

Application Number:	6/2019/0639
Webpage:	Planning application: 6/2019/0639 - dorsetforyou.com
Site address:	Land North of West Lane, Stoborough, Wareham
Proposal:	Outline application for up to 15 residential dwellings, site re-profiling and associated infrastructure, with all matters reserved apart from vehicular access from West Lane
Applicant name:	The Trustees of the Stoborough Settlement
Case Officer:	Thomas Whild
Ward Member(s):	Cllr Ezzard, Cllr Holloway

1. Reason application is going to committee:

- 1.1 The application was previously referred to committee in 2021 by the service manager for Development Management and Enforcement.
- 1.2 It is necessary for the application to be re-considered by the committee as there has been a material change in circumstances since the original resolution, through the adoption of the Purbeck Local Plan.

2. Summary of recommendation:

To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to either:

- A) GRANT planning permission following completion of a S106 Planning Obligation to secure:
- 6 Affordable dwellings
 - Implementation and management of off-site land for nutrient mitigation and subject to the conditions at the end of this report.

Or

- B) Refuse permission for the reasons set out below if the s106 agreement is not completed by 8 April 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East.

3. Key planning issues

Issue	Conclusion
Principle of development	Acceptable – The development is acceptable as a 'small site' immediately adjacent to the established settlement boundary of Stoborough.

Affordable housing	Acceptable – the development will make a policy compliant contribution towards affordable housing.
Impact on the Dorset Area of Outstanding Natural Beauty (AONB)	Acceptable – localised views not harmful to the special qualities of the AONB.
Protected habitats	Acceptable – mitigation provided via CIL and improvements to footpath leading to public right of way which connects with the Bog Lane SANG
Biodiversity	Acceptable – mitigation and enhancements considered to be appropriate
Scale, design and impact on the character and appearance of the area	Acceptable in principle – full details to be provided at reserved matters stage
Highway safety and access	Acceptable – subject to the provision of a public footway (pavement) connecting to Corfe Road. This will be achieved by condition
Impact on amenity	Acceptable in principle - full details to be provided at reserved matters stage
Flooding and drainage	Acceptable – the site is in flood zone 1 and is accompanied by an appropriate and acceptable drainage strategy. Conditions will secure detailed design and management.
Impact upon protected trees	Acceptable – subject to condition

4. Description of site

- 4.1 The site is a plot of land currently in agricultural use 0.69 hectares in size. The plot comprises of 2 fields, separated by established hedgerow. To the east of the site is the settlement of Stoborough, with the rear gardens of 1-9 Hollow Oak Road. To the south east of the site running along the southern boundary is West Lane. An existing vehicular access to the site exists onto West Lane.
- 4.2 To the west of the site is a mature strip of trees and hedgerow that serve to provide a noise screen from the A351 Wareham to Swanage Road which is beyond the site. To the north and northwest of the site is land in the ownership of the applicant, beyond which is a public footpath connecting Stoborough to the Bog Lane Suitable Alternative Natural Greenspace (SANG), which is situated the other side of the A351 road. Beyond the footpath are the flood plains of the River Frome. The land level gently slopes from 4.5m (Above Ordnance Datum) AOD at the southern end to 1.25m AOD at the northern boundary. The site is situated within the Dorset National Landscape (previously known as Area of Outstanding Natural Beauty (AONB)).
- 4.3 West Lane is rural in nature with hedgerow maintained along the majority of the road. It connects Corfe Road to the A351 and then onto Grange Road leading to Creech. There are footways (pavements) at either end of the northern side of West Lane, near the junctions of Corfe Road and the A351. However, the majority of the road is not served by a footway. The lane is wide enough for traffic to pass but HGVs are restricted from using it. As such, it is not a main through route.

5. Description of development

- 5.1 The application is for outline planning permission to include the access with other matters reserved.
- 5.2 The proposal is for up to 15 residential dwellings on the site which will necessitate some re-profiling, forming a small plateau at the northern end of the site. The original description did not include the quantum of development. However, the applicant has agreed to the quantum being included in the description. As the quantum is clearly defined in the publicly available Design and Access Statement, it is not considered necessary to re-publicise the proposal.
- 5.3 Whilst the application is in Outline, an indicative site plan shows an access road on a north south axis, with residential units either side. To the north of the site a footpath is shown leading to a public right of way which runs east -west to the north of the site. The Design and Access statement accompanying the application suggests a development of two storeys across the site.
- 5.4 A balancing pond will be created to collect surface water run-off from the northern end of the site. This will control the removal of surface water run-off
- 5.5 Although all matters except access are reserved for future approval the submitted indicative master plan sets out an indicative mix of units as below.

Affordable Units (6 total):

- 2 x 1 bedroom apartments
- 4 x two-bedroom semi-detached houses

Open Market units (9 total):

- 4 x three-bedroom semi-detached houses
- 3 x four-bedroom detached houses
- 2 x five-bedroom detached houses

6. Background and relevant planning history

- 6.1 The site is undeveloped, therefore there is no relevant planning history.
- 6.2 This application was submitted in 2019 and has previously been considered by the Eastern Area Planning committee on 28 July 2021 and 25 August 2021. In July 2021, the committee resolved that it was minded to grant permission subject to the completion of a S106 planning obligation to secure affordable housing contributions (n.b. the wording of the resolution being 'minded to grant' was due to the committee being held online due to Covid-19 restrictions which remained in place at the time). The application was subsequently reconsidered by the Eastern Area Planning Committee on 25 August 2021, due to a technical issue. At that meeting the committee resolved as before, that it was minded granting planning permission subject to the completion of a legal agreement to secure affordable housing contributions.

- 6.3 Following the committee resolution, Natural England issued updated advice in respect of nutrients in Poole Harbour which meant that development could not proceed unless it was shown to be nutrient neutral for phosphorous. The Purbeck Local Plan has also since been adopted. Both these factors represent a material change in circumstances which need to be considered, necessitating the application's return to committee a third time.

7. List of constraints

- Stoborough Conservation Area - Distance: 66.25m
- Tree Preservation Order (TPO) (Purbeck District Council reference /TPO 489)
- Mineral Strategy 2014 – Hydrocarbons - UKCS Licensed Blocks - Organisation: PERENCO UK LIMITED (04653066) and Mineral Safeguarded Policy SG1 - Sand and Gravel
- Rights of Way: Footpath SE5/14 - Distance: 40.05; Footpath SE5/13 - Distance: 43.9
- Groundwater – Susceptibility to flooding
- Existing ecological network – Terrestrial and Higher Potential ecological network
- Dorset Heathlands – 400m -5km Heathland Buffer
- The site falls within the Poole Harbour Nutrient Catchment Area and Poole Harbour Recreation Zone
- Within Dorset National Landscape (Area of Outstanding Natural Beauty (AONB))
- Site of Special Scientific Interest (SSSI) impact risk zone – Natural England consulted
- Natural England - RAMSAR - Distance: 360.82
- Special Area of Conservation (SAC) (5km buffer): Dorset Heaths (Purbeck & Wareham) & Studland Dunes (UK0030038) - Distance: 534.15; Dorset Heaths (UK0019857) - Distance: 769.83
- Wessex Water Treatment Works Catchment Impacts on designated SAC/Special Protection Area (SPA/RAMSAR) - Enhancement scheme at WRC (2020-25)
- Scheduled Monument: The King's Barrow 230m east of Bartlett's Firs (List Entry: 1014295); - Distance: 368.72
- Radon: Class: 1.0 - indicating a less than 1% probability of radon presence. This classification reflects a low level of constraint in relation to radon gas.

8. Consultations

All consultee responses can be viewed in full on the website

Consultees

- **Natural England (additional comments received 21.06.2021)**

No objection subject to connecting pathway to SANG. Condition recommended.
(Condition 7)

- **Environment Agency**

No objection

Further comments received 09 July 2021 advising that due to revised EA data regarding surface water peak flows an updated Flood Risk Assessment will need to be submitted with the reserved matters application. (condition 11).

- **Dorset Police Crime Prevention Design Adviser**

Satisfied that the site layout is to be guided by Secured by Design principles and would encourage the developer to secure official accreditation of this. Would also encourage all rear access gates secured with a key lockable bolt.

- **Dorset Council: Cllr Holloway (Ward Cllr)**

Objection to the proposal due to the amount of affordable housing provided and the location of the development.

- **Dorset Council – Highways Management**

No objections subject to provision of footway (pavement). Conditions recommended (conditions 9 & 10 and informative note 1)

- **Dorset Council – Environmental Health**

No objections. Construction Management Plan recommended (condition 15).

- **Dorset Council – Housing Needs Officer**

No objection subject to viability being established to ensure that the maximum level of affordable housing provision is achieved.

- **Dorset Council – Senior Landscape Architect**

Overall sensitivity of the landscape is assessed to be Low/ Moderate. However, planting should be carefully managed to avoid harmful wider views of the site. As landscaping is a reserved matter a condition is not required currently.

- **Dorset Council – Planning Policy Team**

No objection so long as need for market homes is established and the proportion is no more than required to facilitate the development.

- **Dorset Council – Arboricultural Manager**

No objections. Conditions recommended (provision of an Arboricultural Method Statement – condition 6).

- **Dorset Council – Lead Local Flood Authority**

No objection. Conditions recommended for the provision of a surface water drainage scheme (conditions 12 & 13).

Updated comments received in response to the submission of updated Flood Risk Assessment – no objection subject to conditions.

- **Dorset Council – Natural Environment Team**

No objection subject to the implementation of the approved biodiversity mitigation plan (condition 14).

- **Dorset AONB Management Team**

Impacts will be relatively localised, and the harm is outweighed by the provision of affordable housing.

- **Arne Parish Council**

Objection (received 17/01/2020)

- Neighbourhood Plan states that site should not be used for development.
- Should not be considered as a Rural Exceptions site, as the proportion of open market housing is too high.
- Lack of pedestrian link to the village
- Increase in traffic and impact upon highway safety.

Representations received

In addition to letters to neighbouring properties, a site notice was posted outside the site on 25th November 2019 with an expiry date for consultation of 19th December 2019.

Total - objections	Total - No objections	Total - comments
26	0	0

Petitions objecting	Petitions supporting
1	0
35 Signatures	0

Summary of comments of objections:

26 objections from 20 properties and a petition with 35 signatures raising the following concerns:

- The carbon footprint of the construction process

- The risk of flooding on the site
- Impact on the amenity of the neighbours
- Impact on wildlife and biodiversity
- Impact on the AONB
- Lack of school provision
- No pavement leading to the village centre and Corfe Road
- Proposed parking provision
- Impact upon highway safety
- The site is outside of the settlement boundary
- Agricultural land will be lost
- Second home ownership
- Density of development too high
- Inappropriate design
- Lack of the need for the development
- Not an allocated site
- Not in accordance with the Arne Neighbourhood Plan
- Impact upon nearby SSSI land
- Impact upon protected trees
- Concerns regarding the accuracy of the site boundaries
- Impact on the view of neighbouring residents
- Noise during the construction process

Summary of comments of support:

None received

9. Duties

- 9.1 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.

- 9.2 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.
- 9.3 Clause 85 of the Countryside and Rights of Way Act 2000 requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty) when making any decision which affects such land.

10. Relevant policies

Development plan

The relevant Development Plans for this area are the adopted Purbeck Local Plan 2018-34 and the adopted Arne Neighbourhood Plan 2018-34

Local Plan Adopted Purbeck Local Plan adopted July 2024:

- 10.1 The following policies are considered to be relevant to this proposal:
- V1: Spatial strategy for sustainable communities
 - V2: Green Belt
 - E1: Landscape
 - E2: Historic environment
 - E3: Renewable energy
 - E4: Assessing flood risk
 - E5: Sustainable drainage systems (SuDs)
 - E6: Coastal change management areas
 - E7: Conservation of protected sites
 - E8: Dorset heathlands
 - E9: Poole Harbour
 - E10: Biodiversity and geodiversity
 - E12: Design
 - H2: The housing land supply
 - I2: Improving accessibility and transport
 - Policy I3: Green infrastructure, trees, and hedgerows

Arne Neighbourhood Plan 2018-2034 (made June 2021)

- 10.2 Supported at referendum in May 2021 and adopted by Dorset Council on 22nd June 2021. The adopted Neighbourhood Plan forms part of the Development Plan. The following policies are relevant to the application:

Policy 1: House Types

Policy 2: Local character

Policy 3: Sustainable Design

Policy 4: Small Sites

Material considerations

Emerging local plans:

- 10.3 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

- 10.4 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.

National Planning Policy Framework 2024 (as amended 2025)

- 10.5 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.
- 10.6 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.
- Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that when considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

National Planning Practice Guidance

Other material considerations

All of Dorset:

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

- Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document
- Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Supplementary Planning Documents/Guidance for Purbeck area:

- Affordable Housing SPD
- District Design Guide SPD
- Managing and using traditional building details in Purbeck
- Poole Harbour Recreation 2019-2024 SPD
- Stoborough Conservation Area Appraisal

Housing land supply

- 10.7 On the 26 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)

- 10.8 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.

- 11.1 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. The proposal includes provision for a new pedestrian linkage from the site to the village centre, enhancing pedestrian accessibility. The new pedestrian linkage would contribute towards enabling persons with limited mobility to access public transport links available from the village, while still being able to access the site by private vehicles and taxis.

13. Public Benefits

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

What	Amount / value
Material considerations	
Affordable housing contributions	6 units on site
Off-site highways upgrades	Provision of new pedestrian footway on northern side of West Lane.
Non-material considerations	
CIL contributions	Not yet quantified

14. Planning Assessment

Principle of development

14.1 The site is situated outside of the settlement boundary and as such is within open countryside. When the application was originally considered by the committee in 2021 the principle of development was considered acceptable on the basis that policy 4 of the Arne Neighbourhood Plan allows for the development of small sites adjacent to the settlement boundaries. Other factors which combined to justify development, included maximisation of affordable housing provision to allow for the site to be considered as a Rural Exceptions Site under policy RES of the Purbeck Local Plan Part 1, (since replaced by the Purbeck Local Plan 2018-2034), and the inability of the council to demonstrate a 5-year housing land supply at that time.

Purbeck Local Plan 2018-34

14.2 The adopted Purbeck Local Plan 2018-34 establishes a new approach to development in locations such as this. Part 5 of policy V1 of the Purbeck Local Plan allows for small

scale development on sites adjoining existing settlement boundaries of towns, key service villages, local service villages and other villages with a settlement boundary where:

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

14.3 Stoborough is identified in the supporting text to policy V1 as being a Local Service Village. These are defined as villages needing some growth to sustain vital rural services such as village schools.

14.4 Policy H8 of the Local Plan builds upon this principle. In considering whether a proposed development would be proportionate to the scale of the village, the policy states that, within local service villages, any single site considered under the policy should not exceed 15 dwellings. The policy also goes on to establish more detailed expectations for such sites which are:

- Individually and cumulatively the size appearance and layout of proposed homes does not harm the character and value of any landscape or settlements potentially affected by the proposals.
- The development would contribute to the provision of a mix of different housing types
- The site does not lie within a neighbourhood plan area where small sites have been allocated to meet identified housing needs in a made neighbourhood plan and
- The development not causing any adverse impacts upon sites within the national site network.

14.5 In consideration of the criteria set out in local plan policies V1 and H8, the site is located adjacent to the settlement boundary of Stoborough and is within the individual site maximum threshold of 15 units. Therefore, it is not considered that the development would be disproportionate.

14.6 The site is located within the Arne neighbourhood plan area, but the made Arne Neighbourhood Plan does not include any specific site allocations, instead relying upon a similar policy to that established by the Local Plan of supporting the delivery of small sites adjacent to the established settlement boundaries. The neighbourhood plan does not therefore preclude the development from coming forward under policy H8. It is therefore concluded, subject to consideration of impacts upon habitats sites which are considered in detail below and other relevant policies, that the principle of the development is acceptable.

Arne Neighbourhood Plan 2018-34

14.7 The Arne Neighbourhood Plan (NP) was adopted on the 22 June 2021 and forms part of the Development Plan documents that must be considered when assessing the application.

14.8 The Neighbourhood Plan does not allocate any specific sites for development. Policy 4 – Small Sites, allows for some development in or adjacent to the settlement, it states that housing should be developed in small sites, numbering no more than 15 dwellings in or adjacent to Stoborough,

14.9 Policy 4 states:

Future housing growth in Arne Parish will be limited to small-scale developments to meet local housing need, subject to the following criteria:

- *Be within, adjoining or otherwise well-related to the defined development boundaries for Stoborough or Ridge, excluding any proposed housing development on land within the 400-metre buffer around protected heathlands other than for replacement dwellings*
- *Be in keeping with the distinctive character of Arne Parish and its settlements*
- *Not individually or cumulatively harm the landscape or settlement character, or heritage designations, unless the harm is not substantial, and the public benefits justify the scale of the harm or loss in line with within national policy*
- *Take full account of the potential effect they will have on neighbouring properties*
- *In line with national guidance not be at risk of flooding from tidal, river, surface water or ground water sources, or give rise to increased flood risk to properties off-site*
- *Not exceed fifteen dwellings on any one site at or adjoining Stoborough, and not exceed five dwellings on any one site at or adjoining Ridge, or eventually become a larger site that would breach these limits through the subsequent development of adjacent 'small' sites*
- *Be restricted to ensure that such homes are occupied only as a principal residence*
- *Constitute an appropriate mix of sizes of homes in line with Policy 1, including affordable homes*
- *The effects of proposed homes, individually and in combination with other developments, on European sites are screened to assess whether they are likely to be significant. Planning applications must include full details (including upkeep over the lifetime of the development) of avoidance or mitigation measures to address adverse effects.*

14.10 The application site is explicitly named in the supporting text to the plan as being excluded from development (as evidenced on Map 4 of the Neighbourhood Plan). (paragraph 7.12):

Any development of the sites alongside West Lane... is strongly opposed by a significant number of residents due to the narrow and un-paved nature of West Lane, exacerbated by its use as a link between Corfe Road and the bypass. Such opposition is strengthened by the use of West Lane as the main pick-up and drop-off area for the school, with consequent parking congestion and safety hazards for parents and children.

- 14.11 Whilst the supporting text to the Local plan seeks to exclude the site, this intention is not embedded in policy and therefore carries very limited weight.
- 14.12 The site is adjacent to the settlement boundary of Stoborough and therefore is compliant with the first point of policy 4 of the Neighbourhood Plan. It is not within 400m of a protected heathland site. The layout and design are reserved matters; however, officers would expect that the development would have due consideration for the character of the area which will need to be reflected in the reserved matters application.
- 14.13 The harm caused to the landscape character by the application is considered in further detail later in the officer report. The impact upon neighbouring residential properties is also considered later in the officer report. The site is in Flood Risk Zone 1, and this too is discussed in further depth later in the report.
- 14.14 The proposal is for up to 15 dwellings, which is compliant with the policy. Officers consider that there is not likely to be significant scope for extending the site to the north due as it forms part of Flood Risk Zones 2 and 3.
- 14.15 The policy requires the dwellings to be homes to be restricted to being used as a principal residence. This could be achieved via a Section 106 legal agreement/condition. The mix of affordable homes in compliance with Policy 1 of the Arne Neighbourhood Plan would also be achieved through a Section 106 agreement.
- 14.16 The effects of the development on European protected sites have been considered by Natural England and suitable mitigation offered. This is discussed in greater detail later in the report.
- 14.17 As Policy 4 requires that homes are a person's main residence, a condition will be applied providing this restriction.
- 14.18 Taking all of the above factors into account, it is considered that the proposal is compliant with the criteria set out in Policy 4: Small Sites of the Arne Neighbourhood Plan.
- 14.19 The supporting text (paragraph 7.12) objecting in principle to development on this site is based on opposition *"by a significant number of residents due to the narrow and unpaved nature of West Lane, exacerbated by its use as a link between Corfe Road and the bypass. Such opposition is strengthened by the use of West Lane as the main pick-up and drop-off area for the school, with consequent parking congestion and safety hazards for parents and children". Third party representations to the application raise similar issues concerning the lack of a footway and the associated highway safety concerns that are inherent with this."*
- 14.20 In response to third party concerns and in consultation with Dorset Highways the applicant has agreed to the provision of a footway along West Lane to link to the existing footway on Corfe Road (B3075) to be secured by means of a Grampian condition (Condition 9).
- 14.21 Concerns from third parties reflect paragraph 7.12 of the NP regarding parking issues in the vicinity of the school. West Lane is currently informally used by parents for drop off and pick up from the school. The road is made with a footway along part of its length. There is unrestricted parking on West Lane (except for an area close to the junction with Corfe Road where there are a double yellow lines). The provision of a continuous footway as part of this development will improve pedestrian safety along West Lane, to Corfe Road, including travel to and from the school. With regards to concerns raised regarding unregulated parking in the road, this is a parking management and enforcement issue and not something that can be addressed through the planning

process. The status of West Lane would not be changed by the proposal and there would be no additional restrictions to parking on West Lane. The application has been assessed against Policy 4: small sites of the NP and is considered to be acceptable subject to conditions.

- 14.22 Taking the above into account it is considered that the principle of development on this site is acceptable in accordance with the provisions policy V1 of the Local Plan and policy 5 of the Neighbourhood Plan.

Affordable housing

- 14.23 As originally considered the proposal included the provision of 7 dwellings as affordable housing, together with a commuted sum. The quantum of affordable housing proposed, which was greater than the minimum requirement of policy at the time was necessary and justified under policy RES of the Local Plan as the proposal was considered on the basis of being a rural exception site. That policy has since been superseded by adoption of the 2018-34 Purbeck Local plan (LP) in 2024.
- 14.24 Policy V5 of the adopted Purbeck Local Plan 2018-34 requires the development of sites up to 15 units on the edge of existing settlements to comply with LP policy H11

When determining planning applications for all new residential development, including residential elements of mixed use schemes. Affordable housing will be required as follows:

Number of homes or site area	Greenfield sites	Brownfield sites
2-9 (applies Purbeck wide, except for the following areas which are not designated as rural: Lytchett Minster, Upton and Wareham Town Councils)	20%	20%
10 homes or more, or more than 0.5ha inside settlements	40% on-site	30% on-site

The applicant has reduced the number of affordable units to 6, which remains policy compliant. Affordable housing will be secured through an updated legal agreement.

The application therefore complies with policy H11 and will continue to contribute affordable housing in accordance with the requirements of adopted policies, which is a material consideration which weighs strongly in favour of the development.

The application is therefore considered to be acceptable in this respect and is recommended for approval subject to the completion of a S106 Legal agreement

Impact on the Dorset National Landscape (formerly AONB)

- 14.25 The site is situated within the Dorset National Landscape (formerly AONB) Paragraph 190 of the National Planning Policy Framework (NPPF) states that planning permission should be refused for major developments in the National Landscape except in exceptional circumstances and where it can be demonstrated they are in the public interest. Officers have given consideration as to whether the proposal represents a major development within the terms of NPPF paragraph 190.
- 14.26 Appeal decisions have held that there are no strict thresholds for this and that it is not measured by the normal definition of major development provided in the Town and

Country Planning (Development Management Procedure) Order (10 dwellings and above). Court rulings have confirmed that the NPPF does not define or seek to illustrate the meaning of the phrase 'major development'. The intention of paragraph 190 is to capture developments which have a major impact on the AONB. Much therefore depends on the specific location and foreseeable impacts.

- 14.27 For example, in an appeal at Prospect Farm Swanage the Inspector did not consider a settlement extension of 35 dwellings to be major under paragraph 190.
- 14.28 For other development (i.e. not major development) paragraph 189 requires that great weight should be given to conserving and enhancing landscape and scenic beauty. Thus, any harm must be given great weight and balanced against the benefits of the development.
- 14.29 If permitted the development would be a fairly substantial addition to Stoborough. The site is quite peripheral to the village, and it would extend housing development westward into the AONB.
- 14.30 The applicant has undertaken a Landscape and Visual Appraisal (LVA). The LVA cites the South Purbecks Heaths Landscape Character Area (LCA) and within 1.33 refers to the Assessment's evaluation as "overall landscape is judged to have a weak character" and "overall the landscape condition is judged to be moderate and stable". Further, within the Dorset AONB LCA – the Assessment states that the "overall landscape is judged to have a moderate character" and that the "overall landscape condition is judged to be moderate and improving".
- 14.31 The AONB Management Team have been consulted on the proposal. They have stated in principle that they have no objections to the proposal and that the impacts of the development will be relatively localised.
- 14.32 The AONB team has had oversight of the LVA. They concur with the visual baseline of the LVA (paragraph 1.43) that states that the site is visual well contained with views limited to the immediate area. The LVA judges that the overall magnitude of effects on the landscape character is "medium adverse", which the AONB Management Team agree with. They disagree however, that the impact upon visual amenity is small, as they consider that the site provides a green buffer between the A351 and the village.
- 14.33 The AONB Management Team note that there will be a need to 'raise' the northern end of the Site with "suitable imported inert fill material" (ref. 3.41). This may have some implications for the retention of the hedgerow that exists within this area. The AONB Management Team further comment:
- "...within 3.44 the DAS makes reference to a 3m high wooden noise attenuation fence along the western boundary. This has the potential to negatively affect the amenity quality of rear gardens. The 'fencing' is shown as extending along the whole western length of the Scheme – forming a solid barrier between the gardens and the tree belt."*
- 14.34 It is recognised that provision of a fence is likely to be the most appropriate form of noise attenuation. The Reserved Matters application would need to demonstrate that the proposed siting would be compatible with the fencing so as to achieve acceptable levels of amenity.

"Landscaping – within 3.49 it is stated that 'additional planting is proposed along the field boundaries (outside the application site boundary but within land controlled by the Applicant) and within the development site itself. The Illustrative Masterplan only indicates tree planting to either side of the spine access road – with an absence of

indicative planting at the northern 'edge' of the development. I would advise that the approach here would be to include native hedges as soft boundaries that provide a sensitive interface with the open land to the north."

- 14.35 As the area to be landscaped is outside of the boundary of the site, but within the ownership of the applicant, a condition will be added to the permission requiring details to be provided at the Reserved Matters application stage will be added (condition 8).

"I note that the western tree belt is located 'outside' the Application boundary – however in the DAS Appendix Part 2 a concept layout illustrates that this belt is 'retained and supplemented'. The management of this belt is critical to the screening of any development within – and should be included within the Application Area or subject to a separate legal management agreement."

- 14.36 While the western tree belt has been excluded from the development site, it is within the ownership of the applicant, therefore is in the control of the applicant with regards to being retained.

"I also note that within the supporting BMP document – habitat enhancements are advised within the fields to the north of the Application Area and to existing hedgerows. Enhancements are illustrated on the Plan contained within the BMP. These 'ecological enhancement areas' will serve as compensatory measures for the loss of pasture/hedges – and would ideally be within the Application Area and part of a longer term management obligation."

- 14.37 The area to the north of the site is in the ownership of the applicant, although it is outside of the application area. A condition can reasonably be imposed to secure the mitigation, enhancement and compensation works identified in the Biodiversity Plan. For the above reasons it is considered that these matters can be secured by condition or resolved when the reserved matters application is considered.

- 14.38 The issues discussed above suggest this is not a major application; largely due to the fact that impacts on the National Landscape are quite localised, due to landform and vegetation. Therefore, on balance officers conclude that the impact of a residential development on this site is sufficiently localised so that it is not major within the terms of paragraph 190 of the NPPF.

- 14.39 The National Landscape Team consider that the proposal contravenes, to a degree, the following policies of the Dorset AONB Management Plan 2019-2024:

- C4a "Remove existing and avoid creating new features which are detrimental to landscape character, tranquillity, and the AONB's special qualities".
- C4c "Protect and where possible enhance the quality of views into, and within and out of the AONB".
- C4d "Protect the pattern of landscape features, including settlements, that underpin local identity".

- 14.40 However, the National Landscape Team conclude that although the development will have an impact on the National Landscape, harm is localised in nature, and therefore is acceptable in principle subject to the justification for open market housing and subject to implementation of the landscape and ecological enhancements set out in the LVIA, Biodiversity Mitigation Plan and Design and Access Statement.

- 14.41 Officers have given great weight to the localised harm to the AONB. Taking into account the AONB Management Team's views, officers consider that the substantial public benefits of providing 15 homes, including 6 affordable dwellings which outweighs the harm to the National Landscape.

For these reasons the application is acceptable and is recommended for approval.

Protected habitats

- 14.42 Habitats sites are another protected area referred to in NPPF footnote 6 in relation to para 11. Policy E7 of the Purbeck Local Plan states that development will only be permitted where it would not lead to an adverse effect upon the integrity of European and internationally protected nature conservation sites. Policy E8 sets out the approach to considering the impact of development proposals on the Dorset Heathlands and policy E9 sets out the approach to considering the impact of development proposals on Poole Harbour.
- 14.43 The site is situated within 5km of internationally significant Ramsar sites, notably Stoborough and Creech Heaths SSSI (approx. 560m to the south and 750m to the east, forming part of Dorset Heathlands Ramsar site), Povington and Grange Heaths (approx. 800m to the west, also forming part of Dorset Heathlands Ramsar site) and Wareham Meadows SSSI (approx. 380, to the north east forming part of Poole Harbour Ramsar). In addition, the River Frome which runs approximately 400m to the north of the site is also a SSSI habitat.
- 14.44 The proposal for up to 15 dwellings falls below the 50-dwelling threshold for which a Suitable Alternative Natural Greenspace (SANG) must be provided. An element of the Community Infrastructure Levy, for which the development will be liable, will provide a financial contribution towards mitigating the impact of the increased recreational pressure on the protected heathlands.
- 14.45 Natural England have noted that the site is surrounded by sensitive and important habitats, but the site is approximately 150m from the eastern end of the Bog Lane SANG. A footpath runs along the northern boundary of the site which then crosses the A351, leading to the SANG. The indicative masterplan for the site indicates that a footpath would run from the south of the site to the north and connect to the existing footpath. Natural England have indicated that this would be a positive element of the development, making it easier for residents to access the SANG and discouraging them from exercising on the protected habitats. Officers consider that a condition should be applied as part of any reserved matters application requiring details of the route of the footpath, as well as its construction and maintenance to ensure that the footpath is available for resident's use (condition 7). It is also noted that the existing footway on West Lane leading to the A351 will connect to the development. There is a footway (pavement) on the A351 that leads to the crossing point to access Bog Lane SANG. This therefore provides another route for residents to access the SANG.
- 14.46 When originally considered, nutrient mitigation was to be addressed through CIL in accordance with the Nitrogen Reduction in Poole Harbour SPD. That SPD was withdrawn on 31 July 2024, meaning that CIL could no longer be relied upon, and individual solutions must be identified. The applicant has provided an updated nutrient assessment and briefing note which proposes mitigation through the change in management of offsite land within the applicant's ownership which is within the Poole Harbour Hydrological catchment. The proposed solution provides mitigation for the additional nutrient loading arising from the development from 2030 onwards. Additional

nutrient loading prior to 2030 is proposed to be addressed through the purchase of temporary nitrogen mitigation credits.

- 14.47 An Appropriate Assessment has been undertaken in accordance with requirements of the Conservation of Habitats and Species Regulation 2017, Article 6 (3) of the Habitats Directive having due regard to Section 40(1) of the NERC Act 2006 and the NPPF, which shows that there is no unmitigated harm generated by the proposals to interests of nature importance. Natural England was consulted on the application and have advised that an Appropriate Assessment should be completed to consider the pressures generated by the development on protected heathlands, Poole Harbour for recreational purposes and also for the release of nitrates because of the development.
- 14.48 The Appropriate Assessment concludes that these matters can be satisfactorily resolved through contributions made to the Community Infrastructure Levy (CIL) in accordance with the Dorset heathlands planning framework 2020 – 2025 and through the implementation of the applicant's nutrient mitigation proposals which will be secured by way of a S106 legal agreement in respect of the off-site management changes, and a pre-commencement planning condition in respect of nutrient credits.
- 14.49 Taking account of the above, the proposal is considered to sufficiently mitigate the impact on protected heathland sites in the area and therefore complies with policies E7, E8 and E9 of the local plan.

Biodiversity- Protected Species

- 14.50 The site has an area of approximately 0.69 hectares and comprises modified grassland with species-rich hedgerows and a strip of mixed woodland along the western boundary. The proposed development will accommodate fifteen dwellings and associated infrastructure. The site lies within the Dorset Area of Outstanding Natural Beauty and is close to Poole Harbour SPA and Ramsar site, located 0.3 kilometres to the northeast, and Dorset Heathlands SPA and Ramsar site, located 0.5 kilometres to the south. Mitigation for nutrient neutrality in relation to Poole Harbour and contributions towards heathland mitigation under the Dorset Heathlands Planning Framework will be required.
- 14.50 The habitats on site include modified grassland of local importance, species-rich hedgerows of regional importance, and a strip of mixed woodland of local importance. Two sections of hedgerow, totalling 62 metres, will be removed to facilitate the development, including one containing a dead oak tree that supports a confirmed non-breeding day roost for common pipistrelle. This hedgerow qualifies as important under the Hedgerow Regulations 1997. To compensate for this loss, a minimum of 141 metres of new hedgerow will be planted, retained hedgerows will be enhanced, and 60 new native trees will be planted north of the development area. The woodland will be retained and protected during construction.
- 14.51 Bat surveys recorded a diverse assemblage including common and soprano pipistrelle, Nathusius' pipistrelle, serotine, noctule, Leisler's noctule, Myotis species, long-eared bats, greater horseshoe, and western barbastelle. The site is assessed as being of national importance for its bat assemblage and of regional importance for foraging and commuting habitat. A European Protected Species Licence will be required prior to felling the dead oak tree. Temporary bat boxes will be installed during works, and two permanent bat boxes will be provided in the adjacent woodland. Lighting mitigation will include the retention of dark corridors along key commuting routes: a 10-metre-wide corridor along the western tree belt and a 6-metre-wide corridor along the eastern

hedgerow, with light levels restricted to 0.2 lux horizontally and 0.4 lux vertically. No street lighting is proposed, and external lighting will be controlled by condition.

- 14.52 The site provides nesting habitat for birds within hedgerows and adjacent woodland. Vegetation clearance will take place outside the bird breeding season where possible or be subject to pre-clearance checks. The site offers low suitability for reptiles and dormice, and precautionary measures will be implemented, including toolbox talks and ecological watching briefs. No badger setts were recorded, but a pre-works check is recommended.
- 14.53 Enhancement measures include the creation of an orchard and parkland north of the development to deliver nutrient neutrality and biodiversity benefits, hedgerow infill with native species, and the creation of woodland patches to improve connectivity for bats. Each dwelling will incorporate integrated bat roost features in 50 per cent of properties, bird nesting bricks in 50 per cent of properties, and two bee bricks. Hedgehog-friendly fencing and hibernacula will also be provided.
- 14.54 With the implementation of mitigation and enhancement measures, no significant negative impacts are predicted, and the overall effect of the development is assessed as a minor positive. The natural environment team has been consulted and raised a query about how lighting mitigation will be managed and achieved. While they have expressed that the preference would be for this to be embodied in the ecological report it is recognised that the precise measures cannot necessarily be defined at this stage as the application is in outline.

The application is therefore considered to be acceptable, subject to a pre-commencement condition.

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

- 14.55 The appearance, landscaping, layout and scale are all reserved matters. As such, the impact on the character and appearance of the area cannot be fully assessed at this stage of the application process. However, an indicative masterplan has been provided that shows linear development built either side of a central access road. While indicative, it is noted that the proposal 13 buildings, which would be commensurate with two of the buildings containing two one-bedroom flats within them.
- 14.56 The indicative masterplan indicates that the site can successfully accommodate this number of dwellings. While it is acknowledged that the units are of a higher density (21.7 dwellings per hectare, compared to 15.3 dwellings per hectare in the neighbouring Hollow Oak Road) and have less amenity space than surrounding properties, it is noted that the Stoborough Meadow development has a broadly similar density and also has smaller gardens. Therefore, the indicative layout is not considered to be incongruous in the village. The scale of the buildings is indicated in the Design and Access Statement as being two storeys. The properties on the western side of the neighbouring Hollow Oak Road are also two storeys, as are most properties within Stoborough. The proposed indicative scale is therefore also considered to be acceptable. The viability statement outlines the gross internal floor areas of the units. These are all just above the national space standards. Details of the finished floor levels are not provided at this stage; however a condition will be applied to ensure that these are provided with the reserved matters application.
- 14.57 Given the position of the site at the edge of the village within the AONB, it is considered appropriate that a condition is applied requiring a sample of materials to be provided for approval by the Council.

- 14.58 It is noted that the site is adjacent to existing residential development and as such would not represent isolated residential development. The site is bounded to the west by the A351 road, and a road junction with a turning lane. As such, the road dominates the character of the area, which was formerly agricultural.
- 14.59 The Council's Environmental Health Team have provided comments in relation to the noise impact of the neighbouring roads on the residents of the proposed properties. The applicants have provided a noise report stating that the noise generation from the A351 is on average 76.9 dB, while the noise from West Lane is on average 58.8 dB. The Environmental Health Team have advised that they accept the findings of the applicant's noise report.
- 14.60 It is noted that the applicant proposes to utilise closed windows and trickle vents, which may contravene Building Regulations. The Environmental Health Team have advised that as an alternative, the proposed acoustic screen to the west of the site could be increased in height. If this would result in visual harm, then the layout may need to be reconsidered to ensure that appropriate levels of amenity and protection of the National Landscape are both secured. Given that the layout and landscaping are reserved matters, officers are satisfied that this matter can be resolved at the reserved matters stage.
- 14.61 The density of the development is higher than the historic core of the village. However, it is not significantly higher than Hollow Oak Road, situated to the east of the site. As Hollow Oak Road separates the site from the rest of the village, this is considered to limit the impact that the proposal will have on the character of the historic core of the village.
- 14.62 As such the development is not considered to significantly detract from the character of the area.

Highway safety and access

- 14.63 The access is the only matter not reserved as part of the application. At present the site is accessed via a gate in the south eastern corner, adjacent to Meadow Cottage. West Lane itself is wide enough to accommodate two-way traffic, although the road is not marked outside of the site at present.
- 14.64 The applicant proposes forming a new access further to the west. The access road, including the footways on either side, would be approximately 8.5m in width, the road accounting for 5m of the width. At the entrance to the site, the width of the road increasing to 13.6m to accommodate visibility splays. The splay distance both to the east and the west of the site would be 43m.
- 14.65 A 2m wide public pavement is proposed to the east of the site, leading to the site boundary. Tactile paving leading to a lowered kerb will be installed at the entrance to facilitate safe crossing of the road. A short stretch of pavement is proposed to the west which will connect to the existing pavement. The existing pavement to the west is presently of a substandard width, and this will be increased to accommodate all pavement users.
- 14.66 The Council's Highways Team have been consulted on the proposals. They stated that they were satisfied with the access point itself. However, the generation of additional pedestrian trips between the site and the village was a concern. At present, there is no pavement along West Lane which experiences relatively high levels of traffic, particularly at school pick up and drop off times. To encourage families to walk to the Primary School, which is approximately 200m away, the Highways Team have stated that the development should provide a pavement, connecting to the existing pavement on Corfe

Road, which then leads to the school and the village centre. This addresses the concern raised as part of the Arne Neighbourhood Plan and is considered by officers to overcome the primary objection in the Neighbourhood Plan to development on this site.

- 14.67 The applicant has agreed to the provision of the footway (pavement) which can be secured by condition. As a consequence of this, the provision of affordable housing has been reduced, as detailed above. Subject to securing the pavement and to a condition requiring details of the internal highway layout, turning and parking areas to be submitted, the highways department are satisfied with the proposal.
- 14.68 In addition to the footway, a footpath is also proposed. This is set out in more detail above (see Protected Habitats). The delivery of a footway and a footpath link will increase choice and connectivity of the site increasing options for people on foot.

Impact on the living conditions of the occupants of neighbouring properties

- 14.69 The nearest residential properties are those situated on Hollow Oak Road adjacent to the east of the site and Meadow Cottage, also immediately to the east of the site. The application is for outline planning permission with layout as a reserved matter so a full assessment of the impact of the development upon the neighbouring properties cannot be made at this stage.
- 14.70 However, an indicative layout has been provided. It shows linear development built either side of a central access road. While indicative, it is noted that the proposal 13 buildings, which would be commensurate with two of the buildings containing two one-bedroom flats within them.
- 14.71 The indicative masterplan suggests that there would be a distance of at least 30m between the properties on Hollow Oak Road, which would be considered to be sufficient to protect the neighbouring residents from harmful overlooking and would also ensure that a reasonable outlook for the properties is maintained.
- 14.72 The unit situated at the southern end of the site would be situated considerably closer to Meadow Cottage to the east (approximately 9m away). However the house faces north to south with no first floor windows facing to the west (towards the application site). The mature hedgerow will provide a degree of screening to this property, but it is likely to be impacted by the development. Nevertheless, officers are satisfied that the site has capacity to accommodate the proposed housing without having a harmful impact on this neighbouring property.
- 14.73 Additionally, it is noted that there is a mature established hedgerow separating the site from the neighbouring residential properties. Landscaping is a reserved matter; however, the submitted biodiversity mitigation plan indicates the retention of this hedge, which will also serve the amenity of the neighbours as well as biodiversity interests. Beyond the hedgerow, the neighbouring properties fronting onto Hollow Oak Road are set in well sized rear gardens. Officers consider that subject to the layout of the development, a satisfactory relationship between these properties and the proposed dwellings can be achieved given the retention of the hedgerow and the rear gardens.
- 14.74 The Council's Environmental Health Team have recommended the provision of a construction management plan to ensure that the living conditions of the neighbouring residents are not unduly affected during the construction process. This will be resolved by means of a condition (condition 15).

- 14.75 Subject to the above, the proposal is not considered to have an unduly harmful impact on the living conditions of the neighbouring residents and is recommended for approval subject to conditions.

Flooding and Drainage

- 14.76 Since the application was previously considered by the committee, updated information in respect of flood risk has been published by the Environment Agency and the council has published an updated Strategic Flood Risk Assessment. The applicant has therefore provided an updated site-specific Flood Risk Assessment. The site falls within Flood Zone 1, although land to the north falls within Flood Zones 2 and 3, associated with the River Frome and coastal waters. The site is shown to be unaffected by surface water flood risk. Although there are some areas of surface water risk in the vicinity the site itself is outside of these.
- 14.77 The application includes a drainage strategy which reflects that which were considered to be acceptable when the scheme was previously considered by the committee. The scheme provides for the attenuation of surface water before discharging it at a restricted rate into the adjacent ordinary watercourse which is to be realigned. The strategy also includes mitigation for ground water flood risk through the use of raised ground and floor levels in parts of the site.
- 14.78 The amended Flood Risk Assessment and drainage strategy has been reviewed by the council's Flood Risk Management team in its capacity as the Lead Local Flood Authority and it has been confirmed that the scheme is acceptable in flood risk terms subject to recommended conditions requiring the submission and approval of a surface water management scheme, details of maintenance and management of the surface water scheme and any receiving system and detailed design of the realigned channel.
- 14.79 The proposal is therefore considered to be acceptable in terms of flood risk and drainage and is recommended for approval in this respect, subject to condition.

Impact upon Protected Trees

- 14.80 To the north east of the site, in the neighbouring property is a protected Oak Tree. There are also a number of trees, particularly along the western boundary of the site that, while not protected are important in terms of character of the area, biodiversity interests and provided visual and noise screening from the A351.
- 14.81 The applicant has prepared a Heads of Terms Arboricultural Method Statement that has been considered by the Council's Tree Officer. This refers to controlling activities but does not say how this will be achieved. As such, a full Tree Protection Plan and Arboricultural Method Statement will need to be submitted, complying with BS5837:2012. This can be achieved by means of a condition (no. 6).

The application is therefore considered to be acceptable in this respect and recommended for approval subject to condition.

Impact upon heritage assets

The site is not directly affected by any designated heritage asset. The Stoborough Conservation Area sits approximately 100m to the north east of the site and is separated from the site by the existing residential development on Hollow Oak Road. It is not therefore considered that the proposed development would have a harmful effect upon the character or setting of the conservation area.

There is a scheduled monument 'The Kings Barrow', an excavated bowl barrow, located approximately 400m to the west of the site. The monument sits in an area of woodland and is separated from the site by the A351 and several hedgerows. Therefore it is not considered that the proposal would result in a harmful impact upon the setting of this heritage asset.

The proposal is therefore considered to avoid harmful impacts upon heritage assets and is acceptable in this respect.

15. Environmental implications

- 15.1 The proposal provides additional footway provision allowing a safe route to local facilities, reducing the reliance on private motor vehicles. The scheme will be required to meet current Building regulations in terms of energy efficiency.

16. Summary of issues and the planning balance

- 16.1 The proposal is considered to comply with relevant policies of the local plan, neighbourhood plan and NPPF. There would be clear public benefits associated with the development, including the provision of 15 dwellings, contributing to the overall supply of housing within Dorset, a policy compliant contribution towards on-site affordable housing, and off-site highway improvements to West Lane, allowing for improved pedestrian connectivity into the village.
- 16.2 Subject to conditions and planning obligations to ensure appropriate mitigation of impacts on habitats and biodiversity, highways and the appropriate design of the scheme it is not considered that there would be any harmful impacts of sufficient weight to outweigh these benefits or justify determining the application other than in accordance with the development plan.

17. Recommendation

To delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to either:

- A) GRANT planning permission subject to no adverse comments being received from Natural England in respect of the Appropriate Assessment and following completion of a S106 Planning Obligation to secure:
- 6 Affordable dwellings
 - Implementation and management of off site land for nutrient mitigation and subject to the following conditions.
1. No part of the development hereby approved shall commence until details of all reserved matters (Appearance, Landscaping, Layout, Scale) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory development of the site.

2. An application for approval of any 'Reserved Matter' must be made 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 92 of the Town and Country Planning Act 1990.

3. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

4. The development hereby permitted shall be carried out in accordance with the following approved plans:
- 236801/01 Location Plan
 - 13263-CAL-XX-XX-DR-D-1100 P1 New Access General Arrangement
 - 236801-TOR-SK-020 C Ecological Mitigation Planting Strategy Plan

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

5. No development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Poole Harbour/River Avon/Somerset Levels and Moors Special Protection Area (SPA) and Ramsar have been secured from an accredited nutrient provider and a copy of the Nutrient Credit Certificate demonstrating that purchase, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Poole Harbour/River Avon/Somerset Levels and Moors SPA and Ramsar.

6. 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 with any Reserved Matters application for layout and landscaping and approved in writing by the Council. All works must be carried out in accordance with the approved details. In particular, the AMS 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.

7. Prior to the commencement of development, a scheme of landscaping, both for the site and covering the area outside of the application site but shown in blue on drawing 236801/01 dated 04 November 2019 shall have been submitted in writing to and approved by the Local Planning Authority (LPA).

The scheme shall include:

- i. A survey plan, showing existing cables, pipes and ducts above and below ground, existing levels, and all existing trees, shrubs and hedges on the land, plus details of any to be retained together with measures for their protection during the course of development
- ii. A landscape proposals plan showing proposed levels and soft landscape (trees, shrubs, herbaceous plants and grassed areas);
- iii. Planting plans which must show the species of trees, shrubs and herbaceous plants to be planted and where they will be planted, the size that the trees/shrubs/plants will be on planting, and the number that will be planted.
- iv. Written detail, which complies with BS 4428:1989 Code of Practice for General Landscape Operations, of how the ground will be prepared and cultivated before planting, the methods that will be used to plant the trees/shrubs/plants and seed or turf of the grassed areas, and details of protection from rabbits and other grazing animals.
- v. Information, which complies with BS 7370 Part 1 1991 and Part 4 1993 Grounds Maintenance, regarding how the planting will be maintained for the first five years following planting. This should include detail of watering, weed control and pruning.

No dwelling hereby approved shall be occupied until the approved scheme has been carried out and completed. Any trees, shrubs, or plants that die within a period of five years from completion or are removed and/or become seriously damaged or diseased in that period shall be replaced (and if necessary, continue to be replaced) in the first available planting season with others of a similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

Reason: These details are required to be agreed at the Reserved Matters application stage, in order to allow full consideration of the mitigation provided by landscaping in considering the layout of the site. The details are required to protect existing trees, hedges and biodiversity which may exist on the site, to ensure the satisfactory landscaping of the site, and to enhance the biodiversity, visual amenity and character of the area.

8. No development must commence until details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Planning Authority. No dwelling shall be occupied until the works are completed in accordance with the approved details.

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

9. 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 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 first occupied.

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

- 10 No development shall take place until a detailed design for the realigned channel and crossing is submitted to, and approved by, the Local Planning Authority. The works shall be completed in accordance with the approved details prior to the first occupation of any of the dwellings.

Reason: To prevent the increased risk of flooding.

Note: Separate Land drainage consents will be required for the proposed realignment of the channel, the new crossing and the proposed outfall. Please see informative below.

- 11 No development (including site clearance, demolition or preparatory works) shall commence until a detailed lighting strategy for all phases of the development (including pre-construction, construction and operational phases) has been submitted to and approved in writing by the Local Planning Authority.
- The lighting strategy shall:
- Demonstrate how harm to protected species will be avoided and how light spill will be minimised with reference to current best practice guidance, including Guidance Note 8 Bats and Artificial Lighting (BCT/ILP, 2023).
 - Include a lighting layout plan, specification of luminaries, hours of operation and measures for ongoing monitoring and review.
 - Provide details of how the strategy will be implemented, managed and maintained throughout all phases of the development. has been implemented. No lighting shall be installed or operated on the site other than in accordance with the approved strategy. Any variation to the approved strategy shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of on biodiversity

- 12 No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the local planning authority. The approved CMP shall be adhered to throughout the construction period. The CMP shall provide for:
- the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - wheel washing facilities
 - measures to control the emission of dust and dirt during demolition and construction in accordance with the IAQM "Guidance on the assessment of dust from demolition and construction (February 2014)
 - measures to control noise arising from the demolition and construction
 - a scheme for recycling/disposing of waste resulting from demolition and construction works
 - hours of operation on the site

Reason: This information is required prior to commencement to safeguard the amenity of the locality and in the interests of road safety.

- 13 Any reserved matters application including details of layout and scale shall be accompanied by a plan showing details of existing and proposed finished ground levels (in relation to a fixed datum point) and finished floor levels and their relationship with adjoining buildings and ground levels. Thereafter the development shall be carried out in accordance with the approved finished floor and ground levels.

Reason: To control matters which will impact on the visual impact of the development within the Dorset National Landscape (Area of Outstanding Natural Beauty(AONB)) and in the interests of neighbouring amenity.

- 14 Details of measures to limit the potential consumption of wholesome water use by persons occupying the new dwelling to 120 litres per person per day as measured in accordance with regulation 36 of the Approved Document for Part G2 of the Building Regulations 2010 (or any equivalent regulation revoking and/or re-enacting that Statutory Instrument) shall be submitted to and approved by the Local Planning Authority before any dwelling is occupied. The submitted details shall include a water consumption calculation for the dwelling in accordance with the Approved Documents referred to above. The approved measures shall be implemented and maintained to the satisfaction of the Local Planning Authority thereafter.

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

- 15 Before the construction of any external walling starts a sample panel of the proposed external walling/rendering must be completed, inspected and agreed in writing by the Council. This must clearly demonstrate the finish to be used, The panel must remain on site during construction works. The development must be built in accordance with the agreed sample panel.

Reason: To ensure the satisfactory appearance of the development in the interests of the character and appearance of the Dorset National Landscape.

- 16 Prior to the first occupation of any of the houses, a footpath crossing the site connecting it to the existing footpath SE5/13 running to the north of the site must be constructed in accordance with the details that have first been submitted to and agreed in writing with the Council. The details must include the route of the footpath, any materials to be used and a maintenance scheme. The footpath shall be maintained in accordance with the details agreed by the Council.

Reason: To ensure that there is a pedestrian link to the existing footpath network which leads to the Bog Lane Suitable Alternative Natural Greenspace (SANG), providing an opportunity for residents to utilise the SANG for recreation instead of nearby protected heathlands.

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

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

- 18 Prior to occupation of the development, details of maintenance & 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 The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled Ecological Impact Assessment, by LC Ecological Services and dated July 2025 and must not be first brought into use unless and until:
- i) the recommendations detailed in section 7 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 maintained and retained in accordance with the approved details for the lifetime of the development.

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

- 20 The properties shall only be occupied by a person as his or her only or principal home. For the avoidance of doubt the dwelling shall not be occupied as a second home. The occupier shall supply to the Council (within 15 working days of the Council's request to do so) such information as the Council may reasonably require in order to determine compliance with this condition.

Reason: To ensure that the approved properties are not used as second homes, which would harm the sustainability of the local communities and would not contribute towards meeting local housing need.

Informative Notes:

1. Informative Note -. 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 Infrastructure Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Infrastructure Service, Dorset Council, Hall, Dorchester, DT1 1XJ.

2. Informative Note: Any works proposed to the Ordinary Watercourse which crosses the site may require prior Land Drainage Consent (LDC) from Dorset Council as Local Lead Flood Authority (LLFA), in accordance with s23 of the Land Drainage Act 1991, in addition to planning permission. The proposed realignment, culverting and any associated improvement or reprofiling of the existing / retained channel will certainly require such prior LDC from the LLFA. LDC enquires can be sent to floodriskmanagement@dorsetcouncil.gov.uk.
3. Informative Note - 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.
4. Informative note - Whilst we are willing to recommend conditions at this time, the applicant's submission at the Discharge of Conditions (DoC) application stage will need to include/consider the following:
 - A comprehensive surface water drainage strategy that prioritises the use of open Sustainable Drainage Systems (SuDS). The applicant has previously indicated that open SuDS features could be included at the detailed design stage. This is a greenfield site, and adequate justification has not yet been provided for their lack of inclusion within the proposals.
 - The ordinary watercourse should be realigned such that it is outside of all of the private curtilages in order to avoid homeowners being responsible for its maintenance.
 - The channel must be designed to accommodate flows during the 1-in-100-year rainfall event plus climate change.
5. Informative Note - Community Infrastructure Levy. This outline planning permission is not subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008, but any reserved matters application will be.
6. Informative Note - Planning Obligation. This permission is subject to a Section 106 Planning Obligation with respect to affordable housing provision and the provision of the footpath.
7. Informative Note – Secured by Design. The applicant is advised to ensure that the development adheres to the Secured by Design Principles and may wish to consider applying for accreditation by the scheme.
8. Informative Note – Rear access gates. The applicant is encouraged to ensure that any rear access gates are secured with a key lockable bolt to enhance the security of the properties.
9. Informative Note - Statement of positive and proactive working: In accordance with paragraph 38 of the National Planning Policy Framework, the Council takes a positive and creative approach to development proposals focused on solutions. 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.

For this application: the applicant/agent was updated of any issues; the opportunity to submit amendments to the scheme/address issues was given which were found to be acceptable.

10. Informative Note – The applicant’s attention is drawn to the advice of Dorset Police’s Crime Prevention Design Adviser, and the recommendation that rear gates should be secured by lockable bolts.

Or

- B) Refuse permission for the reasons set out below if the s106 agreement is not completed by 8 April 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East.

Reason for refusal:

1. In the absence of a legally binding mechanism to ensure the delivery of affordable housing on site, contributions towards off site affordable housing provision and the policy H11 of the Purbeck Local Plan. In the absence of a legally binding mechanism to ensure the appropriate management of off-site land to achieve nutrient neutrality, the likely significant effects on the Poole Harbour SAC and Ramsar sites cannot be ruled out and the proposal is contrary to policies E7 and E9 of the Purbeck Local Plan.