

Application Number:	P/FUL/2024/06961
Webpage:	Planning application: P/FUL/2024/06961 - dorsetforyou.com
Site address:	Langton House, Durnford Drove, Langton Matravers, BH19 3HG
Proposal:	Erect 2 no. semi-detached 3-bed holiday cottages and site 2 no. shepherd huts and associated parking provision (sui generis commercial leisure accommodation)
Applicant name:	HPB Management Limited
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:**

A) To delegate authority to the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East to issue planning permission following completion of a S106 Planning Obligation.

or

B) Refuse permission for the reasons set out below if the s106 agreement is not completed by 20th May 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East

Reason for recommendation A:

- 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.

Reason for recommendation B:

- In the absence of a legally binding mechanism to secure the payment of a Strategic Access Management and Monitoring (SAMM) contribution to appropriately mitigate impacts from the development on Dorset Heathland habitat sites the proposal would lead to an adverse effect upon their integrity contrary to Policy E7: Conservation of protected site and E8: Dorset Heathlands of the Purbeck Local Plan 2024.

3. **Key planning issues**

Issue	Conclusion
Principle of development	Acceptable subject to condition.

Issue	Conclusion
Impact on the conservation of protected nature conservation sites and biodiversity	Acceptable subject to conditions and completion of a Unilateral Undertaking to secure the payment of a financial contribution of £664.80 towards Strategic Access Management and Monitoring (SAMM) and Heathland Infrastructure Project (HIP) mitigation to address the potential recreational pressure impacts of the proposed holiday accommodation upon the Dorset Heaths.
Impacts upon local services and the capacity of roads and other infrastructure	Acceptable subject to conditions.
Scale, design and impact on the character and appearance of the area and the Dorset National Landscape (DNL)	Acceptable subject to conditions.
Impact on neighbouring amenity	Acceptable subject to condition.
Impact on trees	Acceptable subject to conditions.
Flood risk and drainage	Acceptable subject to condition.
Affordable Housing and Second Homes Restriction	Policies not applicable subject to condition.

4. Description of site

- 4.1 Langton House consists of a large Purbeck Stone building and several smaller buildings sited within extensive grounds to the south of the village of Langton Matravers. The site provides sui generis commercial leisure accommodation within the main building and several smaller buildings. Facilities also include an indoor pool and tennis courts within the grounds. The portfolio of top-quality holiday properties which allows its investors to holiday in its properties across Europe for life for a no-profit user charge.
- 4.2 The site is accessed via Durnford Drove and a private road which also serves the National Trust's Spyway Car Park and several outlying rural properties. The grounds of Langton House lie to the east of the private access road with most of the built development being located on the northwestern side of the grounds, near the entrance, with open space to the east and south. To the north, the site adjoins the rural exception site of Spyway Orchard with agricultural land adjoining to the south, east and west. A number of public rights of way surround the site providing access to Priests Way and the coastline to the south.
- 4.3 The site is located outside Langton Matravers Settlement Boundary and Conservation Area but is within the Dorset National Landscape which washes over the village and the surrounding countryside. Currently, the application site includes an area of formal parking, informal parking below trees, and part of the open space extending eastwards and downslope towards South Hyde. Mature trees which are covered by a Tree Preservation Order line the access driveway and provide screening to the north of the site along the boundary with Spyway Orchard.

5 Description of development

- 5.1 The application proposes to erect two three-bedroom semi-detached holiday cottages on the western side of the site on an area of formal car parking and adjacent to an existing unit of holiday accommodation. It is also proposed to site two single bedroom shepherd's huts on the eastern area of the site which is currently open space.

6 Background and relevant planning history

- 6.1 Langton House, which was historically a boarding school, changed use in the 1990s to provide holiday accommodation. The planning history since this point has related to the formation of additional accommodation and the provision of ancillary recreational facilities within the grounds. More recently, application P/FUL/2021/04513 to demolish an existing unit of holiday accommodation and erect 4 No. dwellings (holiday accommodation) with associated parking was granted consent on 13/04/2022 but was not implemented.
- 6/1995/0283 - Change use and convert institutional building to provide 20 flats. - Approved
 - 6/1995/0749 - Alterations to gymnasium to provide recreation facilities ancillary to the approved residential use of Langton House. - Approved
 - 6/1995/0750 - Alteration and extension of existing swimming pool building to provide recreation facilities ancillary to the approved residential use of Langton House. - Approved
 - 6/1996/0125 - Temporary site office and adjoining parking for Holiday Property Bond for a period from 1 April 1996 to 6 September 1997. - Approved
 - 6/1996/0198 - Additional temporary site office for Holiday Property Bond for a period from 1 May 1996 to 1 September 1997. - Approved
 - 6/1996/0291 - Carry out works to convert accommodation to form one additional flat (to approved scheme for 20 flats). - Approved
 - 6/1996/0531 - Internal replanning to provide four additional units in main house and two units in clubhouse building, limited to holiday use – Approved
 - 6/1997/0019 - Construct one hard tennis court with fencing. - Approved
 - 6/1997/0756 - Erect detached holiday bungalow for use by disabled on site of derelict structures. - Refused
 - 6/2001/0068 - Alterations to existing derelict structures to form a holiday bungalow for the disabled. - Approved
 - 6/2002/0162 - Erect lean-to storage shed to house swimming pool chemicals. - Approved
 - 6/2002/0421 - Erect detached holiday bungalow for disabled use on site of derelict structures. - Refused
 - 6/2003/0884 - Erect extension to include kitchen to convert games room to garden room. - Approved
 - 6/2017/0738 - Erection of 5 two storey buildings for use as holiday lets – Withdrawn
 - PAP/2020/0067 - Replace existing 2 bed holiday unit and erect 5 holiday cottages – November 2020
 - P/FUL/2021/04513 - Demolish existing unit and erect 4 No. dwellings with associated parking – Granted 13/04/2022



7 List of constraints

- Tree Preservation Order (PDC/TPO 44), TPO (PDC/TPO 434)
- Purbeck Heritage Coast
- Article 4 Direction, Record Key = 131.0 – *Spyway Orchard and Mews to north of site – Historic relating to use of land for any purpose except as caravan site on not more than 28 days in total in any calendar year:*

SCHEDULE
(a) The use of land (other than a building or the curtilage of a building) for any purpose or purposes except as a caravan site on not more than 28 days in total in any calendar year (of which not more than 14 days in total may be devoted to use for the purpose of motor car or motor cycle racing or for the purpose of the holding of markets) and the erection or placing of moveable structures on the land for the purposes of that use
(b) The use of land, other than buildings and not within the curtilage of a dwellinghouse, for the purposes of recreation or instruction by members of an organisation which holds a certificate of exemption granted under Section 269 of the Public Health Act 1936 and the erection or placing of tents on the land for the purposes of that use
(c) The use of land, other than a building, as a caravan site in any of the circumstances specified in paragraphs 2 to 9 (inclusive) of Schedule I to the Caravan Sites and Control of Development Act 1960 or in the circumstances (other than those relating to winter quarters) specified in paragraph 10 of the said Schedule

- Legal Agreements S106 – 6/95/0283F Section 52 Agreement / Revocation Order
- Wessex Water Treatment Works Catchment area
- Dorset National Landscape - Area of Outstanding Natural Beauty (AONB)
- Existing ecological network & higher potential ecological network
- Site of Special Scientific Interest (SSSI) impact risk zone – Natural England consultation required
- Dorset Heathlands – 400m - 5km Heathland Buffer
- Minerals and Waste Safeguarding Area, Minerals and Waste - Building Stone
- Radon: Class: Class 2: 1 - 3% - indicating a less than 3% probability of radon presence. This classification reflects a low to intermediate level of constraint in relation to radon gas –consult Building Control
- Right of Way: Footpath SE16/25 - Distance: 2.81m
- Natural England Designation - RAMSAR: Dorset Heathlands (UK11021); - Distance: 3402.36m

- Groundwater – Susceptibility to flooding – *Proposed holiday lets and shepherd's huts outside areas at risk*
- *EA Flood Map for Planning: Risk of Surface Water Flooding Extent 1 in 30, 1 in 100 & 1 in 1000 – Area of existing pond*

8 Consultations

8.1 The responses below include those to the original consultation in December 2024 and comments received in response to re-consultations on a submitted drainage scheme in July 2025 and an amended drainage scheme in September 2025. Re-consultation letters were sent to the Parish Council, the Ward Member, Building Control and Wessex Water. New site notices were also displayed.

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

Consultees

1. Natural England

Comments on Appropriate Assessment (AA):

Concur with AA.

Mitigation / avoidance measures will need to be secured to avoid harm to the habitat sites.

Biodiversity mitigation and Biodiversity Net Gain should also be secured by condition or other legally binding mechanism.

2. Wessex Water (WWA)

No comments received.

3. Ramblers Association.

No comments received.

4. Dorset Wildlife Trust (DWT)

No comments received.

5. Dorset Council (DC)– Highways

No objection subject to conditions.

The development proposal lies south of the adjacent adopted public highway which stops north of Spyway Orchard. The lane continues along a public right of way.

Proposal will be served off an existing access, which appears to be a shared surface for vehicles, pedestrians, and cyclists. The pinch point into the site is narrow, so this should function as a give way feature as the entrance is concealed. From the adjacent highway network there is a footway along Dunford Drove for pedestrians to access the local village.

Cycle parking could be accommodated within the site area to support the use of sustainable transport modes.

Car parking areas have been extended and there is capacity on site for movements to be in a forward gear.

Applicant should have due regard for Inclusive Mobility to comply with the Equalities Act.

6. DC – Rights of Way

No objection.

Proposed works are in the vicinity of the public right of way Footpath SE 16/25 and SE16/15 and SE16/22.

Disturbance to users of the Right of Way should not be increased by this development.

The safe free passage of the public on all rights of way must not be obstructed at any time.

Any damage to the surface of the footpath attributable to the development must be repaired to Dorset Council's specification

7. DC – Trees

No objection.

Loss of 3 minor trees and proposed replanting is acceptable.

Conditions required.

8. DC – Natural Environment Team (NET)

The application is within the scope of the Dorset Biodiversity Appraisal Protocol (DBAP) criteria.

The Ecological Impact Assessment (EclA) has not been submitted to NET for review under the DBAP. We recommend that this information is submitted to NET directly for review, with the appropriate fee, to ensure compliance with wildlife legislation, National Planning Policy Framework (NPPF) and that biodiversity mitigation and enhancements are secured.

9. BNG Natural Environment Team:

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

10. DC – Wastewater Manager

No comments received.

11. DC – Building Control

Confirm B5-access for Fire Brigade complies.

Ensure boundary conditions are all acceptable under Part B of the Building Regulations

Ground conditions may be clay, and trees may mean deeper depths or possibly engineered foundations.

12. Dorset National Landscape Team

Due to the scale of this proposal, Dorset National Landscape (AONB) can only offer limited comments, specifically in relation to the proposed shepherd's huts, these being positioned in a relatively peripheral location.

Due to the limited scale and the provision of an associated planting scheme, the units are not expected to be particularly conspicuous.

Nonetheless, the use of conditions to exclude any external lighting, including for the access to these units, is recommended. Furthermore, a condition to control the appearance of

these units is recommended. It has not been possible to identify specific details of the materials or colours. The use of natural timber and recessive roofing (matt black or brown) and the exclusion of any brighter colours for the windows, doors, etc, would be expected in this location.

13. DC – Minerals and Waste

No comments received.

14. Langton Matravers Parish Council (LMPC)

Original comments 10/01/25:

Object.

Flooding - evidence of flooding on land surrounding the development site caused by water runoff. Issue acknowledged by the site owners. Proposed development will reduce the amount of grassland available for natural water absorption. Will likely exacerbate surface water runoff, increasing the risk of flooding to nearby properties. Risk must be carefully assessed, and mitigation measures such as sustainable drainage systems should be required to demonstrate that the development will not increase flooding in the vicinity.

Biodiversity Impact: The biodiversity report fails to consider the presence of badgers in the area. Development impacting them must comply with the appropriate legislation. Request a comprehensive ecological survey that includes the presence and activity of badgers should be undertaken.

Sewage and Wastewater Management: The application lacks sufficient detail on sewage discharge and wastewater management. Potential environmental contamination, particularly given the area's susceptibility to water runoff and flooding. Request clear and detailed plans for sewage handling.

Comments of 15/08/25 on drainage scheme:

Welcome more thorough analysis of proposed sewage and wastewater management.

Reiterate objection since concerns relating to flooding are not adequately addressed.

Considers the 45% "climate change factor" to be a moderate estimate for the sort of long-term planning which the development suggests would be appropriate.

Does not make adequate allowance for soil saturation effects and the steep topography in Langton Matravers or the evidence offered every winter that the area is already vulnerable to severe runoff.

Do not understand why the report doesn't identify the site as susceptible to groundwater which is identified on Dorset Explorer mapping.

Parish Council and residents note severity of water run-off issues with heavy rainfall each winter. Much may be due to wetter weather but there has also been considerable development without analysis of cumulative impact and inter-relationship.

Should be no further development under a holistic analysis of surface water run-off for the whole area has been conducted. The documentation does not include analysis of impact to north of site.

Comments of 10/10/25 on amended drainage scheme:

Thank the applicant for amending the plans to take the concerns expressed by LMPC and others with respect to surface water drainage from the site into account through the addition of a shallow swale.

Remain concerned that any development in the zone identified in the objection of 18th August risks making a bad situation worse given the experience of residents over the past few winters.

Nature of surface water flooding that the damage caused at the lower levels of the drainage area (in this case the Hyde) cannot be directly attributed to any single development, but the cumulative impact of any development is undeniable.

LMPC does not possess and cannot afford to employ the professional advice required to dispute the particulars of the submitted Surface Water Drainage Strategy, and therefore we rely on and request that DC Planning should provide robust assurance that the planned surface water mitigation measures as now outlined are able to cope with the severe surface water flows which have been observed in Langton in 2023 and 2025.

Reiterate objection since we remain sceptical that planned mitigation measures based on historical metrics is an appropriate basis for forecasting their efficacy in a period of very rapid climate change.

Should permission for the development be granted, LMPC requests a condition that the landscaping design allows for the swale to be widened and made deeper, so that it can be readily expanded if it proves inadequate to its task with a further condition that the swale should be increased in size should water runoff from the site contribute in any way to flooding to the north and east of the site in Langton.

15. DC - Southeast Purbeck Ward member

Original comments 14/01/25:

Object.

Site below Langton House has experienced significant surface water flooding issues in recent years. This is referenced in the planning statement.

Langton Matravers Parish Council have engaged the owners of Langton House in discussion over mitigating actions to take to reduce the risk of further flooding and despite assurances no further mitigations have been put in place.

The risk of flooding and further damage to properties in the Drove and the Hyde remains.

Whilst the owners of Langton House are only one of a group of stakeholders who need to act to mitigate flooding risk, there should be no further built development on the Langton Matravers site until action has been taken to mitigate existing flooding risks and any further development needs to be accompanied by a plan to mitigate the additional risks of surface water drainage.

This application does not address the existing or new surface water flooding risks, and a SUD has not been submitted.

Comments of 31/07/25 on drainage scheme:

Welcome provision of surface water drainage strategy.

Question of drainage relates to surface water run-off travelling north to neighbouring residential roads.

Drainage mechanisms from the site have failed on multiple occasions in past 12 months resulting flooding to residential properties.

Must be 100% certain that development does not contribute additional or accelerate surface water run-off to the extent that it would exacerbate known flooding issues.

Comments of 07/10/25 on amended drainage scheme:

Acknowledge and appreciate that the applicant has taken steps to answer my concerns and those of Langton Matravers Parish Council and residents regarding drainage and surface water run-off.

My request of DC Planning remains, that they gain an exceedingly high degree of certainty that these developments will not contribute to heightened levels of surface water flowing into neighbouring residential roads and properties. I remind DC Planning that flooding in this area, including this from this site, have twice reached the '1 in 100 years' levels in the past 12 months.

Representations received

Total - objections	Total - No objections	Total - comments
3	0	0

Summary of comments of objections:

- No mention of protected species within area.
- No mention of pond within 10 m of proposed huts. Pond slows flood water when heavy rain.
- Documents do not refer to nearby surface water drains.
- No details provided on how surface water will be dealt with.
- Residents on south end of The Hyde suffered flooding in road and gardens at significant volume / speed again on 5th January 25. Surface water from this higher ground could exacerbate this well-known flooding.
- How will grey water / sewage from Shepherd's huts be disposed? No details.
- Additional lighting will impact on AONB.
- Application form inaccuracies e.g. number of houses proposed.
- Overdevelopment and unnecessary away from main accommodation.
- If allowed, then more building could follow.

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.

s85 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

In this case the development plan comprises:

Local Plan Adopted Purbeck Local Plan:

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

- Policy V1: Spatial strategy for sustainable communities
- Policy E1: Landscape
- Policy E4: Assessing flood risk
- Policy E5: Sustainable drainage systems (SuDs)
- Policy E7: Conservation of protected sites
- Policy E8: Dorset heathlands
- Policy E10: Biodiversity and geodiversity
- Policy E12: Design
- Policy H2: The housing land supply
- Policy EE4: Supporting vibrant and attractive tourism
- Policy I2: Improving accessibility and transport
- Policy I3: Green infrastructure, trees, and hedgerows

Material considerations

Emerging local plans:

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

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

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

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

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-

makers at every level should seek to approve applications for sustainable development where possible.

- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:
The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.
Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

National Planning Practice Guidance

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

Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. In addition, the strategies for meeting housing needs in the adopted local plans are not designed to deliver the housing need under the Government's standard method and therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan(s) are out of date and the presumption in favour of sustainable development applies. The emerging Dorset Local Plan is not sufficiently progressed and can be afforded very limited weight in decision making.

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 Public Benefits

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

What	Amount / value
Material considerations	
SAMM and HIP financial contributions	£664.80
Non-material considerations	
CIL Contributions	£64,111.26
Business Rates	Rateable value of cottages £4000 each Rateable value of Shepherd's Huts £1500 each

What	Amount / value
	NB Full rates payable would be approximately 50% of the rateable values.

14 Planning Assessment

Proposed Use

- 14.1 The estate is owned by the Holiday Property Bond, with the accommodation and facilities closed to the general public. As a result, the use of the planning unit as a whole (i.e. the private holiday complex at Langton House) would form a 'sui generis use' and the proposal is an expansion of the existing private holiday complex at Langton House (sui generis commercial leisure accommodation). The development description was amended during the application process to clarify this.

Principle of development

- 14.3 The site is located outside the Langton Matravers settlement boundary and is classed as falling within the open countryside in accordance with Policy V1: Spatial strategy for sustainable communities and the settlement hierarchy of the Purbeck Local Plan 2024. Policy V1 is silent on holiday accommodation development. However, Policy EE4: Supporting vibrant and attractive tourism of the Purbeck Local Plan 2024 is relevant.

- 14.4 Policy EE4 supports opportunities to enhance the visitor economy where tourist accommodation proposals are of a scale, type and appearance that is appropriate to the locality and provide local economic benefits. In respect of tourist accommodation outside settlement boundaries, the policy permits several types of development (as listed in the policy wording) including:

(ii) '*limited new development that is closely related to existing buildings*', and

(iv) '*caravan sites*.'

The proposed holiday accommodation and the change of use of land for the siting of two shepherds' huts fall within criterion (ii) and (iv) respectively and can be considered under the policy.

- 14.5 Policy EE4 requires that the holiday accommodation meets a number of other criteria which are summarised as follows:

- (a) acceptable impact on European protected nature conservation sites – ***acceptable subject to the securing of mitigation as detailed in sections below***
- (b) no harmful impacts upon local services and the capacity of roads and other infrastructure – ***acceptable impact as detailed in sections below***
- (c) scale of buildings and nature of development that would not harm the character and value of any landscape and avoids adverse impacts on the amenity of neighbouring uses – ***acceptable impact as detailed in sections below***
- (d) demonstrates benefits for the economy of Purbeck – ***met as detailed in sections below***

- (e) If located within the Dorset National Landscape would meet requirements of national policy in addition to the above – ***met as detailed in sections below.***

- 14.6 National and local planning policies support sustainable growth in rural communities whilst recognising the need to retain the intrinsic character and beauty of the countryside. Paragraph 88 of the National Planning Policy Framework (NPPF) advises that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, including through the conversion of existing buildings and well-designed new buildings. Paragraph 88 also notes that decisions should enable sustainable rural tourism and leisure development which respect the character of the countryside. The proposal would provide two holiday cottages and two shepherds' huts with future occupiers making a modest contribution to supporting the local village facilities and those of nearby villages and Swanage.
- 14.7 In conclusion, the proposed holiday accommodation is considered acceptable in principle in the countryside location as it is compliant with Policy EE4: Supporting vibrant and attractive tourism of the Purbeck Local Plan 2024. The sections below address each of the above criteria in more detail.
- 14.8 To ensure that the cottages and shepherd huts subject of the application remain tied to the wider estate and cannot be marketed for sale as independent dwellings (Use Class C3) a condition (Condition 16) requiring that the cottages are only utilised as holiday accommodation and may not be used as a person's sole or main place or residence will be required on the decision notice. In addition, the sui generis use of the holiday accommodation has been clarified by way of an amendment to the development description which was agreed by the planning agent on 19/03/25.

Impact on the conservation of protected nature conservation sites and biodiversity

Biodiversity

- 14.9 The application falls within the scope of the Dorset Biodiversity Appraisal Protocol (DBAP) criteria which includes proposals which will have an impact on an area greater than 0.1 ha, development on sites where there are known protected species or important habitats/habitat features, and development which is likely to have an impact on biodiversity. An Ecological Impact Assessment (EclA) has been submitted with the application and was provided to the Dorset Council Natural Environment Team during the application process for review and approval. Sections 5.0 and 6.0 of the report include details of mitigation measures. Section 7.0 of the report includes details of enhancement measures. The EclA was certified as approved by the DC NET on 12th February 2025 and subject to a condition on the decision (Condition 15) requiring full implementation, the proposal complies with Policy E10: Biodiversity and geodiversity of the Purbeck Local Plan 2024.

Biodiversity Net Gain

- 14.10 Biodiversity Net Gain (BNG) applies to the proposal, and the application is supported by the required metrics and a BNG Statement. This advises that 18.3% BNG will be provided on site and that the BNG is not significant. Informative notes on the decision will secure the BNG.

Appropriate Assessment

- 14.11 The application site lies between 400 m and 5 km of Dorset Heathlands but lies outside the Poole Harbour Nitrates and Recreation Zones.

- 14.12 Policy E7 of the Purbeck Local Plan 2024 seeks to protect Purbeck's biodiversity and states that new development will only be permitted where it would not lead to an adverse effect upon the integrity, either alone or in-combination with other plans and projects, directly or indirectly, of nationally, European and internationally protected nature conservation sites.
- 14.13 Policy E8: Dorset Heaths of the Purbeck Local Plan 2024 sets out the specific policy requirements of the recreational and air quality effects of new development on protected Dorset Heathlands.
- 14.15 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.
- 14.16 The AA concludes that harm to Dorset Heaths SAC and Dorset Heathlands SPA will be avoided by way of securing a payment of a SAMM contribution for the sui generis holiday accommodation. The Council's Environmental Assessment Team has calculated the SAMM payment to be £277 x 60% x4 (occupation) = £664.80. The payment will be secured and made through a s106 obligation between the applicant and Dorset Council prior to the issue of the planning decision.
- 14.17 Subject to the above, the authority can conclude that there will be no adverse effects on the integrity of the designated heathland sites, and the proposal is compliant with policies E7: Conservation of protected sites and E8: Dorset Heathlands of the Purbeck Local Plan 2024.
- 14.18 Natural England has been consulted on the final AA and has raised no objection.

Impacts upon local services and the capacity of roads and other infrastructure

- 14.19 Langton House is accessed via its own vehicular access that extends southwards from Durnford Drive. Durnford Drove is an unclassified road (highway) that extends from High Street to the junction with Spyway Orchard. The road then becomes a track providing access to a National Trust Car Park to the southwest of Langton House. A public right of way (footpath) follows Durnford Drove from the High Street into the countryside to the south.
- 14.20 Within the grounds of Langton House the vehicular access extends to two main areas of parking and also around the eastern side of the main building. An existing area of car parking to the north of unit 28 (16 spaces) would be partially lost to allow for the two holiday let dwellings. The proposed site layout plan indicates that new parking provision of 21 spaces will be provided to the north and northeast of the proposed holiday lets (16 replacement and 5 new). The Bournemouth, Poole and Dorset residential car parking guidance advises 2 parking spaces per 3-bedroom dwelling and 1 space per 1-bedroom dwelling. Given the level of parking provision within the site, and the provision of 5 additional spaces to serve the new proposal, the proposal judged to be acceptable in terms of parking provision.
- 14.21 The Council's Highway Engineer has been consulted on the proposal and has raised no objection subject to a condition on the decision in relation to the provision of the proposed turning and parking construction before first use and the provision of a cycle parking scheme to encourage the use of active travel. The conditions (Conditions 11 and 12) are considered reasonable to include.
- 14.22 The Engineer has also requested that the red line should be extended to ensure that it adjoins the highway. This request has been considered, but in this case, as no additional

works are required to the lane which is already finished in tarmac to the highway it is considered unreasonable to require the amended plan.

- 14.23 In summary, the impact of the proposed development on highway safety and car parking is considered to be acceptable in accordance with Policy I2: Improving accessibility and transport of the Purbeck Local Plan 2024.
- 14.24 In terms of impacts on local services and other local infrastructure, the small scale of the tourist accommodation is not considered to result in significant harm to community facilities, services or the limited retail offer within the village.

Scale, design and impact on the character and appearance of the area and the Dorset National Landscape (DNL)

- 14.25 The impact of proposed development on the Dorset National Landscape (DNL) (formerly known as AONB) formed a key consideration in the determination of unimplemented application P/FUL/2021/04513 for the erection of 4 holiday let dwellings. Although the site is relatively well screened in wider landscape views by existing trees, hedgerows and Purbeck Stone boundary walling, it is likely that glimpses of the holiday let cottages and the shepherds' huts would still be possible from the surrounding area, particularly in the winter months.
- 14.26 Earlier comments provided by the DNL/AONB Officer noted that:

'.....subject to a suitable and sensitive design, the four units to the north of Langton House are not likely to adversely affect the character and appearance of the AONB to an unacceptable degree.'

In terms of the proposed car parking, the DNL/AONB Officer commented:

'Furthermore, it would be prudent for the applicant to consider if the presence of vehicles amongst the tree may result in additional visibility of vehicles from sensitive viewpoints toward the coast. Filtered visibility of the existing car park is presently possible and it is considered desirable for this relatively limited visibility to be maintained. To achieve this the applicant should consider planting a new hedge to screen the parking area, in a similar approach to that found in other parts of the site'.

- 14.27 The DNL/AONB Team has been consulted on the current proposal but has provided limited comments in respect of the proposed shepherd huts only due to their peripheral location. The team notes that due to the limited scale of the huts, and the provision of an associated planting scheme, the units are not expected to be particularly conspicuous. Nonetheless, the use of conditions (Condition 17) to exclude any external lighting, including for the access to these units, is recommended. Furthermore, a condition to control the appearance of these units is recommended as specific details of the materials or colours are not provided. The team notes that the use of natural timber and recessive roofing (matt black or brown) and the exclusion of any brighter colours for the windows, doors, etc, would be expected in this location. The submitted Design and Access Statement advises that low level downward angled bollard lighting on movement sensors will guide occupants to and from the shepherd hut accommodation on darker evenings albeit no details have been submitted as part of the application. It is considered reasonable to condition the details of both the external finish / materials of the shepherd's huts and any external lighting required (Conditions 7 and 8).
- 14.28 Section 12 of the NPPF highlights the importance of good design which should contribute positively to making places better for people. Paragraph 130 (b) notes that decisions should ensure that development is visually attractive as a result of good architecture, layout and

appropriate and effective landscaping and (c) is sympathetic to local character, including the building environment and landscape setting. This is supported by Local Plan Policy E12: Design which requires all development to demonstrate a high quality of design that positively integrates with its surroundings, and which has regard to the District Design Guide SPD 2014.

- 14.29 In terms of impact on the character and appearance of the area, the site of the holiday cottages is screened to the west by the existing Purbeck Stone wall along the boundary with Durnford Drove and mature hedging extending along the western boundary of the lane on an embankment approx. 1.3 m taller than the site level. In views from the south (public footpath and Priests Way), it is screened by the three storey Langton House and mature trees and hedgerows, and from the east by a band of mature trees lining the access driveway. From the north, the site is also relatively well screened by landscaping and mature trees within the site and from the Spyway Orchard development. The design of the holiday cottages is of traditional character that respects the local vernacular of the village in terms of height, design detail, and use of local materials (natural slate roofs, Purbeck Stone and render). A sample panel of the proposed Purbeck Stone walling can be secured by condition (Condition 8). The proposed alterations to the parking layout adjacent to the cottages together with additional soft landscaping will also serve to soften the impact of the dwellings within the wider setting. A hard and soft landscaping scheme has been submitted with the application and includes a range of tree and hedgerow planting and areas of improved grassland. It is considered reasonable to secure the implementation of the landscaping scheme and any required replacement planting by way of condition (Condition 9).
- 14.30 The proposed shepherd's huts would be sited in a more peripheral location in the northeastern area of the site. Although this is away from the main development at Langton House, it is not too distant from the Pool Building and would be set against the backdrop of recent residential development at Spyway Orchard in more local views. Due to the site topography, the huts would also be located at one of the lower ground levels within the curtilage of Langton House with minimal visual impact on wider landscape views. The huts would be of traditional appearance with screen planting to the front and a small, enclosed area of private amenity space. Subject to the above conditions in respect of lighting and landscaping, they are considered to be acceptable in terms of impact on the character and appearance of the area and the Dorset National Landscape.
- 14.31 In terms of impact on the rural character of the area from the emission of artificial light after dark, windows serving the units are domestic in scale and would be viewed against the backdrop of existing domestic lighting at Langton House and Spyway Orchard. As such, it is not considered necessary to require restrictions on the extent of glazing proposed or the application of a visible light transmission.
- 14.32 Subject to the above conditions, it is considered that the proposal would conserve and further the purposes of the national landscape designation and is acceptable in terms of design and landscape impacts in accordance with Policies E1: Landscape and E12: Design of the Purbeck Local Plan 2024.
- 14.33 The Dorset National Landscape (AONB) is defined as a 'sensitive area' by the Environmental Impact Assessment (EIA) Regulations 2017. As such, an EIA Screening opinion of the proposed development has been undertaken. This concludes that the proposed development is unlikely to have significant effects on the environment due to the minor scale of the development, minimal impact on long range landscape views and proposed landscape mitigation.

Impact on neighbouring amenity

- 14.34 The application site is located within the holiday complex of Langton House which provides both holiday apartments and cottages for year-round use. There are no residential properties of main / sole residences within close proximity of the proposed holiday cottages, the nearest being the new dwellings at Spyway Mews located over 60 m to the north. However, an existing holiday cottage (Unit 28) is located directly to the south of the proposed new dwellings. This unit is single storey with entrance doorway and three windows facing north onto the current parking area (ensuite, bathroom and secondary open plan living area). Unit 1 will include windows facing this elevation at ground floor level serving an entrance doorway, bathroom and lounge (secondary). As the two windows are non-habitable or secondary in nature it is considered reasonable to secure by condition (Condition 13) that they are fitted in obscure glazing in the interest of both occupier and neighbour amenity.
- 14.35 The proposed shepherd's huts are to be located to the south of residential properties on Spyway Orchard, with a distance of approx. 28 m between the nearest shepherd hut and the rear garden boundary fence serving. Although the huts will be visible in the outlook from the neighbouring homes, this will be screened in the summer to some extent by the mature trees along the boundary. The huts will also be low level in height and subject to a condition requiring that the windows serving the bathrooms are fitted in obscure glazing (Condition 14), there is considered to be no demonstrable harm in terms of loss of privacy to the neighbouring or occupier amenity. In conclusion, impacts on neighbouring amenity are judged to be acceptable in accordance with Policy E12: Design of the Purbeck Local Plan 2024.
- 14.36 Objections have been received from three properties – 2 on The Hyde and 1 on Gypshayes – and the Parish Council raising concerns over biodiversity impacts, surface water flood risk, foul water disposal, and the setting of a precedent for further development at the site. The Ward Member have also raised objections in respect of surface water flood risk to the site and the surrounding area. The comments are addressed in the relevant sections of this report.

Impact on trees

- 14.37 The site is screened on its eastern and northern boundaries and along the access drive by established trees that are subject of a blanket Tree Preservation Order (TPO). The application is supported by an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan which proposes the removal of three minor trees and replanting.
- 14.38 The Council's Tree Officer has been consulted on the proposal and has raised no objection to the proposed tree removal and replacement planting. However, conditions (Conditions 5 and 6) have been requested in respect of a pre-commencement meeting to agree protection measures and also details of the proposed no dig cellular confinement system for proposed parking spaces.
- 14.39 On this basis, the proposal is considered to be acceptable in accordance with policies E12: Design and I3: Green infrastructure, trees and hedgerows of the Purbeck Local Plan 2024.

Flood risk and drainage

- 14.40 The Dorset Council Level 1 Strategic Flood Risk Assessment (SFRA) mapping identifies that the application site is located in Flood Risk Zone 1 and the proposal is acceptable in terms of fluvial flood risk. The site is also located outside areas of medium to high surface water flood risk. However, a narrow band of groundwater flood risk crosses the site to the west of the proposed shepherds' huts.

- 14.41 At the time of the officer site visit (January 2025), the field to the east of the access driveway in which the proposed shepherd's huts are to be sited was boggy in locations, and a pond in the lower north-east corner of the site (identified on the Tree Plans) was at capacity – likely a result of surface water exceedance due to the site topography and coinciding with an area of surface water flood risk at the 1 in 100 year extent. Comments of objection have been received from the Parish Council, the Ward Member, and residents on The Hyde and Gypshayes (to the north and northeast) in respect of existing and future surface water drainage from the site and implications for increased flood risk to properties on these roads. The Ward Member advises that the site below Langton House, the Drove and The Hyde have experienced surface water flooding issues in recent years and that Langton Matravers Parish Council have engaged the owners of Langton House in discussion over mitigating actions to reduce the risk of further flooding although despite assurances no further mitigations have been put in place.
- 14.42 Policy E4: Assessing Flood Risk of the Purbeck Local Plan 2024 advises that a Flood Risk Assessment should be provided for development on sites in Flood Zone 1 in a number of cases, including criterion:
- b. are at risk from other sources of flooding (as set out in SFRA maps) and where development would introduce a more vulnerable use (as identified in flood risk vulnerability classification of National Planning Practice Guidance);*
- d. are likely to increase the risks from flooding elsewhere;*
- 14.43 Policy E5: Sustainable drainage systems (SuDs) of the Purbeck Local Plan 2024 requires applicants to submit details of a SuDS with applications for:
- c. development where surface water run-off from development is likely to increase the risks from flooding elsewhere (including sewer flooding caused by high groundwater levels)*
- 14.44 The application meets the above policy criterion but was not originally supported by a site-specific flood risk assessment or detail of a viable conceptual Sustainable Drainage System (SuDS) to ensure that there would be no increased risk of flooding to the site and the surrounding area.
- 14.45 Following consultation with the Council's Drainage Engineer a conceptual surface water drainage scheme was requested. Following site investigations, a scheme was submitted in July 2025. Consultation with the Drainage Engineer identified the need for above ground attenuation in the form of rain gardens serving each of the cottages. It was also noted that the bore hole and infiltration testing was undertaken at a favourable time of the year (May) and as a result additional resilience within the scheme was requested in the form of above ground attenuation measures in accordance with the SUDS hierarchy. A further amended drainage scheme was submitted in September 2025 identifying exceedance flood routes across the site and the provision of a shallow swale in the north-eastern corner of the site to catch exceedance, provide storage and filter surface water run-off to the existing pond via a swale inlet. The amended scheme was discussed with the Drainage Engineer who concluded that the proposals are as sufficient and proportionate to the nature and scale of the proposal to deal with flood risk to the site and also ensure that flood risk is not increased off-site.
- 14.46 Notwithstanding the amendments made to the drainage scheme, the Parish Council has requested that a condition is included on any approval allowing for the swale to be widened and made deeper, so that it can be readily expanded if it proves inadequate to its task, with a further condition enabling the swale to be increased in size should water runoff from the site contribute in any way to flooding to the north and east of the site. Whilst officers acknowledge the reasons for the requested conditions, it is considered that the imposition of such conditions on the decision would be unreasonable, unnecessary and

unenforceable. However, should the applicants consider it necessary to increase the size of the swale at a future date, this could be dealt with by a planning application.

- 14.47 Subject to a condition on the decision requiring implementation of the amended drainage scheme (Condition 3), the proposal is judged to comply with paragraph 182 of the NPPF and Policy E4: Assessing flood risk and E5: Sustainable Drainage Systems of the Purbeck Local Plan 2024.

Affordable Housing and Second Homes Restriction

- 14.48 As the proposed accommodation is to form part of the commercial holiday accommodation within the wider Langton House holiday complex it comprises a sui generis use so Policy H11: Affordable Housing of the Purbeck Local Plan does not apply. As noted above, to ensure that the cottages and shepherd huts subject of the application remain tied to the wider estate and cannot be marketed for sale as independent dwellings (Use Class C3), a restrictive condition (Condition 16) will be included on the decision notice.
- 14.49 In respect of Policy H14: Second homes of the Purbeck Local Plan 2024, the policy wording confirms that the restriction on use as second homes in the National Landscape does not apply to new homes which are commercially let for holiday makers.

Other considerations:

- 14.50 *Foul waste* – Neighbours and the Parish Council have raised concerns that no details of the proposed method of dealing with foul waste have been provided and that this may result in potential environmental contamination, particularly given the area's susceptibility to water runoff and flooding. The application is supported by a Foul Drainage Assessment Form which provides no additional information. As such and given that the shepherd's huts may be unable to connect to a foul sewer, it is considered reasonable to include a pre-commencement condition (Condition 4) on the decision requiring the submission of a foul drainage scheme to the Council for approval prior to implementation on site.
- 14.51 *Setting of precedent* – Neighbours are concerned that if approved, the proposed development would set a precedent for future development at the Langton House site. Each application is assessed on its own merits and in accordance with adopted policy at national and local level at the time of determination.
- 14.52 *Right of way* – A right of way passes to the west of the application site. An informative note will be included on the decision in respect of maintaining access etc.
- 14.53 *Building regulations* – The Council's Building Control Team have made comments on the proposal in respect of fire brigade compliance, boundary conditions, and ground conditions which have been provided to the planning agent. Building Regulations Approved Document B requires (Section B5) that access for a pumping appliance should be provided to within 45m of all points inside a dwellinghouse and that vehicles should not have to reverse more than 20m from the end of an access road. Officers have measured the proposed site plans and note that these requirements are likely to be met for the scheme given the existing vehicular access and turning provision on the site. Section B5 also requires a minimum gateway width of 3.1m and minimum width of road between kerbs of 3.7. The submitted site plans indicate that the gateway width to the site is 3.1m together with an access road width of approx. 4.3m. An informative note on the decision will remind the applicant of the regulation requirements.

15 Environmental implications

- 15.1 The new build construction will meet modern building regulations standards and will include high levels of insulation and modern glazing reducing energy consumption and carbon emissions. Local materials are to be used wherever possible.

16 Summary of issues and the planning balance

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

17 Recommendation

A) Delegate authority to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to grant planning permission subject to the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) to secure the payment of a financial contribution of £664.80 towards Strategic Access Management and Monitoring (SAMM) and Heathland Infrastructure Project (HIP) mitigation to address the potential recreational pressure impacts of the proposed holiday accommodation upon the Dorset Heaths.

And the following conditions and their reasons (pre commencement conditions have been agreed in writing with the applicant):

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:

- 5985-WLA-A-0103 C Site location and block plan
- 5985-WLA-ZZ-XX-DR-A-0100 H Proposed site plan
- 5985-WLA-ZZ-XX-DR-A-0110 B Ground floor plan 'work in progress'
- 5985-WLA-ZZ-XX-DR-A-0111 A First floor plans
- 5985-WLA-ZZ-XX-DR-A-0112 A Elevations Sheet 1 of 2
- 5985-WLA-XX-ZZ-DR-A-0113 A Elevations Sheet 2 of 2
- 5985-WLA-XX-ZZ-DR-A-0104 A Accommodation ground levels
- 501-1-R3 Biodiversity habitats plan
- 5985-WLA-XX-ZZ-DR-A-0132 A Shepherd hut drawings
- RNapc/569/TPP/4 Tree Protection Plan
- 501-2 1 Planting Moodboard

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

3. Prior to first occupation of any of the holiday accommodation, the development shall be fully implemented and thereafter maintained in accordance with the approved Surface Water Drainage Strategy Statement Ref: 24350 Rev B by Godsell Arnold Partnership Ltd Scheme dated September 2025.

Reason: To prevent the risk of flooding to the site and neighbouring properties.

4. Prior to the commencement of development details of the proposed foul drainage scheme shall have been submitted to and approved in writing by the Local Planning Authority. The

approved scheme shall subsequently be implemented prior to the completion of the development.

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

5. The development hereby permitted shall not commence until an arboricultural supervision and monitoring statement has been submitted to and agreed in writing by the Local Planning Authority and which shall be informed by a site meeting between the LPA's Tree Officer, Arboricultural Consultant and Site Manager. The development and protection of trees shall be carried out in accordance with the approved supervision and monitoring statement and the Arboricultural Impact Appraisal and Method Statement prepared by RNapc ref: 569/AMS/1 dated 15.08.2024. A monitoring report shall be prepared and be submitted to and agreed in writing by the Local Planning Authority on completion of development.

Reason: In the interests of tree protection

6. Prior to commencement of works samples of the cellular confinement system to be used, including the samples of the cell infill aggregate, which shall not be of a calcareous nature rather a 4-20mm clean angular granite or flint shall be submitted and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved cellular confinement system.

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

7. Prior to development above damp-proof course level, details and samples of all external facing materials for the walls and roofs of the cottages and shepherd huts 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.

8. Prior to development above damp-proof course level, a sample panel of the proposed external facing Purbeck Stone walling 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.

9. The hard landscaping as detailed on approved drawing numbered 501-1-R3 shall be completed before the first occupation/use of any of the holiday cottages / shepherd huts. The soft landscaping works detailed on approved drawing 501-1-R3 and Planting Moodboard drawing 501-2-R1 must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale first to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

10. The hard surfacing/paving, walls, fences or other external structures as detailed on approved drawing numbered 501-1-R3 shall be completed before the first occupation/use of any of the building/land.

Reason: To ensure satisfactory landscaping of the site and to enhance the visual amenity and character of the area.

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

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

12. The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to and approved in writing by the Planning Authority. The approved scheme must be constructed before the development is occupied and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

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

13. Before the holiday cottage Unit 1 is brought into use, the ground floor lounge and bathroom windows in the south elevation must be glazed with obscure glass to a minimum industry standard privacy level 3. Thereafter the obscure glazing shall be retained as such.

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

14. Before the Shepherd Huts are brought into use, the bathroom windows must be glazed with obscure glass to a minimum industry standard privacy level 3. Thereafter the obscure glazing shall be retained as such.

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

15. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the ecology report titled 'Ecological Impact Assessment V2' by Pro Vision and dated September 2024 and certified by the Dorset Council Natural Environment Team on 12th February 2025.

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

- i) the recommendations detailed in sections 5, 6 and 7 of the approved ecology report have been completed in full, in accordance with any specified timetable, , 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.

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

Reason: To ensure that approved holiday accommodation is as part of the holiday complex only and is not used for unauthorised permanent residential occupation.

17. No 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 avoid nuisance to adjoining properties.

18. The shepherds huts hereby permitted must have the appearance shown on drawing 5985-WLA-XX-ZZ-DR-A-0132 A and be positioned as shown on 5985-WLA-A-0103 C.

Reason: To control the design and siting of the shepherds huts in the interests of the visual amenity of the National Landscape.

Informative Notes:

1. No development shall be commenced until a timetable for the implementation and maintenance of any proposed on-site (within the red line of the application site) non-significant biodiversity net gain (see informative below), has been submitted to and approved in writing by the Local Planning Authority. The implementation timetable and maintenance details must be prepared in accordance with the approved Biodiversity Gain Plan for the site. Thereafter the on-site non-significant biodiversity net gain shall be implemented and maintained for a period of no less than 5 years following the completion of said biodiversity net gain in accordance with the approved timetable and maintenance details. If within a period of 5 years from the date of the planting of any habitat it is removed, uprooted, destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) the habitat shall be replaced with the same habitat as set out in the approved biodiversity gain plan in the next planting season, unless the Local Planning Authority first agrees in writing to any variation.

Reason: To ensure that non-significant on-site biodiversity net gain is provided on site as required by the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework.

2. Biodiversity Net Gain

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

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

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

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

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

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

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

- 1. The application for planning permission was made before 12 February 2024.
- 2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
- 3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

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

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the

curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

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

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

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

4. It is likely that if the proposed BNG is on-site and it does not meet one or more of the criteria below that it will not be considered to be significant. However, what counts as a significant enhancement will vary depending on the scale of development and existing habitat, but would normally be:

- habitats of medium or higher distinctiveness in the biodiversity metric (both proposed habitats and retained habitats)
- habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development - the combined number of units delivered is equal to or greater than 0.5; and/or the combined number of low distinctiveness units is equivalent to 10% or more of the baseline biodiversity unit value of the site (excluding proposed gardens)
- habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development - higher distinctiveness of any baseline habitat type e.g. low to medium
- enhancements to habitat condition, for example from poor or moderate to good

5. 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.

6. 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>

7. INFORMATIVE NOTE: Fire safety

To fight fires effectively the Fire and Rescue Service needs to be able to manoeuvre its equipment and appliances to suitable positions adjacent to any premises. Therefore, the applicant is advised that they should consult with Building Control and Dorset Fire and Rescue Service to ensure that Fire Safety - Approved Document B Volume 1 Dwelling houses B5 of The Building Regulations 2006 can be fully complied with.

8. 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.

9. Radon Gas Class 2: 1-3% refers to a property being in a "radon affected area" where 1-3% of homes have levels above the UK's action level of 200Bq/m³. This indicates a moderate risk that does not guarantee that a building has high radon levels but triggers the need for further testing. Depending on the region and specific test results, this level may require basic radon protection / remedial measures in new builds. Further information is available here: [Do I need to consider radon? | LABC](#)

10. 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.

B) Refuse permission for the reasons set out below if the agreement is not completed by 20 May 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement.

1. In the absence of a legally binding mechanism to secure the payment of a Strategic Access Management and Monitoring (SAMM) contribution to appropriately mitigate impacts from the development on Dorset Heathland habitat sites the proposal would lead to an adverse effect upon their integrity contrary to Policy E7: Conservation of protected site and E8: Dorset Heathlands of the Purbeck Local Plan 2024.