

Application Number:	P/FUL/2025/04931
Webpage:	Planning application: P/FUL/2025/04931 - dorsetforyou.com
Site address:	Land rear of 11-12 Egdon Close, Bere Regis, BH20 7LQ
Proposal:	Construction of a detached chalet bungalow
Applicant name:	Mr J Alford
Case Officer:	Cari Wooldridge
Ward Member(s):	Cllr Beddow and Cllr Baker

1.0 Reason application is going to committee:

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

2.0 Summary of recommendation:

- 2.1 GRANT planning permission subject to conditions.

3.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable. Additional unit towards housing land supply.
Scale, layout, design and impact on the character and appearance of the area	Acceptable subject to condition.
Impact on neighbouring amenity	Acceptable subject to conditions.
Highway safety, access and parking	Acceptable subject to conditions.
Flood risk and drainage	Acceptable subject to condition.
Biodiversity and landscaping	Acceptable subject to conditions.
Other considerations	Acceptable.
Housing Delivery Test and 'Tilted Balance' Assessment	The benefit of the dwelling towards the area housing supply is not outweighed by any identified adverse impacts of the proposal.

4.0 Description of site

- 4.1 The application site is a former garage parking court located to the rear of nos. 11 and 12 Egdon Close. The parking court and its private access off Egdon Close are finished in tarmac surfacing and enclosed by close boarded fencing and a hedgerow on the northern boundary.

- 4.2 Egdon Close is set on a hillside with land sloping downhill from the south to the north. The application site is subject of the same differences in land levels with the main part of the site being lower than the access road and the neighbouring houses of 11 – 13 Egdon Close. To the east of the application site is a narrow area of open land which adjoins the new Bere Regis Primary School. To the north of the site is the vehicular access to the primary school, grass verges, and the Bere Stream Nature Reserve which also provides pedestrian access to Elder Road.
- 4.3 The garage court and access road were formally owned by Alder Housing Association but are now within the private ownership of the applicant.

5.0 Description of development

- 5.1 The application proposes the erection of a detached three-bedroom chalet bungalow with hipped roof to front (south) and gable end to rear (north). Most of the living and bedroom space is proposed at ground floor level with a first-floor bedroom and ensuite towards the rear of the building. The dwelling is centrally located within the plot with garden to the rear, two parking spaces to the side (west), a turning area to the front and provision for bin and cycle storage.
- 5.2 Vehicular access is via the existing private tarmac access which adjoins the western end of Egdon Close at the turning point.

6.0 Background and relevant planning history

6/1995/0777 - Decision: REF - Decision Date: 06/02/1996 - Erect a dwelling with integral garage.

Officer Note: This proposal was for land to the rear of 13 & 14 Egdon Close with same vehicular access as current proposal.

P/PAP/2024/00693 - Erection of 1 house – Response date: 08/01/2025

Summary of officer response:

The proposed residential development of the enquiry site appears to be acceptable in principle, but the design of any property will need to be carefully considered to avoid harm to neighbouring amenity and nutrient neutrality will need to be demonstrated.

7.0 List of constraints

Within Bere Regis Settlement Boundary

Within Bere Regis Neighbourhood Plan Area

Mineral Strategy 2014 – Hydrocarbons - UKCS Licensed Blocks - Organisation: SOUTH WESTERN ENERGY LIMITED (08019159)

Site of Special Scientific Interest (SSSI) impact risk zone:

Natural England Designation - Nutrient Neutrality Catchments

Dorset Heathlands - 5km Heathland Buffer

Wessex Water Treatment Works Catchment Impacts on designated SAC/SPA/Ramsar

Wessex Water Risk of foul sewer inundation 2023 High Risk of Foul Sewer Inundation

Dorset Council Land Freehold: Land for Bere Regis Primary School, Southbrook, Wareham
- Reference FH003496 – *Adjacent school site*

Dorset Council Land (Easement): Easement for water pipe to Bere Regis Primary School at Egdon Close, Bere Regis - Reference LIN003493 – *Along access*

Dorset Council Land (Easement): Easement for gas pipe at Egdon Close, Bere Regis - Reference LIN003494 – *Along access*

Groundwater Source Protection Zone

RAD - Radon: 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

ONR Winfrith Magnox - 12km zone

ONR Winfrith Tradebe Inutec - 12km zone

Right of Way: Footpath SE6/30 - Distance: 3.25m

Site of nature conservation interests (SNCIS): SY89/043 - Southbrook - Distance: 44.63

Natural England - RAMSAR - Distance: 845.93m

Scheduled Monument: Manorial settlement at Court Farm (List Entry: 1015352); - Distance: 302.74m

8.0 Consultations

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

Consultees

1. Natural England

Further information required to determine impacts on designated sites in respect of recreation pressure and water quality / nutrient impacts.

Appropriate Assessment required.

Proposal sited on area of land that is registered common land. Common land consent may be required.

Comment on Appropriate Assessment:

No objection subject to the securing of mitigation in respect of Poole Harbour and Dorset Heaths.

2. Wessex Water

No comments received.

3. Ramblers Association

No comments received.

4. Dorset Wildlife Trust

No comments received.

5. Office for Nuclear Regulation

No comments received.

6. DC - Rights of Way

No comments received.

7. DC – Highways

No objection.

Proposal will utilise existing private access road which adjoins the adopted public highway at Egdon Close in a cul-de-sac location.

Anticipated that the residential use may generate fewer vehicle movements than the previous use.

Opportunities for active travel to nearby village where there are local amenities, employment and education.

Following site visit and assessment consider proposal does not present material harm to transport network or highway safety subject to conditions and informative notes.

8. DC – Waste Team

No comments received.

9. DC – Assets and Property

No comments received.

10. DC – Building Control

Ensure fire brigade access has been thought out under requirement B5 of Building Regulations.

A compliant approach or alternative approach will need to be provided when submitting a building regulations application.

11. DC – Environmental Assessment

Appropriate Assessment drafted for consultation with Natural England.

12. Bere Regis Parish Council

Object.

Narrow cul-de-sac already suffering from lack of parking and frequently blocked by delivery vehicles or refuse collection.

Many properties do not have on plot parking or only have space for one car.

Access road to plot is narrow and doubtful whether emergency service vehicle would gain access especially if parking around cul-de-sac.

Construction lorries will struggle to access site.

Do not believe site is designated as common land as suggested by Natural England but does need to be investigated.

Site is definitely within 400m zone for Black Hill heathland area.

13. DC - West Purbeck Ward Member - Cllr Beddow

Request application is referred to committee.

Significant concern over access, parking, emergency vehicle access, whether site is common land, all as raised at Bere Regis Parish Council meeting.

14.DC - West Purbeck Ward Member – Cllr Baker

No comments received.

Representations received

Total - objections	Total - No objections	Total - comments
5	0	1

Summary of comments of objections:

- Parking and congestion where already an issue with limited off-road parking available.
- Loss of 8 car park spaces previously rented out by Aster with cars needing to park on road.
- Where will visitor parking for new dwelling be?
- Limited visibility for drivers when children play in area due to parked cars.
- How will access and parking for construction vehicles and staff be managed during build?
- Potential harm to neighbouring properties from construction vehicles due to tight access.
- Where will delivery vehicles off-load, and materials be stored?
- Narrow site access does not allow for emergency vehicles which are already restricted due to heavy on street parking.
- No evidence provided that consent has been obtained as site is common land. Granting permission would be premature and contrary to protections for common land.
- Would overlook gardens of Egdon Close and the primary school with loss of privacy and safeguarding concerns.
- Site within AONB which should be protected.
- Direct threat to ability to access my garage via small access road if the road were to be closed or restricted.
- Potential sewer blockages and overflows from additional connection as sewers outdated and struggle with capacity.
- Safety of school children walking along Southbrook as deliveries are made.

9.0 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.

10.0 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:

V1: Spatial strategy for sustainable communities

E4: Assessing flood risk

E5: Sustainable drainage systems (SuDs)

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

I3: Green infrastructure, trees, and hedgerows

Made Neighbourhood Plans

Bere Regis Neighbourhood Plan 2019-2034 (made June 2019)

BR1: Settlement boundaries

BR4: Bere Regis Groundwater

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 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'- Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Other material considerations

National Planning Practice Guidance

Determining a Planning Application

Supplementary planning documents and guidance

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

Purbeck District Design Guide SPD 2014

Managing and using traditional building details in Purbeck

Bere Regis Townscape Character Appraisal Supplementary Planning Document adopted August 2012.

Housing land supply

Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. In addition, the strategies for meeting housing needs in the adopted local plans are not designed to deliver the housing need under the Government's standard method and therefore, in accordance with NPPF footnote 8, the housing policies within the adopted

Development Plan(s) are out of date and the presumption in favour of sustainable development applies. The emerging Dorset Local Plan is not sufficiently progressed and can be afforded very limited weight in decision making.

Housing Delivery Test (HDT)

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

11.0 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.

12.0 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.

13.0 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
Non-material considerations	
CIL Contribution (2025 charging rate)	£4942.82
Council Tax (based on average Council Tax Band D April 2025 to March 2026)	£2614.21

14.0 Planning Assessment

Principle of development

- 14.1 The application site is located within the Bere Regis settlement boundary where the general principle of new residential development is acceptable in accordance with Policy V1: Spatial strategy for sustainable communities, the settlement hierarchy of the Purbeck Local Plan 2024, and Policy BR1: Settlement Boundaries of the Bere Regis Neighbourhood Plan 2018.
- 14.2 However, Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. Therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan are out of date and the presumption in favour of sustainable development applies (i.e. the 'tilted balance'). The proposed dwelling would provide an additional unit towards the Purbeck Housing Land Supply as set out in Policy H2: The Housing Land Supply of the Purbeck Local Plan 2024.

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

- 14.3 The NPPF, paragraph 135, requires planning decisions to achieve good design that adds to the overall quality of an area, and which is sympathetic to local character, history, and the surrounding built environment. Policy E12: Design of the Purbeck Local Plan 2024 requires new development to demonstrate a high quality of design that positively integrates with its surroundings and reflects adopted design guidance.
- 14.4 The application site is located in the 'modern estate development' townscape character type as identified by the Bere Regis Townscape Character Appraisal. Strengths of the character type are identified as its pleasant ubiquitous residential layout and consistent building lines. Threats to the character include loss of boundary walls, front gardens and the widening of entrances to provide parking within the already estate road dominated environment. Opportunities to provide some new infill development on larger rear gardens are noted.
- 14.5 The former car parking court is mainly hardstanding (tarmac), and the proposed development provides the opportunity to deliver betterment to the immediate setting through an appropriate layout, design, landscaping, and biodiversity enhancements. The development of a single dwelling would also make an effective use of the under-utilised land within the settlement boundary in accordance with Section 11 of the NPPF.
- 14.6 Although the proposed back land site does not relate well to the existing pattern of linear development along Egdon Close, the siting of the plot between the residential development to the east and Bere Regis School to the west does allow for an infill development that would not appear overly out of keeping or incongruous within the built area. The hillside setting and slope of the site and surrounding land from south to north also provides the opportunity for the proposed chalet bungalow to sit comfortably within its setting and wider views.
- 14.7 The proposal is for a chalet bungalow with its front elevation facing south onto the access road and its rear elevation facing north with views over the adjacent open space. Although not fully aligned with existing properties along Egdon Close, the proposed layout and dwelling orientation is suitable for the site size and shape. Properties along Egdon Close

are served by hipped roofs and there is no objection to the hipped roof front elevation and gable end to the rear, particularly given the modern design of the school to the west.

- 14.8 Externally the bungalow is to be finished in render at ground floor level and horizontal cladding at first floor level on the rear gable. The roof will be finished in concrete roof tiles, rainwater goods in black upvc and windows in white upvc. Although properties on Egdon Close are finished in red brickwork, the application site is located outside a Conservation Area, and the use of a render and cladding finish is not considered to be inappropriate. A condition on the decision (Condition 5) can require samples of the materials to be submitted for approval prior to first use on the dwelling.
- 14.9 In response to the pre-application advice, the proposed elevation plans include details of finished floor levels and site sections were submitted in support of the proposal during the application process. The sections indicate that the new dwelling would sit comfortably on the slope of the site and in relation to the neighbouring residential properties.
- 14.10 In summary, the proposed infill chalet bungalow is judged to be of a suitable scale, height and design that would positively integrate with its surroundings and support the efficient use of brownfield land within the settlement boundary in accordance with Policy E12: Design of the Purbeck Local Plan 2024.

Impact on neighbouring amenity

- 14.11 The proposed bungalow would be sited to the northwest of nos. 11 and 12 Egdon Close and at a lower finished floor level due to the slope of the site. The hipped roof design at the front of the property also serves to reduce impact on the outlook from the rear facing windows of the neighbouring properties. Nevertheless, concerns have been raised by neighbours in respect of overlooking.
- 14.12 Whilst the outlook to the rear of no. 12 would be altered by the proposal, the siting of the front elevation of the bungalow approx. 10.5m from the nearest point of the rear elevation, combined with the off-setting of the properties, the lower site level of the bungalow, and the presence of boundary fencing in between is not considered to result in harm to the neighbouring amenity in respect of overbearing development, overshadowing or loss of light. The offsetting of windows between the two properties would also result in minimal window to window loss of privacy to neighbours and future occupiers.
- 14.13 No. 13 Egdon Close is located closer to the proposed bungalow at approx. 10.5m to the front elevation and 9.6m to the side elevation. Again, the offsetting of the properties, the lower site level of the bungalow, and the presence of boundary fencing in between is not considered to result in harm to the neighbouring amenity in respect of overbearing development, overshadowing, loss of light or loss of privacy.
- 14.14 Ground floor windows serving the front elevation of the bungalow will face south onto its vehicle turning area with existing close boarded fencing preventing overlooking of the neighbouring rear garden. To the sides, a bathroom window will face east, and a high-level dining room window will face west at ground floor level. Again, existing boundary treatments will prevent any loss of privacy to neighbouring amenity. However, it is considered reasonable to condition the bathroom window to be fitted in obscure glazing (Condition 7).

At first floor level, a bedroom window in the north facing gable end will overlook the school access road and open space. The window would only allow oblique views towards the school (west) and neighbouring gardens (east), and as such there is judged to be no demonstrable harm to the neighbouring amenity. No first-floor windows are proposed on the south elevation. Two high level roof lights are proposed in the east facing roof slope to serve the bedroom and its ensuite. The sill of the rooflights will be positioned approx. 2.5m above the finished floor level of the rooms and as such there is not considered to be significant harm to neighbouring amenity in terms of loss of privacy or overlooking but the obscure glazing of the bathroom window is considered reasonable to secure by condition to protect occupier amenity.

14.15 Neighbours have also raised concerns that the new dwelling would result in safeguarding issues due to overlooking of the primary school to the west. A single roof light is proposed on the west facing roof slope to be positioned above the stairway. Although this will provide light to the stairway it also has a low position on the roof slope enabling an outlook towards the school grounds. As the main purpose of the roof light is to provide daylight only to a non-habitable space, it is considered reasonable to secure its finish as non-opening and obscure glazed to ensure no future safeguarding issues in respect of overlooking of the school grounds. In addition, to ensure that there is no future overlooking of neighbours and the school grounds, it is considered reasonable to include a condition on the consent that restricts permitted development rights in respect of future windows, rooflights, dormer windows etc within the roof (Condition 13).

14.16 In summary, and subject to conditions, the proposal is judged to comply with Policy E12: Design of the Purbeck Local Plan 2024.

Highway safety, access and parking

14.17 The application site is accessed via a private access road which adjoins the adopted public highway in Egdon Close. The Council's Highway Engineer has been consulted on the proposal and has confirmed that they have no objection to the proposal which is anticipated to generate fewer vehicle movements than the former use of the site as a parking court. The Engineer also notes that the site is served by opportunities for active travel to the village centre with local amenities, employment and the adjacent school. In assessing the proposal, the Engineer visited the site and has confirmed that they do not consider that the proposal presents material harm to the transport network or highway safety and therefore raise no objection. Conditions are recommended on the decision in respect of turning/manoeuvring and parking construction and cycle parking construction (Condition 9).

14.18 In respect of parking, the proposed site layout includes parking provision for 2 cars which accords with county wide parking guidance for a three-bedroom dwelling and is acceptable.

14.19 Subject to conditions, the proposal is considered to comply with Policy I2: Improving accessibility and transport of the Purbeck Local Plan 2024.

14.20 Notwithstanding the above, objections have been received from the Parish Council, Ward Member and residents raising concerns over the existing level of on-street parking along

Egdon Close and the loss of parking in the former parking court exacerbating the current position.

- 14.21 It is understood that the application site was formerly provided as free parking to residents by Aster Housing Association. The site was sold by Aster in Spring 2025 and residents were informed that payable licensed parking would be transferred to land behind 1 Egdon Close at the eastern end of the road. Whilst officers acknowledge that residents are upset over the loss of free parking within the application site, it is noted that alternative parking provision has been provided by Aster. The application site is now within different ownership and any dispute over access to the parking space is a private issue that lies outside the planning application process.
- 14.22 In terms of increased on street parking resulting from the loss of the parking court, it is noted that there are no parking restrictions along Egdon Close or Southbrook that would prevent additional on-street parking and that nearly all of the dwellings along the south side of the road and several on the north have off-road parking provision for 1 or 2 cars. On this basis, and given the alternative parking provision provided by Aster, officers consider that it would be unreasonable to refuse the proposal on grounds of inadequate parking provision for neighbouring properties. Notwithstanding this, there are other legal mechanisms in place, outside of the planning remit, to deal with obstructive parking along Egdon Close should this occur.
- 14.23 Comments on the application have also raised concerns regarding the construction phase of the proposed development including construction lorry access, parking of construction workers, storage of materials, and pedestrian safety particularly from lorries accessing the site at school drop off / pick up times. Given the level of concern raised, officers consider that a Construction Management Plan would be appropriate. This would aim to limit adverse impacts of the construction phase of the development on neighbouring amenity, including accessibility along Southbrook and Egdon Close, inconsiderate parking, storage of materials, noise etc. Submission of a Plan for approval by the Council can be secured by way of a condition (Condition 4) on the decision notice.
- 14.24 Finally, neighbours, the Parish Council and Ward Members have raised concerns over the site accessibility for fire appliances and other emergency service vehicles. 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. 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 private access has a minimum width of 3.32m at its junction with Egdon Close however this reduces below 3.1m at several points along the access. In addition, if a fire appliance is unable to reverse along the access due to the narrow width, access for a pumping appliance to within 45m of all points inside the dwellinghouse could not be achieved.
- 14.25 In their consultation response, the Building Control Team advised that the applicants will need to evidence a compliant approach or alternative approach as part of a future building regulations application. The Planning Agent was contacted with this information and in response has advised that the architect has discussed access for emergency vehicles with

Building Control and that in view of the length of the driveway, which isn't uncommon for sites such as this, the property would be installed with a Category B sprinkler system in order to achieve compliance with the Approved document B5.

- 14.26 Nevertheless, the inclusion of the informative note will remind the applicant of the regulation requirements.

Flood Risk and Drainage

- 14.27 The application site is located in Flood Zone 1 and lies outside areas of medium to high surface water flood risk and susceptibility to groundwater flooding (as identified by the Environment Agency Flood Map for Planning 2025 and the Council's Strategic Flood Risk Assessment (SFRA) mapping). The proposed development is therefore considered to be acceptable in respect of flood risk and Policies E4: Assessing flood risk of the Purbeck Local Plan 2024 and Policy BR4: Bere Regis Groundwater of the Bere Regis Neighbourhood Plan 2018.
- 14.28 The application form advises that surface water associated with the new development will be disposed of via a soakaway and that the removal of the existing hard surfacing will increase permeability within the site. On submission, the application was not supported by a conceptual Surface Water Drainage Scheme which raised concerns by the Council's Drainage Engineer given the proximity to an area of high groundwater susceptibility, the need for a suitable separation distance between groundwater and the base of the proposed soakaway, and the lack of alternative drainage options. Following correspondence with the planning agent, a conceptual drainage scheme with soakaway calculations was submitted for consideration. This locates the soakaway in the northwest corner of the site away from the neighbouring properties with any potential exceedance downhill to the north and an existing drain adjacent to the school access road.
- 14.29 Given that the development of the site will reduce the existing impermeable surface area with increased permeability to be provided by the new garden and landscape areas as detailed on the Proposed Site Plan, the provision of the soakaway, and with no increased exceedance flood risk to neighbouring vulnerable uses, the proposed scheme is considered to provide an overall betterment in respect of flood risk and drainage. Although in future the garden could be hard surfaced, the soakaway would remain a betterment on the current situation. A condition on the decision will secure the implementation of the soakaway (Condition 10) and ensure that the proposal complies with Policy E5: Sustainable Drainage Systems of the Purbeck Local Plan 2024.

Biodiversity and Landscaping

Biodiversity and landscaping

- 14.30 The application site consists of an enclosed area of hardstanding with no habitats impacted by the proposal. As such, an ecological survey is not required and has not been submitted as part of the application. Nevertheless, the Dorset Biodiversity Appraisal Protocol Guidance for Minor and Major Development advises that all new residential developments must provide for biodiversity enhancement features that should be specific to the development and ecological context but must include built in provision for bats and birds,

two bee bricks, fruit tree and hedgehog friendly gravel boards where fencing is proposed. Given the edge of settlement location and proximity to the Bere Stream Nature Reserve it is considered reasonable to secure this level of provision by way of a suitably worded condition (Condition 12) on the decision notice to ensure that the proposal complies with Policy E10: Biodiversity and geodiversity of the Purbeck Local Plan 2024.

- 14.31 In respect of landscaping, the proposed development provides the opportunity for betterment from both hard and soft landscaping provision within the application site. A condition on the decision will require details of a sensitive soft landscaping scheme – including a planting plan – to be submitted for approval (Condition 6). This will ensure that the proposal complies with Policy E12: Design of the Purbeck Local Plan 2024.

Biodiversity Net Gain

- 14.32 There are no priority habitats on site, and the proposed development will require the removal of less than 25sqm of on-site habitat. As such the proposal is within the de minimis BNG exemption.

Impact on protected habitat sites

- 14.33 The Parish Council has advised in their consultation response that the application site is definitely within the 400m zone for Black Hill heathland area. The case officer has reviewed the extent of the 400m heathland buffer and confirms that the site is located outside of the buffer zone to the northeast.
- 14.34 Notwithstanding this, in accordance with the ruling of ECJ C-323/17 People Over Wind, Sweetman v Coillte Teoranta, the Council is required to undertake an Appropriate Assessment (AA) in accordance with Regulation 63. The AA is to enable full consideration of the proposed development and any likely adverse effects on the integrity of European and internationally designated Dorset Heathland sites and additional nitrogen loading within the Poole Harbour catchment which may remain if avoidance / mitigation measures are carried out as proposed.
- 14.35 An AA has been undertaken by the Council's Environmental Assessment Team in advance of the planning application being determined. This shows that suitable mitigation measures can be secured through CIL and the purchase of nutrient credits to address likely adverse effects. Natural England have been consulted on the AA and have raised no objection. Subject to conditions on the decision in respect of the purchase of nutrient credits and water consumption limitations (Conditions 3 and 8), the proposal is considered to comply with policies E7 – E10 of the Purbeck Local Plan 2024.

Other considerations

- 14.36 There is sufficient space within the curtilage of the proposed dwelling for waste and recycling bin storage as identified on the site plan.
- 14.37 There are footpaths within proximity of the site. A consultation response has not been received from the PROW Officer. An informative note will be included on the decision in this respect.

- 14.38 The original consultation response received from Natural England identified that the application site is on an area of land that is registered as common land and that if permission is granted the applicant may be required to apply to the Secretary of State for consent in advance of works commencing. The case officer has checked the extent of the common land and notes that it adjoins the northern boundary of the application site and includes land forming the Souls Moor and Bere Stream Nature Reserve. The application site itself lies outside the common land.
- 14.39 Neighbours have raised concerns that the site is located within the AONB. The site lies outside the AONB – now known as Dorset National Landscape.
- 14.40 Neighbours have also raised concern over damage to neighbouring properties. Any damage to neighbouring properties as a result of the development is a private / civil issue between the relevant landowners and does not form a material planning consideration.
- 14.41 Comments from neighbours have raised concern that they will lose access to their rear gardens and garages via the private access road. Again, this is a private issue to be resolved between the new landowner and the affected residents and as such does not form a material planning consideration.

'Tilted Balance' Assessment

- 14.43 As the tilted balance applies, NPPF paragraph 11 advises that permission should be granted if:
- i. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 14.44 In this case, no assets of particular importance are affected, and it is considered that the benefit of the dwelling towards the area housing supply is not outweighed by any identified adverse impacts of the proposal.

15.0 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.

16.0 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.

17.0 Recommendation

Grant, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
25-130-01 Location & Block Plans
25-130-03 A AMENDED Proposed Site Plan
25-130-04 Proposed Floor & Roof Plans
25-130-05 Proposed Elevations
25-112-06 C1 Site Sections
25-130-07 Surface Water Drainage Plan
Reason: For the avoidance of doubt and in the interests of proper planning.
3. 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.
4. Before any demolition or ground works commence on the site, a Construction Management Plan (CMP) must be submitted to and approved in writing by the Local Planning Authority. The CMP must include:
 - delivery, demolition, construction and working hours and means of notification to neighbours.
 - construction vehicle details including the number, size, type, and frequency of movement
 - the parking of vehicles of site operatives and visitors
 - the loading and unloading of plant and materials
 - the storage of plant and materials used in constructing the development
 - dust, noise and vibration suppression
 - site safety and security including site manager contact detailsThe approved Construction Management Plan shall be adhered to throughout the construction period for the development.
Reason: To minimise the likely impact of the proposed development on the amenity of neighbouring properties.

5. Prior to development above damp-proof course level, details (including colour photographs) of all external facing materials for the wall(s) and roof(s) shall have been 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.

6. Prior to the commencement of any development hereby approved, above damp course level, a soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: In the interest of visual amenity.

7. Before the dwelling is brought into use, the bathroom rooflight in the east elevation must be glazed with obscure glass to a minimum industry standard privacy level 3 and the stairway rooflight in the west elevation must be fitted as non-opening glazed with obscure glass to a minimum industry standard privacy level 3. Thereafter, the rooflights shall be retained as such.

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

8. 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 the 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

9. 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.

10. The approved surface water drainage scheme detailed on drawing no. 25-130-07 shall be completed before occupation of the development. The works must have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS)

Reason: To avoid drainage problems as a result of the development with consequent pollution or flood risk and to take into account current national standards for SuDS.

11. Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number 25-130-03 must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

12. Prior to first use of the development hereby approved a bat/bird box, two bee bricks, a native fruit tree, and hedgehog friendly gravel boards shall be provided within the application site and shall thereafter be retained.

Reason: To enhance biodiversity.

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

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

14. The flat roof area of the living room projection shall not be used as a balcony, roof terrace/garden or amenity area.

Reason: To protect amenity and privacy.

Informative Notes:

1. Biodiversity Net Gain

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

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

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

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

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

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

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

2. 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.

3. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.

4. The Dorset and Wiltshire Fire and Rescue Service would recommend that you look to provide at least a 32mm minimum diameter water main which would enable the installation of sprinkler systems within the approved dwelling(s).

The Council considers this to be a key element in reducing the impact of fires. The Council believes there is compelling evidence that sprinklers systems are a cost effective way of not only reducing the number of fire deaths and injuries, but also reducing the economic, social and environmental impact of fires.

5. The applicant is advised that Wessex Water have published guidance notes about their surface water policy for minor development. The policy encourages developers to consider the most effective methods of directing surface water back to the environment in accordance with the Sustainable Drainage Systems hierarchy. Where necessary, applications to Wessex Water for a surface water connection can be made online.

<https://www.wessexwater.co.uk/services/building-and-developing/building-a-new-house-or-extension>

6. 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.

7. Street Naming and Numbering

The Council is responsible for street naming and numbering within our area. This helps to effectively locate property to deliver post and for access by emergency services. New or changed addresses must be registered with the Council. This link has more information.
<https://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering/street-naming-and-numbering>

8. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.
9. 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.
10. 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](#)
11. 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.