

Application Number:	P/FUL/2024/07471
Webpage:	Planning application: P/FUL/2024/07471 - dorsetforyou.com
Site address:	South Hyde, The Hyde, Langton Matravers, BH19 3HE
Proposal:	Demolish existing bungalow and erect replacement dwelling
Applicant name:	Mr Anthony Evans
Case Officer:	Cari Wooldridge
Ward Member(s):	Cllr Wilson

1. Reason application is going to committee

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

2. Summary of recommendation

- 2.1 GRANT planning permission subject to conditions as set out in section 18.

3. Key planning issues

Issue	Conclusion
Principle of development	Replacement dwelling acceptable within countryside.
Layout, scale, design and impact on the character and appearance of the area and the Dorset National Landscape (DNL) (formerly known as AONB)	Acceptable subject to conditions.
Impact on neighbour amenity	Acceptable.
Highway safety, access and parking	Acceptable subject to conditions.
Biodiversity	Acceptable subject to conditions and a legal agreement to secure financial compensation for the loss of trees and scrub habitat on the site and the Biodiversity Net Gain Self-build exemption.
Impact on trees	Acceptable subject to condition.
Flood risk and drainage	Acceptable subject to condition.

4. Description of site

- 4.1 South Hyde is a detached residential bungalow located approx. 100 m to the south of the Langton Matravers settlement boundary. The site is accessed via a private track extending southwards on an incline from The Hyde. Being located within a gentle valley, land levels surrounding the site rise to the east, west and south, with the field directly to the north being of a slightly lower level. A drainage ditch extends northwards along the lowest part of the valley from the western edge of the site to The Hyde. The site is rectangular in shape and approx. 0.14 ha in size (excluding access road). The existing low level pitched roof bungalow of poor repair is centrally located within the plot and a detached flat roofed garage is located close to the eastern boundary.
- 4.2 Historically, the existing bungalow was surrounded by mature trees which screened the property from surrounding views. Many of the trees were removed from the site in early January 2024 following which a Tree Preservation Order was made in April 2024 (TPO/2024/0031) to protect remaining trees on the site and two trees on adjacent small-holding land to the south (separate ownership).
- 4.3 Directly surrounded by agricultural fields and the grounds of the commercial leisure accommodation use of Langton House to the west and southwest, the nearest residential development is located within the settlement boundary to the north along The Hyde and Gypshayes, and also the rural exception site of Spyway Orchard in the countryside to the northwest known. The surrounding land is crossed by numerous rights of way, many of which adjoin the Priest's Way to the south and the coastal path beyond.

5. Description of development

- 5.1 The application proposes the demolition of the existing bungalow and the erection of a replacement two storey dwelling.

6. Background and relevant planning history

6/2002/0283 - Decision: GRA - Decision Date: 06/06/2002
Erect detached garage.

P/FUL/2024/01456 - Decision: REF - Decision Date: 21/05/2024
Demolish existing bungalow and erect replacement two storey dwelling.
Reasons for refusal (summarised):

1. Harmful development within countryside.
2. Harmful development within Dorset National Landscape.
3. Potential harm to biodiversity.
4. Potential harm to trees.
5. Potential flood risk and unable to determine surface water drainage scheme viable and deliverable.

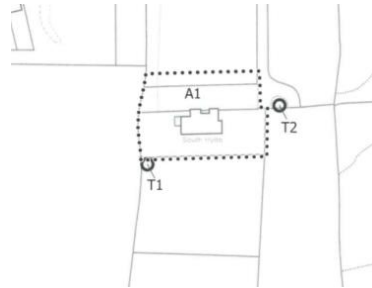
P/PAP/2024/00516 - Decision: RES - Decision Date: 11/11/2024
Demolish existing dwelling and erect a replacement two storey dwelling.
Summary of advice:

Unable to encourage submission of a planning application. Proposals fail to adequately address all of the reasons for refusal of application P/FUL/2024/01456; the scale and design of the proposed dwelling would continue to result in harm to the rural character of

the National Landscape. Significant amendments would be required to make the development acceptable, namely a revised design which reduces the scale of the proposed dwelling to that of a modest vernacular cottage taking the opportunities available to enhance the character of this rural location.

7. List of constraints

TPO/2024/0031 – Tree Preservation Order - Land at and adjacent to South Hyde, The Hyde, Langton Matravers, BH19 3HE – 23rd April 2024. T1 – Monterey Cypress, T2 – Sycamore, A1 – All trees of whatever species.



TPO (PDC/TPO 44) – *to west of application site boundary*

Legal Agreements S106 – *relates to new development at Spyway Orchard to north-west of site*

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

Existing ecological network

Higher Potential ecological network

Site of Special Scientific Interest (SSSI) impact risk zone

Dorset Heathlands - 5km Heathland Buffer

Purbeck Heritage Coast

Minerals and Waste Safeguarding Area - ID: 7085

Minerals and Waste - Building Stone - Name: 1066

Radon: Class: Class 2: 1 - 3%

Wessex Water Treatment Works Catchment

Right of Way: Footpath SE16/15 - Distance: 0.56

Right of Way: Footpath SE16/22 - Distance: 44.5

Ancient Woodland: LEESON WOOD; Ancient & Semi-Natural Woodland - Distance: 416.15

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021) - Distance:
3291.57

Flood Risk Mapping:

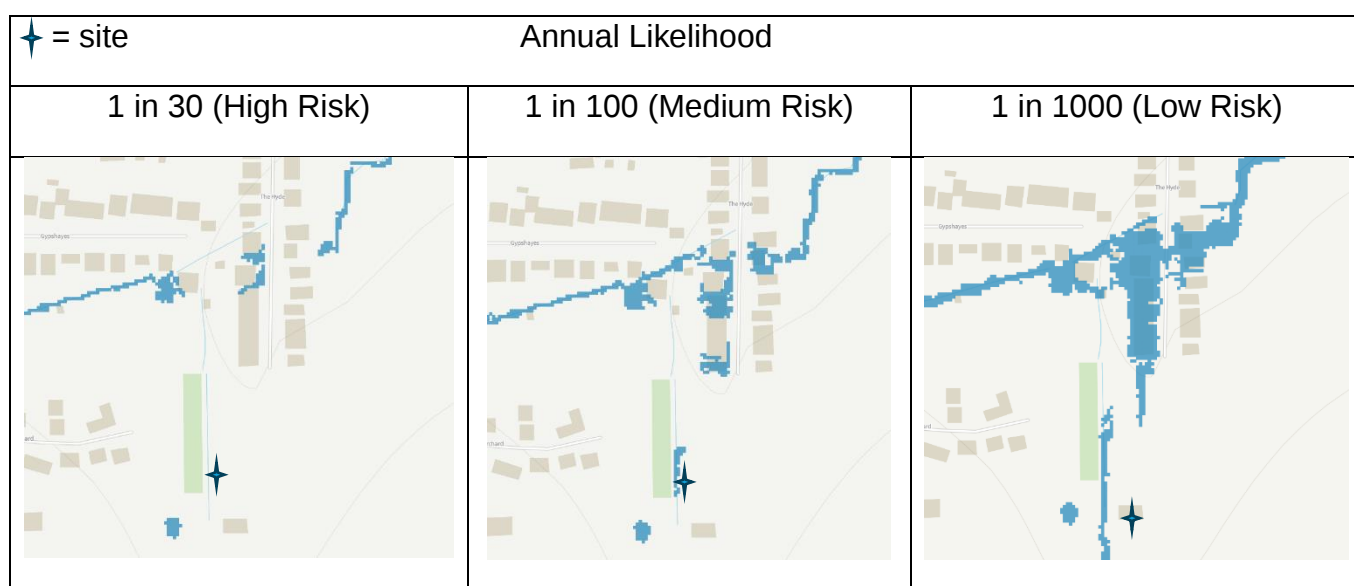
Dorset Council SFRA Mapping:

Groundwater – Susceptibility to flooding – *to north of proposed dwelling*

EA Flood Map for Planning 2025:

Flood Zone 1 (Rivers and Sea) – *Entire site*

Risk of Surface Water Flooding



8. Consultations

The responses below include those to the original consultation in March 2025 and also comments received from the Parish Council and neighbours in response to the re-consultation on the amended Drainage Scheme submitted in March 2025. Re-consultation letters were sent to the Parish Council, the Ward Member, and new site notices were displayed.

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

Consultees

- Dorset Wildlife Trust**
No comments received.
- Ramblers Association**
No comments received.

3. Dorset Council - Rights of Way Officer

No comments received.

4. Dorset Council - Highways

Comment: The access remains unchanged.

Turning and parking capacity is available within the site curtilage.

Informative note advised.

5. Dorset Council - Minerals & Waste Policy

Although the proposed development is within the Mineral Safeguarding Area it is within an existing curtilage and in this case minerals and waste safeguarding requirements are waived.

No objection raised.

6. Dorset Council - Dorset Waste Team

No comments received.

7. Dorset Council - Trees (East & Purbeck)

Re-consultation comments following submission of amended information:

No objection to the proposed removal of T9 and G1. The proposed landscape scheme details of mix of tree species to be planted will provide suitable mitigation.

The tree protection measures will provide suitable protection for all retained, on-site trees and TPO-protected off-site trees.

No objection subject to condition.

8. Dorset Council - Building Control

No comments received.

9. Dorset Council - Natural Environment Team

Comment: Advise that the application is not determined until all biodiversity issues have been resolved and that implementation in full of the approved EclA is a condition of any permission.

10. Dorset National Landscape Team

Comment: Do not wish to comment due to scale of the proposal. Protected landscape guidance should be considered.

11. Langton Matravers Parish Council

Object.

Damage caused to the natural habitat and surface water drainage by the removal of trees prior to the application being submitted has not been addressed in the current application.

Request condition to replace felled trees.

The risk posed by increased surface water run-off has not been adequately addressed in relation to flooding to the north of the site.

Noted that bore hole solution at neighbouring Spyway Orchard has not been effective at all and that the drainage report which accompanies the application focuses on surface water issues on the site rather than the primary issue of flooding to the north of the site.

Method of dealing with wastewater unconfirmed.

Retention of garage unconfirmed and not addressed in drainage plan.

Independent analysis by a Councillor indicates that the new drainage plan is inadequate to cope with extreme rainfall conditions which are more frequent.

Soakaway does not address issue of water run-off to north of site.

12. South East Purbeck Ward Member- Councillor Ben Wilson

Comment: Flooding and drainage are my most significant concerns for any development in this area of Langton Matravers.

Welcome the submission of comprehensive drainage technical note with this application. Ask Planning to look closely at this in assessing if the updated design sufficiently mitigates the concern of surface water flooding in this area, specifically the Hyde where flooding has become an annual event (exacerbated by the development of Spyway Orchard).

Representations received

Total - objections	Total - No objections	Total - comments
8	4	3

Summary of comments of objections:

Flooding:

- Concern that use of deep bore hole soakaways at Spyway Orchard has led to large increase in spring activity discharging into The Hyde. Queries about effectiveness being monitored.
- Surface water flooding experienced in The Hyde and surrounding fields during periods of heavy rainfall with two floods already this year in January.
- Further bore holes for disposing of surface water will increase pressure on springs at south end of The Hyde.
- A bore hole for drinking water was drilled on the site for drinking water. Query how boreholes for infiltration can work on same site.
- Springs in area suggest bore hole infiltration won't work. Site specific tests required not assumptions from nearby site.

- Increase surface water to storm drain from attenuation tank and surrounding levels will exacerbate existing flooding to back gardens.
- No details of levels for attenuation tank proposal.
- No consideration of how water could be retained on site which may provide some mitigation.
- Query about what the drainage field is for.
- Flow routes on Dorset Explorer misrepresent reality.
- Large impermeable patio not shown in either drainage option.
- Concern of flood water getting into sewage system.
- Query about how foul water will be disposed of. Lack of confirmation. Suggestion it should be possible to connect to sewer at end of The Hyde.

Trees:

- Trees have already been lost from site.
- Will garage be replaced and impact on trees?
- Removal of remaining trees will increase visual impact.
- No root protection zone for trees in Spyway Orchard.

Biodiversity:

- Pond on site is no longer in survey.
- Dilapidated walls have been demolished.
- Significant decrease in bat sightings since trees removed.
- Dorset National Landscape:
- Very visible site when travelling along The Hyde and public footpaths.
- Dwelling disproportionately larger than existing in footprint and height. Starting point should be scale, height and simplicity of existing not refused proposal.
- Design not vernacular. Enlarge proportions, depth, mass and ridge dimensions are alien to what appropriate in location.
- Disproportionately large dwelling would be incongruous and visually intrusive.
- Visual impact increased as located on higher ground to east of site.
- Design of single storey farm building more suitable in rural landscape.
- Light intrusion.
- Site not flat or enclosed by fencing.

Highways / Parking:

- Currently only 1 parking space not 2.
- All parking will have to be on the site.

Summary of comments of support:

Returning site to viable family home is improvement for area.

Modern soakaways and updated drainage will only improve overall run-off in area.

Local architects and local tradesmen – planning department should be obliged to grant applications like this.

Family will be respectful to conservation of the area, contribute to community and be good neighbours. Will help village thrive.

Green energy integrated.

Old property is an eyesore and application should be approved.

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.

Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty)

10. Relevant policies

Development plan

Adopted Purbeck Local Plan:

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

V1: Spatial strategy for sustainable communities

E1: Landscape

E3: Renewable energy

E4: Assessing flood risk

E5: Sustainable drainage systems (SuDs)

E7: Conservation of protected sites

E8: Dorset heathlands

E10: Biodiversity and geodiversity

E12: Design

H2: The housing land supply

I2: Improving accessibility and transport

I3: Green infrastructure, trees, and hedgerows

Made Neighbourhood Plans

N/A

Material considerations

Emerging local plans:

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

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

The Dorset Council Local Plan

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

Emerging neighbourhood plans

N/A

National Planning Policy Framework 2024 (as amended 2025)

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

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' This outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:
The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.
Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment' - In National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

National Planning Practice Guidance

All of Dorset:

Dorset AONB Landscape Character Assessment

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

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

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

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

Dorset Biodiversity Protocol.

Dorset Council Level 1 Strategic Flood Risk Assessment 2024

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

Supplementary Planning Documents/Guidance for Purbeck area:

District Design Guide SPD

Managing and using traditional building details in Purbeck

Housing land supply

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

Housing Delivery Test (HDT)

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

11. Human rights

Article 6 - right to a fair trial.

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

The first protocol of Article 1 protection of property.

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

12. Public Sector Equalities Duty

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

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people

- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

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

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

13. Benefits

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

What	Amount / value
Material considerations	
Financial compensation for the loss of trees and scrub habitat on the site	£4826
Non-material considerations	
CIL Contributions	£63,612
Council Tax (based on average Council Tax Band D)	£2589.01

14. Planning Assessment

Principle of development

- 14.1 The application site is located outside the settlement boundary of Langton Matravers and is classed as ‘countryside’ in accordance with policy V1: Spatial strategy for sustainable communities and the settlement hierarchy of the Purbeck Local Plan 2024. Policy V1 sets out the Council’s spatial strategy for the development of new houses but is silent on replacement properties. As there is a lawful dwelling on the site which does not appear to have been abandoned, a replacement dwelling is considered to be acceptable in principle subject to the consideration of all other material planning issues.
- 14.2 Policy H14: ‘Second homes’ does not apply to this proposal as it forms a replacement dwelling for an existing home which is not subject of the principal residence restriction.

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

- 14.3 Section 11 of the National Planning Policy Framework (NPPF) promotes the effective use of land in meeting the need for homes. However, in achieving appropriate densities of development, paragraph 129(d) of Section 11 also notes that the desirability of maintaining an area's prevailing character and setting should be considered in making decisions.
- 14.4 The application site is located within the Dorset National Landscape (formerly AONB) in a relatively exposed and visually prominent location when viewed from adjacent public rights of way and from the village edge to the north (The Hyde). Policy E1 of the Purbeck Local Plan notes that the scale and extent of any development within the Dorset National Landscape will be limited and will only be permitted where it will *'conserve and enhance the natural beauty of the area and are appropriate in terms of:*
- *appearance, scale, height, layout, density;*
 - *any other effects on landscape character and visual quality (such as noise, light and traffic); and*
 - *compliance with other policies in this Purbeck Local Plan...*
- 14.5 The planning authority is required by statute to seek to further the purposes of conserving and enhancing the natural beauty of the National Landscape and NPPF para 189 requires that great weight is given to conserving and enhancing natural beauty in Natural Landscapes. It is therefore necessary to consider whether the proposed development will leave unharmed the natural beauty, wildlife and cultural heritage of the DNL in its existing state
- 14.6 The Dorset AONB Management Plan 2019-2024 sets out the special qualities of this designated area. This includes, that in addition to its outstanding scenic qualities, the AONB retains a sense of tranquillity and remoteness that is an integral part of these landscapes. Reference is made that the AONB retains dark night skies, tranquillity, and an undeveloped rural character (paragraph 9.3.1). Policy C2 of the Plan advises that :
- (d) 'The key test of a proposal against the statutory purpose of the AONB will be its ability to demonstrate that the proposed change would conserve and enhance landscape and scenic beauty' and*
- (f) 'Proposals that are harmful to the character and appearance of the area will not be permitted unless there are benefits that clearly outweigh the significant protection afforded to the conservation and enhancement of the AONB. Where impacts cannot be mitigated, planning gain and compensatory measures will be considered.'*
- 14.7 The existing dwelling is located in an outlying position to the south of the established settlement edge and within the Dorset National Landscape. Until very recently the site was screened by mature trees to all sides. There is a noticeable change in character from the pattern of built residential development along The Hyde to the north, to the agricultural setting of the existing dwelling, and the more remote, open, and rugged character of the landscape to the south extending to the coastline. Following the removal of mature trees at the site, the existing dwelling and garage have become more visually prominent within the

countryside and landscape setting. Nevertheless, they do not harmfully detract from the rural character and landscape setting due to their single storey height, simple linear layouts, and modest footprints.

- 14.8 The 2024 refused application (P/FUL/2024/01456) proposed a replacement two-storey dwelling and larger replacement garage with office and storage space within the roof. Officers considered that the increased height and mass resulted in a new development that would be materially and disproportionately larger than the existing and which would appear visually intrusive when viewed from the village edge to the north and surrounding public rights of way.
- 14.9 The current application seeks to address the former reasons for refusal in respect of design and impact on the landscape. The plans were amended during the application process to confirm that the existing garage is to be retained. The total footprint and floor area of the proposed dwelling have been reduced together with the eaves and ridge heights. The table below provides a comparison between the existing, refused, and proposed dwelling.

(Approx measurements)	Existing	Refusal - P/FUL/2024/01456	Proposed
Total footprint	136 sqm	173 sqm	142 sqm
Total floor area	136 sqm	312 sqm	253 sqm
Height to eaves	2.2 m	5.4 m	4 m
Height to ridge	3.7 m	10.2m	8 m

- 14.10 The proposed dwelling has been repositioned closer to the eastern boundary of the site retaining openness to the west, and the main elevation faces north over the field. A reduction in the height and mass of the proposed dwelling from the formerly refused scheme enables the vernacular of the principal elevation to take the former of a modest, lower height, cottage style design with small, pitched roof dormer windows reflecting the character of more traditional cottages within South Purbeck. To the rear, the scale and massing is of more modern proportions incorporating two two-storey gable ended projections and a generous single storey breakfast room area of sunroom design. Nevertheless, the scale, height and layout are now considered to provide a dwelling that will sit comfortably within the landscape setting, and which will leave unharmed the natural beauty, wildlife and cultural heritage of the DNL in its existing state
- 14.11 It is necessary for conditions on the decision to remove householder permitted development rights for extensions, alterations, and further outbuildings to ensure that the impact of any future proposed development within the curtilage of the dwelling can be fully assessed in

terms of impacts on the landscape setting. Roof extensions within the Dorset National Landscape do not form permitted development and a planning application would be required.

- 14.12 In terms of external appearance, the existing dwelling on site is in a poor condition and replacement will deliver some visual betterment.
- 14.13 The village of Langton Matravers is served by street lighting along High Street, but this does not extend south along the private access of The Hyde. Dwellings along The Hyde also emit artificial light associated with their domestic use after dark, although this ends at the southern boundary of the settlement. The relative isolation and darkness of the application site therefore form important characteristics of its landscape setting. The impact of the proposed openings and introduction of additional artificial light intrusion into the dark night skies at first floor level, remains a key consideration. The proposals include minimal openings at the first-floor level and the use of roof lights has also been reduced. Given that there is an existing dwelling at the site, the impacts are no longer considered to be so harmful to the purposes of the DNL as to form a reason for refusal. However, conditions will be included on the decision to prevent the insertion of new windows and rooflights, and any external lighting without the prior consent of the local planning authority. This will enable a full assessment of impacts on the dark night skies of the landscape to be undertaken.
- 14.14 Despite the recent removal of a number of mature trees at the site, the remaining trees and surrounding landscape screening, combined with the replacement tree planting, will in time provide some mitigation of the dwelling's additional scale and height within the landscape setting. The approved tree details include the planting of 15 heavy standard trees to the north, west and south of the dwelling and a mixed native hedgerow on the rear (south) boundary which will provide some instant mitigation effect and a significant visual landscape improvement in the longer term. Notwithstanding the tree and hedgerow planting, no other details of hard and soft landscaping have been provided with the application and given the sensitive and visually prominent location it is considered reasonable to include a condition on the decision requiring full details to be submitted for approval.
- 14.15 In summary, and subject to conditions, the proposal is considered to comply with the objectives of the NPPF and Local Plan Policies E1: Landscape and E12: Design in respect of layout, scale, design and impact on the character and appearance of the area and the Dorset National Landscape.

Impact on neighbour and occupier amenity

- 14.16 The proposed dwelling is sufficiently distanced from the nearest neighbours – including Langton House - to ensure that there would be no adverse impact on neighbouring amenity in terms of loss of privacy, outlook, loss of daylight, or overbearing development. As such, the proposal is considered to accord with Policy E12: Design of the Purbeck Local Plan 2024.

- 14.17 A number of comments have been received from neighbours regarding the scale of the proposed development and impacts on the dark night skies landscape. The issues raised are addressed in the two above sections. Other concerns relating to flood risk, biodiversity impacts, and trees are addressed in the sections below.

Highway safety, access and parking

- 14.18 The application site is accessed via a track extending southwards of the private access serving The Hyde. The Council's Highway Engineer has been consulted on the proposal and has raised no objection.
- 14.19 The site layout plan proposes a driveway extending from the access road to the front of the dwelling. There is sufficient room for parking and turning within the curtilage for 1 or 2 cars. This level of parking provision accords with county wide parking guidance and is considered acceptable.
- 14.20 A condition will be included on the decision requiring the parking to be provided prior to first occupation of the dwelling and thereafter maintained given the restricted width of the access road and limited provision for parking elsewhere in the locality.
- 14.21 The proposal is considered to comply with Policy I2: Improving accessibility and transport of the Purbeck Local Plan 2024.

Biodiversity

Biodiversity Impacts

- 14.22 The application is supported by a Preliminary Roost Appraisal and a Dorset Council Natural Environment (NET) Team approved Preliminary Ecological Impact Assessment Biodiversity Plan which includes replacement tree planting (on and off-site), and biodiversity enhancement including the installation of a bat tube, swift bricks, and bee bricks. The Biodiversity Plan (paragraph 5.4.6) identifies that 15 trees have been lost (post topographic survey) within the site and that tree replacement planting / financial compensation is required for 49 trees. Fifteen replacement trees are to be planted within the site and to compensate for the remaining 24 trees, an off-site woodland planting and maintenance payment will be secured. In total, a payment of £4,826 is required for financial compensation for the loss of trees and scrub habitat on the site and this will be secured by way of a S106 Legal Agreement with payment prior to the commencement of development. The proposal is judged to comply with Policy E10: Biodiversity and geodiversity of the Purbeck Local Plan 2024.

Biodiversity Net Gain

- 14.23 The application is for a self-build dwelling and is exempt from BNG. The self-build exemption will be secured by way of a S106 Legal Agreement. The Self and Custom Build Development exemption applies as the proposal (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).

Impact on protected habitat sites

- 14.24 As there is no net increase in dwellings proposed on the site the need for an appropriate assessment has been screened out. There is no likely significant impact on protected Dorset Heathland and the site is located outside the Poole Harbour Catchment Areas for nutrient neutrality and recreational pressures.
- 14.25 An EIA Screening has been undertaken due to the siting of the proposed dwelling within the 'sensitive' Dorset AONB area. This has concluded that there are no likely significant effects resulting from the replacement residential development.

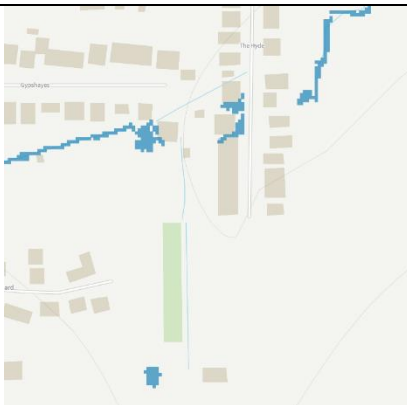
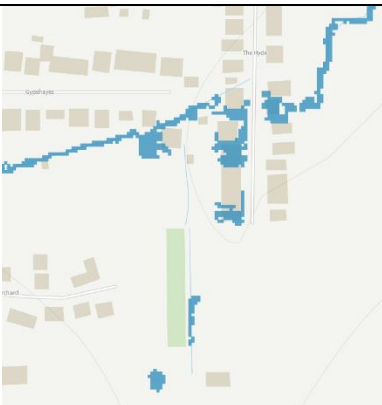
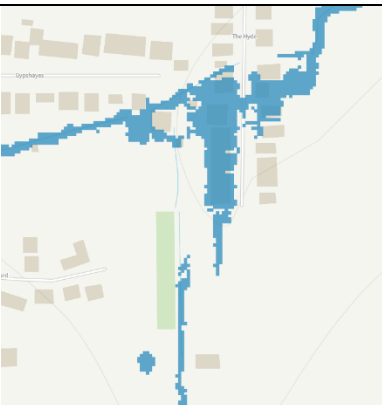
Impact on trees

- 14.26 As discussed above, a number of mature trees have recently been removed from the application site and a Tree Preservation Order was made in April 2024 (TPO/2024/0031) to protect remaining trees on the site and two trees on adjacent land to the south (separate ownership).
- 14.27 The application is supported by a revised Arboricultural Method Statement and Impact Appraisal (dated 29th January 2025) on which the Council's Tree Officer has been consulted. The Tree Officer has raised no objection to the removal of two low quality trees within the site and notes that the proposed landscape scheme includes details of the species mix of replacement trees to be planted which will provide mitigation. The proposed tree protection measures are also considered acceptable. As such, the Tree Officer raises no objection, subject to a condition on the decision requiring full implementation of the tree protection measures. A further condition on the decision will require the replacement planting to be carried out within a suitable timescale.
- 14.28 On-site tree planting and an off-site woodland planting and maintenance payment will also be secured as detailed in the above biodiversity section.
- 14.29 A neighbour comment has queried whether the construction of a garage in the future would impact on protected trees. The existing garage is to be retained on the site. As advised above, a condition on the decision will remove householder permitted development rights for future extensions and outbuildings and any future proposed garage would require the submission of a planning application. This would enable a full assessment of impacts on trees. It has also been queried why protection measures are not proposed for the trees at Spyway Orchard. The trees at this location are located away from the red line of the application site and the proposed development, and it would be unreasonable and unnecessary for officers to request tree protection measures on land outside the application boundary.

- 14.30 In summary, the proposal is judged to comply with Policy I3: Green infrastructure, trees and hedgerows of the Purbeck Local Plan 2024.

Flood risk and drainage

- 14.31 The application site is located in Environment Agency Flood Risk Zone 1 and the proposal is acceptable in terms of fluvial flood risk. It is also located outside areas of medium and high surface water flood risk as identified in the Environment Agency Flood Risk mapping update 2025:

Annual Likelihood		
1 in 30 (High Risk)	1 in 100 (Medium Risk)	1 in 1000 (Low Risk)
		

- 14.32 However, the western section of the site is impacted by surface water flood risk at the 1 in 1000-year event (low risk). The northern edge of the site is identified as being susceptible to groundwater flooding.
- 14.33 The D&AS submitted with the application includes a Flood Risk Assessment which identifies the extent of groundwater flooding susceptibility but notes that neither the footprint of the existing or proposed dwelling are impinged upon. The D&AS advises that surface water will be discharged into a soakaway to the north-west of the dwelling subject to percolation tests and the groundwater situation.
- 14.34 Following advice from the Council's Drainage Engineer, site specific checks of ground water levels and infiltration were requested to evidence that an appropriately attenuated discharge rate could be achieved.
- 14.35 An amended drainage scheme including site specific test results was submitted in March 2025. The amended scheme proposes a soakaway with exceedance flows to the adjacent drainage ditch to the west of the site. The Drainage Engineer advised that the infiltration rates are acceptable and that given there is no significant increase in the surface area of the new dwelling compared to the existing, there is no objection to the revised scheme.
- 14.36 Subsequent objections on the grounds of flood risk in relation to The Hyde and concerns about the capacity of the proposed scheme that were received following re-consultation were

also discussed with the Council's Drainage Engineer. He confirmed that the infiltration test results demonstrate appropriate infiltration rates for the site and that as the existing property with slightly smaller surface area drains to the ground, the replacement dwelling with retention of the garage would not result in any likely significant increase in flood risk to the site or the surrounding area. In addition, retention of the garage would not alter exceedance flows to the current position.

14.37 Given that the proposal will deliver a slight increase in surface area on the site (approx. 8 sqm increase in development footprint) and the provision of an acceptable infiltration drainage scheme will provide betterment on the current position with no likely significant increase in flood risk to the site or the surrounding area (including The Hyde to the north of the site), officers consider that the proposal complies with Policy E4: Assessing flood risk and E5: Sustainable drainage systems of the Purbeck Local Plan 2024.

14.38 A condition on the decision will secure full implementation of the revised drainage scheme with a further condition requiring details of its ongoing maintenance and management to be approved.

Other considerations

14.39 *Waste* – There is sufficient space within the curtilage of the proposed dwelling for waste and recycling bin storage.

14.40 *Minerals Safeguarding* – The site lies within the Mineral Safeguarding Area (MSA) designated by Policy SG1 of the Bournemouth, Dorset and Poole Minerals Strategy 2014. The Council's Minerals and Waste Team has confirmed that as the proposal is within an existing residential curtilage, the minerals and waste safeguarding requirements are waived, and no objection is raised.

14.41 *Public Rights of Way* – There are footpaths within close proximity of the site. A consultation response has not been received from the PROW Officer. An informative note will be included on the decision.

14.42 *Wastewater* – In response to queries raised by neighbours, the planning agent confirmed by email that all wastewater from the proposal will be discharged to the public sewer as opposed to treatment by a package treatment plant within the application site.

Environmental implications

14.43 The proposal is for the demolition of a bungalow barn of rudimentary construction and replacement with a new build detached dwelling. The new build construction will meet modern building regulations standards and will include high levels of insulation and modern glazing reducing energy consumption and carbon emissions compared to the existing building. Photovoltaic panels are proposed on the south facing roof slope and an air source heat pump and electric vehicle charging point are also proposed to be installed. Local

materials will be used externally, and a new drainage scheme will prevent any additional impact in terms of flood risk. Landscaping and biodiversity net gain and compensatory measures will be secured.

15. Summary of issues and the planning balance

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

16. Recommendation

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

- (i) The Biodiversity Net Gain (BNG) self-build exemption and
- (ii) A payment of £4,826 as financial compensation for the loss of trees and scrub habitat on the site.

And the following conditions (and their reasons):

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:

068-012 B Location Plan
068-006 L Site Plan
068-013 C Proposed Floor Plans
068-016 C Proposed Elevations
068-017 A Typical Section
068-018 A Typical Sections
068-019 B Proposed Roof Plan
8160 Topographical Survey

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

3. Prior to commencement of works (including site clearance and any other preparatory works) the scheme for the protection of trees in accordance with the submitted, revised Arboricultural Impact Appraisal, Arboricultural Method Statement and Tree Protection Plans ref: 8160-south hyde topo (2) and 068-006 by Steven Crowley(Sc-tree surveys) and dated 29th January 2025 shall be implemented and at least 5working days' notice shall be given to the Local Planning Authority that it has been installed. The protective fencing shall be as

specified in Chapter 6 of BS5837:2012 and detailed in Figure 2, unless otherwise agreed in writing with the Local Planning Authority.

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

4. Prior to development above damp-proof course level, details and samples of all external facing materials for the wall(s) and roof(s) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

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

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

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

6. The Surface Water Drainage Strategy Option 1 detailed on Drawing No. 6215/001 Rev: C by Bellamy Roberts shall be completed before occupation of the dwelling.

Reason: To avoid drainage problems as a result of the development with consequent pollution or flood risk.

7. Prior to the occupation of the dwelling details of maintenance and management of the surface water sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall 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 the future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

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

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

9. Before the development hereby approved is first occupied, details of the means of enclosure to the plot boundaries of the dwelling including height and materials of any hard boundary treatment shall be submitted to and approved in writing by the Local Planning Authority and the approved boundary treatment shall be installed in accordance with the approved details and thereafter maintained.

Reason: In the interests of visual and residential amenity.

10. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled Preliminary Ecological Assessment v8 by David Leach Ecology Ltd. and dated February 2025 and certified by the Dorset Council Natural Environment Team on 24th February 2025.
The development hereby approved must not be first brought into use unless and until:
i) the recommendations detailed in sections 5.4 and 5.5 of the approved ecology report have been completed in full, in accordance with any specified timetable, unless otherwise agreed in writing with the Local Planning Authority, and
ii) evidence of compliance has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved ecology report and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

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

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

Reason: To protect visual amenities and the character of the Dorset National Landscape.

12. The tree planting shown on plan 068-006 (Revision I) of the Arboricultural Impact Assessment and Method Statement by Steven Crowley and dated 29th January 2025 shall be carried out in full in the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority; and in any case not later than the termination of the first planting season following the 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 may be agreed with the Local Planning Authority.

Reason: To ensure that, in the interests of visual amenity, the landscaping is undertaken as the development progresses

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

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

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window(s) or other opening(s) permitted by Classes A or C of Schedule 2 Part 1 of the 2015 Order shall be constructed in the building hereby approved.

Reason: To protect amenity and the character of the National Landscape.

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

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

Informative Notes:

1. Biodiversity Net Gain

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

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

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

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

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

- 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).

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

2. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to Biodiversity Net Gain Self Build Exemption and a compensatory sum for the loss of trees and scrub habitat and the cost of off-site tree planting.
3. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.
4. Informative Note: Rights of Way

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

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

5. Electric vehicle charging points

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

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

8. 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.

Or

B) **REFUSE** permission for the reasons set out below if the agreement is not completed by 4 February 2026 (6 months from the date of committee) or such extended time as agreed by the Head of Planning:

1. In the absence of a legal agreement to secure the payment of a compensatory financial contribution of £4,826 for the loss of trees and scrub habitat on the site the proposal is contrary to Policy E10: Biodiversity and geodiversity of the Purbeck Local Plan 2024 and paragraph 193 of the National Planning Policy Framework.