

Application Numbers:	P/OUT/2021/05309 & P/FUL/2021/05255
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land Adjacent Broadmead, Broadmayne
Proposal:	P/OUT/2021/05309: Development of up to 80 residential dwellings, together with open space, allotments and enhanced drainage features (outline application to determine access only). P/FUL/2021/05255: Change of use of agricultural land to Suitable Alternative Natural Greenspace (SANG) and temporary formation of a construction haul road.
Applicant name:	Southern Strategic Land LLP
Case Officer:	Matthew Pochin-Hawkes
Ward Member(s):	Cllr. Roland Tarr

1.0 Reason for Planning Committee Consideration

These applications are being re-reported to planning committee following changes to material planning considerations since Members resolved to approve the developments subject to planning conditions and Section 106 legal agreements at the 7 September 2023 Western and Southern Area Planning Committee.

2.0 Background

At the 20 July 2023 Western and Southern Area Planning Committee Members considered the residential application provided a positive contribution to much needed housing in the area and the 45% on-site provision of affordable housing would benefit the local housing market.

At the subsequent 7 September 2023 committee Members resolved to grant planning permission for the residential development and associated SANG subject to planning conditions and Section 106 legal agreements. These earlier Committee Reports are included at **Appendices 2 to 5**.

Since the 7 September 2023 planning committee good progress has been made on the 'main Section 106 Agreement', which has been signed by the Applicant. Negotiations in respect of the two nutrient neutrality-related Section 106 Agreements are ongoing and the applicant is exploring alternative credit-related options in respect of phosphorus mitigation.

On 19 December 2023 the Department for Levelling Up, Housing and Communities published a revised version of the National Planning Policy Framework (NPPF). Associated 2022 Housing Delivery Test (HDT) figures and Planning Practice Guidance (PPG) has also been published and the statutory duty for areas of outstanding natural beauty (AONB) set out within the Countryside and Rights of Way Act 2000 has been amended.

Given these constitute revised material planning considerations, since it was resolved to grant planning permission, it has been necessary for officers to consider the implications of these revised material planning considerations on the applications and whether the Council can proceed to determination without re-reporting the applications to planning committee.

In deciding whether it is necessary to re-report the application to planning committee the council has considered the relevant test from case law which is whether the planning committee may reach a different decision on the application having regard to the revised material planning considerations.

This report therefore: identifies the revised material considerations; provides an officer opinion on the effect of the new material considerations; and invites Members to reconsider their resolution in light of the revised material considerations.

3.0 Assessment

Residential Application (P/OUT/2021/05309)

Revised NPPF, PPG, new HDT figures and amended statutory duty related to AONBs

Appendix 1 identifies where the revised NPPF, PPG, new HDT results and the amended statutory duty related to AONBs affect the assessment and conclusions set out in previous Committee Reports. For completeness it sets out all of the relevant changes but it is only the changes set out in this Section 3 of the report which officers consider may affect the Committee's earlier decision.

The additional headroom above the requisite housing land supply target means the council now has as a healthier supply of deliverable sites above the revised target (+1.28 years above 4 years) compared to the less healthy position when the application was considered by planning committee (+0.34 years above 5 years). Nevertheless, the application must still be considered on a 'flat balance' without the presumption in favour of sustainable development being engaged.

Changes in Affordable Housing Need

It is relevant to note the increasing need for affordable housing within West Dorset since the time of the previous planning committees. Since the July 2023 planning committee the number of active applications on the council's Housing Register has increased by almost 13% from 4,900 to 5,528 applications (at the time of writing, 12 February 2024).

SANG Application (P/FUL/2021/05255)

Revised NPPF and amended statutory duty related to AONBs

Appendix 1 identifies where the revised NPPF and the amended statutory duty related to AONBs affect the assessment and conclusions set out in previous Committee Reports. Officers are satisfied that the amended statutory duty are satisfied and the changes to the NPPF do not materially affect the assessment and conclusions of the earlier Committee Reports.

4.0 Recommendation

Members are requested to consider the revised material considerations and resolve whether they change the resolutions of the 7 September 2023 Western and Southern Area Planning Committee to approve planning permission subject to planning conditions and a S106 legal agreement.

Appendix 1 – Consideration of revised material considerations

Topic	Extract from Committee Report / Update Sheet	Officer Comments
Residential Application		
7 September 2023 Committee Report & Update Sheet		
Nutrient Neutrality	<p>7.22 The 20 July Planning Committee Report identified (Para. 15.79) that an offsite mitigation solution is proposed to deliver nutrient neutrality. This is necessary to ensure compliance with Policy ENV2 of the Local Plan, <u>Paragraphs 179-80 of the NPPF</u> and the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended).”</p> <p>Update Sheet - A letter from the Department of Levelling Up Housing and Communities (DLUHC) to Chief Planning Officers was issued on 1 September 2023. The letter provides more detail on the changes being introduced and explains what the amendments to the LURB would mean in practice when commenced. Of relevance to the determination of the application, the letter confirms:</p> <p><i>“...Until the provisions come into effect, it is important that planning decision-making continues and decisions will need to be taken on the basis of the current legal framework. While this letter is being sent to all local planning authorities, the proposed changes to the HRA [Habitats Regulations Assessments] would apply only to areas affected by nutrient neutrality, and would not</i></p>	<p>N/A. Paragraphs 179-180 re-numbered as 185-186. No change to wording.</p> <p>It is still necessary to secure offsite mitigation as set out within the 7 September 2023 Committee Report and Update Sheet in the form of Section 106 Agreements with the landowners of the mitigation sites, the developer and Dorset Council.</p> <p>Since the previous planning committees, the government has made an announcement that the Poole Harbour catchment has been designated as a nutrient sensitive catchment. This means that all wastewater treatment works within the catchment that serve 2,000+ population equivalents will need to be upgraded to the technically achievable limit by 2030 subject to any exemptions that the Secretary of State designates. The Council awaits a second announcement in respect of the exemptions which the government has advised will be complete before 1 April 2024.</p> <p>Within Poole Harbour, Dorset Council has been lobbying for the upgrade requirement for phosphorus to apply to all wastewater treatment works that serve 1,000+ population equivalents as this would remove the need for phosphorus mitigation within the</p>

	<p><i>change the HRA considerations for other areas or issues (such as water neutrality)... Given the intention to continue investing in mitigation projects, the Government hopes that progress on live projects will continue to be made in advance of these changes coming into effect, during which time developers will still need to source credits as necessary and planning decisions will be made on the basis of the existing legal framework..."</i></p> <p>Accordingly, it currently remains necessary to secure off-site mitigation in accordance with the proposed Section 106 Heads of terms outlined within the Committee Report.</p> <p>To allow flexibility to respond to changing requirements in the near future, it is proposed that members provide delegated authority to the Head of Planning and the Service Manager for Development Management and Enforcement to modify and/or remove the Section 106 obligation related to nutrient naturality should legislation be enacted to no longer require bespoke mitigation to be provided. This change is proposed via an update to Recommendation A (see below).</p> <p>In the event that the Section 106 Agreements are completed prior to new legislation it is proposed that the Section 106 Agreements include clauses to allow for revised and/or no mitigation should current requirements to achieve nutrient neutrality be amended.</p>	<p>catchment. The second announcement could designate more wastewater treatment works for upgrade for phosphorus and/or nitrogen or remove some from the need for upgrade.</p> <p>Until this second announcement is made the impact of that announcement on nutrient neutrality in the Poole Harbour catchment is unknown and as such it continues to be necessary to secure offsite mitigation as set out within the 7 September 2023 Committee Report (including Update Sheet) in the form of Section 106 Agreements with the landowners of the mitigation sites, the developer and Dorset Council.</p> <p>Should there be a change in legislation which no longer requires the proposed mitigation to be secured, the resolution of the 7 September 2023 Committee allows for the nutrient neutrality obligation to be amended or removed. In such a scenario an alternative credit-based solution may be acceptable subject to consideration by officers and Natural England and a further Habitats Regulations Assessment.</p>
--	--	---

20 July 2023 Committee Report		
<p>Housing Land Supply and Housing Delivery Test</p>	<p>15.4 The Council's latest published 5 year housing land supply position reflecting the 1 April 2022 base date is 5.34 years. In a recent appeal decision (APP/D1265/W/22/3291668) an Inspector considered that the Council had a 5.25 year supply, bearing in mind the evidence that was presented to them earlier in 2023 before the publication of the 1 April 2022 base date position. However, the Inspector in that same decision stated that for a number of reasons the supply may be greater than 5.25 years but less than that stated by the Council at the time of the appeal which was 5.75 years. The fact that the Council stated a position of 5.34 years in April this year is considered to be consistent with the Inspector's statement that supply could be greater than 5.25 but less than 5.75 years and as such the position remains at 5.34 years supply as of the 1 April 2022 base date. Given the former West Dorset, Weymouth and Portland area is currently able to demonstrate a 5 year housing land supply and meet the Housing Delivery Test, the proposal for a mixed market and affordable development is not acceptable in principle.</p>	<p>In November 2023 Dorset Council published a Joint West Dorset, Weymouth and Portland five year housing land supply report which confirms a housing land supply figure of 5.28 years, similar to that stated in the 20 July 2023 Committee Report (5.34 years). At the time of publication this represented a +0.28 year supply above the five year threshold for applying the presumption in favour of sustainable development (Para. 11), similar to that reported to planning committee (+0.34).</p> <p>Paragraph 77 of the NPPF (December 2023) establishes that <i>"local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply"</i>. Paragraph 226 states that <i>"certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing"</i>, where they <i>"...have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need"</i>.</p> <p>Having reached Regulation 18 stage with the emerging Dorset Council Local Plan (through public</p>

		<p>consultation that included a policies map and housing allocations) the Council is required only to demonstrate a minimum of four years' supply of housing instead of a minimum of five years. Paragraph 055 Reference ID: 68-055-20240205 of the PPG confirms the four year housing land supply should be demonstrated against the authorities' five year housing land supply requirement with the appropriate buffer.</p> <p>Notwithstanding the changes to the buffer, the council is able to demonstrate greater headroom above the revised four year threshold below which the presumption in favour of sustainable development is engaged (+1.28 years) compared to at the time of the planning committee (+0.34 years). The Council is still able to meet the Housing Delivery Test (HDT).</p> <p>Whilst the Council is now able to demonstrate a healthier supply of deliverable sites above the revised target, the changes to the NPPF, PPG and HDT results do not materially affect the conclusions of the Committee Report and the application still falls to be determined on a 'flat balance'.</p>
Exceptions sites	15.8 The NPPF (Para. 78) sets out that Local Planning Authorities should support opportunities to bring forward rural exceptions sites that will provide affordable housing to meet identified local needs. The NPPF defines rural exception sites as <i>"small sites used for affordable housing in</i>	N/A. The relevant paragraph from the revised NPPF (Para. 82) has been <u>updated</u> to note that: <i>"In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local</i>

	<p><i>perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection...</i></p> <p>15.9 The proposal represents a large scale site for housing that would not be of a character and scale appropriate to the location. That would remain if all housing were secured and delivered as affordable. This would not fall within the provision of Policy HOUS2 or NPPF (Para. 78). At up to 80 dwellings with the majority served via one access point there are concerns such an approach would not create a mixed and balanced community. Were 100% affordable housing to be secured, the proposal would not be acceptable as an affordable housing exception site.</p>	<p><i>needs, including proposals for community-led development for housing...</i></p> <p>The proposals do not constitute a community-led development, as defined by the NPPF and the proposals do not fall within the definition of exceptions sites established by Paragraph 73. Accordingly the NPPF does not raise any relevant new material considerations in respect of exceptions sites.</p>
<p>Loss of Agricultural Land</p>	<p>15.12 Policy ENV8 seeks to steer built development towards areas of poorer quality land where it is available. The NPPF (Para. 174) notes decisions should enhance the natural and local environment, including by recognising the wider benefits from natural capital, including the economic and other benefits of the best and most versatile agricultural land. It further states in reference to plan making that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land</p>	<p>N/A. Paragraphs 174 re-numbered to 180. No change to wording.</p> <p>Footnote 58 has been re-numbered to 62 and expanded to state <i>“Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. <u>The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.</u>”</i></p>

	should be preferred to those of a higher quality (Footnote 58).	As the footnote relates to plan making, the change does not raise any new material considerations in respect of loss of agricultural land.
Highways	15.20 The Highway Authority concludes that, on balance, when judged against the NPPF, it has no objection to the proposed development subject to planning conditions. Subject to these conditions and securing the off-site highway works and Traffic Regulation Order, the proposal is acceptable from a highways perspective and would not have an unacceptable impact on highway safety or have a server impact on the road network (NPPF, Para. 111).	N/A. Paragraph 111 re-numbered as 115. No change to wording.
Affordable Housing	15.26 Neighbour responses raise concern that the housing would provide second homes, holiday lets and/or investment properties rather than homes for first time buyers. There is no policy basis or material considerations to require the market housing element to be restricted to first time buyers only. Affordable housing would meet the definition of affordable housing within the NPPF as “housing for sale or rent, for those whose needs are not met by the market”. It would therefore provide opportunities for a wide range of occupiers and renters, including those on the Housing Register, first time buyers and families thereby helping to meet local housing need.	N/A. The definition of affordable housing has not changed.

<p>AONB</p>	<p>15.28 NPPF (Para.176) states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. Development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. Para. 177 establishes that planning permission should be refused for ‘major development’ (determined by the decision maker) within AONBs other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.</p> <p>15.29 The site lies adjacent to the AONB which follows the western boundary of the site including residential properties along Martel Close together with land to the north. Whilst the proposal for residential development falls entirely outside of the AONB, the associated SANG falls partially within the AONB. The SANG is subject to a separate planning application (P/FUL/2021/05255) which would be linked with the residential proposals via a Section 106 agreement.</p> <p>15.30 For the purposes of NPPF Para. 177, it is relevant to consider whether the combined proposal would represent major development for which exceptional circumstances would need to be demonstrated. Considering the residential and SANG proposals as a whole, the only development proposed within the AONB comprises approximately 40% of the SANG. The SANG</p>	<p>N/A. Paragraphs 176-177 have been re-numbered as 182-183. No change to wording.</p> <p>Amendments to the Clause 85 of the Countryside and Rights of Way Act 2000 (CROW) introduced via Clause 245 of the Levelling-Up and Regeneration Act (LURA) came into force on 26 December 2023. The amendments require relevant authorities (including Local Planning Authorities) to “seek to further the purposes of conserving and enhancing the natural beauty of the area of outstanding natural beauty” (rather than “have regard to...”) in relation to land in an AONB.</p> <p>The application does not include land within the Dorset AONB. As concluded within the Committee Report, the proposal would not harm the special qualities or natural beauty of the AONB.</p>
--------------------	---	--

	<p>would provide natural open space including landscaping and pedestrian routes. The proposed SANG within the AONB is not considered to be major development for the purposes of NPPF Para 177. Whilst it would be linked to a residential development of up to 80 dwellings, the site of the proposed dwellings is located outside of the AONB. Accordingly, the exceptional circumstances outlined at NPPF Para. 177 are not engaged and do not need to be demonstrated for either development...</p> <p>15.32 It is noted that the site is well-related to the urban area of Broadmayne and there would be limited visibility of the site from the surrounding AONB. This is evident in the short-range views from Broadmayne and longer-range view from the AONB which show the proposals would be seen in the context of Broadmayne. Due to the location and character of the site, the proposals would not harm the sense of tranquillity and remoteness of the AONB through adverse impacts within its setting.</p> <p>15.33 Owing to the location of the site outside of the AONB, sloping topography away from the open countryside and AONB and presence of existing dwellings to the east, south and west, it is considered that, subject to appropriate reserved matters submissions, the proposal would have an acceptable effect on the AONB and would not harm its special qualities or natural beauty.</p>	
--	--	--

<p>Local landscape, village character and beauty</p>	<p>15.34 Sections 12 and 15 of the NPPF seek to employ high quality inclusive design which respects, and integrates with, its environment. The Framework seeks to ensure decisions contribute to and enhance the natural and local environment by protecting valued landscapes through recognising the intrinsic character and beauty of the countryside.</p> <p>15.35 In particular, Para 127 of the NPPF seeks, amongst other objectives, to ensure decisions are sympathetic to local character and history, including the surrounding built environment and landscape setting.</p>	<p>Section 12 has been <u>updated</u> to refer to achieving well-designed and <u>beautiful places</u>. No changes have been made to Paragraph 127 (now 132).</p> <p>The minor wording changes detailed at Paragraphs 138 (previously 133) and 140 (previously 135) do not materially affect the conclusions of the Committee Report. Given the outline nature of the application, conditions providing visual clarity about the design and approved materials are not relevant.</p> <p>With the exception of footnote 62 (noted above), no wording changes have been made to Section 15 of the NPPF.</p> <p>The references to <i>“the importance of securing well-designed <u>and beautiful</u>, attractive and healthy places”</i> does not materially affect the assessment of the application. The application is in outline with all matters except access reserved for later determination. Matters of beauty would be considered at the Reserved Matters stage.</p>
<p>Heritage</p>	<p>15.52 With no footway along much of Rectory Road, the applicant has sought to address the highway safety issue through off-site mitigation. The mitigation is supported by the Highways Authority. Nevertheless, the off-site highway works would result in the total loss of the Non-Designated Heritage Asset. In accordance with the NPPF (Para. 203) the effect on the significance of the Non Designated Heritage</p>	<p>N/A. No changes have been made to Section 16 of the NPPF. Paragraph 203 re-numbered as 209.</p>

	<p>Asset should be taken into account in determining the application.</p> <p>15.53 The harm to the Non-Designated Heritage Asset is considered to be outweighed by the benefits of the proposals noted in Section 15 of this report; namely the provision of a minimum of 45% affordable housing. As such, the proposal is acceptable in heritage terms and in accordance with the NPPF and Local Plan Policy ENV4.</p> <p>16.5 The loss of the concrete hard standing on the east side of Rectory Road (a Non Designated Heritage Asset) to provide a footway would be outweighed by the benefits of the proposal noted above (NPPF Para. 203).</p>	
Food Risk and Drainage	<p>15.64 The Council's Flood Risk Management Team (as Lead Local Flood Authority) has no in-principle objection to the proposed development or conceptual drainage strategy subject to a pre-commencement condition in respect of detailed design and maintenance. Subject to these conditions, the proposal would be acceptable from a surface water drainage and flood risk perspective in accordance with Policy ENV5 and the NPPF and would also provide off-site betterment as noted above.</p>	<p>N/A. No changes have been made to the flooding and drainage related tests of Section 14 of the NPPF.</p>
Nutrient Neutrality	<p>15.79 An offsite mitigation solution is proposed. This would result in the net reduction in nitrogen and phosphorus through the provision of packaged treatment waste water treatment facilities.</p>	<p>N/A. Paragraphs 179-180 re-numbered as 185-186. No change to wording.</p>

	<p>Together with a planning condition limiting the use of water to 110litres per day, Dorset Council is satisfied that the proposal would not result in an adverse effect on the Poole Harbour. This is confirmed via the Appropriate Assessment undertaken by Dorset Council and reviewed by Natural England. Subject to securing the mitigation, the proposal would therefore accord with Policy ENV2, of the Local Plan, Paragraphs 179-80 of the NPPF and the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended).</p>	<p>It is still necessary to secure offsite mitigation as set out within the 7 September 2023 Committee Report and Update Sheet in the form of Section 106 Agreements with the landowners of the mitigation sites, the developer and Dorset Council.</p> <p>Since the previous planning committees, the government has made an announcement that the Poole Harbour catchment has been designated as a nutrient sensitive catchment. This means that all wastewater treatment works within the catchment that serve 2,000+ population equivalents will need to be upgraded to the technically achievable limit by 2030 subject to any exemptions that the Secretary of State designates. The Council awaits a second announcement in respect of the exemptions which the government has advised will be complete before 1 April 2024.</p> <p>Within Poole Harbour, Dorset Council has been lobbying for the upgrade requirement for phosphorus to apply to all wastewater treatment works that serve 1,000+ population equivalents as this would remove the need for phosphorus mitigation within the catchment. The second announcement could designate more wastewater treatment works for upgrade for phosphorus and/or nitrogen or remove some from the need for upgrade.</p> <p>Until this second announcement is made the impact of that announcement on nutrient neutrality in the Poole Harbour catchment is unknown and as such it</p>
--	---	---

		<p>continues to be necessary to secure offsite mitigation as set out within the 7 September 2023 Committee Report (including Update Sheet) in the form of Section 106 Agreements with the landowners of the mitigation sites, the developer and Dorset Council.</p> <p>Should there be a change in legislation which no longer requires the proposed mitigation to be secured, the resolution of the 7 September 2023 Committee allows for the nutrient neutrality obligation to be amended or removed. In such a scenario an alternative credit-based solution may be acceptable subject to consideration by officers and Natural England and a further Habitats Regulations Assessment.</p>
SANG Application (P/FUL/2021/05255)		
7 September 2023 Committee Report & Update Sheet		
Loss of Agricultural Land	<p>15.7 Policy ENV8 seeks to steer built development towards areas of poorer quality land where it is available. The NPPF (Para. 174) notes decisions should enhance the natural and local environment, including by recognising the wider benefits from natural capital, including the economic and other benefits of the best and most versatile agricultural land. It further states in reference to plan making that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality (Footnote 58).</p>	<p>N/A, as above. Paragraphs 174 re-numbered to 180. No change to wording.</p> <p>Footnote 58 has been re-numbered to 62 and <u>expanded</u> to state “<i>Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. <u>The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.</u></i>”</p>

		As the footnote relates to plan making, the change does not raise any new material considerations in respect of loss of agricultural land.
AONB	<p>15.10 NPPF (Para.176) states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. Development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. Para. 177 establishes that planning permission should be refused for ‘major development’ (defined by the decision maker) within AONBs other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.</p> <p>15.11 Approximately 40% of the site falls within the Dorset AONB. The associated residential application falls entirely outside of the AONB. However, given the applications would be linked via a Section 106 Agreement it is necessary to consider whether the combined proposals would represent major development for the purposes of NPPF Para. 177.</p> <p>15.12 Considering the residential and SANG proposals as a whole, the only development proposed within the AONB comprises approximately 40% of the SANG. The SANG would provide natural open space including landscaping and pedestrian routes. The proposed SANG within the AONB is not considered to be major development for the purposes of NPPF Para</p>	<p>N/A. Paragraphs 176-177 have been re-numbered as 182-183. No change to wording.</p> <p>Amendments to section 85 of the Countryside and Rights of Way Act 2000 (CROW) i require relevant authorities (including Local Planning Authorities) to “seek to further the purposes of conserving and enhancing the natural beauty of the area of outstanding natural beauty” (rather than “have regard to...”) in relation to land in an AONB.</p> <p>The application falls within the Dorset AONB and the amended statutory duty applies. In line with the statutory duty, the Council has sought to further the purposes of conserving and enhancing the AONB through the determination process of the application. It is concluded that the proposals would further the purposes of conserving and enhancing the natural beauty of the AONB by providing appropriate landscaping and new public access from which the natural beauty of the AONB can be appreciated.</p>

	<p>177. Whilst it would be linked to a residential development of up to 80 dwellings, the site of the proposed dwellings is located outside of the AONB. Accordingly, the exceptional circumstances outlined at NPPF Para. 177 are not engaged and do not need to be demonstrated for either development.</p> <p>15.13 The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) with the application which considers the impact of the proposals on the setting of the AONB. Dorset AONB Partnership consider that subject to a sensitive design, the SANG would not be unduly harmful to the character and appearance of the AONB.</p> <p>15.14 The proposals for the SANG are considered compatible with the natural character of the area and not considered to harm the special qualities or natural beauty of the Dorset AONB.</p>	
20 July 2023 Committee Report		
Loss of Agricultural Land	<p>15.7 Policy ENV8 seeks to steer built development towards areas of poorer quality land where it is available. The NPPF (Para. 174) notes decisions should enhance the natural and local environment, including by recognising the wider benefits from natural capital, including the economic and other benefits of the best and most versatile agricultural land. It further states in reference to plan making that where significant development of agricultural</p>	<p>N/A, as above. Paragraphs 174 re-numbered to 180. No change to wording.</p>

	land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality (Footnote 58).	
AONB	<p>15.10 NPPF (Para.176) states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. Development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. Para. 177 establishes that planning permission should be refused for 'major development' (defined by the decision maker) within AONBs other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.</p> <p>15.11 Approximately 40% of the site falls within the Dorset AONB. The associated residential application falls entirely outside of the AONB. However, given the applications would be linked via a Section 106 Agreement it is necessary to consider whether the combined proposals would represent major development for the purposes of NPPF Para. 177.</p> <p>15.12 Considering the residential and SANG proposals as a whole, the only development proposed within the AONB comprises approximately 40% of the SANG. The SANG would provide natural open space including landscaping and pedestrian routes. The proposed SANG within the AONB is not considered to be</p>	N/A, as above. Paragraphs 176-177 have been re-numbered as 182-183. No change to wording.

	<p>major development for the purposes of NPPF Para 177. Whilst it would be linked to a residential development of up to 80 dwellings, the site of the proposed dwellings is located outside of the AONB. Accordingly, the exceptional circumstances outlined at NPPF Para. 177 are not engaged and do not need to be demonstrated for either development...</p> <p>... 15.14 The proposals for the SANG are considered compatible with the natural character of the area and not considered to harm the special qualities or natural beauty of the Dorset AONB.</p>	
--	---	--

Appendix 2 – Residential Officer Report to 20 July 2023 Western and Southern Area Planning Committee

Appendix 3 – Residential Officer Report & Update Sheet to the 7 September 2023 Western and Southern Area Planning Committee

Appendix 4 – SANG Officer Report to 20 July 2023 Western and Southern Area Planning Committee

Appendix 5 – SANG Officer Report & Update Sheet to the 7 September 2023 Western and Southern Area Planning Committee