique nature of this facility, there is no 'needs assessment' which specifically requires such a facility, but this should not in itself render the facility as unworthy of retention. The specialist nature of such a facility does however rely on a specific and more widespread audience, and need should be considered in this context.

15.1.24. Having regard to recreation provision, Policy COM5 echoes the key principle as set out in para 103 of the NPPF, which states:

15.1.25. *Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.*

15.1.26. To assist in making a judgement, para 104 of the NPPF identifies three 'tests', each of which are considered below:

15.1.27. *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

15.1.28. Shooting Ground

15.1.29. The Shooting Ground has now been closed for several years, and there is no guarantee that by retaining the land the shooting ground would re-open in the future. When considering the provision of a solar park on the former shooting ground in 2015, limited evidence was received to indicate an overriding need to retain the land following its closure. Planning permission was subsequently granted, albeit the site was not used for the intended purposes, leaving the site still vacant today.

15.1.30. Whilst no thorough assessment has been made regarding the need for the facility, having regard to the above considerations, and the passage of time since its closure, with no prospective purchaser that the Council is aware of, the recreational use of the shooting ground could arguably be

considered surplus to requirements, and its loss accepted under para 104 of the NPPF.

15.1.31. Go-karting facility

- 15.1.32. The agent has provided an assessment of the existing go-karting facility. In doing so, the agent refers to the business as making only a small profit, offering no income to the landowner. The agent consequently assesses the business as unviable, although no detailed viability assessment has been provided to verify this position.
- 15.1.33. The agent also notes the raceway is a private business and not in public ownership, and suggests that it does not therefore offer a public or community facility. The private ownership of the company does remove any control from the Council, and it is true that the council cannot prevent its closure, but it certainly does not prevent the facility from being a community sports facility, its very use by members of the public renders it so. In fact, from reviewing the website and social media page, the racetrack appears to be a valued facility, still in operation and, from a statement on their website, has no intention to move from the site, although the operator may have little control in this regard. Nevertheless, it is worthy to note that there has only been 2 comments received raising concern over the loss of the recreational facility.
- 15.1.34. The above matters do not render the site surplus to requirements; in order to better assess this, consideration has to be given to need, and this has to be considered in the context of the type of facility it is. In order to better assess this the agent has provided details of other similar facilities in the area. In this regard, the nearest racing courses are Haynes Track located in Sparkford, Somerset (approx. 29km away), which offers a much smaller 480m track and allows speeds up to 40mph, South Coast Karting offers a 420m racing track located in Christchurch, Dorset (approx. 64km away), and Mansell Raceway located at Dunkeswell, Devon (approx. 69km away) offers a 750m track and allows speeds up to 60mph.
- 15.1.35. From the above assessment it can be concluded that within approximately a 1 hour drive, three other karting facilities can be found, with the Mansell Raceway providing a comparable offering, albeit a slightly smaller track. In terms of the geographic catchment for such facilities, this is generally considered an acceptable distance to travel, with many track users often having to travel 1 ½ to 2 ½ hours to access a track. On this basis, Sport England raise no objection to the loss of the facility.
- 15.1.36. The siting of the raceway in an elevated and exposed position means the circuit suffers during wet weather, making it less desirable during wetter winter months, affecting the profitability of the site. With most raceways in private ownership, it does add complexity to the issue, and because tracks are not subsidised they are reliant on private funding/use. In this regard, the one advantage of its closure is that the loss of this site would transfer the use to other raceways creating a potentially more resilient financial base for those other sporting sites.

- 15.1.37. The loss of the unique recreational facility clearly has to be weighed in the balance and in the context of raceways, it is difficult to justify the need for the facility given other raceways exist within a reasonable geographical catchment, and as such, it could be concluded that the track is surplus to requirements.
- 15.1.38. **b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or**
- 15.1.39. **c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use**
- 15.1.40. Having regard to the final two tests, these are not met as the proposed development is not for alternative sports or recreational provision, they would not be relocated, and there would be no replacement provision elsewhere. These tests do not need to be met owing to the first test being met.
- 15.1.41. In light of the above considerations, it is accepted that, to an extent, the loss of the clay pigeon shooting ground has already occurred as a result of viability issues resulting from the conditions at the site leading to its closure. Since its closure, Officers are unaware of any interest to reopen the shooting ground, and as previously accepted in 2015, there is insufficient need for the use demonstrated to require its retention.
- 15.1.42. The use of the site as a raceway is slightly different, as the use is still in operation. Nevertheless, it is considered that there is a sufficient supply of other similar sporting facilities within a reasonable catchment area; on this basis, the site can be considered surplus to requirements, and Sport England has raised no objection to its loss.
- 15.1.43. The loss of the circuit would also present some benefits, by removing a use which can generate noise from a National Landscape location, and this is also a material consideration when considering the impact from the loss of the go-karting facility. Impacts on the National Landscape will be considered in more detail in the remainder of the report.
- 15.1.44. As such, the loss of the recreational facilities is considered to accord with the allowances made under the final bullet point of policy COM5, and the tests set out under para 104 of the NPPF.
- 15.1.45. **Provision of permanent accommodation on site**
- 15.1.46. The applicant also seeks to provide 2 staff units on site to provide onsite accommodation for employees, in the form of 3 bed self-contained lodges. This has been amended since the original submission of the application, which sought the provision of 8 staff units on site. The proposal to include

self-contained staff accommodation has been queried by the Parish Council and third parties.

15.1.47. Policy HOUS6 of the WDWP Local Plan seeks to restrict development within the open countryside subject to a set of special circumstances; one of which relates to rural workers dwellings. The policy states the following:

15.1.48. *iv) New housing for rural workers (full time workers in agriculture, horticulture, and other rural businesses), located outside the defined development boundaries, will be permitted provided that it can be demonstrated that there is an essential need for a worker to live at or near their place of work.*

15.1.49. The preamble to the policy offers some context behind this provision where it states:

15.1.50. *... there will be some circumstances where the viability of an agricultural, forestry, or other enterprise for which a rural location is essential, depends upon a worker being resident on site to oversee the operation of the enterprise. In considering proposals for rural workers' dwellings, the councils will need to establish that the accommodation is essential to the functional requirements of the business. It will also be necessary to establish that the business is financially sustainable in the long term, particularly where the proposal is for a permanent dwelling. The councils will also give consideration to the availability of alternative accommodation on the holding or nearby; and whether a dwelling on the holding has been sold recently on the open market. The size of the proposed dwelling should also be appropriate to the needs of the business and positioned where it will effectively meet the functional needs. A temporary dwelling may be acceptable in the case of new businesses that cannot yet show financial soundness but where it has been established that there is a functional requirement for on-site accommodation.*

15.1.51. The NPPF in turn states at para 84:

15.1.52. *Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

15.1.53. *a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*

15.1.54. In order to assess the need for the rural workers dwelling the above tests have been broken down and assessed below:

15.1.55. ***Is a rural location essential for the enterprise?***

15.1.56. It is not considered essential that a holiday park be located in a rural location, although there is some acceptance that finding a site of the scale proposed within a settlement boundary would be difficult.

- 15.1.57. The policy does not seek to differentiate between the levels of remoteness within rural locations, and whilst it is challengeable to consider that a rural location is essential, it is accepted under Policy SUS2 that such uses (for new employment, tourism and leisure related development) can be sited within countryside locations, and with this in mind, together with consideration of the scale and position of the site adjacent to the existing hotel, it is not considered pertinent in this case to argue that a rural location is not essential.
- 15.1.58. ***Is the accommodation essential to the functional requirements of the business?***
- 15.1.59. Two units of permanent residential accommodation have been established on the site. The granting of consent for the bungalow on site, limited to an employee of the existing holiday park, already demonstrates acceptance that there is some essential need for a warden to be present on site to assist in the effective management of the caravan park and the former Southern Counties Shooting Ground. In respect of the second permanent mobile home on the site, this was a little more questionable; with officers recommending refusal based on lack of need, prior to committee approving the application in recognition of its long run of temporary permissions and the circumstances of the occupier. Part of the applicant's case at the time was in relation to the holiday park, but also the security of guns being held on site in association with the former clay pigeon shooting activities.
- 15.1.60. Policy HOUS6 supports the replacement of dwellings, but only within the curtilage of the existing property, which is not the case here. Nevertheless, it was established in the early 80s that there is some functional need to be present on site to ensure the successful running of the holiday park. Indeed, the agent has confirmed that 24hr staff would be required on site to provide 24hr on site security, to provide high quality support and a 24hr service to visitors including emergency repairs, making travel arrangements, managing deliveries, cleaning and servicing, and to deal with late/early arrivals and departures. It is questionable whether all these offers would need to be 24hr, but it is accepted that for security reasons and emergency situations, some 24hr presence would be required. Recognising the proposed holiday park would be at a greater scale than the current caravan park on site and noting the presence of 2 rural units of accommodation presently at the site, it is accepted that a functional need could be demonstrated for 2 workers units. There would be no net increase in residential accommodation across the wider site as a result of this.
- 15.1.61. Bearing in mind the potential to offer surveillance from the hotel, and the acceptance of two units on site to manage the existing holiday park, it is considered that two units would be sufficient to satisfy the functional need on the site and address security concerns, noting the two northern accesses to the site are proposed to be closed.
- 15.1.62. ***Is the business financially sustainable in the long term?***

- 15.1.63. Some limited detail of the viability/financial business case for the proposal has been submitted, which indicates a profit would be realised in the first few years. In recognition of the existing accommodation on site, together with the temporary lodge form in which the staff units are proposed, it could likely be demonstrated that 2 units on site would be financially sustainable.
- 15.1.64. ***Availability of alternative accommodation on the holding or nearby?***
- 15.1.65. From a desk based search no properties under the £1million price bracket are currently for sale within 1 mile of the site, with the nearest properties being located within a 3 mile radius.
- 15.1.66. ***Has a dwelling on the holding been sold recently on the open market?***
- 15.1.67. No dwelling has been sold on the site recently to the Officers knowledge.
- 15.1.68. Having considered the above, and referring back to the policy wording itself, sufficient justification has been provided to demonstrate that there is an essential need for 2 permanent staff lodges on site, and it is a material consideration that there would be no net increase in the number of residential units on site. As such, the proposed development is considered to comply with policy HOUS6 of the Local Plan, and para 84 of the NPPF. A condition would be placed on any consent securing the occupancy of the two staff lodges to a rural worker connected with the use of the holiday park.
- 15.1.69. **Climate Implications**
- 15.1.70. It is proposed that the site would be served by facilities provided on-site, including use of an existing building, to be converted, and use of the hotel facilities, providing a shop and leisure facilities on site; thereby reducing the need for holiday occupants to travel during their stay.
- 15.1.71. It is also proposed that the scheme would incorporate sustainable drainage, and grey water harvesting systems, with water saving taps and showers provided and dual flush toilets. Every holiday lodge would also have a single EV bollard with two car charging sockets, and a further 40 EV charging stations would be provided within the car park. All holiday lodges would be manufactured to exceed British Standard 3632.
- 15.1.72. A lighting scheme would comprise low level bollard luminaires utilising low energy fittings which would operate from dusk until 11pm only. Wall mounted luminaires to the lodge entrance will operate via movement detection only.
- 15.1.73. **Conclusion: Principle of development**
- 15.1.74. In order to establish the principle of development, various material considerations have been taken into account. These include consideration of the adopted spatial strategy and policy ECON7 having regard to the provision of a new and/or extended holiday use some distance from any settlement; consideration of the weight to be applied to the site's part brownfield condition; the loss of the existing recreational facilities that would result from the proposed change of use of land; and the need for 24hr

surveillance at the site for security purposes. Weighing in favour of the proposal is its location close to existing and proposed facilities, together with the presence of an existing holiday use at the site, the presence of two established residential units on the site and the understanding that some 24hr presence would be of benefit from a security perspective, and the lack of demonstrable need for the existing recreational facilities. In this regard, the provisions of policies ECON7, COM5 and HOUS6 are met, and subject to the environmental and other impacts of the development, the principle of development is accepted. The part undeveloped nature of the site weighs less favourably, and critical to considering matters further, are considerations of the implications of developing within a National Landscape; a matter which shall be considered next.

15.2. Impact on the visual amenity and AONB/National Landscape

- 15.2.1. The National Parks and Access to the Countryside Act 1949, and the Countryside and Rights of Way Act (CROW) 2000, sets out the general duty of Local Planning Authorities in relation to AONB's/National Landscapes and para 85 (1) states the following:
 - 15.2.2. *In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*
 - 15.2.3. This duty was updated in Dec 2023 by the Levelling Up and Regeneration Act (LURA), which amended the 'duty' placed upon relevant authorities to 'have regard' to conserving and enhancing the natural beauty of the AONB, to a 'duty' to 'seek to further the purpose of' conserving and enhancing the natural beauty of the AONB, placing a more proactive duty upon public bodies to ensure the primary purpose of the designation 'to conserve and enhance natural beauty' is at the forefront of decision making. This duty applies to designated National Landscapes (former AONBs; the terminology of which is considered interchangeable having regard to local and national policy references).
 - 15.2.4. Policy ENV1 of the WDWP Local Plan seeks to safeguard the natural beauty of the landscape. In this regard, policy ENV1 states the following:
 - 15.2.5. *Development which would harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Beauty or Heritage Coast, including its characteristic landscape quality and diversity, uninterrupted panoramic views, individual landmarks, and sense of tranquillity and remoteness, will not be permitted.*
 - 15.2.6. Policy ENV1 requires consideration of the objectives of the Dorset AONB/National Landscape Management Plan (NLP). In this regard, objectiveC1(a) of the 2025 NLP seeks that development conserves and enhances the National Landscape, and in doing so the Plan only offers support to development that does not conserve and enhance the National Landscape if it is necessary and in the public interest, with major proposals

subject to detailed consideration of exceptional circumstances and public interest grounds. Objective C2(a) seeks that high quality assessments are made of proposals and seeks to refuse proposals that are harmful to landscape character unless the benefits clearly outweigh the protection afforded to the National Landscape. Objective C4 relates to preventing and mitigating harm to the landscape and visual character of the area. To achieve this C4(a) refers to removing, and avoiding new, features detrimental to landscape character, tranquillity and special qualities, to protect and enhance views, and to conserve and enhance dark night skies. Objective C4(c) seeks to limit inappropriate forms of major development within the National Landscape while supporting the use of previously developed land.

15.2.7. To further assist, para 189 of the NPPF states the following:

15.2.8. *Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. ... The scale and extent of development within all these designated areas should be limited...*

15.2.9. Para 190 of the NPPF goes on to state (in line with objective C1(a) of the National Landscape Management Plan):

15.2.10. When considering application for development within ... Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) *the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

It is first relevant to consider whether the proposed development would constitute 'major development' within the AONB/National Landscape. The NPPF does not define or seek to illustrate the meaning of the phrase "major developments" and the courts have rejected the argument that the definition used in the Town and Country Planning (Development Management Procedure) Order (DMPO) 2010 Article should apply across any policy document, procedural rule or Government guidance where the context is town and country planning. *Aston v Secretary of State for Communities and Local Government* [2013] EWHC 1936 (Admin) helped affirm this. Its categorisation as a "major" application for the purposes of the DMPO are therefore irrelevant in determining whether it falls to be considered within the context of paragraph 190 of the NPPF.

- 15.2.11. The NPPF, at footnote 67, nevertheless seeks to offer guidance on making this judgement and states:
- 15.2.12. *For the purposes of paragraphs 190 and 191, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.*
- 15.2.13. Having regard to the above, it is considered that this proposal does amount to major development in its local context. The proposal would see approximately 18.6 hectares of land densely occupied by lodges alongside the existing George Albert Hotel within a partially developed, and partially open landscape. This type and density of development on an elevated hill top would be at odds with the less intensely developed designated landscape, characterised by undulating fields with small settlements nestled into the countryside. Having regard to the nature, scale and rural setting of the proposed development it is considered that it would in this case qualify as ‘major development’. That would certainly appear to be the view of Natural England and the Dorset National Landscape Team, as referred within their consultation responses.
- 15.2.14. Proceeding on this basis brings us back to paragraph 190 of the NPPF and the premise that “*planning permission should be refused ... except in exceptional circumstances and where it can be demonstrated [that proposals] are in the public interest.*” To assist in making this judgement paragraph 190 identifies three “tests”, each of which are considered below.
- 15.2.15. **a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;**
- 15.2.16. There is no standardised needs assessment with respect to holiday parks, but some judgement can be made by considering the contribution and impact that such a facility might make on the local economy. In order to better consider this, the agent has provided a Demand and Needs Statement and Financial Assessment, prepared by the South West Research Company Ltd.
- 15.2.17. The report considers the existing holiday offering within the area. The assessment found 24 holiday parks located within a thirty minute drive of the application site, but found only one holiday park to have a comparable offering in terms of its accommodation type, scale and focus on nature and associated activities, as opposed to a coastal experience, Wareham Forest Lodges near Poole, which has approx. 160 lodges. Acknowledging the lack of other similar operators offering this type of lodge accommodation, the report suggests that the local tourism product, particularly within the West Dorset area, would be enhanced through the proposed development, with the potential to attract new visitors to the area, and greater spend locally.

- 15.2.18. The report advises that holiday parks in rural areas are well documented as playing a significant role in supporting the local economy and reports the South West as the UK's most popular holiday destination. The economic impact estimated to be associated with visitors to the proposed new development, assuming it achieves average levels of occupancy, shows that:

When the economic impacts already being output by the existing site are considered and deducted from the economic outputs estimated for the proposed new development, a net additional output of approximately £4.6 million business turnover in the local economy is generated supporting approximately 113 FTE jobs based upon Cambridge Model data.

- 15.2.19. The proposed holiday park is proposed to offer high quality 5* tourist accommodation and would in turn complement the existing George Albert Hotel and Spa facility, allowing the existing tourism facility to diversify, and adding further economic benefit by supporting an existing business.
- 15.2.20. The considerations within the Statement demonstrate that the proposed development has the potential to enhance the local accommodation offering currently available for visitors in what is a growing sector for UK tourism, and an important part of Dorset's rural economy. Having regard to the impact of the development on the local economy, and both national and local policy objectives to support the economy, it could be construed that there is demand for such a facility within the local area, and with no other similar sites coming forward, the site would respond to this 'need'.
- 15.2.21. In terms of the need, the evidence surrounding such a conclusion is not robust. However, without doubt the proposal would contribute positively to the wider economy through providing increased tourism provision within the area. Concern has been raised by third parties relating to the impacts upon local businesses and tourist providers. The proposed holiday park would however be of a very different nature to other hospitality providers in the locality. It is not considered that the economic impact upon smaller providers would be significant given the different markets they would occupy within the tourism sector but, in any case, it is not for the planning system to control or influence competition within the market, and this would not be a reason to refuse the application. Although there would be some loss of facilities at the site which currently contribute to the economy, the economic benefits of the proposal would outweigh the impacts of losing the existing businesses on site, from an economic perspective.
- 15.2.22. It is considered that significant weight should be placed upon the economic benefits of the proposal when considering the planning balance.
- 15.2.23. **b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and**
- 15.2.24. There is clearly no compelling geographical reason for holiday parks to be sited within AONBs/National Landscapes. Many such developments have

been built on land outside of designated landscapes, both within the Dorset Council area, and across the country.

- 15.2.25. The submitted Demand Statement does makes a number of pertinent points emphasising the appeal of focussing holiday parks within the natural environment, and compiles evidence from a number of reports. It reports that of the total 1.7bn annual tourism spend in Dorset in 2016, 74% was motivated by visiting the natural environment (£1.3bn). 39% of the annual tourism spend in Dorset (£677mn) was also estimated to be associated with outdoor active recreation and so includes things such as fishing, walking, cycling, horse riding, watching wildlife and exploring the countryside. These figures demonstrate the appeal of such development within countryside locations, and as acknowledged above, tourism is an important part of Dorset's rural economy. The above does not demonstrate a need to be within the designated AONB/National Landscape but does present a compelling case to site the use within a countryside location.
- 15.2.26. No details of cost have been provided in terms of developing outside of the designated area nor have details been provided regarding the viability of the site, taking into account the contaminated land issues, compared to development on other sites outside of the AONB/National Landscape. The agent at para 1.07 of the Design and Access Statement indicates some of the key considerations when considering site selection, but no details of any sequential approach have been submitted, or reasons for discounting other non-designated sites.
- 15.2.27. With regards to the above, it is acknowledged that to find a site within a reasonable catchment of the site, and outside of the designated AONB/National Landscape, of a sufficient size and nature that would be appropriate and available for such a use, without significant harm to the natural beauty of the area, would be challenging, particularly given the large portion of Dorset designated as AONB/National Landscape or Heritage Coast.
- 15.2.28. In terms of site selection, the agent acknowledges that the proposal is site specific having regard to the brownfield nature of part of the site and having regard to the existing caravan provision at the site, which would be replaced by the upgraded and larger proposal. In this regard, the agent considers the proposal to be an expansion of the existing use at the site, as opposed to a new use being introduced.
- 15.2.29. Whilst the site would result in a complete overhaul of the existing caravan park, ultimately replacing and changing the existing provision, and the increase in caravans would be substantial (representing a 635% increase in caravans), it would extend an existing established use at the site, and there is provision set out in policy to support the expansion and improvement of existing sites. This weighs in favour of the selection of the application site for the proposed holiday park.

- 15.2.30. Other considerations cited by the agent include the sites accessibility on a main road, its relation with the existing tourism development on site (both in terms of the existing caravan park and hotel), its location in terms of neighbours and the desire to find a visually unobtrusive site.
- 15.2.31. Whilst the site would arguably utilise some greenfield land, part of the site would utilise brownfield land, which currently is heavily contaminated and contains uses less compatible with the AONB/National Landscape setting, namely the go-karting facility. The site's mature hedgerows and elevated position would minimise the impact of the development on wider views across the AONB/National Landscape, and the tourism use would be compatible with the existing tourism use of the site, with particular reference to the existing caravan site and hotel use. The site also has good accessibility.
- 15.2.32. With no sequential test having taken place in terms of site selection, and no detailed analysis provided in terms of the scope for developing outside of the designated AONB/National Landscape, it cannot be concluded with any certainty that there are no other suitable sites outside of the designated area, albeit Officers are not aware of any such sites. Indeed, it is acknowledged that it would be difficult to find a suitable site of a comparable size to site such a proposal. In turn, it is not considered that the tourism 'need' for such a large site could be easily met by other means. The site's existing use as a tourism provider, its location adjacent to a major road, and the benefits associated with the loss of other less compatible uses, do weigh in favour of its siting.
- 15.2.33. **c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.**
- 15.2.34. There are two key aspects to consider when assessing the impact of the development on the landscape character and AONB/National Landscape; that is, the direct impacts of the holiday park itself on the natural beauty of the area, and the indirect impacts of losing other uses from the site.
- 15.2.35. The proposed holiday park would be of a significant scale, and is undoubtedly located within a sensitive location, being an elevated position within the AONB/National Landscape. It should also be noted that only part of the site is occupied by structures, and so the development would utilise brownfield land, but it would also result in a large open undeveloped part of the site being occupied by a high density of holiday lodges. The supporting information refers to the site as being of low density and refers to the guidelines set out under the Caravan Sites and Control of Development Act 1968 as a comparison, which indeed permits higher densities. Whilst a useful comparison tool, the purpose of the Act is to protect occupiers of caravans, and make other provisions for the benefit of such occupiers; it does not attempt to factor in material planning considerations, which go beyond protecting the occupier, and allows, amongst others, consideration of impacts to amenity, biodiversity, and visual impacts, including impacts

upon areas designated as AONB/National Landscape. The scale and density of development is a matter raised by both third parties and the Parish Council, and has also been raised by consultees, including Natural England and the National Landscape Team. Having regard to the site's context and the existing density of structures on the site, the development could be regarded as high density. Consideration needs to be given to the resulting harm from both the change in land use, changes to the nature and character of the site, and density; and the ability to moderate those impacts.

- 15.2.36. Having regard to the above, concern relates to the minimalist approach to landscape and ecological enhancement, such that the proposed change would adversely erode the physical and perceptual qualities that underpin the areas undeveloped rural character, tranquillity and remoteness. The National Landscape Team originally commenting on the application stated the following:
- 15.2.37. *Within 9.1 of the LVIA it is concluded that “the proposed development can be accommodated within this setting without resulting in a significant, long term, adverse impact upon the character of the Site, its immediate context, and the wider Dorset AONB landscape”. I would largely agree with this judgement, based on the implementation of a sensitive landscape-led design approach and sympathetic package of mitigation measures. However, the overall Site Plan submitted fails to deliver such an approach.*
- 15.2.38. In response to concerns, the proposed amendments to the application have resulted in improvements to the internal layout of the proposed holiday park, albeit the revisions are relatively modest in terms of the overall scale and density of development proposed. Land set aside as wildlife buffers, the rationalisation of ponds proposed, and reinforced boundary planting, together with the provision of a sensitive lighting scheme and improved pedestrian connections/blocking up of the northern accesses, contribute to minimising the impacts of the development on the wider landscape, whilst providing other benefits in terms of site layout. The number of units proposed has been reduced and a portion of land in the north west corner of the site has been set aside as a recreational area serving the holiday park. The number of units proposed at 228 units nevertheless remains high, and a large portion of the site would continue to be occupied by lodges.
- 15.2.39. Having regard to the wider impacts of the development, the site is well contained by perimeter planting which is proposed to be enhanced, limiting the sites visibility as a whole. Where views are possible, the lodges would not appear highly conspicuous due to the recessive timber cladding proposed, and subject to a comprehensive landscape strategy, the appearance of the lodges could be further softened, mitigating the otherwise likely adverse impacts resulting from the scale and density of development proposed. Subject to a successful landscape scheme, the impacts of the development on the visual amenity of the area would be substantially reduced.

- 15.2.40. In terms of the ability for the proposal to moderate its effects on the landscape, historic and ongoing uses have significantly impacted upon the landscape character of the site as a whole and there would be substantial benefits in the removal of the less sensitive uses at the site; namely the removal of associated paraphernalia associated with the former shooting ground and renewal of degraded areas within the site. In addition, the loss of the go-karting facility which adversely impacts upon the tranquillity of the wider landscape and AONB/National Landscape through impacts from noise generated by the racing and light pollution generated from the existing high impact lighting associated with the track would be a benefit to the AONB/National Landscape; the impacts of the lodges being less harmful. Application P/FUL/2021/01497 approved a new telecommunications mast outside of the application site. This mast renders the telecommunications mast on the application site as of no use. Securing the removal of any unused masts by condition would offer a visual benefit.
- 15.2.41. In turn, the location of the development directly adjacent to public rights of way, offering direct access into the countryside, together with the appropriate use of walking routes and the recreational space within the site, brings recreational opportunities.
- 15.2.42. In this regard, the National Landscape Team state the following:
- 15.2.43. *This site is in an inherently sensitive location, being in an elevated position within the AONB. However, historic and ongoing uses have significantly impacted upon the landscape character of the site. Ongoing uses within the site, particularly the karting track, adversely affect the tranquillity of the wider landscape and the removal of these impacts alongside the renewal of degraded areas within the site should be accounted for when considering the ability of the proposal to moderate its effects on the landscape. Overall, I consider that the application presents a relatively uncommon opportunity to achieve a new tourist facility within the AONB, utilising previously developed land and removing detracting features. Changes arising from lighting were an issue that had initially caused me concern, but I am reassured to see that the proposal includes a lighting strategy with features that limit the impact of lighting through appropriate design, placement and the use of movement sensors. Overall, considering the proposed removal of existing high-impact lighting, I do not foresee additional effects that would be significant. The site is well contained and the strengthening of the perimeter planting will serve to limit the outward visibility of the holiday park. Furthermore, the use of relatively recessive cladding for the lodges will result in these appearing muted in the limited views into the site that are available. Perhaps the most notable change that is likely to occur as a result of the proposal is the general level of movement, people and activity that would be associated with a holiday park of this scale. However, considering the location of the site adjacent to the A37, I consider that the likely impact of this change on the character of the wider rural landscape would foreseeably be quite low, due to the limited need for users of the park to utilise sensitive rural roads in order to access the site.*

- 15.2.44. Notwithstanding the above comments, the National Landscape Team, likewise emphasise the need for appropriate conditions to support the successful integration of the scheme within its sensitive setting. It could be concluded that subject to a successful landscape scheme, the impacts of the development on landscape character and the special qualities of the AONB/National Landscape, when considered in the context of the existing uses at the site, could be successfully moderated such that the principle of development would be acceptable, and the exceptional circumstances as set out at para 190 of the NPPF would be met.
- 15.2.45. In light of the above, it is relevant to revisit the acceptability of the landscape scheme submitted. In this regard, significant concern is raised in relation to the planting schedule as shown. In order to mitigate the impacts of development, the success of any landscaping scheme on site is critically important and depends on initial ground works and removal of contaminants and soil decompaction. In order to be fully satisfied that appropriate landscaping is both achievable and viable, the Landscape Officer has requested details of initial site clearance together with a remedial action plan, to include details of soil management and waste management regimes, together with a soft landscaping specification detailing site de-compaction, soil quality and ameliorants/ground preparation. One of the benefits of the scheme presented by the agent is the opportunity to introduce a 5* tourist facility within the area to support the existing hotel business and growing tourism sector, and to complement its AONB/National Landscape setting. In order for the quality of the scheme to be realised, consideration needs to be given to soil management at the site to ensure the establishment and maintenance of the proposed planting is successful, and to ensure the quality of the scheme is not compromised by site viability, given the contaminants and work required to bring the site forward.
- 15.2.46. In order to address these concerns the agent has provided additional supporting information, including a draft Landscape and Ecological Management Plan (LEMP) and landscape scheme. The submitted information lacks the necessary details relating to soil management, ground preparation and soil depths, and there are concerns relating to the planting schedule and landscape management, such that the submitted LEMP does not offer sufficient assurances relating to the successful establishment of an appropriate landscape scheme. This is a matter raised by both the Landscape Officer and Natural England, who comment on the wide variety of non-native species included. The submitted details do however show a desire to develop a long term management plan for the site, and the agent has offered commitment to continuing to develop a LEMP suitable for the site. The agent has also provided a business plan indicating some confidence regarding viability.
- 15.2.47. Having regard to the submitted details, the Landscape Officer states the following:

- 15.2.48. *Unfortunately, the LEMP submitted relates primarily to 'ecology' and fails to bring all the landscape and ecology details together. ... I would maintain my advice that this Scheme lacks a clear identity throughout, with a random mix of native planting and ornamental species. This site is essentially 'rural' and located on an exposed hilltop. There is an opportunity to design a sympathetically 'rustic' scheme, where native species planting could be used to define strong character areas. I would maintain that there still remains a scattergun approach to 'species' across the Site.*

I still have significant concerns over the clarity of a number of site issues, ranging from phasing, soil management, the lack of a LEMP, and the achievability of the scheme as a whole. ... I am yet to be convinced that the issues surrounding 'soils and contamination' have been adequately addressed, which will have a significant effect on the future establishment of proposed tree and shrub planting.

- 15.2.49. The landscape concerns lie with the management of contaminated soils and implications on the establishment of planting, together with the landscape detail submitted and its long term management, but do not rule out the ability to achieve an appropriate landscaping scheme suitable to support the proposed development of the site, subject to the comments of WPA; who have confirmed that the site could be remediated through appropriate conditions and support the requirement of a cover depth of no less than 600mm. Subject to an appropriate soil depth to allow the successful establishment of the landscaping, a requirement the agent has agreed to be incorporated into a condition, the key issues relate to the detailed landscape and material design, rather than the principle of development; and these matters could be dealt with through condition. Despite the reservations of the Landscape Officer, it is considered that through careful consideration of conditions, the proposed holiday lodges could be accommodated on the site without harm to the landscape beauty of the AONB/National Landscape, landscape character, and visual amenity of the area.
- 15.2.50. Conditions would be required to ensure appropriate external materials, colour and finish of the lodges were secured, together with a condition requiring any replacement lodges to accord with the drawings and details agreed, in order to ensure the satisfactory external appearance of the lodges are secured long term. Notwithstanding the details submitted, further conditions would be required relating to the submission of an arboricultural method statement and tree protection plan. Pre-commencement conditions to agree appropriate hard and soft landscaping details, together with their early implementation, particularly having regard to proposed enhancement at the site boundaries, would be required, and importantly a revised LEMP would need to be secured ahead of any development commencing. Details of earthworks and soil importation could also be sought through pre-commencement conditions, and a further condition placed on the consent requiring a detailed soil and waste management plan, requiring the implantation of a robust cover system of not less than 600mm depth, to ensure that soils are appropriately

remediated, and suitable planting depths are established to support the landscaping on site. A lighting scheme has been submitted with the application, and a further condition in this regard would ensure light pollution is minimised to an appropriate level. The National Landscape Team and Landscape Officer, also query the phasing of the site, seeking to ensure that existing structures at the site are removed and landscaping established at the site edges at an early stage; a phasing plan can be conditioned. The agent is supportive of addressing the outstanding issues through condition, and whilst it would be desirable to have this information up front, through the use of pre-commencement conditions, it would be possible to secure satisfactory details ahead of development proceeding. It is considered that this would appropriately respond to the comments of the National Landscape Team and Landscape Officer.

15.2.51. Therefore, whilst the Landscape Scheme and LEMP submitted to date continue to be unacceptable from a landscape perspective, it is considered that an appropriate landscape scheme could be achieved. In turn, the direct impact of the proposed lodge park on the quality of the National Landscape/AONB and landscape character could be appropriately mitigated through carefully constructed conditions, such that the impacts of the built form of development on the Dorset National Landscape/AONB would be acceptable.

15.2.52. **Conclusion: Impact on Visual Amenity and AONB/National Landscape**

15.2.53. In conclusion, and with reference to the tests as set out within the NPPF, the proposed development would present a rare opportunity to achieve a new tourist facility within the AONB/National Landscape. The economic benefits of the proposal weigh heavily in favour of the development. In terms of the siting within, and impacts upon, the AONB/National Landscape, the site is accessible by a major route, at a site where tourism provision is an established use, and where part of the site is previously developed. These unique set of circumstances mean that the site does to some extent lend itself to the proposed development despite its position within the National Landscape. The site is relatively well screened by mature vegetated boundaries, with proposals to further enhance boundary treatments; and appropriate treatment of lodges and lighting would further reduce the impact of the proposed development on the wider landscape. Through a set of conditions to secure the successful establishment and long term management of appropriate landscaping the impact of the development could be appropriately mitigated. The character and qualities of the landscape would in turn be enhanced by the removal of insensitive uses currently present at the site, moderating the impacts of the development on the AONB/National Landscape.

15.2.54. In light of the above, it is concluded that the proposed development would be in the public interest, with a number of benefits associated with its use, including benefits to the local economy, and landscape character, such that the application would meet the exceptional circumstances referred to within para 190 of the NPPF, and accord with policy ENV1 of the WDWP Local Plan, and the objectives set out within the Dorset National Landscape

Management Plan. Further, it is considered that the proposed development would preserve and enhance the natural beauty of the area, having regard to the duty to further the purpose of the designated AONB/National Landscape for such means, in line with section 85 of the CRoW Act (2000).

15.3. Flood Risk

- 15.3.1. Policy ENV5 of the WDWP Local Plan seeks to ensure developments minimise risk of flooding from surface water run-off, groundwater, fluvial and coastal sources. This is supported by Paras 181-182 of the NPPF which expects development proposals to incorporate sustainable drainage systems where appropriate. Further guidance is provided within the National Planning Policy Guidance which sets out the importance of considering all sources of flooding when assessing flood risk.
- 15.3.2. The site falls within flood zone 1, which is at the lowest risk from flooding, and falls outside of an area susceptible to groundwater flooding. Having regard to the latest published Strategic Flood Risk Assessment (SFRA) a small part of the site, in the north west corner, is identified as being at low risk (1 in 1000 year event) from surface water flooding, and relates to an area to be retained as recreational space. Applying 20% and 40% allowances for climate change the site remains outside of any medium or high risk area identified within the SFRA. Having regard to the National Flood Risk Assessment (NaFRA2) published by the Environment Agency in 2025, this identifies parts of the site as being at medium (1 in 100 year event) and high (1 in 30 year event) risk from surface water flooding. The surface water flooding at the site comprises sporadic pools of surface water as opposed to large swathes of the site being affected, but nonetheless, is indicative of the site being affected to some extent by surface water flooding. In such circumstances, para 175 of the NPPF seeks to apply a sequential approach to new development, seeking to ensure areas at the lowest risk of flooding are developed in preference to area at high or medium risk. This is on the basis of avoidance being the best measure to combat risk of flooding. The updated Planning Policy Guidance (PPG) at para 27 provides some updated guidance on how to apply para 175 of the NPPF, seeking a proportionate approach be taken. It states the following:
- 15.3.3. *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.*
- 15.3.4. To fully demonstrate how water will be managed on site, a Flood Risk Assessment (FRA) and Drainage Strategy (updated Dec 2025) has been submitted for consideration. The updated FRA reviews the NaFRA2 data and identifies the pooling of water during a 'design' flood event (1 in 100 yr) to be associated with low points which either relate to ponding, which is to be retained and enhanced as ponds on site, or depressions in the land which

would be removed post development through land levelling. The drainage strategy for surface water management is shown to be reliant upon infiltration, achieved via dispersed soakaway features. Sufficient ground investigation and soakaway testing has been carried out to demonstrate that the drainage strategy would be achievable, such that the Lead Local Flood Authority (LLFA) raise no objection. The FRA concludes that the risk of flooding from all sources is very low and the Surface Water Drainage Scheme would ensure no increase in runoff over the lifetime of the development. The LLFA confirm that the more recently published NaFRA2 does not have significant implications for the proposed development and as such the comments and conclusions as set out in the LLFA's consultation response are considered to remain relevant. The LLFA comments confirmed that the Drainage Scheme adequately demonstrates that occupiers and users would remain safe from current and future surface water flooding for the lifetime of the development, without increasing flood risk elsewhere. On this basis, having regard to the recently updated PPG advice, the sequential test need not be applied in respect of para 175 of the NPPF. Subject to conditions, the proposed development is thus considered to be acceptable in terms of flood risk, in accordance with the above policy provisions.

- 15.3.5. As part of the drainage strategy and overall design for the site, two ponds are proposed. One is designed as an amenity feature, and one is designed primarily as a wildlife pond, though both would have biodiversity benefits. A detailed section 1:20 of each of the ponds have been provided, in addition to broader sections, and a condition is recommended for further detailed (1:20) sections, for the avoidance of doubt and to ensure all pond edges follow the same measures adopted within the details submitted. Both ponds would have an approximate depth of 800mm, with a 200mm freeboard above providing attenuation storage. Given the depth of water and size of the ponds, careful consideration, in line with the SuDS Manual (2015) and CIRIA guidance is required.
- 15.3.6. The amenity pond would be located within a central area, close to lodges and the clubhouse, and accessible by the public. The wildlife pond would be sited adjacent to the eastern ecological corridor with more heavily planted edges and separated from lodges through planting and/or greater separation. Both ponds would be designed with a level dry bench at ground level, a 1:3 gradient slope stretching 60cm, and a 1m level damp bench to be seeded with appropriate wetland seed mix. This would on the whole present a secondary dry bench outside of flood events and would become damp only when the pond reached its maximum water level, taking into account the freeboard. The planting of the ledge would discourage access, and where access is required, for example for maintenance purposes, slope ratios are considered to be acceptable, in line with the SuDS Manual. A further 60cm slope at a gradient of 1:3 would lead to a 1m level marginal bench to be planted with suitable aquatic species. This would be level with the permanent water level of the pond so is likely to be soggy, such that anyone venturing that far would be alerted to their proximity to the water. Beyond the marginal bench a 1.2m slope at a gradient of 1:3 would slope down into the water reaching a depth of 400mm where the ground would

level out for a further 1m forming a wet bench, before a further 1:3 slope reached the pond base at a depth of 800mm. At this point, the wildlife pond would have submerged oxygenating plants at its base, planted in crates.

- 15.3.7. The SuDS Manual advises that access to the water can be discouraged through use of shallow muddy margins, and appropriate planting at the pond edges, so not to obscure visibility but to deter paddling and/or swimming. It is considered that this advice has been taken on board in the design. The SuDS Manual also recommends ensuring that an appropriate maintenance strategy for the bank edges is established to ensure long-term public safety, and a condition (condition 12) is subsequently recommended to seek this. The SuDS Manual recommend a dry bench and wet bench is provided, and gradients should not exceed 1:3. The proposed scheme complies with this advice providing a dry bench, damp bench, marginal bench and wet bench with slopes all at 1:3. In instances where water bodies exceed 600mm, advice is that a level bench is provided at or just below the water surface. In this case the marginal bench would sit at the level of the water. Advice is that the descent from this bench should be at a maximum gradient of 1:2.5, and in this case a gentler gradient of 1:3 is proposed. The next bench should be a maximum depth of 1.5m with a width of 1.5m. In this regard, it is proposed that the wet bench be located at 400mm, and while the bench would only have a width of 1m, this is considered acceptable given the number of benches/warnings provided in the design before reaching this point. The water body would not be connected to an existing water way or flow of water, and would not be expected to have water flowing at any significant velocity.
- 15.3.8. Overall, the design of the ponds are considered to take on board the advice contained within the SuDS Manual such that it is considered that the risks to the public have been reduced to acceptable levels through careful design, designing out key hazards such as steep banks and/or deep banksides, and introducing wet/dry benches, appropriate ratios and planted edges. Notwithstanding the overall pond depth, owing to the risks being minimised, barrier fencing, public rescue equipment or signage is not considered to be reasonably necessary in this instance, taking on board advice contained within the Manual. Overall, it is considered that the proposed ponds have been designed with safety in mind and would provide both amenity and biodiversity value to the site.

15.4. Contamination

- 15.4.1. Para 196 - 201 of the NPPF recognises that the planning system and pollution control regimes are separate but complementary and seeks that planning decisions focus on whether the proposed development is an acceptable use of land, but having regard to the likely effects of pollution on, amongst other receptors, the natural environment.
- 15.4.2. Para 187 states that:
- 15.4.3. *decisions should contribute to and enhance the natural and local environment by, ... (e), preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely*

affected by possible, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans

- 15.4.4. Policy ENV9 of the WDWP Local Plan states clearly that development will not be permitted which would result in an unacceptable risk of pollution to ground water, surface water-bodies or tidal waters. Further, it seeks that development on contaminated land shall not be supported unless it can be demonstrated that there is no unacceptable risk to future occupiers, neighbouring uses and the environment from contamination.
- 15.4.5. **Land Contamination**
- 15.4.6. In order to consider the impact of any land contamination on the development, the agent has provided a Phase 1 and Phase 2 desk study and provided a Site Investigation Report. In addition, a Supplementary Site Investigation and Updated Contaminated Land Risk Assessment has been submitted, alongside a Site Investigation and Risk Assessment Update and Framework Construction Environmental Management Plan (F-CEMP).
- 15.4.7. The latest desk study, together with intrusive investigations, have indicated that the site may pose an unacceptable risk to future site users in the areas of Phase 1 and the North East of Phase 3 if contaminants are left untreated. This potential risk is associated with long term direct exposure to elevated concentrations of lead and polycyclic aromatic hydrocarbons (PAH) in the near surface soils. More detailed risk assessment would be needed; in the first instance, desk based, to ascertain the potential for explosives and other military specific contaminants, and following that, to include further ground investigation to verify the contamination of the whole site, particularly having regard to level changes proposed.
- 15.4.8. The report concludes that the information available provides a good indication of the ground conditions beneath the site, sufficient to indicate that development of the site would be technically viable. Remediation is discussed as a reliance upon a cover system incorporating a geotextile membrane and 300mm of clean cover. The reports considers that it may be appropriate to carry out further investigation and subsequent mitigation measures under pre-commencement planning conditions.
- 15.4.9. To further assess the impacts of the site, WPA Environmental Consultants have reviewed the application and submitted reports. Noting significant near surface issues with lead and PAHs in the areas to be developed and potentially where cabins are to be placed. A conservative approach is advised such that there would be a need for 600mm of clean cover not 300mm as recommended within the reports. In this regard WPA state the following:
- 15.4.10. *The masterplan indicates a significant density of accommodation, 275 lodges plus additional staff quarters and facilities. During full occupation there will be a significant number of persons on site seeking recreational*

use, producing waste and generally impacting the site through vehicular access and expectations to utilise outside space. The wear and tear on infrastructure that is proposed to include a cover system to isolate contaminants of concern will be significant. WPA urges consideration of a more robust cover system.

- 15.4.11. *WPA further note that ‘a more robust cover system would likely arise if the management of tree plantings were to be improved so as to better ensure tree survival.’*
- 15.4.12. The F-CEMP and draft LEMP identify key considerations, the regulatory backdrop and likely procedures needed during and post construction. Neither of the associated submissions constitute finalised documentation but they indicate that such documentation is being considered and appropriately developed.
- 15.4.13. Concern has been expressed in relation to the feasibility of the proposals in terms of operational viability noting that the current density introduces a significant number of human receptors, affects traffic management, noise and air quality in terms of impact during operations. The human receptors will also be residing during their stay on land subject to remediation through a cover system that will be subject to erosion and degradation from human activities. WPA recommend the submission of a business viability plan that takes into account the cost and management of environmental impacts.
- 15.4.14. In response to those concerns, details of remedial cost estimates together with a business case for the proposal have been submitted. These documents do not provide a full rationale for the proposal but offer some assurances that the concerns surrounding land remediation and the associated costs are accepted and considered feasible. To an extent, it is for the applicant to satisfy themselves over viability concerns; what is important in planning terms, is that the land is appropriately remediated such that it is both suitable for occupation, and suitable to support the necessary mitigation, including the establishment and long term management of landscape and ecological works. Without these elements, the scheme would be unacceptable. In this regard, it will be imperative to ensure these issues are dealt with prior to commencement. To allow further revisions to be made to address issues raised, it is suggested that pre-commencement conditions are placed on any consent in relation to land contamination and remediation, site phasing, details of earthworks and final ground levels which may be influenced by remedial measures, and a final CEMP and LEMP to be first agreed. In terms of concerns surrounding feasibility, WPA recommend that a remediation action plan should be a condition of the consent to enable the developer to fully consider the cost/benefit equation such that the funding of the remediation requirements would not jeopardise the proposals success.
- 15.4.15. In terms of land contamination specifically, it is considered that the following should be secured as a minimum, through pre-commencement conditions:

- A detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed, to include a remediation action plan. This should be supported by a detailed soil management and waste management plan, and mitigation measures shall include the implantation of a robust cover system, details of which shall first be submitted to and agreed in writing by the Local Planning Authority, of not less than 600mm depth.
 - A detailed phasing scheme for the development, defining distinct areas of the development site and the order in which these will be delivered, together with remedial works (including a time scale).
 - A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time.
- 15.4.16. The agent has agreed that a 600mm cover system would be acceptable to them. WPA accept that the necessary remediation, including a soil management and a waste management strategy, would be feasible such that the principle of the change of use would be acceptable in terms of remediating land contamination on site. On this basis, WPA do not object.
- 15.4.17. **Groundwater Protection**
- 15.4.18. The site falls within a groundwater protection area, and it is important that development proposals are able to demonstrate that development would not unduly pollute groundwater, especially where the risk of pollution is high and the groundwater asset is of high value. Owing to the site's location within a source protection zone, groundwater is particularly sensitive in this area.
- 15.4.19. In order to formerly asses the impacts of the proposal, the Environment Agency (EA) have been consulted, and raised an initial objection due to insufficient information to demonstrate that the proposed development would not pose an unacceptable risk to groundwater quality.
- 15.4.20. The applicant proposes that the holiday units are served by a private package treatment plant, but the supporting FRA and Drainage Strategy did not confirm the proposed drainage method. In this regard the EA questioned whether the proposed development could threaten potable water supplies as the proposed development, which includes the addition of new sewage effluent discharges to groundwater, could lead to either an individual or an unacceptable cumulative impact to a Source Protection Zone 1. In order to address the concerns raised, the applicant has provided additional information and made further revisions to the plans (including the removal of lodges from the north west corner of the site to accommodate a drainage field sited outside the Source Protection Area). The Environment Agency have since satisfied themselves that the proposed development would not threaten potable water supplies and has withdrawn their objection.

- 15.4.21. Through the submission of additional information including a risk assessment, the agent has also been able to demonstrate that the proposed development would not result in an unacceptable risk to controlled waters and the EA raise no objection in this regard, subject to suitable conditions on any consent to address the residual risk posed.
- 15.4.22. Having reviewed the submitted information and taken on board the advice of the Environment Agency, the proposed development successfully demonstrates that the likely effects of pollution on the environment would be adequately addressed/mitigated. The proposed development therefore accords with policy ENV9 of the Local Plan, and the provisions set out in the NPPF.
- 15.4.23. **Phasing**
- 15.4.24. The applicant has indicated that the proposed development would be phased in 3 parts, with the final phase relating to the go-kart facility. There are a number of concerns regarding the phasing of the development. One relates to the compatibility of the two uses on site, that is the holiday use and go-karting facility, and likewise the attractiveness of the holiday accommodation during construction; the other relates to issues such as soil/waste management and the potential for compromising already completed phases and presenting unacceptable risks to receptors. In particular, the possibility of allowing the occupation of lodges in one phase with other phases still subject to major invasive works is problematic as there would be contaminated dust and site security issues that could establish contaminant linkages with humans that are not subject to construction worker safeguarding. If phasing is not carefully considered or not considered plausible, then this in turn presents a further issue of viability. The scheme is being presented as a 5* quality holiday park, and this forms one of the benefits of the proposal that weighs in favour of the development. It is therefore important that the phasing is carefully considered if this is linked to the viability of the development, or in turn, that if developed as a whole, that the viability is not going to impact upon the quality of the scheme, both in terms of materials and landscaping. The agent has since confirmed that it would be possible to complete all necessary remedial works in advance of the first occupation of any holiday lodges, without impacting upon viability of the scheme, although a phased approach would be preferred. The applicant has also provided a further Business Plan setting out the recovery of costs over the first few years.

In light of the above, and notwithstanding the submitted phasing plan, a condition requiring a more considered phasing plan supported by a detailed scheme for remedial works, is considered appropriate in this instance and addresses concerns raised relating to phasing.

15.5. Highways

- 15.5.1. Policy COM7 of the WDWP Local Plan seeks to ensure a safe and efficient transport network is maintained by directing development that generates significant levels of movement to locations where the need to travel is minimised. Detailed consideration is given to the adopted Spatial Strategy

and rural location of the site in the 'principle of development' section of the report. Whilst the site would sit away from any nearby settlements, the provision of facilities on site, its location adjacent to a suitable road network, the presence of an existing holiday use on site, and the policy support for rural enterprises such as tourism uses, weighs heavily in favour of the site's location, and goes some way to offset the impacts of developing the site for the purposes proposed.

- 15.5.2. Policy COM7 goes on to seek development to be directed to where the volume of anticipated traffic can be accommodated within the existing highway network. This is supported by section 9 of the NPPF which, at para 116, states the following:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

- 15.5.3. The main access to the site is via the A37 and the existing entrance benefits from wide visibility splays allowing safe egress and access. The revised scheme also shows the closure of both existing accesses onto Warden Hill Road thereby directing all traffic via the main A37 entrance.
- 15.5.4. A Transport Assessment has been submitted to support the proposals, which indicates that the proposed development would not be expected to generate more traffic than the theoretical capacity of the existing uses on site.
- 15.5.5. Significant concern has been raised by third parties relating to the impact of the development on road safety, with many third parties concerned about accidents on the fast moving A37, increased traffic within the rural lane network, and concerns over the increase in traffic locally generated by the site; concerns shared by the Parish Council. Concern has also been expressed regarding the accuracy of the Transport Assessment. The Highway Authority has been consulted to consider this, and associated impacts.
- 15.5.6. With the current closure of the Clay Pigeon Shooting ground traffic entering and exiting the site is currently at a reduced level to what it could be if all uses were in operation at the site. Therefore, whilst there may be an increase in traffic to current circumstances, the Highway Authority confirm that the traffic generated would be unlikely to exceed the capacity of the permitted uses at the site. Furthermore, the volume of traffic using the site would not exceed the capacity of the junction or A37.
- 15.5.7. The Highway Authority state the following:

Regardless of the trip generation the main access onto the A37 is acceptable, has good visibility (in excess of standard for 60mph – 151m

from a 2.4m driver position) and has a ghost island right turn lane which can safely accommodate the expected level of trip generation. The right turn lane will enable the proposal to operate without adversely affecting the free flow of traffic along the A37 at the site access.

Accident data for the surrounding area has been examined. The cause of the accidents varies from driver error/driving without due care and attention/illness/weather conditions but do not appear to be related to any specific highway design flaw or defect.

With the above in mind the Highway Authority has NO OBJECTION, subject to conditions.

- 15.5.8. In light of the above, the proposed development is considered to be acceptable on highway safety grounds, subject to the imposition of conditions, and accords with the provisions set out in Policy COM7 of the Local Plan and the provisions of the NPPF.

15.6. Ecology

- 15.6.1. The site falls within the catchment area of Poole Harbour, a Special Protection Area (SPA) and a European Protected Wetlands (RAMSAR) site. These are identified as Habitats Sites and are protected under the Conservation of Habitats and Species Regulations 2017 and Article 6 (3) of the Habitats Directive.

- 15.6.2. Policy ENV2 (Wildlife and Habitats) of the WDWP Local Plan seeks to safeguard Internationally designated wildlife sites, including Poole Harbour, and seeks to resist development that would cause unmitigated likely adverse impacts on the site's integrity. In other locations, where significant harm cannot be avoided, appropriate mitigation should be provided. In turn, the policy seeks to support proposals that conserve or enhance biodiversity, encourages ecological enhancement and expects opportunities to be taken to improve the wider ecological network, particularly for major developments. The policy seeks adequate provision to be made for the retention or relocation of protected species.

- 15.6.3. The above aims, having regard to mitigating and enhancing biodiversity on site, are supported by para 192-195 of the NPPF. Para 195 is noteworthy as it makes clear that the presumption in favour of sustainable development at para 11(d) does not apply where proposals are likely to have a significant effect on a habitats site.

- 15.6.4. There are therefore two key considerations that need to be considered in respect of ecology; that is the direct impact of the development on species and habitat at the site, and the impact of the development on European Protected sites.

15.6.5. Site Specific Impacts

- 15.6.6. In order to address ecological matters at the site, the agent has submitted phase 1 and 2 ecological surveys, accompanied by an Ecological Impact

Assessment (EcIA). Following concerns expressed by the Natural Environment Team and Natural England, further survey work has been carried out, and the EcIA updated accordingly (updated Feb 25). In addition, a Framework Construction and Environmental Management Plan (F-CEMP) has been submitted to provide a suggested Framework for a final Construction and Environmental Management Plan (CEMP), and a Certified Biodiversity Mitigation and Enhancement Plan (BMEP) has been submitted. Revised plans have also been received, removing the most eastern row of holiday lodges to allow a larger and less inhibited wildlife corridor along that boundary and to incorporate wildlife corridors, which take on board the requirements set out within the submitted BMEP and latest EcIA. A lighting scheme has also been submitted.

- 15.6.7. Having regard to protected species and habitat on site, the survey work identified the WWII Water Tower, located along the eastern boundary, to be a hibernation roost for lesser horseshoe bats, and a summer roost for at least one Greater Horseshoe bat. Other bats transitioning across the site include the Common Pipistrelle, Soprana Pipistrelle, and Noctule. Overall, a relatively low amount of bat activity was recorded and reported, but it is clear that bats are using the site, either as a roost, as foraging ground, or commuting across the site.
- 15.6.8. A reptile survey identified the grassland supported a breeding population of slow worms. Nesting birds were also identified across the site, particularly along the eastern and northern boundaries of the site and within towers associated with the clay pigeon shooting use. These include skylark and swallow, amongst others.
- 15.6.9. There were no records of dormice on site, likely a result of the modified ground being relatively unsuitable. Dormice were however found within the hedgerow of the adjacent solar farm site and dormice suitable habitat was identified. The planning permission for the solar farm conditioned that the scrub area to the southeast of the shooting ground should be retained to avoid impact on the dormouse habitat within the application boundaries. This scrub habitat is however no longer present, presenting a loss of suitable habitat, a concern raised by both the Natural Environment Team and Natural England. In response to this, further amended plans were submitted removing development from the north west part of the scheme, leaving optimal habitat for dormice and meaning that impacts on dormice habitat are unlikely to be significant.
- 15.6.10. The EcIA makes a number of recommendations to address the impact of the development on species and their habitat; these include retention and maintenance of the water tower on site, the formation of a 35m vegetated buffer screen between the water tower and development, and a suitable lighting scheme, to safeguard bats from the impacts of the development. A Planting and Habitat Management scheme is recommended to prevent disturbance.

- 15.6.11. The report recommends reptile translocation to the Eastern boundary of the site in order to safeguard the slow worm population from significant impact, and the report goes on to describe necessary management of this process and the receptor area. The retention of the eastern boundary as a wildlife corridor will ensure no impact to possible badger setts within that area. The resulting eastern buffer will act as an important wildlife corridor, serving both bats, birds, reptiles badgers and potentially dormice. The report recommends trees and hedgerows be protected throughout the development and should be subject to a Tree Protection Plan and fencing/buffer zones during the construction phase. Mitigation measures, including methods and timings for site clearance, are also recommended to safeguard nesting birds.
- 15.6.12. To reconcile the loss of dormice habitat along the eastern boundary of the site, and to mitigate the impacts on the adjacent dormice habitat from increased recreational activities resulting from the proposed development, the Impact Assessment recommends additional habitat creation through additional planting along the site boundaries. All dormouse potential habitat on site has been identified, and appropriate buffers established between the development proposed and habitat boundaries. A construction phase habitat plan has also been submitted setting out construction exclusion zones.
- 15.6.13. In recognition of the loss of skylark nesting sites and to reduce the impacts from the loss of grassland habitat also, two acres of land to the east of the proposed holiday park and adjacent to Fishers Bottom Coppice (an ancient woodland) is proposed to be taken out of arable use to create a wildlife habitat, extending from the existing coppice.
- 15.6.14. As a result of Japanese Knotweed being identified on the site a management plan is recommended to control and remove its presence.
- 15.6.15. In addition to the above mitigation measures, the report recommends various ecological enhancement measures. These include a new bat roosting structure to be provided within the wildlife corridor, to the north of the existing water tower. Additional semi-improved grassland would be created from re-seeding the former hardstanding areas within the site, and two large ponds, including a wildlife pond adjacent to the wildlife corridor, are proposed. They would have gently sloping banks with appropriate planting to encourage wildlife. The two vehicular accesses to the north of the site, which are proposed to be no longer used, will be planted up with native planting to provide a continuous vegetated corridor along this boundary. Use of bat access tiles and bird nesting boxes are also proposed.
- 15.6.16. The land adjacent to Fishers Bottom Coppice would also comprise an ecological enhancement, with the exception of the southern portion managed for Skylark, to be planted and managed as wood pasture. It is considered that the proposed mixed habitat of predominantly woodland

would align with the objectives set out in the Local Nature Recovery Strategy, presenting an appropriate enhancement.

- 15.6.17. The mitigation and enhancement measures set out are incorporated into the updated EclA, which detail the necessary improvements to the Water Tower bat roost and its buffer. The documents also secure the framework for a suitable lighting scheme to mitigate the impacts of the development on bats; and include the provision of a new bat roosting structure as an ecological enhancement. Two swallow nesting structures are also proposed within the eastern buffer.
- 15.6.18. The recommended mitigation in the BMEP, relating to reptiles, differs to that within the updated EclA. These inconsistencies are reflective of the added complexity of needing to build in flexibility in response to the F-CEMP programme of works. The recommendations of the updated EclA, as the most up to date document, are secured in a condition that builds in flexibility to review the mitigation proposals as part of a future LEMP. The need to build in such flexibility is in recognition that both documents would be subject to change in response to land contamination conditions requiring a remedial scheme, a finalised CEMP, and details of final ground levels to be secured, all responding to further work and consideration regarding land contamination. By setting out the key obligations, while deferring the detailed mitigation strategy for reptiles to be agreed as part of a LEMP at post decision stage, ensures the necessary ecological mitigation measures are secured whilst building in flexibility to allow potential amendments to the method of dealing with contamination on site.
- 15.6.19. The EclA details what is proposed for the new wildlife habitat, located to the east of the development site, which seeks the southern portion to be managed for skylark nesting, and the remaining area to have an open plant structure (wood pasture) and sets out details for habitat creation/management. Further details are required regarding the planting schedule and location of planting blocks to ensure the area delivers the maximum benefits to biodiversity. As such, further detail is secured through condition.
- 15.6.20. Overall, there would be a net loss of ruderal grassland and developing scrub habitat as a result of the proposal, and in response to this a strip of wildflower meadow and additional planting has been included within the revised plans. However, there are concerns, not dissimilar to those expressed by the Landscape Officer, surrounding both the establishment and appropriateness of species, and there are concerns surrounding how the long term management of the mitigation, buffers, planting, wildflower meadows and ponds will be achieved given the density of lodges proposed. The EclA addresses some, but not all of these concerns, which would need to be addressed within a revised LEMP.
- 15.6.21. The proximity of the lodges to the northern hedge line has also been identified as a potential detracting feature from this habitat. These issues need to be weighed in the balance when considering the acceptability of

the proposal and impact on species and habitat and need to be considered against enhancement measures proposed. The removal of the lodges in the north west corner of the site presents a betterment to this issue.

- 15.6.22. Through working collaboratively with the Natural Environment Team the latest ECIA has been developed. The EclA is considered to address the key impacts of the development, and has been agreed by the Natural Environment Team, who advise that the EclA is considered to be acceptable as a standalone document, such that the resulting impacts of the development on species and habitat would be appropriately mitigated, and the residual harm would not be so significant to warrant refusal of the application.
- 15.6.23. A large amount of supporting information has been submitted with the application over time, and concerns arise where these documents have been prepared in isolation. Submitted documents, including the draft LEMP, have the potential to undermine its deliverability, and the discord between submitted documents has been a common concern for specialist officers considering the application.
- 15.6.24. In order to address this, a revised LEMP and soil management plan, together with a final CEMP, to be prepared in combination with, and in recognition of, the remedial scheme and any agreed EclA, would be required to address concerns. It has not been possible to secure this as part of the application, but subject to satisfactory details being submitted through condition, it is considered that the principle of development could be supported at this site, and through conditioning the recommendations of the EclA and further detail by way of a LEMP, species and habitat would be protected. Further conditions would be required in respect of the above mentioned documents and would need to be pre-commencement conditions to ensure appropriate management and planting schemes are secured ahead of works commencing, in the interests of safeguarding protected species. These documents would need to align with the EclA and provide a united approach to managing soils, ecology and landscape across the site. In addition, conditions would be required to secure details (including elevations and materials) of the proposed bat roost and swallow nesting features proposed.
- 15.6.25. In light of the above, and the submission of the updated EclA, agreed by the Natural Environment Team, it is considered that, subject to conditions, the impacts of development on protected species found at the application site could be appropriately mitigated, and suitable habitat enhancement secured, to support biodiversity at the site, in line with the provisions of Policy ENV2 and the NPPF.
- 15.6.26. In terms of the quantum of net gain, the site would be exempt from the Government's mandatory 10% biodiversity net gain (BNG), as set out under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This is owing to the timing of

the application being submitted prior to 12th February 2024 when mandatory BNG came into effect.

15.6.27. Impact on European Protected Sites

15.6.28. In recognition of the site's position within the catchment area of Poole Harbour, a Special Protection Area (SPA) and a European Protected Wetlands (RAMSAR) site, further consideration has to be given to the wider impacts of the development on biodiversity.

15.6.29. Elevated concentrations of nitrogen and phosphorus in Poole Harbour are encouraging the growth of widespread algal mats through the process of eutrophication. These mats restrict the availability of invertebrates, which provide food to wading birds, and affect other important features and processes within the harbour.

15.6.30. This nutrient enrichment in Poole Harbour is believed to arise from a number of sources of nitrogen and phosphorus within the harbour catchment acting in combination. Whilst the majority of nitrogen entering Poole Harbour from land sources is generated by agriculture within the Poole Harbour catchment, a proportion is from human sewage discharged within the Poole Harbour catchment, since the Sewage Treatment Works remove only part of these nutrients from human waste. Therefore, increases in human population due to new residential development or overnight accommodation results in additional nitrogen and phosphorus entering Poole Harbour.

15.6.31. In light of this serious nutrient issue, in Jan 2024 the Secretary of State designated Poole Harbour as a nutrient sensitive catchment for both nitrogen and phosphorus. To mitigate the impacts of new developments, the Levelling Up and Regeneration Act requires the upgrade of wastewater treatment works to reduce nutrient concentration in wastewater. Following an announcement in May 2024 relating to the wastewater treatment plants that will be subject to these upgrades, Natural England have advised that sufficient wastewater treatment works will be upgraded to reduce phosphorus levels such that there is no longer a need for development to deliver phosphorus mitigation. In terms of nitrogen mitigation, Natural England maintain that the impact of nutrients arising from qualifying development on habitat sites places Poole Harbour at risk from significant effects. They advise that proposals that would result in a net increase in population served by a wastewater system, including tourist accommodation, within these catchment areas should only be granted consent where it is possible to exclude that the proposals would have significant effects. In this case, the development would be served by an on-site package treatment plant and the same principle would apply. In order to rule out significant impacts to the Poole Harbour catchment, the developer would need to demonstrate appropriate mitigation against the impacts of nitrates.

15.6.32. In accordance with *People Over Wind & Sweetman v Coillte Teoranta* (Case C-323/17), it is concluded that, discounting any mitigation, the above

application would have a likely significant effect on the Poole Harbour European wildlife site. In accordance with the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity an Appropriate Assessment has been carried out.

- 15.6.33. Having regard to the current application, the resultant redevelopment and extension of holiday accommodation at the site would result in an increase in occupancy at the site, contributing to the nutrient problem at Poole Harbour.
- 15.6.34. The water company is usually responsible for removing a proportion of nitrogen from the sewage, but remaining nitrogen must be addressed through mitigation. In this case, a sewerage treatment plant is proposed, and in the same way, would filter some, but not all the nutrients from the waste water, with any remaining nutrients requiring mitigation.
- 15.6.35. Mitigation through nutrient neutrality offers a potential solution. Nutrient neutrality is an approach which enables decision makers to assess and quantify mitigation requirements of new developments. It allows new developments to be approved with no net increase in nutrient loading within the catchments of the affected habitats site.
- 15.6.36. The applicant has provided a supplementary statement to address the impacts of nitrates including a Nutrient Neutrality Report and Nutrient Neutrality Mitigation Strategy. It calculates that the waste water from the development, which would be treated via a Bio-Bubble package treatment plant replacing the existing sewerage treatment plant serving the site and hotel, would result in a net reduction of total annual nitrogen loading to the Poole Harbour catchment of -165.19 Kg TN/yr. This is owing to the higher efficiency of the replacement plant, such that the net reduction in total nitrogen load for the existing accommodation on site mitigates the additional nitrogen load generated from the proposed development, whilst providing an additional reduction in load within the catchment. The proposal subsequently demonstrates nutrient neutrality. Following the revocation of the Nitrogen Reduction in Poole Harbour Supplementary Planning Document (SPD), these calculations are based on Natural England's calculator tool for Poole Harbour. Further details relating to the management and maintenance of the waste water treatment plant would need to be secured via a S106 legal agreement. Since a water usage figure of 120L/person/day was applied whilst estimating the additional nitrogen loading from the proposed development in the calculator tool, a planning condition would need to be added to any permission to secure the higher level of water efficiency.
- 15.6.37. Based on the above, it is considered that nutrient neutrality has been demonstrated, and subject to securing the measures set out through a legal agreement, likely significant effects on European Protected sites resulting from the proposed development would be successfully mitigated to prevent

adverse effects on the integrity of the designated site. An appropriate Assessment has been prepared to this effect and agreed by Natural England.

- 15.6.38. The application can be supported having regard to impacts upon biodiversity; recognising the special protection afforded under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006. The development in turn accords with the provisions of Policy ENV2 of the Local Plan, and the provisions set out under para 192-195 of the NPPF.

15.7. Impact on residential amenity

- 15.7.1. Policy ENV16 of the Local Plan seeks to ensure development proposals are designed to minimise impacts on amenity and the quiet enjoyment of residents within and close to the application site. In doing so, consideration should be given to a range of impacts, including impacts on privacy, light, and impacts through increased activity that would significantly detract from the amenity of the area and its residents.
- 15.7.2. The nearest residential properties are located adjacent to the site, with the dwelling houses of Warden Hill Farm and Copse Corner lying approximately 65 and 85 metres from the site respectively.
- 15.7.3. The proposed use of the site for holiday accommodation is considered be a compatible use within a residential area. Whilst there would be an increase in the level of activity at the site compared to existing levels, this would not necessarily exceed that associated with the existing land uses, and all traffic would be directed to the main A37 access, with the most northern accesses closest to neighbouring units blocked up. The proposed use is not considered to give rise to unacceptable levels of noise and would arguably result in a reduction in noise by removing less compatible uses from this rural location, including the existing racing track. Furthermore, due to the separation distances and vegetated boundaries between the site and its nearest neighbours, there is considered to be no significant loss of light or privacy to neighbouring dwellinghouses.
- 15.7.4. Therefore, although the concerns of the Parish Council and local residents are acknowledged, there is considered to be no significant harm to the residential amenity of the area such as to warrant refusal of the application, and the proposed development is considered to be in accordance with the provisions of Policy ENV16.

15.8. Conclusions

- 15.8.1. Due regard has been given to the adopted spatial strategy and policy ECON7 having regard to the provision of a new and/or extended holiday use at the site; together with consideration of the weight to be applied to the site's part brownfield condition; the loss of the existing recreational facilities that would result from the proposed change of use of land; and the need for 24hr surveillance at the site for security purposes.

- 15.8.2. Weighing in favour of the proposed holiday use is the provision of facilities on site to serve the development, together with presence of an existing holiday use at the site, making the site suitable in policy terms, and in line with the adopted spatial strategy. The presence of two established residential units on the site, which would be replaced, and the understanding that some 24hr presence would be required from a security perspective, provides sufficient justification for the provision of two staff units at the site. Having regard to the loss of existing recreational facilities, there is insufficient demonstrable need for the facilities to warrant their retention at the site. In this regard, the provisions of policy ECON7, COM5 and HOUS6 are met, together with the provisions set out at para 110 and 103-104 of the NPPF.
- 15.8.3. Detailed consideration has been given to the site's sensitive location and the possible impacts of development on the AONB/National Landscape, and the application has been assessed against the tests set out in the NPPF for major development in an AONB/National Landscape. The economic benefits of the proposal weigh heavily in favour of the development. In terms of the impacts upon the AONB/National Landscape the site is accessible by a major route, at a site where tourism provision is an established use, and where part of the site is previously developed. The site is relatively well screened by mature vegetated boundaries, with proposals to further enhance boundary treatments; and appropriate treatment of lodges and lighting would further reduce the impact of the proposed development on the wider landscape.
- 15.8.4. The submitted landscape scheme, LEMP and CEMP all fail to demonstrate appropriate treatment to landscaping at the site, but through conditions to secure the successful establishment and long term management of appropriate landscaping, it is considered that the impact of the development could be successfully mitigated. The character and qualities of the landscape would in turn be enhanced by the removal of insensitive uses currently present at the site, moderating the impacts of the development on the AONB/National Landscape. It is considered that through appropriate conditions, harm to the special qualities of the AONB/National Landscape would be sufficiently moderated, such that the public benefit of the proposal would outweigh the harm, and the proposal would meet the exceptional circumstances set out at para 189-190 of the NPPF. In this regard, the provision of policy ENV1 of the WDWP Local Plan would be met, as would the objectives of the Dorset National Landscape Management Plan. This conclusion has been reached having regard to the duty to further the purpose of the designated AONB/National Landscape for such means, in line with section 85 of the CRow Act (2000).
- 15.8.5. Although further details are required in respect of land contamination owing to elevated levels of lead and PAH, through an appropriate set of conditions, it is considered that the site could be successfully remediated such that land contamination would not pose a risk. Sufficient information has been submitted to demonstrate that the proposed development would

not pose an unacceptable risk of pollution to groundwaters from non-mains foul drainage, thereby safeguarding the source protection zone 1. The proposed development likewise successfully demonstrates that it would not have a harmful impact upon potable water supplies. Having regard to likely effects on the environment through both land contamination and groundwater contamination, the proposed development thus accords with policy ENV9 of the West Dorset Weymouth and Portland Local Plan (2015), and the provisions set out within Para 187 and 196-201 of the National Planning Policy Framework (2024).

- 15.8.6. Significant concern has been raised in relation to the impact of the development on highways safety and efficiency. The Highway Authority confirm that the traffic generated from the proposed development would be unlikely to exceed the capacity of the permitted uses at the site, and the volume of traffic using the site would not exceed the capacity of the junction or A37. As such, the proposed development is considered to comply with Local Plan policy COM7 and para 116 of the NPPF having regard to highway safety and efficiency.
- 15.8.7. The proposed development is considered to be acceptable having regard to the impacts on flood risk, subject to conditions, in line with Local Plan Policy ENV5 and para 181-182. The impacts on the residential amenity of the area are also considered acceptable, in line with Local Plan policy ENV16.
- 15.8.8. The impacts of the development on protected species and habitats at the site are minimised to an acceptable level through the provision of appropriate mitigation and enhancement secured through condition, including the submission of a detailed LEMP and CEMP. Sufficient information has also been provided to demonstrate that the impacts of nitrogen generated from the development can be successfully mitigated to prevent likely significant adverse impacts on the integrity of Poole Harbour, designated a Special Protection Area (SPA) and a European Protected Wetlands (RAMSAR) site. Subject to securing mitigation through a S106 legal agreement the proposed development consequently passes the Appropriate Assessment and accords with the provisions set out in Policy ENV2 of the WDWP Local Plan, and para 192-195 of the NPPF. This conclusion has been reached having regard to the special protection afforded under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006.

16. RECOMMENDATION:

- 16.1. To delegate authority to the Service Manager for Development Management and Enforcement and the Area Manager to grant planning permission subject to conditions, and subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

- 16.1.1. A replacement Bio-Bubble Package Treatment Plant (PTP), as detailed within the submitted Nutrient Neutrality and Mitigation Strategy (NNMS) dated 12 Sep 2024, to be installed prior to occupation of any holiday lodge;
- 16.1.2. The submission of a Waste Water Management Scheme to be first agreed in writing, and implemented with immediate effect on installation of the PTP. The Waste Water Management Scheme shall include a management/maintenance plan for the PTP for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker or any other arrangements to secure the operation of the PTP throughout its lifetime;
- 16.1.3. In the event the PTP needs replacing or upgrading, the replacement PTP shall have an effluent discharge of no greater than 1.2mg/l total ammoniacal nitrogen, and nitrate of 35mg/l.
- 16.1.4. A monitoring fee.
- 16.2. B:
- 16.3. Refuse permission for the reasons set out below if the agreement is not completed within 6 months from the date of committee, or such extended time as agreed by the Service Manager for Development Management and Enforcement.
- 16.3.1. In the absence of any formally agreed mechanism to secure a suitable PTP to address nutrient neutrality matters, the proposed development would fail to provide an appropriate level of mitigation to avoid likely significant effects on Poole Harbour Special Protection Area (SPA and Ramsar), a European Protected site, and would fail to comply with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006, Policy ENV2 of the West Dorset, Weymouth and Portland Local Plan (2015), and the provisions set out under para 192-195 of the NPPF.
1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan, drawing no. LP/1.3, received 04 Mar 21

Proposed Holiday Lodge Layout Plan, over existing topography plan, drawing no. GAH/C2.9-2, received 16 Jun 25

Proposed Holiday Lodge Layout Plan, drawing no. GAH/C2.9, received 16 Jun 25

Land Survey: Buildings and Structures to be demolished, received 04 Aug 21

Artisan Lodge 3 Bed (staff accommodation) Floor Plans and Elevations, received 16 Sep 21

Bella Vista 2 Bed Floor Plans and Elevations, received 1 Nov 19

Bella Vista 3 Bed Floor Plans and Elevations, received 1 Nov 19

Waste Water Treatment Plant - Plan, drawing no. BB1466-22-101-001, received 20 Jun 2024

Waste Water Treatment Plant - Section, drawing no. BB1466-22-101-001, received 20 Jun 2024

Cross Sections O-O, R-R, drawing no. GAH/CS5.2, received 03 Feb 21
Cross Sections E-E, F-F, G-G, drawing no. GAH/CS2.2, received 03 Feb 21
Cross Sections A-A, B-B, C-C, D-D, drawing no. GAH/CS1.2, received 03 Feb 21
Pond Section Details, Rev V1, received 23 June 21

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

2. 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).

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

Reason: To ensure that the approved lodges are not used for permanent residential occupation.

4. The 2x lodges identified on drawing GAH/C2.9-2 as 'staff units' shall be limited to a person solely, or mainly, employed, or last employed, prior to retirement, in the Warden Hill/George Albert holiday lodge park hereby approved (including any dependants of such a person residing with him/her) or a widow, or widower, of such a person.

Reason: The site is in an area where new dwellings would be contrary to the provisions of the approved Local Plan and normally would not be permitted except where there is an overriding need in the interests of a rural enterprise.

5. Prior to the siting of any lodge, details and samples of all external facing materials for the walls and roofs, and associated decking, balustrades, and any steps/ramps, including its finish and colour, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the external finish/colour of the lodge, and associated decking, balustrades and steps/ramps, shall be in strict accordance with the details as have been agreed, shall be completed prior to the first occupation of the lodge, and shall be retained as such thereafter.

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

6. The lodges hereby approved, together with any replacement lodge in the future, shall accord in size, siting and appearance with the drawings as set out

in condition 1 (plans list), and their external appearance shall be in accordance with those details agreed under condition 5 (external appearance). There shall be no more than 226 holiday lodges on the site at any one time.

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

7. Before the development is first occupied or utilised the access, geometric highway layout, turning and parking areas shown on the submitted plans must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

8. Before the development is first occupied or utilised the existing access points on Wardon Hill Road (Dorset Council designation D20701) must be permanently closed and the existing highway vehicular crossing must be expunged and the verge reinstated, in accordance with a landscape scheme to be submitted as part of the Landscape and Environmental Management Plan required under condition 17.

Reason: To ensure the proper and appropriate reinstatement of the adjacent highway.

9. Prior to the siting of any lodge, details of the means of access including details of access ramps, steps, and a plan showing which lodges are accessed by which means, shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

Reason: In the interests of ensuring suitable access is provided to lodges having regard to Inclusive Mobility Guidance.

10. No development shall take place until a detailed Surface Water Management Scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction and a timetable for implementation of the scheme, has been submitted to, and approved in writing by the local planning authority. The detailed design of the Surface Water Management Scheme shall be accompanied by supporting ground investigation and soakage testing. The approved Surface Water Management Scheme shall thereafter be implemented in accordance with the submitted details including the timetable for implementation.

Reason: To prevent the increased risk of flooding and to protect water quality.

11. No development shall take place until details of maintenance and management of the Surface Water Management Scheme, including any sustainable drainage features, have been submitted to and approved in

writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

12. Notwithstanding drawing 'pond section details, Rev V1, received 23 June 21' prior to works being carried out relating to the ponds hereby approved, additional 1:20 sections, showing the north, south, east, and west banks for each pond, and a Pond Maintenance Strategy for the bank edges shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the ponds shall be provided in strict accordance with such details as have been agreed and shall be maintained in accordance with the Pond Maintenance Strategy thereafter.

Reason: In the interests of residential amenity, visual amenity, and biodiversity.

13. Prior to the installation of the Waste Water Package Treatment Plant (PTP), details, including materials, finish and colour, of the above ground structures associated with the PTP (including the tanks and kiosk), shall first have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

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

14. Details of measures to limit the water use of the lodges in accordance with the optional requirement in regulation 36(2)(b) and 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 in writing by the Local Planning Authority before the lodges are occupied. The submitted details shall include a water consumption calculation for each lodge in accordance with the Approved Documents referred to above. The approved measures shall be implemented prior to occupation and maintained in accordance with the approved details thereafter.

Reason: To ensure nutrient neutrality in the Poole Harbour catchment, in the interests of protected habitats.

15. Prior to the commencement of any development hereby approved, an Arboricultural Method Statement (AMS) prepared by a qualified tree specialist providing comprehensive details of construction works in relation to trees and hedges that have the potential to be affected by the development must be submitted to and approved in writing by the Council. In particular, the method statement must provide the following:

- a) a specification for protective fencing to trees and hedges during both demolition and construction phases which complies with BS 5837 (2012) and a plan indicating the alignment of the protective fencing;
- b) a schedule of tree work conforming to BS3998;
- c) details of the area for storage of materials, concrete mixing and any bonfires;
- d) plans and particulars showing proposed cables, pipes and ducts above and below ground as well as the location of any soakaway or water or sewerage storage facility;
- e) details of any no-dig specification for all works within the root protection area for retained trees: f) details of the supervision to be carried out by the developer's tree specialist.

Thereafter, development shall proceed in strict accordance with the details as have been agreed and all safeguarding measures, including the provision of protective fencing, shall be installed prior to commencement of development and retained for the duration of construction works and building operations. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree and hedge protection zone(s).

Reason: This information is required to be submitted and agreed before any work starts on site to ensure that the trees and hedges deemed worthy of retention on-site will not be damaged prior to, or during the construction works.

16. Notwithstanding the submitted 'Detailed Landscape Design', prior to commencement of development, full details of hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include where appropriate: existing and proposed finished levels or contours, means of enclosure, car parking layout, other vehicular and pedestrian access and circulation areas, hard surfacing materials and ancillary structures (eg; furniture, play equipment, refuse or other storage units). Thereafter, the development shall proceed in strict accordance with the details as have been approved.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features and to clarify the finished ground levels of the development in the interests of visual amenity.

17. A landscape and ecological management plan (LEMP), which carries forward the recommendations of the Ecological Impact Assessment updated Feb 2025, shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of any development. The content of the LEMP shall include the following:

- a) A soft landscaping scheme and planting schedule to include details of the size, species, and positions or density of all trees and plants to be planted;
- b) Protected Species Mitigation & Monitoring Strategy for all identified ecological receptors to cover the operational phase.

- c) Description, evaluation and conservation objectives of landscape and ecological features to be managed. These shall include a range of enhancement features and habitats for target species including tawny owl, skylark, reptiles, badgers, bats, birds, dormice and invertebrates.
- d) Detailed plans of the enhancement bat roost and swallow nesting features.
- e) Ecological trends and constraints on site that might influence management.
- f) Detailed design(s) and/or working method(s) & management prescriptions to achieve stated objectives.
- g) Details of the proposed ecological mitigation area to be provided at the south east extent of the site, including a planting schedule detailing species composition and location of planting blocks, management prescriptions, and clear connectivity with the eastern boundary of the site and with Fishers Bottom Coppice. The off-site ecological mitigation area shall be no less than 0.83ha of wildlife habitat, located as shown on drawing 'Proposed Holiday Lodge Layout Plan, drawing no. GAH/C2.9. The southern end, as shown in orange on the above referred drawings will be managed for Skylark as per the prescriptions on p40 of the EclA, and the remainder will be planted and managed as wood pasture, as per the prescriptions on p41 of the EclA.
- h) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- i) Details of site de-compaction, soil quality, ameliorants, and method statement relating to ground preparation
- j) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- k) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period), to include a list of persons responsible for implementing the works and details of the body or organization responsible for the long-term management of the LEMP, to include ongoing monitoring of the plan and the carrying out of remedial measures.
- l) Details of initial aftercare and long-term maintenance, to include a schedule of landscape maintenance covering a minimum period of five years following substantial completion of the development
- m) Details for disposal of any wastes arising from works.

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

Thereafter, the mitigation, compensation and enhancement measures set out in the LEMP shall be carried out in strict accordance with such details as have been agreed and shall be implemented in accordance with the Timetable for Implementation. Prior to the first occupation of each phase of development a report, providing evidence of compliance with the LEMP (including photographic evidence), shall have first been submitted to, and agreed in writing by, the local authority. Thereafter the approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details.

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

18. All hard and soft landscape works shall be carried out in accordance with the hard and soft landscaping details agreed under condition 16 & 17 and shall be carried out in full in the first planting season (November to March) following commencement of development of any one phase or within a timescale to be agreed in writing with the Local Planning Authority; and in any case not later than the end of the first planting season following the substantial completion of that particular phase of the development. In the five year period following the substantial completion of that particular phase of the development any trees or plants that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority.

Reason: To ensure the provision, establishment, and maintenance of a reasonable standard of landscape in accordance with the approved designs.

19. Prior to the commencement of any approved phase of development a Construction and Environmental Management Plan (CEMP) in accordance with the specifications in clause 10.2 of the BS42020:2013 (or any superseding British Standard), and which carry forward the recommendations of the Ecological Impact Assessment updated Feb 2025, shall be submitted to, and agreed in writing by, the Local Planning Authority. As a minimum the CEMP shall include:

- a) A Protected Species Mitigation Strategy that covers all activities relating to pre-commencement and construction phases, making clear any phasing between remediation and movement of reptiles between different areas, and any further mitigation required as a result of further investigation into contamination. This shall include mitigation measures for reptiles, bats, badgers, dormice and wild birds and include a lighting strategy for the entirety of the construction phases. The protected Species Mitigation Strategy should accord with the Construction Phase Plan, drawing no. GAH/C2.9-3.
- b) Risk assessment of potentially damaging construction activities.
- c) Notwithstanding the 'Construction Phase Plan – Ecology', drawing no. GAH/C2.9-3, received 16 Jun 25, a final Construction Phase Plan identifying biodiversity protection zones, construction exclusion zones, water tower buffer, reptile donor site and reptile receptor sites taking into account a remedial strategy (as required by condition 22) to manage land contamination.
- d) Identification of areas where invasive species have been identified. An eradication programme for Japanese knotweed shall be provided.
- e) Inclusion of or reference to details for implementation of method statements required to achieve specific biodiversity outcomes, and particularly mitigation measures.

- f) Identification of practical measures, both physical measures and sensitive working practices to avoid impacts during development, for protecting biodiversity through the control or regulation of construction-type activities.
- g) An Implementation Timetable to include construction timeframes, the location and timing of sensitive works to avoid harm to biodiversity features, and a timetable of visits by specialists where required to be present to oversee works.
- h) A list of responsible persons and lines of communication.
- i) A section defining and communicating the role and responsibilities on site of an ecological clerk of works (ECoW), or appointed ecologist(s) responsible for managing biodiversity issues on site, and times and activities during construction or development implementation when they need to be present to oversee works.
- j) details of exclusion fences, protective barriers and warning signs.

Thereafter the development shall proceed in strict accordance with the details as have been agreed, and in line with the Implementation Timetable set out within the CEMP. The Consultant Ecologist shall notify the Local Planning Authority in writing following implementation of the measures set out.

Reason: To safeguard biodiversity as set out by Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006.

20. Prior to the commencement of any development within any one phase, full details of earthworks shall first be submitted to and approved in writing by the Local Planning Authority. These details shall include details of any proposed grading and mounding of land including the levels and contours to be formed, showing the relationship of the proposed mounding to the existing vegetation and surrounding landform. Thereafter, development for each phase shall proceed in strict accordance with such details as have been agreed for that phase. No development phase shall be occupied until the works are completed for that phase, in accordance with the approved details.

Reason: In the interests of maintaining the amenity value of the area.

21. No soil shall be imported to the site unless it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material should be submitted to and approved in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by risk assessment) and source material information. The analysis shall then be carried out and a validation certificate or similar evidence should be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with the details as have been agreed.

Reason: To prevent pollution of the environment and in the interests of successful landscape establishment.

22. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority:

1) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed. This shall be supported by a detailed soil management and waste management plan, and mitigation measures shall include the installation of a robust cover system, details of which shall first be submitted to and agreed in writing by the Local Planning Authority, consisting of a design with cover of not less than 600mm depth.

2) a detailed phasing scheme for the development, defining distinct areas of the development site and the order in which development will be delivered, together with the agreed remedial works (including a time scale for completion).

3) a monitoring and maintenance scheme, overseen by a specialist consultant, to include monitoring the long-term effectiveness of the proposed remediation over a period of time and to determine and report on currently unknown issues with contamination and remediation during development. The scheme shall ensure that site work ceases in the event unexpected contamination is identified or where remediation measures are found to be unsuitable or ineffective, the Authority is informed of any such discovery, and agreement is reached with the Authority concerning any remediation requirements that arise prior to the recommencement of site works.

The development shall, thereafter, proceed in strict accordance with the remediation scheme, and monitoring and maintenance scheme as has been agreed, which shall be fully implemented before the development hereby permitted first comes in to use or is occupied, and in strict accordance with the agreed phasing plan.

On completion of the development written confirmation and verification that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed and to mitigate potential harm to health and safety, as well as ensuring the successful establishment of the landscape scheme.

23. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

24. Prior to the first occupation or use of the development hereby permitted a verification certificate to confirm that the site is fit for purpose following remediation shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

25. Notwithstanding the submitted phasing plan, no development shall commence until a detailed phasing scheme, defining distinct areas of the development site, the order and timing in which development commences within each of those development areas, and the order and timing that existing uses on site cease, shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development hereby approved and the cessation of existing uses on site shall proceed in strict accordance with the agreed phasing plan as has been agreed.

Reason: In the interests of the amenity of existing and future occupiers.

26. Notwithstanding the submitted Lighting Strategy, no lighting shall be installed until a more detailed Lighting Strategy has been submitted to, and agreed in writing, by the Local Planning Authority. The strategy shall minimise impacts from lighting associated with pre-construction, construction, and operational activities, and demonstrate how the current best practice (BCT/ILP, 2018) guidance has been implemented. This shall include details such as the following: artificial lighting associated with public realm lighting and any other internal and external lighting associated with the development. Thereafter development shall proceed in strict accordance with such details as have been agreed, and prior to occupation of each phase a report shall first be submitted to, and agreed in writing by the Local Planning Authority, providing evidence of compliance with the Lighting Strategy.

Reason: The purpose of the lighting strategy is to ensure the ecological mitigation areas and boundaries of the site function as dark corridors and bat flight lines (0.2 lux on the horizontal plane and 0.4 lux on the vertical plane), and to minimise light spill within the Dorset National Landscape skies.

27. Prior to the erection of any advertisement sign, where it does not require the express consent of the Local Planning Authority in its own right, details (including to scale plans of the sign, a block plan showing its precise siting, and details of colour, design, materials and any illumination) shall first be submitted to and agreed in writing by the Local Planning Authority. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: In the interests of the visual amenity of the area.

28. Prior to first occupation of the lodges hereby approved, and notwithstanding drawing 178-01-03, received 04 Mar 21, a plan identifying the quantum and location of EV charging points, shall first be submitted to and agreed in writing by the Local Planning Authority. The EV charging points shall be provided prior to occupation and in accordance with the details as have been agreed and shall thereafter be maintained, kept free from obstruction and available for the purposes specified.

Reason: In the interests of supporting sustainable transport objectives.

29. The telecommunications mast and other structures on site proposed for removal, as indicated on drawing 'Land Survey: Buildings and Structures to be demolished, received 04 Aug 21', shall be removed from the land in accordance with a timetable to be submitted to and agreed in writing by Local Planning Authority prior to commencement of development.

Reason: in the interests of the visual amenity of the site.

Informatives:

1. NPPF

Informative: National Planning Policy Framework Statement

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

The council works with applicants/agents in a positive and proactive manner by updating the 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. Biodiversity Net Gain

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

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

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

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

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.

In this case, the application for planning permission was made before 12 February 2024.

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

3. NS Biodiversity Gain Plan - Exempt
Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan
 1. The application for planning permission was made before 12 February 2024.
 2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
 3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
 4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
 - 4.3. Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.
 - 4.4. Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).
 - 4.5 Self and Custom Build Development, meaning development which:

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

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

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

4. Land Contamination

Any work carried out to comply with conditions relating to land contamination must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

5. Land Contamination

The applicant is reminded that to safeguard the site from contaminants condition 23 seeks a robust cover system of not less than 600mm depth be installed. Where permitted development is proposed that could impact the cover system in place, the applicant is advised to seek specialist advice prior to works going ahead to ensure land contamination is suitably addressed and to mitigate potential harm to health and safety.

6. Invasive Plants

The applicant is advised that there is an area of the site colonised by the invasive plant Japanese Knotweed. Certain plants are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This places a duty on anyone undertaking relevant operations such as ground work to prevent the spread of invasive species. Advice should be taken from the Environment Agency / Natural England with regard this species. More information is available on the following website: Invasive non-native (alien) plant species: rules in England and Wales - GOV.UK (www.gov.uk)

7. Reinstatement of verge

The reinstated verge at the expunged access (that is, the area of highway land between the nearside carriageway edge and the site’s road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway

8. Badgers

Badgers are protected under the Badger Act 1992. Section 3 of the Act states: "A person is guilty of an offence... by doing any of the following things... - a) damaging a badger sett or any part of it; b) destroying a badger sett; c) obstructing access to, or any entrance of, a badger sett; d) causing a dog to enter a badger sett; or e) disturbing a badger when it is occupying a badger sett, intending to do any of these things or being reckless as to whether his actions would have any of those consequences" If a badger(s) or badger sett is discovered during works; all work should stop and advice sought from Natural England by calling 0300 060 3900 or Dorset Council Natural Environment Team by calling 01305 221697 / net@dorsetcouncil.gov.uk, before proceeding.

9. Bats

The applicant is advised to obtain either the appropriate licence for Bats issued by Natural England pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended) authorising the works to go ahead, or written confirmation from Natural England that such a licence is not required. This is in recognition 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). Further information about the law and bats may be found on the following website <https://www.gov.uk/guidance/bats-protection-surveys-and-licences>.

10. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to:

- A replacement Bio-Bubble Package Treatment Plant (PTP);
- The submission of a Waste Water Management Scheme;
- Any future replacement PTP;
- A monitoring fee.

11. A replacement Bio-Bubble Package Treatment Plant (PTP), as detailed within the submitted Nutrient Neutrality and Mitigation Strategy (NNMS) dated 12 Sep 2024, to be installed prior to occupation of any holiday lodge; the submission of a Waste Water Management Scheme; any replacement PTP; and a monitoring fee.

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