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Application Number:	P/OUT/2025/01997
Webpage:	Planning application: P/OUT/2025/01997 - dorsetforyou.com
Site address:	Land Off Birchdale Road Colehill Wimborne Minster BH21 1HU
Proposal:	Outline planning application for proposed residential development together with open space and associated works (all matters reserved save for means of access)
Applicant name:	Nightingale Land
Case Officer:	Thomas Whild
Ward Member(s):	Cllr Atwal and Cllr Todd

1. **Reason application is going to committee:** The recommendation is contrary to the views of the Town Councils and the Ward Councillor.

Summary of recommendation: That authority be delegated to the Service Manager for Development Management and Enforcement and Development Management Area Manager East to:

2. A) GRANT subject to the completion of a legal agreement to secure:
 - 50% on site affordable housing
 - Bespoke Heathland Infrastructure project
 - Public open space provision, including LAP and LEAP.
 - Financial contribution towards education of £5,880 per 2+ bedroom dwelling, index linked from the date of the committee resolution
 - Financial contribution towards NHS services of £516 per dwelling, index linked from the date of the committee resolution
 - Financial Contribution towards bus stop provision

And the conditions at the end of this report.

OR

B) Refuse if a legal agreement is not completed within six months of the date of the committee (or such later date as may be agreed)

3. Key planning issues

Issue	Conclusion
Principle of development	The site lies outside the main urban area. The tilted balance applies due to the lack of a five-year housing land supply, and the site is considered sustainably related to Wimborne, making the principle acceptable.
Green Belt	The site meets the NPPF definition of <i>Grey Belt</i> ; the proposal is not inappropriate development and satisfies the 'golden rules' without undermining Green Belt purposes.
Affordable housing	The scheme delivers 50% on-site affordable housing, which is policy compliant, representing a substantial public benefit.
Scale, design, impact on character and appearance	The site can accommodate the quantum of development without unacceptable design or landscape harm, with design matters to be resolved at reserved matters stage.
Impact on the living conditions of the occupants and neighbouring properties	acceptable relationships can be achieved, and no harmful amenity impacts are identified at outline stage.
Impact on landscape or heritage assets	Less than substantial harm to the Grade II* Old Manor Farmhouse is identified but outweighed by public benefits; wider landscape impacts are minor and acceptable.
Flood risk and drainage	The site is in Flood Zone 1 and a controlled discharge SuDS strategy ensures no increased flood risk elsewhere.
Economic benefits	The development provides modest economic benefits through construction activity and increased local spending.
Highway impacts, safety, access and parking	The proposed access is acceptable, predicted traffic levels are modest, and no severe residual impacts arise; detailed layout and parking will follow at reserved matters.
Impact on trees	Boundary trees can be retained with appropriate protection; there are no significant arboricultural constraints.
Biodiversity	While biodiversity loss occurs, protected species impacts can be mitigated or compensated, and Biodiversity Net Gain (BNG) can be met via off-site credits; no reasonable ecological objection remains.
Financial benefits	The scheme secures affordable housing, a bespoke Heathland Infrastructure Project (HIP), public open space, play areas, and contributions toward education, health and public transport improvements.

Environmental implications	The development will generate carbon and construction impacts, but noise, air quality and contamination issues can be mitigated through conditions.
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4. Description of site

- 4.1 The application site is located to the east of Wimborne. It is undeveloped and surrounded by late twentieth century housing to the north, west and part of the south of the site. The remainder of the southern boundary is defined by the dismantled former railway line. To the east of the site, Beaucroft lane comprises lower density detached residential development, largely dating to the early-mid 20th century.
- 4.2 The site is roughly triangular in shape and measures 5.5 hectares in size. The site comprises rough grassland with areas of invasive bracken and some trees and hedgerows. The site has not recently been used for arable farmland and is currently ungrazed.
- 4.3 The topography of the site generally slopes downwards from north to south. The site is bounded by hedgerows, trees and wooden close board fencing. The site is bound by properties on neighbouring residential streets such as Birchdale Road, Wesley Road, Hornbeam Way, Beaucroft Lane and Old Manor Close.
- 4.4 There is an electricity substation that backs onto the southern boundary of the site, and the remainder of the southern boundary includes a dismantled railway line. This sits outside the boundary for the planning application. Access to the site is via Green Close Lane which is a private road and has a secured gate entrance.
- 4.5 The site is not allocated for development in the adopted Christchurch and East Dorset Local Plan (2014), falls outside the 'Main Urban Area' defined in local plan policies maps. It is also defined as part of the South East Dorset Green Belt.
- 4.6 An established band of hedgerow intersects the site and runs eastwards from the boundary with Hornbeam way; there is also significant tree cover to the east of the site and lining a disused railway along the site's southern boundary.
- 4.7 There is a single point of vehicular access into the site from Birchdale Road. There are no public rights of way (PRoW) that cross the site by the E2/2 footpath is adjacent to the site.

5. Description of development

- 5.1 The application is for outline planning permission for a proposed residential development, together with open space and associated works. Except for access, all other matters (appearance, landscaping, layout & scale) are reserved for future determination.
- 5.2 The description of development does not specify a number of dwellings for the development. However the applicant has provided two different illustrative schemes

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which show 55 units with the option for a smaller scheme of 49 units. During the consideration of the application the maximum number of dwellings has been confirmed at 49 in order to address site constraints.

- 5.3 The applicant advises through the indicative site layout plan and Design and Access statement. that the proposed development would include provision of bungalows on higher ground, an area dedicated for self build plots as well as associated streets, private gardens, parking space, play provision and open space.
- 5.4 The proposal provides for 3.82 hectares of land dedicated to landscape, public open space, two equipped play areas, green infrastructure and areas of habitat retention and enhancement.
- 5.5 Of the total site area, the proposed built form would cover approximately 30% of the site. The remaining circa 70% would be landscape and green infrastructure, the majority of which would be publicly accessible.
- 5.6 Amendments have been made to the scheme to balance the demands of mitigating impacts on the Dorset Heathlands through recreational pressures and the impacts of the development on on-site biodiversity interests. As originally submitted the proposal included unrestricted public access to retained greenspace in the eastern part of the site. Public access to this area was removed in alterations submitted in October 2025, to protect on-site biodiversity interests. Further changes were made, including restoring some public access to the eastern part of the site, to form a bespoke Heathland Infrastructure Project to mitigate impacts on Dorset Heathlands, with alterations to the indicative layout to better protect on-site biodiversity interests.
- 5.7 In light of consultation responses to the most recent version of the scheme and accompanying supporting information the recommendation is provided on the basis of the proposed 49 unit scheme.

6. Background and relevant planning history

Application Reference	Decision	Decision Date	Description
03/80/2328/HST	REF	26/01/1981	Erect dwellings
Officer note :The historic record, 03/80/2328/HST refers to the erection of dwellings, which was refused in 1981. The decision notice notes 5 reasons for refusal but these are accessible via microfiche and not legible and there is no other information available in relation to this application. However, due to the significant age of that			

application, and intervening changes in policy at both the local and national level, it is considered that it is unlikely to hold significant relevance for the current proposals.			
P/OUT/2024/00563	REF	06/06/2024	Outline planning application for a proposed residential development of up to 55 dwellings together with open space and associated works (all matters reserved save for means of access)
The 2024 application, ref P/OUT/2024/00563 was for largely the same development as is now proposed, albeit without the option given in this application for a reduced scheme of 49 units and is therefore of relevance to the current application. The application was refused for 10 reasons, which were: <i>The site lies within 5km of a number of Sites of Special Scientific Interest (SSSIs) which are also designated European wildlife sites, namely Dorset Heathlands Special Protection Area, Dorset Heathlands Special Area of Conservation and Dorset Heathlands Ramsar. The proximity of these European sites means that determination of the application should be undertaken with regard to the requirements of the Conservation of Habitats and Species Regulations 2017, in particular Regulation 63. The proposal fails to secure the avoidance measures identified as necessary to mitigate the impact of the development, in combination with other plans and projects, on the integrity of the designated site as set out in the Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2020-2025 and there are no imperative reasons of overriding public interest in support of the proposal. The development is therefore contrary to Policy ME2 of the adopted Christchurch and East Dorset Local Plan – Part 1 2014, the Dorset Heathlands Planning Framework 2020-2025 SPD, and paragraphs 185 of the National Planning Policy Framework. This forms a clear reason for refusal of the proposal in accordance with NPPF 2023 para 11 d) i.</i> <i>The proposed development lies within the South East Dorset Green Belt within which no new development shall be permitted unless it meets one of the exceptions set out in the NPPF or there are ‘very special circumstances’. The construction of 55 new dwellings on currently open land amounts to inappropriate development which is also harmful to the openness and visual amenities of this Green Belt area and the purposes of including the land within the Green Belt. The harm that would result is not outweighed by other considerations. As such the proposals are considered contrary to the provisions of Section 13 of the NPPF 2023 paragraphs 152-156 and Policy KS3 of the adopted Christchurch and East Dorset Local Plan Part 1 - Core Strategy 2014.</i>			

3. *The proposal fails to properly address the biodiversity mitigation hierarchy and would result in significant biodiversity harm with a loss of priority habitat. The proposal would therefore conflict with Policy ME1 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy 2014 and paragraph 186 (a) of the NPPF 2023 which require, amongst other matters, that significant harm should be avoided or mitigated and only compensated for as a last resort.*
4. *It is considered that in design terms, the quantum of development proposed on the site will need to be reduced in order to ensure that the development (in terms of density, plot layout and housing typology) is sympathetic to the character of the local area and complies with central government guidance on well designed places as set out in paragraph 135 and 136 of the NPPF 2023, National Design Guide and policy HE2 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014.*
5. *Insufficient detail has been provided to determine if the application is likely to impact on protected species. In the absence of this information, and until demonstrated otherwise, the precautionary principle must prevail in favour of conserving the natural environment. Therefore the proposal fails to accord with Policy ME1 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014 and guidance contained within paragraph 186 of the NPPF 2023.*
6. *Insufficient detail has been provided to determine if the application site is likely to have archaeological remains of significance. In the absence of this information, and until demonstrated otherwise, the precautionary principle must prevail in favour of conserving the historic environment. Therefore, the proposal fails to accord with Policy HE1 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014 and guidance contained within paragraph 200 of the NPPF 2023.*
7. *Insufficient detail has been provided to determine if the application is likely to impact on adjacent Heritage assets (listed buildings). In the absence of this information, and until demonstrated otherwise, the precautionary principle must prevail in favour of conserving the historic environment. Therefore, the proposal fails to accord with Policy HE1 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014 and guidance contained within paragraph 200 of the NPPF 2023.*
8. *The proposed development fails to secure an appropriate contribution to affordable housing, contrary to Policy LN3 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014.*
9. *The proposed development fails to secure an appropriate contribution to sustainable transport and highways provisions, contrary to Policy KS11 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014.*

10. The proposed development fails to secure an appropriate contribution to mitigate impact on the adjacent public right of way E2/2, contrary to Policy KS11 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014.

- 6.1 An appeal against the refusal of permission was submitted but subsequently withdrawn following the publication of the Council's Housing Land Supply Annual Position Statement in October 2024, which confirmed that, at the time, the Council could demonstrate a deliverable supply of housing sites equivalent to 5.02 years. The previous application was determined and the appeal withdrawn prior to the publication of the current version of the National Planning Policy Framework in December 2024. That version of the National Planning Policy Framework was published alongside a new standard method for calculating local housing need which has significantly increased the identified housing need for Dorset. The 2024 National Planning Policy Framework has also introduced the concept of 'Grey Belt', representing a material change in circumstances.
- 6.2 It should also be noted that the of the reasons for refusal listed above, reasons 8, 9 and 10 could have been overcome through the completion of a suitable legal agreement to secure contributions towards affordable housing and sustainable transport. Reasons 4, 5, 6 and 7 were based on the applicant having provided insufficient information to allow for a full assessment of or justify the proposals and could have been overcome through the submission of further information relation to those issues. The substantive reasons for refusal therefore related to the impacts upon habitats sites, Green Belt and the application of the biodiversity mitigation hierarchy.
- 6.3 The site was included as a draft allocation (reference WMC6) within the 2021 consultation on the Draft Dorset Local Plan. At that time, it was envisaged that the site could accommodate approximately 65 dwellings. The site was also included as part of a larger parcel of land within the 2025 Dorset Local Plan Options Consultation. However, as the Draft Local Plan is still under production it can only be afforded very limited weight.

7. List of constraints

- Tree Preservation Orders - EDDC/WIM/4, EDDC/CO/12
- Wessex Water Treatment Works Catchment
- Neighbouring Local Authority - Bournemouth, Christchurch and Poole - Distance: 747.8m
- Right of Way: Footpath E2/2; - Distance: 5.43m
- Bournemouth Water Consultation Area

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- Existing ecological network – Terrestrial and Higher Potential ecological network
- Site of nature conservation interests (SNCIS): SU00/078 - Leigh Common; - Distance: 35.38m
- Dorset Heathlands - 5km Heathland Buffer
- Green Belt
- RAMSAR: Dorset Heathlands (UK11021); - Distance: 3078.48m
- Site of Special Scientific Interest (SSSI) impact risk zone – Natural England consultation
- Risk of Surface Water Flooding Extent 1 in 30, 1 in 100 & 1 in 1000
- Surface water flooding - 1 in 100 year event plus 20% allowance & 40% allowance
- Aerodrome safeguarding
- Business Improvement Districts: Wimborne BID
- Radon: Class: Class 1: Less than 1% (low risk, protective measures not required)
- Contaminated Land
- PROPOSED Dorset suitable alternative natural greenspace (Record ID 98.0)

8. Consultations

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

Consultees

1. **Historic England** – No comments received.
2. **Dorset Police Architectural Liaison Officer** – No comments received.
3. **Dorset Wildlife Trust – Object**

Unacceptable impacts on the existing ecological interest of the site and the position within an important ecological corridor between the River Stour and rural land to the north of Wimborne and Colehill. The development is anticipated to have a negative impact on biodiversity which should be given due regard as per the NERC act 2006, NPPF and Circular 06/2005.

- DWT's concerns remain as outlined for P/OUT/2024/00563.
- Proximity to the Leigh Common SNCI
- Location within an existing ecological network and higher potential ecological network which include three SNCIs.
- Previous local plan assessment identified neutral grassland, lowland acid grassland and rush pasture priority habitats.

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- Previous assessments identified the site to be of moderate to high ecological interest due to the diverse range of habitats present.
- The poor agricultural land classification corresponds with the site's biodiversity value.
- SNCI panel concluded that the site's biodiversity value made it unsuitable for development

4. Ramblers Association

We welcome and fully support the creation of a link to Footpath E2/2 and suggest that a pedestrian link to Hornbeam Close should be investigated. Any paths created should be dedicated as public rights of way to ensure their protection in perpetuity.

5. Bournemouth Water Ltd (South West Water)

There are no SWW attest in the application site. The proposed surface water drainage is acceptable and meets the run-off destination hierarchy in a way which will mimic the natural drainage of the site.

SWW is able to provide clean potable water services from the existing public water main for the proposal.

SWW is able to provide foul sewerage service from the existing public sewer in the vicinity of the site.

6. Wessex Water no comments received.

7. Natural England

Initial Comments, 02/05/2025 – Further information required to determine the impacts from recreational pressure on habitats sites.

The site is in proximity to the Cranborne Chase & West Wiltshire Downs National Landscape – the impact on the National Landscape can be determined locally.

Updated comments following additional information – 03/10/2025 – Object

There is insufficient information to adequately consider the adverse effects of the proposal and if these might be mitigated in a satisfactory manner. The area of natural greenspace could in principle be secured for heathland mitigation purposes, but this is not currently available and there are insufficient details on how the land might be managed and secured in perpetuity.

The applicant appears to have misunderstood the advice set out in the Dorset Heathlands Planning Framework SPD regarding the provision of SANG land, and that the threshold is *indicative* not definitive. BytheWay field does not have sufficient capacity to provide mitigation for a 49 unit scheme which, in combination with other projects require a SANG for which there is no mechanism to deliver.

Updated comments following additional information – 30/01/2026

NE Concur with the conclusion of the Appropriate Assessment that the development will not have an adverse effect on the integrity of the habitats and international sites considered.

NE has no objection to the council proceeding to determine the application.

8. Dorset Fire & Rescue Service

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The development would need to be designed and built to meet current building regulations requirements including the requirements of part B5 of Approved Document B. Advice provided in respect of these requirements and measures for fire safety.

9. Dorset Council (DC) – Environment Mitigation Delivery Team

Initial Comments – 06/05/2025 – Object

- fails to meet the strategy for avoidance of adverse impacts on Dorset Heaths and
- does not secure appropriate levels of mitigation
- design of open space and rights of way areas.
- connection to RoW E2/2 would need careful consideration for suitable construction. Extra measures to preserve and improve the condition of the right of way may be needed.

Amended comments on additional information 03/10/2025 – Object

- a bespoke HIP is required to support the proposed development.
- BytheWay field and Leigh common are not in a position to accommodate further residential allocations or increased visitor numbers.

Amended comments on additional information 22/01/2026 – Acceptable

The current SANG plan does not fully meet the recommended standards typically required for formal SANG provision. Notwithstanding this, given the proposal constitutes a bespoke on-site greenspace infrastructure project it may nonetheless be proportionate and functional for a scheme of 49 Homes.

The greenspace would need to be secured in perpetuity, appropriately managed and monitored and effectively promoted to residents. There should be flexibility for recreational opportunities to evolve if they become available. The applicant should continue to work with Dorset Council and Natural England to refine the design and establish long-term management objectives.

10. DC – Landscape

No Objection subject to further information or conditions

The development would impact on the openness of the Green Belt, and this will need to be considered in the planning balance. I nevertheless think that the site has some potential to accommodate new development.

Due to the indicative nature of the proposals however, it is not clear whether the layout would function well, if the landscape /GI proposals provided in the Design and Access Statement and LVA would adequately mitigate the development, or if there is enough room on the site to accommodate the number of dwellings proposed along with the SANG whilst also providing adequate GI/mitigation. For this reason, whilst I support the general principle of the development on landscape grounds, I do not consider that the illustrative layout should be approved unless further information in the form of cross/long sections are provided. Due to the significant public interest in the application, the Case Officer may also require Type 3 Visualisations.

Should the Case Officer be minded to approve the application before this information is made available however, I suggest that access only is approved and that conditions which secure 3.82ha of open space, further detail of the hard and soft landscaping, and a

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Landscape and Ecology Management Plan are applied. To ensure that the proposal responds appropriately to the setting/is designed well, I also suggest that the scheme is taken to Design Review Panel.

11. DC - Natural Environment Team

Initial comments – 21/05/2025

Additional species surveys have been submitted, addressing one of the reasons for refusal of the previous application. Concerns raised in respect of:

- Impact on and loss of priority habitats, which are not acknowledged within the submissions and for which no mitigation is therefore proposed and assessment of which differs from an earlier DERC assessment
- Harm to reptiles, which includes an exceptional population of slow worm. Concerns about whether the population will continue to be supported within retained habitat after translocation and likelihood that they would be unviable, with management which would limit the suitability of the site for reptiles.
- Buffers for bats unlikely to be effective
- Location of play areas adjacent to retained badger sett with management likely to leave little available habitat.
- Conflicting uses of the retained greenspace. Not considered possible to function as an accessible open space while also delivering BNG and mitigation for impacts on protected species.
- Insufficient assurance that BNG can be achieved and the metric fails to meet the trading rules.
- The scheme fails to address the mitigation hierarchy in respect of priority habitats and biodiversity loss as a whole.

Updated comments on amended information, 20/10/2025

I am satisfied that the proposal can avoid, mitigate or compensate for harm to all relevant protected species and priority habitats and as such many of my previously concerns have now been addressed. This is aided significantly by the change to now preclude public access from the retained greenspace, removing the conflict between the multiple proposed uses of this retained area. However, there remains numerous conflicts with policy and guidance which are intrinsic to the design of the scheme, rather than in relation to the proposals for mitigation or compensation. The core of this is the failure to apply the Mitigation Hierarchy and Biodiversity Gain Hierarchy, resulting from the fact that the development framework was set prior to completion of ecological surveys of the site, and has not subsequently responded to the ecological receptors identified to avoid impacts in the first instance. In my view, a reduction in the number of dwellings would provide space to retain affected ecological receptors in-situ, and may allow 10% gain to be achieved entirely onsite, thereby allowing development of the site in a way that is compliant with policy and best practice guidance.

Updated comments on amended information, 29/01/2026

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This amended proposal differs from the previous in that the retained habitats to the north and east of the development footprint will now be accessible to the public, as an onsite green infrastructure project to mitigate harm to the Dorset Heathlands European sites.

Our initial position in relation to the retained greenspace was that it could not function at once as an accessible area of public open space, as habitat to deliver Biodiversity Net Gain and as a site to deliver mitigation for impacts on protected species, but that this was resolved by not allowing public access to this area. Although requiring significant compromise with regards to onsite protected species mitigation and Biodiversity Net Gain (BNG), the applicant has sought to balance each of the necessary ecological functions alongside public access such that our position is now one of no objection.

I should also add that NET have advised against development of this site since its inclusion in the Dorset Council Local Plan options consultation in 2021 and therefore our ultimate preference is for no development of the site. However, I can advise that in our view there are now no reasonable ecological reasons for refusal of permission.

12. DC - Rights of Way Officer

The development will increase use of PRoW E2/2. New pedestrian access must include an accessible gate with hard wearing, well drained surfacing. Any extra wear caused by the development will need to be planned for by the applicant. Contributions sought towards maintenance of PRoWs and to address visitor impacts.

13. DC - Highways

No objection, subject to conditions

The access arrangement complies with Dorset Council's adoptive requirements, and the access will be a continuation of the existing highways. The TRICS assessment predicts a level of trip generation which would be relatively low and unlikely to have a detrimental impact upon the surrounding highway network.

The proposal does not present a material harm to the transport network or highway safety.

14. DC - Dorset Waste Team

No concerns with access to the site based on the current plans.

Only concern relates to the size of the hammerheads at the bottom of each side road/cul-de-sac. These will need to be large enough for a 26-tonne refuse or recycling vehicle to turn safely at the end.

Placement of bins on the SANG/Green space will need to account for collection by a refuse vehicle.

15. DC - Conservation Officers

With full internal access to the site, we consider less than substantial harm to be a likely, and therefore, appropriate conclusion. Finding of less than substantial harm subsequently confirmed at site visit.

16. DC - Policy - Urban Design

Notwithstanding comments from other specialist disciplines, it is considered that in design terms, the site does have potential for some development. The quantum of this

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needs to be adequately justified taking into consideration the need for appropriate landscaping and layout of streets and plots.

Due to the sensitivity of the scheme and the importance of securing well design ed places, it is recommended that the applicant engages with the Council's preferred provider of design review.

17. DC - Housing Enabling Team

There is a high level of housing need, reflected by over 6800 households on the register.

Proposed affordable housing is in line with policy LN3 and should be secured by legal agreement. Tenure split should allow for 30% intermediate and the remainder social rent.

Would like to see affordable housing mix include at least 2 4-bedroom housing to meet local needs.

18. DC - Planning Policy (19/06/2025)

The site is within the Greenbelt, the most recent Greenbelt study is from 2021, but the NPPF and PPG has since changed the methodology for assessments so the applicant cannot depend on the results of the previous study. A joint greenbelt review with BCP council has been commenced which will aim to identify potential grey belt land which would require individual assessment and must meet the requirements of footnote 7 of the NPPF. The applicant should also note the Golden Rules for greenbelt release.

Consultation is due to take place on the local plan (regulation 18) in August 2025. The inclusion or otherwise of the site within that consultation should not be afforded any weight.

19. DC - Flood Risk Management

Initial comments Flood risk on the site is compatible with the development, and the proposed drainage strategy is acceptable. No objection subject to conditions.

Further comments in response to flood risk technical note, 2/12/2025

Overall, I consider the flood risk to the site is compatible with the proposed development.

20. DC - Environmental Services – Protection

Contaminated land – reports should be reviewed by the council's consultants

Noise – Details of a scheme to protect residents and amenity space from the noise environment should be provided at reserved matters stage A noise assessment should be provided where air source heat pumps are proposed.

Air quality – No adverse comments following review of the submitted air quality screening assessment. The dust mitigation measures should be included in the construction method statement.

Construction management – a condition is recommended for a construction method statement to be agreed to address bonfires, dust noise and waste management.

21. DC - Building Control East Team – no comments received.

22. DC – CIL and Planning Agreements

Obligations if on site SANG is required

Affordable housing	50% onsite affordable housing provision (Policy LN3, Christchurch & East Dorset Local Plan Part 1, 2014)
Play provision	On-site provision of LAP/LEAP
Public open space	On-site provision of public open space
Education contribution	£5,880 per 2+ bedroom dwelling
NHS contribution	£516 per dwelling
Heathland mitigation	On-site SANG required for sites over 40 dwellings

CIL

Zero Rated for residential development of 40+ units where heathland mitigation provided.

23. DC - Archaeology

Based on the archaeological evaluation work undertaken in connection with the previous application, I advised then that impact on below-ground archaeology was not a constraint that needed to be considered when determining that application.

My advice remains the same for the present application.

24. DC – Trees

The proposed scheme and illustrative layout(s) relate to the same site and parameters as OUT/2024/00563.

There are no significant changes from the OUT/2024/00563 and therefore I cannot add any further substantive Tree Officer comments than those made in relation to this earlier application.

Matters relating to final layout, access, hard and soft landscaping, internal roads and services (including lighting), drainage and other associated site activities would be dealt with at reserved matters stage. This would need to include a “Tree Protection Plan” and “Arboricultural Method Statement” to be submitted for approval

Summary of Comments from previous application:

- Existing boundary trees and hedging should be retained to protect the character of the area. d as pasture and is bordered by what appears native hedging and occasional mixed species mature trees. All of which will need retaining to continue the semi-rural feel of the site and surrounding area.*
- The submitted Tree Report has identified important trees but lacks detail of how the trees and hedges on site are proposed to be specifically protected or how this influences the layout*
- If the roads are to be adopted they should consider how provision for tree planting will be achieved.*
- All of these constraints should be considered when determining the layout*

25. WPA Consultants Ltd- for Dorset Council

- A preliminary risk assessment has been conducted which indicates that contaminated land planning conditions are appropriate for this development.

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- Invasive investigation, potential remediation and its verification are to be submitted for review and contaminated land planning conditions should apply to the development.

26. DC - Public Transport - Contributions requested towards the provision of improved public transport infrastructure (bus stops) in the vicinity of the site.

27. BCP Council – no comments received

28. Colehill Town Council

Initial comments, 09/10/2025

The site makes a strong contribution to Green Belt purpose B and should not be released. It is one of the few remaining sites forming the green corridor between Wimborne and Colehill.

Concerns about the risk of flooding, as the site is subject to significant surface water run off and has flooding noted. Surface water would run off developed land more quickly than undeveloped land and the steep slopes will exacerbate run off issues.

Concerns about the ecological impact of any development. The site is within an existing ecological and higher potential ecological network and contains protected species.

Concerns about the lack of sustainable transport options for the area. The access would be a single route via Birchdale road which then leads steeply towards Colehill. Access to shops and schools would mostly be by vehicle.

Further comments, 14/01/2026

Restatement of previous comments, with following additional points

- At least one resident has had to install a flood gate to protect their property and any development will extend the need to address this risk
- The inclusion of a SANG does not address the biodiversity impact as it is for benefit of human use. Doubts over the practicality of the SANG in light of drainage issues.
- Users of the SANG will overlook residents in Hornbeam Way, Wesley Road, Birchdale Road and Cranfield Avenue – the elevation and slope has to be seen to be understood. Site visit by case officer and committee members requested.
- Questions raised over the validity of the ecological data submitted which contradicts that of the Erica Trust. Request that the decision is based on expert reports commissioned by Dorset Council.

29. Wimborne Minster Town Council

Initial Comments, 08/05/2025 – Object

- Loss of the last green buffer between Wimborne and Colehill contrary to the NPPF with no exceptional circumstances demonstrated
- Impacts on protected species and priority habitats and failure to follow the mitigation hierarchy

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- Fragmentation of ecological networks
- Loss of biodiversity
- Increased risk of flooding
- Would add to the cumulative impact of additional housing which has been experienced within Wimborne
- Lack of changes or serious engagement since previous refusal.

Further comments 06/10/2026 – Object

Wimborne Minster Town Council strongly objects to this application. The site lies within the Green Belt and a designated Wildlife Corridor, forming the last major green buffer between Wimborne Minster and Colehill. Development here would cause unacceptable urban sprawl, contrary to NPPF 137–151, and permanently erode the separation between the two communities.

The proposal demonstrates no understanding of the ecological destruction, flooding risk, traffic impacts on unsuitable roads, or unsafe pedestrian and cycle routes it would create. The land has never been approved for development for these very reasons.

The loss of this corridor would irreversibly damage biodiversity and local landscape character. The large number of public objections reflects the clear inappropriateness of this proposal, which directly conflicts with national and local planning policy. It is clear the developer has no regard for the planning process, (Already refused application and this resubmission does nothing to address the points raised), and the threat of the Secretary of State is an unwelcome one.

Further comments, 09/01/2026 – Object

The submitted and updated documentation misrepresents the ecological value of the site, conflicting with comments from the Erica Trust, leading to misleading SANG mapping and loss of habitat.

Deficiencies undermine BNG claims

SANG is inadequate in scale, quality and suability so offers no genuine compensation for the loss of greenfield land.

30. Wimborne Minster Ward Councillor (Cllr Bartlett) no comments received.

31. Wimborne Minster Ward Councillor (Cllr Morgan) no comments received.

32. Colehill and Wimborne Minster East Ward Councillor (Cllr Todd)

Object

The site lies within Green Belt land, contrary to national and local policy, and undermines the required separation between Colehill and Wimborne. The development threatens biodiversity in a vital green corridor and lacks a credible plan to deliver the required 10%

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net gain. No sustainable drainage strategy is provided, risking increased surface water run-off and flooding to adjacent properties. Access appears narrow and unsafe, and no safe cycling links to Wimborne are proposed. Local infrastructure-particularly healthcare and education-is already overstretched, with no mitigation offered. Affordable housing must be secured at 50% without compromise. Public notices have not been properly displayed, limiting community engagement. Brownfield sites should be prioritised before any Green Belt development.

33. **Colehill and Wimborne Minster East Ward Councillor (Cllr Atwal)** - No comments received.

Representations received

Total - objections	Total - No objections	Total - comments
432	0	3

Principle of development, location and Green Belt

- Loss of Green Belt Land, urban sprawl, loss of the last green space between Colehill and Wimborne, threatening their individual identities, and possible precedent for further green belt loss. Planning permission having previously been refused for the same reasons.
- The site should not be considered as grey belt.
- Very special or exceptional circumstances for the loss of green belt have not been demonstrated.
- Previous overdevelopment of Wimborne
- Brownfield sites should be prioritised ahead of this site, the brownfield register indicates that there is excess capacity.
- No change in circumstances or the scheme since the previous refusal of planning permission on the site.
- Lack of need – slow sales rates and council housing land supply position. The NPPF methodology for housing need questioned.
- Prematurity ahead of the local plan. No reliance should be placed on the previous identification of the site as an allocation in the draft local plan (WMC6), which was removed, indicating it was not suitable. The scheme fails to deliver objectives within the draft policy.
- Preference for smaller scale development.
- The development is a continuation of the conversion of Wimborne into a dormitory for BCP.
- Further development in the area should not be allowed until committed developments are completed and the impacts of it are fully known.
- Not providing the smaller homes that are needed and lack of need for 4-5 bedroom units.

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Utilities

- Concern over water supply availability
- Concern over sewer capacity
- Additional pressure on electricity and gas supplies.

Biodiversity

- The site is of high biodiversity value which has developed due to the lack of public access to the site – presence of a variety priority habitats and protected species.
- The site forms part of a wildlife corridor which has been in decline since recent developments have taken place and which would be fragmented by the development.
- Failure to address the biodiversity mitigation hierarchy and reliance on off site provision of BNG is contrary to the principle that it should be demonstrated on site first.
- Proximity and potential harm to habitats sites
- The Appropriate Assessment is inconsistent with the AA for the previously refused application and previous surveys.
- BNG Concerns over the accuracy of calculations and the likelihood that the development would result in a net loss of biodiversity.
- Public access to the site, recreation and creation of SANG would be inappropriate and result in a loss of biodiversity, including from dog fouling.
- Changes to drainage will change the chemical content of surface water leading to wider ecological changes.
- The site is bounded by substantial hedgerows which would be impacted
- Predation of wildlife by pets
- Concerns over the completeness and conclusions of ecological survey work and the redaction of sections of the reports.
- Concerns about the effectiveness of the proposed mitigation strategy, translocation and how long term management would be achieved.
- Concerns over SANG proposals due to size and management arrangements.
- Harm to wildlife from the use of glyphosate weed killer.

Environmental impact

- Removal of climate benefits of the site through carbon sequestration, groundwater recharge, temperature regulation and pollution absorption.
- Contribution to urban heat island effects
- There is no assessment of nitrogen emissions.
- Additional pollution and air quality concerns
- Additional carbon emissions, contrary to the council's declared climate emergency.
- Impacts of additional littering

Highways and access

- Increased traffic from additional dwellings and impacts on road safety. Local roads are already very busy, being used for 'rat-running' and for parking by people working in Wimborne.

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- Birchdale Road is unsuitable for access, being too narrow and steep and is not suitable for turning or reversing heavy vehicles and has previously been closed due to snow and ice. Junction described as being on a blind bend. Assessment within the 2021 local plan consultation and SHLAA indicated that access via Birchdale road was too narrow.
- Poor accessibility of the site for pedestrians and cyclists towards Wimborne town centre due to quality and topography of available routes. Recent cycle way provision is not used. Lack of pedestrian crossing points. Risk to pedestrians from increased traffic levels.
- Unsuitability of the approaching roads for construction traffic.
- Parking restrictions and a 20mph speed limit should be imposed on Cranfield Avenue to limit the speed of approaching traffic.
- Concerns over use of Greenclose Lane as a through route, for construction traffic or as pedestrian access.
- Contribution of the development to wider traffic and parking issues within Wimborne.
- Poor accessibility by public transport, Routes would exclude elderly and disabled residents and do not provide safe or suitable access.
- Increased wear and tear on the roads
- There should be an additional access, suggestions include off Leigh Road or Northleigh Lane
- Flawed approach in the Transport Statement to use on average data not local circumstances, traffic levels expected to be higher and doesn't recognise local conditions.
- Concerns over accessibility by emergency and refuse vehicles.

Flood risk and drainage

- Increased run-off from development and removal of trees and vegetation from the site leading to increased flooding, which is becoming increasingly common.
- The effectiveness and management of the SuDS are not proven and the design lacks detail. Likelihood that SuDS features would need to be larger.
- Parts of the site are marshy and boggy.
- Failure to properly assess the flood risk posed to downhill properties and roads, particularly along Leigh Road or to apply the sequential test.
- Additional pressure on wastewater treatment works, increasing the risk of untreated sewage being discharged to the river
- Wessex Water drains below Greenclose Lane will not be able to cope with the extra surface water and sewage from any new housing.
- The FRA was carried out in November 2023 so should be considered out of date.
- Disagreement with the conclusions of the December 2025 Flood risk technical note.
- Risks of the railway embankment/suds failing and causing flooding and structural damage

Character

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- The scale of development in Wimborne is changing the town's character with building at too high a density.
- The development would be at odds with the semi-rural aesthetic of the neighbourhood.
- The high density would be out of character with the existing properties and change the character of the area.
- Loss of the natural surroundings to Colehill.

Heritage

- The development would be visible from Old Manor Farm house at all times of the year and in particular during the autumn, winter and early spring.
- The proximity of the self-build plots to the grade II listed Greenclose Farm could lead to unacceptable impacts on the listed building.

Amenity

- Potential for overlooking of properties to the north and on Hornbeam Way from the proposed SANG area.
- Loss of outlook and green spaces.
- Overlooking, overbearing overshadowing and oppressive impact on immediate neighbours compounded by site topography.
- Security risk from users of the SANG having access up to the rear boundaries of neighbouring properties.
- Noise and light pollution both during and after construction
- Potential structural impacts on neighbouring houses.
- Increasing crime levels in Wimborne

Impact on town green in Birchdale Road

- Land adjacent to the access road is registered as a town or village green.
- The introduction of traffic adjacent to the town or village green would undermine its purpose.
- There would be harmful air quality/pollution adjacent to the green
- The access crosses land which is outside of the applicant's control

Infrastructure

- Impact on capacity of GPs, Dentists, Schools and Pharmacies which are all over subscribed and which have been impacted by recent developments.
- Sewer treatment plant is struggling to cope

Other

- Errors in the press notice published by the agent
- Site notices not posted and public not notified of changes to the scheme
- Lack of engagement with residents and no further public consultation since the refusal of the previous application.

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- The volume and complexity of information and the timing of submissions has made it difficult for the public to provide meaningful and timely responses and has raised suspicion.
- Concerns over delivery of 50% affordable housing, how it is defined and whether the level could be reduced in the future.
- Loss of trees on the boundaries which are subject of preservation orders
- Confusion between whether the proposal is for 55 or 49 houses.
- The site should be visited by the planning committee.
- The development would not deliver any public benefits.
- The planning balance still weighs against the development.

Not material planning considerations:

- The land is subject to a covenant which doesn't allow it to be built on
- Impacts on house prices
- Loss of views from neighbouring properties

The issues listed above include those raised in comments from the Wimborne Civic Society, The Erica Trust, East Dorset Environmental Partnership, Dorset Wildlife Trust, all of whom raise objections and Vikki Slade MP, raising concerns on behalf of a number of residents.

9. Duties

- 9.1 s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.
- 9.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

10. Relevant policies

The development plan is the adopted Christchurch and East Dorset Local Plan, Part 1 - Core strategy 2014 and saved policies from the East Dorset Local plan 2002

Development Plan: Adopted Christchurch and East Dorset Local Plan (CED Local Plan):

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

KS1: Presumption in favour of sustainable development

KS2: Settlement hierarchy

KS3: Green Belt

KS4: Housing Provision in Christchurch and East Dorset

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KS11: Transport and development

KS12: Parking provision

LN1: Size and types of new dwellings

LN2: Design, layout and density of new housing development

LN3: Provision of affordable housing

HE1: Valuing and conserving our historic environment

HE2: Design of new development

HE3: Landscape quality

HE4: Open space provision

ME1: Safeguarding biodiversity and geodiversity

ME2: Protection of the Dorset Heathlands

ME3: Sustainable development standards for new development

ME4: Renewable energy provision for residential and non-residential developments

ME6: Flood management, mitigation and defence

Material considerations

Emerging local plans:

- 10.1 Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

- 10.2 The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 13 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Emerging neighbourhood plans

- 10.3 Wimborne Minster Neighbourhood Plan- In preparation – limited weight applied to decision making

National Planning Policy Framework 2024 (as amended 2025)

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10.4 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. Footnote 8 of the Framework states that for applications involving the provision of housing policies should be considered out of date where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the housing delivery test indicates that delivery was less than 75% of the housing requirement over the previous three years.

10.5 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, including the requirement at paragraph 78, to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against the local housing need in circumstances where strategic policies are more than five years old.
- Section 8 'Promoting healthy and safe communities' emphasises the importance of access to a network of high quality open spaces and opportunities for sport and physical activity.
- Section 9 'Promoting sustainable transport' – paragraph 116 emphasises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe, taking into account all reasonable future scenarios.
- 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 13 'Protecting Green Belt land' indicates that the government attaches great importance to Green Belts and reiterates that the fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open.

Paragraph 154 states that development in the green belt is inappropriate unless it falls within one of a limited number of exceptions. Paragraph 155 goes on to state that development of homes should not be regarded as inappropriate development where it would utilise grey belt land and not fundamentally undermine the purposes of the remaining green belt; there is a demonstrable unmet need for the type of development proposed; and the development would be in a sustainable location. Paragraphs 156-157 goes on to establish 'golden rules' for the development of land released from the green belt or on green belt sites subject to planning applications, which are to provide enhanced levels of affordable housing on site, necessary improvements to local or national infrastructure and the provision of new or improvement to existing accessible green spaces.

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

Other material considerations

National Planning Practice Guidance

All of Dorset:

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

Supplementary Planning Documents/Guidance for East Dorset Area:

- Affordable and Special Needs Housing and the Provision of Small Dwellings SPD
- Special Character Areas SPG

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Housing land supply

- 10.6 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)

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

11. Human rights

- Article 6 - right to a fair trial.
- Article 8 - right to respect for private and family life and home.
- The first protocol of Article 1 protection of property.

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

12. Public Sector Equalities Duty

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

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

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

- 12.3 The proposals are in outline at present, with all matters except for access reserved for future determination therefore there is potential for the proposals to change in terms of any impacts on or accommodation made for persons with protected characteristics. The proposals do however indicate a proportion of single storey dwellings within the layout which would allow for the provision of accessible and adaptable homes.

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- 12.4 The access strategy includes provision for dedicated pedestrian access links to the southern portion of the site as well as pedestrian provision throughout the development and connecting to the wider highway and footpath network.

13. Planning Assessment

13.1 Principle of development

- 13.2 CED Local Plan policy KS2 states that the location, scale and distribution of development should conform with the settlement hierarchy. The application site is located outside of the main urban area of Wimborne and is therefore in a location where in accordance with policy KS2, development would not normally be supported.
- 13.3 Although the site is outside of the main urban area, it is acknowledged that the site is located adjacent to it. The urban area boundary wraps around the application site to the north, east and west. Although the land immediately to the south, beyond the former railway line, is also outside of the main urban area, the boundary to it lies to the south, encompassing housing on Leigh road.
- 13.4 Wimborne Minster is identified in policy KS2 of the CED Local Plan as a main settlement, at the top tier of the hierarchy within that policy. Main settlements are intended to provide the main focus for new development including housing provision. Colehill is identified as a suburban centre at the third tier which the plan anticipates providing for some residential development.
- 13.5 Therefore although the development plan policy for this location is one of restraint outside of main settlements, it is considered that the development would be in a sustainable location which is well related to Wimborne in particular and Colehill to a lesser extent.
- 13.6 In light of the Council's current inability to demonstrate a 5 year supply of deliverable housing sites against the local housing need, policy KS2 should however be regarded as out-of-date and the 'tilted balance' set out in paragraph 11(d) of the NPPF) is engaged. (This indicates that planning permission should be granted unless specific policies relating to habitats sites or SSSIs, Green Belt, Local Green Space, irreplaceable habitats, designated heritage assets or areas at risk of flooding provide a strong reason for refusal, or the adverse impacts would significantly and demonstrably outweigh the benefits). An assessment of the impacts against each relevant constraint is provided at the end of this report.
- 13.7 The proposal would make a contribution towards the Council's overall supply of housing land, which is a benefit of the scheme to which significant weight may be afforded.

Green Belt

- 13.8 In addition to being outside of the main urban area, the site is located within the Green Belt, whose boundary is coincident with the urban area boundary in this area. Within the South East Dorset Green Belt, CED Local Plan policy KS3 states that development will

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be contained by the Green Belt. This is consistent with the Government's policy for the Green Belt as set out in section 13 of the National Planning Policy Framework. Paragraph 142 of the framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence.

- 13.9 Within areas designated as Green Belt, Paragraph 153 of the NPPF requires that substantial weight is given to any harm to the Green Belt, including harm to its openness and that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraphs 154 and 155 set out a number of specific exceptions to inappropriate development. The proposed residential development of a greenfield site outside of the established built-up area does not fulfil any of the exceptions in Paragraph 154.
- 13.10 Paragraph 155 provides that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where all the following apply:
- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining green belt across the area of the plan;
 - b) There is a demonstrable unmet need for the type of development proposed;
 - c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the framework; and
 - d) Where applicable the development meets the 'Golden Rules' requirements set out in paragraphs 156-157 of the framework.
- 13.11 Grey belt is defined within the glossary to the NPPF as *'land within the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b) and (d) in paragraph 143.'* The definition of grey belt specifically excludes land where the application of policies relation to areas or assets in footnote 7 of the framework would provide a strong reason for refusing planning permission. The footnote 7 policies, other than green belt, relevant to this application are those relating to habitats sites and SSSIs; Local Green Space; irreplaceable habitats; designated heritage assets; and areas at risk of flooding.
- 13.12 The applicant has argued that the site constitutes Grey Belt and should not therefore be considered as inappropriate development. The Council is currently undertaking its own grey belt assessment as part of the Local Plan preparation process. However that assessment is not yet complete and officers have to make their own assessment of the proposals against the grey belt criteria to determine whether it may properly be considered as Grey Belt. If accepted as grey belt the proposals are then assessed against the paragraph 155 criteria to determine whether or not the development is inappropriate development in the Green Belt. If the assessment is that the site does not constitute Grey Belt, or that one or more of the Paragraph 155 criteria are not met then the proposal constitutes inappropriate development in the Green Belt. In such a

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circumstance, Very Special Circumstances would need to be demonstrated in order to justify the development.

Grey Belt assessment

- 13.13 Although the definition of Grey Belt in the glossary to the NPPF refers to previously developed land, it specifically allows for the inclusion any other land where it does not contribute strongly to any of purposes (a), (b) and (d) in paragraph 143 of the framework. Therefore although the application site is not previously developed land it is not precluded from qualifying as Grey Belt, subject to an assessment against these purposes which are:
- a) To check the unrestricted sprawl of large built up areas
 - b) To prevent neighbouring towns merging into one another
 - d) To preserve the setting and special character of historic towns.
- 13.14 In respect of purposes (b) and (d), the Planning Practice Guidance explicitly states that these relate specifically to towns, and not villages.
- 13.15 The 2020 strategic Green Belt Review undertaken by LUC on behalf of the Council and Bournemouth, Christchurch and Poole Council identifies both Colehill and Wimborne Minster as towns for the purposes of the assessment. Therefore it is appropriate to consider the current application on that basis. On 9 December 2025, Colehill Parish Council voted to rename itself Colehill Town Council. In view of the categorisation of Colehill as a town in the strategic green belt review, this change does not affect the overall conclusions in this respect.
- 13.16 The strategic green belt review predates the current NPPF and the concept of ‘Grey Belt’ At present work to assess the green belt with a view to identifying areas of provisional Grey Belt across the plan area is ongoing and it is therefore necessary to consider specific evidence against each of the criteria. The appellant has provided their own assessment of the site against grey belt policies within section 7 of the supporting Landscape and Visual Appraisal document.
- 13.17 The conclusions and the case officer’s assessment against each of the relevant criteria are set out in the table below. Text in italics is taken from the Strategic Green Belt Assessment Stage 1 Study December 2020 carried out by ‘LUC’ to inform preparation of the Dorset Local Plan. The Text relates to the assessment of land parcel W134 which incorporates the application site and land on the southern side of the dismantled railway line which forms the site’s southern boundary. As that assessment pre-dates the concept of Grey Belt and is based on a larger land parcel the applicant has undertaken and submitted a further assessment.

Criterion	Applicant’s Assessment	LPA Assessment
a) to check the unrestricted	The site is an area land enclosed by existing	<i>Weak/No Contribution</i>

sprawl of large built up areas.	development towards the eastern settlement edge of Wimborne Minster. The mature tree line on the southern boundary of the site provides a notable landscape feature that would restrict and contain development. The extent of existing settlement around the site means that the site itself provides a limiting role in preventing wider sprawl. In terms of an assessment against the criteria in the NPPG, it is therefore considered that the parcel containing the site makes a “Weak” contribution to this purpose.	<i>Land is not close enough to the large built-up area to be associated with it. Therefore, development would not be perceived as sprawl of the large built-up area.</i> The Planning practice guidance advises that a parcel of land making a weak or no contribution to this purpose are likely to include those that: Are not adjacent to or near to a large built up area Are adjacent to or near to a large built up area, but containing or being largely enclosed by significant existing development. For the purposes of the 2021 LUC green belt assessment Wimborne Minster and Colehill do not constitute ‘large built up areas’ which is taken to be the Bournemouth Christchurch and Poole Conurbation. Furthermore the site is already contained on three sides by existing development and does not therefore prevent the outward sprawling of these settlements.
b) to prevent neighbouring towns merging into one another	The boundary between Wimborne Minster and Colehill Civil Parish (CP) runs along the northeastern boundary of the site. The site is located entirely within the Wimborne Minster CP. The two parishes are already joined to the north of the site, with no visual separation or physical features between the two. The site acts as a small pocket of separation, but on the whole there is no distinction along the boundary	<i>Weak/no contribution</i> <i>The parcel is open. It is peripheral to the gap between Wimborne Minster and Colehill to the east, which is narrow but which is diminished in importance by existing urban connectivity between Wimborne Minster and Colehill to the north. There is weak distinction between the parcel and the inset area, which reduces the extent to which development would be perceived as narrowing the gap. Overall the</i>

	between Wimborne Minster and Colehill. In terms of an assessment against the criteria in the NPPG, it is considered that the parcel containing the site makes a "Weak" contribution to this purpose.	<i>area makes a weak/no contribution to preventing the merging of neighbouring towns.</i> In view of the above, the site cannot be said to make a strong contribution to this purpose. As set out in the strategic green belt assessment, the application site is peripheral to the main gap between Colehill and Wimborne Minster which lies to the east. The contribution that the site makes to this purpose is limited by the presence of urban and suburban development immediately to the north and east of the site and to the development to the west of Leigh Lane, north east of the site.
d) to preserve the setting and special character of historic towns	The land parcel is distanced from the historic core of Wimborne Minster by c. 0.65km with significant built settlement located in-between. In terms of an assessment against the criteria in the NPPG, it is considered that the parcel containing the site makes a "Weak" contribution to this purpose. This is due to the lack of visual, physical and experiential connections between the land parcel and the historic core of Wimborne Minster.	<i>Relatively Weak</i> <i>Land forms part of the rural setting of Wimborne Minster, helping to preserve its small country town character, but is distant from the historic core. Overall the area makes a relatively weak contribution to preserving the setting and special character of Wimborne Minster.</i> The planning practice guidance for this purpose states that land which contributes strongly to this purpose are likely to be free of development and include the following features: Form part of the setting of the historic town Make a considerable contribution to the special character of a historic town. This could be (but is not limited to) as a result of being within, adjacent to, or significant visual importance to the historic aspects of the town.

		The assessment above remains relevant. While Wimborne Minster is a historic town, the direct relationship of the site is with a late 20 th century suburb. The site does not form part of the setting of the town itself or have a strong visual connection with it.
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- 13.18 It is concluded that the site does not make a strong contribution to any of purposes (a) (b) or (d) set out in paragraph 143 of the NPPF. The site is therefore capable of qualifying as Grey Belt, subject to the application policies relating assets listed in footnote 7 of the NPPF not providing a strong reason for refusing or restricting development. These matters are considered in later sections of the report and therefore the overall conclusion on grey belt matters is set out in the overall planning balance section.
- 13.19 The next necessary step is to consider whether the development of the site would fundamentally undermine the purposes of the remaining Green Belt across the plan area.
- 13.20 The site forms a small parcel of land which is almost entirely encompassed by the settlements of Wimborne Minster and Colehill. The assessment table above concludes that the site does not make a strong contribution to purposes a, b or d of the Green Belt (NPPF para 143). The previous green belt assessment has identified that all green belt is considered to make an equal contribution to purpose e), of assisting in urban regeneration, by encouraging the recycling of derelict and other urban land. In this case, the scale of the development is such that it is unlikely to be able to be accommodated on previously developed land, particularly within Wimborne Minster, given that there have been significant development of green field sites through the current local plan, in order to meet the ongoing need for housing.
- 13.21 The remaining purpose of NPPF 143 c) is to safeguard the countryside from encroachment. Although the site is undeveloped, it is surrounded by urban development and is experienced as such rather than as an area of open countryside. It's not therefore considered that the development would result in encroachment into the countryside.
- 13.22 Considering the extent of green belt land within the plan area, which extends for a significant distance to the north and west of Wimborne Minster and to the east of Colehill, the development of the site would not fundamentally undermine the purposes of the remaining green belt within the plan area. The proposal therefore meets criterion a). of paragraph 155 of the NPPF.

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- 13.23 In respect of need, footnote 56 of the NPPF indicates that in the case of applications involving the provision of housing, this means the lack of a five year supply of deliverable housing sites, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years. As set out above, following the expiry of Annual Position Statement at the end of October 2025 the Council acknowledges that it is not able to demonstrate a 5 year supply of deliverable housing sites against the local housing need as calculated using the standard method set out in national Planning Practice Guidance. The proposal therefore meets criterion b. of paragraph 155 of the NPPF.
- 13.24 Criterion c). of paragraph 155 of the NPPF requires the development to be in as sustainable location (with particular reference to paragraphs 110 and 115 of the framework). Paragraph 110 encourages significant development to be focused on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 115 sets criteria for considering development to ensure that suitable transport modes are prioritised, safe and suitable access to the site can be achieved, the design of streets and transport elements reflects current guidance and any significant impacts on the transport network can be cost effectively mitigated.
- 13.25 The application site is well related to the urban area and will offer accessibility via a range of modes including active travel through new connections to Greenclose Lane to the south, which is a short distance from Leigh Road which itself offers good connections by foot, cycling and public transport westwards into Wimborne and Eastwards towards Colehill and Ferndown. It is therefore concluded that, notwithstanding the site's location outside of the defined settlement boundary, it is in a sustainable location.
- 13.26 The final criterion of paragraph 155, d) requires development to meet the 'golden rules' of providing affordable housing at a rate 15 percentage points above the highest existing affordable housing requirement (subject to a cap of 50%); providing necessary improvements to local or national infrastructure; and the provision of new or improvements to existing green spaces that are accessible to the public.
- 13.27 The proposal includes a commitment to provision of 50% affordable housing on site, which would be secured by legal agreement. The first of the golden rules is therefore met.
- 13.28 In respect of improvements to local or national infrastructure, the scale of the development is such that specific and direct upgrades to local infrastructure have not been identified as necessary. However the proposal will make contributions towards the provision of local infrastructure, including education, health, and public transport through contributions to be secured through a S106 agreement. The proposal will therefore make necessary provision for improvements to infrastructure.

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- 13.29 The development includes the provision of new green spaces. The eastern part of the site is intended to be opened up as green space with public access, which will also serve as a heathland infrastructure project to mitigate the impacts of the development on the Dorset Heathlands. In addition to this greenspace area, it is intended that the proposal will include new play provision in the form of a Local Area for Play (LAP) and a Local Equipped area For Play (LEAP) which would provide for recreation opportunities. The proposals also include a pedestrian link to the public rights of way network to the south. The proposal is therefore considered to comply with this criterion.
- 13.30 It is therefore considered that, on the basis of the assessment prepared by the applicant and the Council's own evidence base, that the site qualifies as Grey Belt (subject to 'footnote 7' considerations). The proposed development would not fundamentally undermine the purposes of the green belt as a whole and is sustainably located with particular regard to paragraphs 110 and 115 of the NPPF. The development would also comply with the 'golden rules' as set out in paragraphs 156 and 157 of the NPPF. Therefore, in accordance with paragraph 155 of the NPPF the development should not be regarded as inappropriate development in the green belt.
- 13.31 It is noted that numerous public comments and comments from both Wimborne Minster and Colehill Town Councils have noted the lack of any very special circumstances or exceptional circumstances in respect of the Green Belt, as a point of objection. The requirement to demonstrate exceptional circumstances in respect existing Green Belts comes about when the boundaries of the Green Belt are to be altered as set out in paragraph 145 of the NPPF. That paragraph also indicates that this should be done through the preparation or updating of plans. The need to demonstrate exceptional circumstances is not therefore engaged in this instance as the proposal would not be altering the green belt boundaries.
- 13.32 The need to demonstrate Very Special Circumstances arises where proposed development constitutes 'inappropriate development'. As set out above, given the conclusions in respect of the site's status as Grey Belt, the development is not regarded as inappropriate development in this instance and it is not necessary to consider whether there would be Very Special Circumstances to justify the development.

Affordable housing

- 13.33 Policy LN3 of the CED Local Plan requires the provision of affordable housing as part of new development with greenfield residential development resulting in a net increase in housing expected to provide 50% affordable housing. In addition the 'Golden Rules' for green belt release set out in paragraphs 156 and 157 of the National Planning Policy Framework requires the provision of affordable housing at a rate 15 percentage points above the highest existing requirement. This is however subject to a cap of 50% so aligns with policy LN3.
- 13.34 The applicant has provided an affordable housing statement which sets out a significant need for affordable housing provision in the context of high levels of demand and

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undersupply of affordable housing on strategic development sites within Wimborne. The statement highlights a lack of viability testing to support the development, and highlights the viability issues which make the delivery of affordable housing challenging. However the statement confirms that it is proposed to provide 50% affordable housing on the site. The proposal therefore complies with policy LN3 and the Golden Rules.

- 13.35 Concerns have been raised by third parties that the proposed level of affordable housing would not be delivered and could be subject to a reduction in the future following viability review. Although the applicant's affordable housing statement has outlined the challenges with delivering affordable housing the planning practice guidance for viability assessment states that where development is proposed on land in, or released from, the Green Belt and is subject to the 'Golden Rules', site specific viability assessment should not be undertaken for the purpose of reducing developer contributions, including affordable housing¹. There would not, therefore, be an opportunity to reduce affordable housing contributions under the current policy framework.
- 13.36 The provision of a policy compliant affordable housing contribution of 50% is considered to represent benefit of the scheme to which substantial weight may be afforded in the planning balance.
- 13.37 **Flood Risk and Drainage**
- 13.38 The application site is located within flood zone 1, including when climate change is taken into account and is not therefore considered to be at risk of flooding either now or in the future. Planning policy requires that development demonstrates that not only would the development itself remain safe from flooding but that it would not result in increased risk of flooding elsewhere. A significant number of comments have been received in respect of flood risk, particularly following heavy rainfall and flooding which has been experienced within Wimborne in late 2025 and early 2026.
- 13.39 The applicant has provided a flood risk assessment and drainage strategy. Based ground investigation of the site, infiltration-based drainage solutions are not feasible for the site. Therefore the drainage strategy proposes to manage surface water by directing flows to a detention basin on the site's southern boundary which would then outflow to an existing watercourse located on the site's eastern boundary. That watercourse flows southwards, exiting the site via a culvert beneath the disused railway line, and connecting to a network of watercourses beyond. The outfall from the attenuation basin would be restricted to 9.58 litres per second, which is the equivalent greenfield runoff rate for the site.
- 13.40 The drainage strategy acknowledges that the development of the site would lead to an increase in the impermeable area of the site. By limiting the discharge rate of the

¹ Paragraph 030, reference id 10-030-20251216

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drainage system to be no greater than the greenfield runoff rate of the site, the design intention of the scheme is to ensure that there would be no greater risk of flooding as a result of the development. The Lead Local Flood Authority has reviewed the documentation and confirmed that it is content with the design, subject to the imposition of appropriate conditions in respect of the detailed design, maintenance and management of the surface water drainage scheme.

- 13.41 In addition to the mapping of flood risk from rivers and the sea, Environment Agency mapping also indicates a surface water flow route along the northwestern boundary of the site, crossing the proposed access. The NPPF requires that all sources of flooding are taken into account for the assessment of flood risk and also requires the application of the sequential test, unless it can be shown that any flood risk would be avoided post development. In response to this the applicant has provided a supplementary technical note which considers the impact of this route and concludes that the flood risk would be adequately addressed. This has been endorsed by the LLFA who do not object to the development. On this basis it is considered that, post development surface water risk will be adequately managed and the sequential test does not need to be engaged.
- 13.42 Comments received from third parties raise specific concerns of groundwater flooding to a nearby basement as a result of heavy rainfall in 2026. Following discussion of this matter with the LLFA it is concluded that the development of the site would not exacerbate any issues of groundwater flooding which are or have been experienced on adjacent sites. The drainage strategy is not reliant on infiltration to the ground so would not increase groundwater levels with surface water directed towards a watercourse. Within the site itself, although groundwater is relatively high in places the Flood Risk Assessment confirms that this can be addressed through design as the scheme would not be reliant upon provision of basement levels or significant excavation.
- 13.43 To conclude on flood risk, it is considered that the development would remain safe from flooding throughout its lifetime and, through the provision of an appropriate surface water drainage strategy to be secured by condition, would not result in increased risk of flooding elsewhere. The proposal therefore complies with policy ME6 of the of the CED Local Plan.
- 13.44 **Highways and access**
- 13.45 Although submitted in outline, detailed approval is sought in respect of access. It is proposed to create a new vehicular access from Birchdale Road which will continue into the site instead of terminating at the end of a cul-de-sac as at present. Third party concerns have been raised on the basis that the proposed access unsafe and would negatively impact the surrounding area in terms of traffic, parking and congestion.
- 13.46 The application is supported by a transport assessment which has been reviewed by DC Highways. No objection has been raised in respect of highways impact and the highways team have advised that the proposed access complies with Dorset Council's adoptive requirements. The transport assessment predicts approximately 30 and 28

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additional vehicular trips in the AM and PM peaks, respectively. This is considered to represent relatively low levels of traffic which would quickly disperse into the wider network. The highways team consider that it is unlikely that the development would have a detrimental impact on the surrounding highway network.

- 13.47 The Highway Authority considers the transport statement to be satisfactory and robust and considers that the residual cumulative impact of the development cannot be thought to be “severe” when consideration is given to paragraphs 115 and 116 of the National Planning Policy Framework and has no objection subject to the imposition of appropriate conditions.
- 13.48 As the application is submitted in outline, information on parking is indicative only and it is not possible to confirm the extent to which appropriate parking provision will be provided, this detail would be addressed at reserved matters stage.
- 13.49 A number of third party concerns have been raised in respect of access to the site by refuse and emergency vehicles. It has been noted that, at present, refuse vehicles need to reverse down Birchdale road because the available turning space is not suitable for the vehicles to enter, turn and exit in a forward gear. Comments have been received from Dorset Council’s waste management team who have confirmed that the access is suitable for a refuse vehicle and that post development refuse vehicles would no longer need to reverse down Birchdale Road as they would turn within the development site.
- 13.50 The waste team’s comments have raised some concerns about the ability of a vehicle to turn within the site, indicating that larger turning heads would be required to allow this. Given the outline nature of the proposals, this concern is not sufficient to result in a reason for refusing permission. The precise layout of internal roads would be addressed at the reserved matters stage, at which point it would be reasonable to require the developer to demonstrate through a swept path analysis that the internal roads can be accessed by a refuse vehicle.
- 13.51 No objection has been received to the proposals from Dorset and Wiltshire Fire and Rescue whose comments seek to ensure that consideration is given to relevant building regulations requirements for fire fighting. Some third party comments have suggested that it would be inappropriate for the site to rely on a single point of access due to the potential for it to become blocked when emergency access is required. Although it is suggested in comments that the Manual for Streets (MfS) indicates that there is a maximum number of dwellings which should be accessed from a single access, this is not the case. The MfS notes that emergency service access is considered in terms of response time so requires consideration of location as well as layout. In view of the fact that there is no objection from the Fire Service it is concluded that, provided that appropriate road geometry is included in the design at reserved matters stage, an appropriate level of access for emergency service vehicles would be available.
- 13.52 In respect of access the proposal is considered to accord with policy KS11 of the CED Local Plan.

Rights of way

- 13.53 The proposed development is close to PRow E2/2, as noted in the Design and Access Statement. The statement proposes creating a pedestrian access point joining onto E2/2 from the development.
- 13.54 Third party concerns have been raised that the proposed would impact negatively on the existing public right of way located outside the application site, where it is expected that this development would significantly increase the use of the public footpaths and bridleways.
- 13.55 The Rights of Way Team have been consulted and advised the access point would need to be an accessibility friendly gate, allowing ease of use for a wide variety of path users. The surfacing around the gate should also be hard wearing, suitably drained and have a cambered surface to prevent water pooling in any high use areas.
- 13.56 As the development would encourage pedestrian access onto E2/2, this would increase its usage by pedestrians. However, the route also serves as a private vehicular access for nine dwellings in addition to providing the current vehicular route to the site itself. The use of the route by motor vehicles would contribute much more significantly than any uplift in pedestrian traffic which may be felt as a result of a new pedestrian access to the development. Therefore, it is not considered that a contribution towards this route could be reasonably required.
- 13.57 Comments from the council's rights of way team had also suggested a contribution towards wider enhancements to the network within 1 mile of the site. While a contribution towards enhancing the public right of way network would doubtless be beneficial to the network as a whole, regulation 122 of the CIL regulations 2010 (as amended) requires that planning obligations are a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. Given the site's setting adjacent to the main urban area, it is not considered that a broad contribution towards upgrades within a mile of the site would be able to meet these requirements.

Public transport

- 13.58 Third party concerns have been raised in respect of the accessibility of the site by public transport. No objection has been raised by the highway authority in respect of accessibility to the site. The Council's public transport team has been consulted however and confirmed that the development should make provision for enhancements to bus stop facilities in the vicinity of the site. Details of potential improvements have been provided including provision for new bus stop signage on Cranfield Avenue, either side of the site. The locations are situated within 200m, or a 2-3minute walk from the site entrance. A financial contribution of £2,400 towards the provision of those upgrades will be secured by a legal agreement.

Impacts on heritage assets

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- 13.59 The application site is not located within a conservation area and does not include any designated heritage assets within the planning application boundary. However there are two listed buildings in the vicinity of the site, 'Greenclose Farmhouse' (Grade II) and 'Old Manor Farmhouse' (Grade II*). When considering the previous application on the site the lack of sufficient information to allow for assessment of the impacts of the development on these heritage assets, or potential features of archaeological interest on the site had formed a reason for refusal of planning permission.
- 13.60 The application is supported by a heritage statement and archaeological trial trenching has been carried out in accordance with a scheme of investigation that had been agreed with Dorset Council's Archaeologist.
- 13.61 In respect of archaeology the report confirms that trial trenching did find some pottery fragments, suggesting some level of prehistoric activity in the vicinity and a moderate potential for remains which could be considered a non-designated heritage asset. The potential for Romano-British remains is considered to be low while historic mapping indicates that the site has likely been agricultural since the medieval period, some distance from the medieval settlement meaning any remains would not typically be considered heritage assets. Based on this assessment the Council's archaeologist has advised that below-ground archaeology is not a constraint that needs to be taken into account when determining the application.
- 13.62 In respect of built heritage, the Heritage Statement has considered the impact of the development on the setting of listed buildings within a 1km radius of the site, with particular attention given to the Grade II* listed Old Manor Farmhouse. In respect of that building, the assessment states that the setting is principally comprised of the garden, moat, former farm buildings and the surviving historically associated farmland to the east (on the south side of the former railway line) and immediately north of the railway line (the application site). The assessment notes that whilst the application site retains its open character it is largely screened by trees from the listed building with only glimpsed and filtered views meaning that the contribution made to the setting of the listed building is minor. For other heritage assets the assessment does not find that the site makes a contribution to their setting or that the development would impact upon their setting.
- 13.63 Overall the heritage statement concludes that the development would result harm to the setting of Old Manor Farmhouse, and that the harm would be less than substantial, albeit at the lower end of the scale.
- 13.64 The proposals have been reviewed by the Council's Conservation Officer who, having visited the site has confirmed that they are in agreement with the assessment harm set out within the Heritage Statement and the finding of less than substantial harm.
- 13.65 Policy HE1 of the CED Local Plan recognises the importance of heritage assets and seeks to protect and enhance their significance and settings. Paragraph 212 of the NPPF requires great weight to be given to the conservation of heritage assets, with that

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weight being proportional to the significance of the asset, irrespective of whether the any potential harm amounts to substantial harm, total loss or less than substantial harm. Paragraph 213 requires that any harm to the significance of the asset, including from development within its setting requires clear and convincing justification. Paragraph 215 goes on to state that where a proposal will lead to less than substantial harm, this should be weighed against the public benefits of the proposal.

- 13.66 In this instance harm has been identified to the setting of Old Manor Farmhouse. That building is listed at grade II*, indicating that is of particular importance and more than special architectural or historic interest. The protection of the asset therefore carries significant weight. The harm has however been identified as being less than substantial, allowing it to be balanced against the public benefits in accordance with paragraph 215 of the NPPF. There would be several public benefits associated with the development. These include the provision of additional housing at a time when the council is unable to demonstrate a 5 year housing land supply, the delivery of 50% affordable housing, the provision of additional publicly accessible green space and the provision of additional play facilities.
- 13.67 In the context of the relatively low level of harm that has been identified and that the harm would not be direct but as a result of the impact on the setting of the listed building, it is considered that the public benefits of the scheme are significant would be sufficient to clearly outweigh the harm in this instance.

Biodiversity and habitats

Dorset heathlands

- 13.68 The site is located within 5km of the Dorset Heathlands Dorset Heathlands Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site (the habitats sites). Within this area, development proposals involving new dwellings are considered to have likely significant effects on the habitats sites, unless mitigation for recreational and air quality pressures is secured. The measures to mitigate and avoid recreational impacts are set out in the Dorset Heathlands Planning Framework SPD. That document sets an indicative threshold of 50 dwellings above which developments would need to provide new Suitable Alternative Natural Greenspace (SANG).
- 13.69 As originally submitted, the application offered two options, a 55 unit scheme and a 49 unit scheme, the latter being offered as an option to fall below the threshold for sang provision. Initial consultation responses from the Council's heathland mitigation coordinator and Natural England confirmed that in this location that is insufficient strategic SANG capacity and that a bespoke heathland infrastructure project would be required. Following engagement with Natural England and the Council during the course of the application the applicant has sought to amend the scheme add has proposed a bespoke heathland infrastructure project through the provision of the green space on the western side of the site. Although the applicant has referred to this as SANG the space is not of sufficient size to provide the walking routes that the Dorset Heathlands Planning Framework sets out for SANG provision. In this case the green

space is recognised as a bespoke Heathland Infrastructure Project and it is considered that in the context of the scale of the development and the presence of available green space and SANG within the wider vicinity, the green space proposed would be sufficient to provide mitigation for a scheme of 49 units.

- 13.70 Therefore it is considered that, subject to securing the provision of the green space at the eastern part of the site as a heathland infrastructure project via a section 106 legal agreement, that the additional recreational pressures on the Dorset heathlands arising from the proposed development would be adequately mitigated in this instance. An appropriate assessment has been completed under the Habitats Regulations confirming that the mitigation measures are sufficient to avoid the likely significant effects of the development and this has been confirmed with Natural England. Therefore subject to the completion of an appropriate legal agreement the proposal complies with policy ME2 of the CED Local Plan.

On site biodiversity interests

- 13.71 In addition to the impacts on habitat sites it is necessary to consider the impact of the proposed development on the on site biodiversity interests. The previous application was refused in part due to the lack of information in respect of biodiversity as appropriate survey work had not been completed at the time and it could not be confirmed that the proposal would adequately mitigate impacts upon protected species or that the biodiversity mitigation hierarchy had been followed. It is noted that the impact of the development on biodiversity remains a significant point of objection in third party comments, including neighbouring residents and wildlife groups including the Dorset Wildlife Trust, the Erica Trust and East Dorset Environmental Partnership.
- 13.72 The application is supported by a more complete suite of ecological reports which are informed by species surveys and included with an ecological impact assessment (ECiA). The assessment of the site has identified that there are a number of protected species which have been identified the site including Badger, Bat and an exceptional population of Slow Worms.
- 13.73 Initial comments from the Natural Environment Team raised concerns in respect of the proposals due to the loss of areas of priority habitats for which no mitigation had been proposed, the likely degradation of other areas of priority habitat, of the and the ability of the proposals to adequately mitigate the impacts of the development upon on-site protected species, principally by acting as a receptor site for the population of Slow Worms on the site while also providing public access and delivering on site Biodiversity Net Gain. At that time it was therefore advised that the proposal failed to appropriately address the biodiversity mitigation hierarchy as set out in paragraph 193(a) of the NPPF which prioritises avoidance of harm to biodiversity, followed by mitigation with compensation being a last resort, and that it was considered that the proposals conflicted with policy ME1 of the CED Local Plan.

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- 13.74 Policy ME1 sets out criteria for considering development which requires the avoidance of harm to existing priority habitats, retention of existing habitats and features of interest, enrichment of biodiversity, measures to avoid or mitigate harm, provision of management of retained or new features and monitoring of habitats after the completion of the development.
- 13.75 In response to these initial concerns, the applicant provided amended proposals for the greenspace at the eastern part of the site. The principal change to the scheme was to remove public access from the greenspace at the site's eastern side and dedicate the land for biodiversity mitigation and enhancement purposes. In response to these amendments, the Natural Environment Team stated that although the proposal still did not follow the mitigation hierarchy due to the fact that the development framework was not informed by appropriately detailed survey work when it was drawn up and that there would still be a degree of harm to wider ecological network, they were satisfied that the proposal can avoid, mitigate or compensate for harm to all relevant protected species and priority habitats. At this stage there were however some remaining concerns about the application of the mitigation hierarchy with regard to the creation of an area of Lowland Dry Acid Grassland as compensation when it had not been fully justified as to why the development footprint could not be modified or reduced.
- 13.76 Although the exclusion of access to the eastern part of the site was sufficient to address the impacts upon the onsite biodiversity interests, this had implications for the mitigation of recreational impacts upon the Dorset Heathlands which have been discussed above. In order to achieve the necessary health and infrastructure projects to mitigate against recreational impacts public access to the eastern part of the site was reinstated following engagement with the Council's Heath and Mitigation officer and Natural England. This necessitated a change to the approach to mitigation of impacts upon on site biodiversity interests. Further amendments were submitted in December 2025 which set out proposals for public access to the eastern part of the site with areas of priority habitat retained and alterations to the indicative layout, moving the LEAP from the northeastern corner of the development area to the southeastern corner of the development area. These changes allowed for the development to avoid impacts upon retained priority habitats and minimise the impacts upon protected mammals on the site.
- 13.77 The amended scheme includes an area of retained habitat which would not have public access to it, and which would also be able to serve as a receptor site for the translocation of reptiles. Due to the impact of public access to the site, the applicant has acknowledged that the retained area would not be sufficient to act as a receptor for the entire reptile population off the site, it is therefore proposed to translocate part of the population to an offsite receptor site. In light of the Natural Environment Team's comments a condition requiring an updated protected species mitigation and monitoring strategy prior to commencement of development is proposed, with details of translocation to be included.

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- 13.78 In response to these amendments the natural environment team has commented that although a small portion of the westernmost parcel of lowland dry acid grassland would still be lost, the approach that has been achieved through the amendments to the scheme represents a better application of the mitigating medication hierarchy, as it allows for a greater proportion of acid grassland to be retained. In addition, the overall onsite inventory of lowland dry acid grassland will be increased. As such, concerns in relation to priority habitats are resolved. In respect of protected species the National Environment Team has provided comments to indicate that they would favour an alternative approach to the proportion of reptile population which is translocated to within the site or versus off site and a need for ongoing monitoring but have advised that this could be addressed through the imposition of a condition requiring the submission of an updated protected species monitoring strategy at the reserved matters stage. The comments also confirm that impacts upon bats have been appropriately addressed subject to a mechanism to secure the principles of bat mitigation and enhancements which are set out in the protected species mitigation strategy.
- 13.79 With regard to mammals it is confirmed that the relocation of the LEAP allows for the retention of mammal habitats with appropriate buffers although it is noted that greater detail is required in regards to ongoing monitoring mechanisms and remediation. Therefore a condition requiring a protected species monitoring strategy at reserved matters stage is recommended. Subject to the imposition of this condition the concerns in respect of the impacts upon mammals have been addressed.
- 13.80 Although the Natural Environment Team has reiterated earlier advice against the development of the site since its inclusion in the local plan options consultation in 2021 and its preference that the site is not to be developed, it has confirmed that the alterations to the scheme indicate that there are no reasonable ecological reasons to refuse permission.
- 13.81 Overall, the development would result in the loss of biodiversity from the site and would not achieve a net gain in biodiversity on site, which have been identified as forming part of a local ecological network. This is considered to represent a disbenefit of the scheme. In view of the mitigation proposed however and the advice from the Natural Environment Team this is only given moderate weight.

Biodiversity Net Gain

- 13.82 Biodiversity Net Gain (BNG) is a statutory requirement for all new development which was introduced through the Environment Act 2021. It requires applicants to demonstrate a measurable increase in biodiversity compared with the pre-development baseline. It is required to achieve a minimum of 10% net gain. The applicant has submitted a biodiversity metric and draft Habitat Monitoring and Management Plan (HMMP) which have been updated alongside the alterations to the scheme described above.
- 13.83 In light of concerns raised with the originally provided metric, the updated metric now shows that there would be a net loss of biodiversity, principally due to the loss of an

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area of medium distinctiveness neutral grassland to the development footprint. In view of the results of the biodiversity metric the applicant has indicated their intention to purchase biodiversity units from an approved habitat bank.

- 13.84 As BNG is achieved through the discharge of the Biodiversity Gain condition, Planning Practice Guidance advises that it would generally be inappropriate to refuse planning permission on the grounds that the biodiversity gain objective will not be met. In this instance while the metric shows a loss of biodiversity units, the purchase of units from a habitat bank would allow BNG to be demonstrated. Therefore it can be concluded that BNG could reasonably be achieved, albeit through the purchase of off-site units.
- 13.85 The draft HMMP sets out management and monitoring of the post-development habitats and would need to be secured by an appropriate legal agreement for a period of 30 years. As the final delivery of BNG is secured following the grant of planning permission, through the discharge of the Biodiversity Gain Condition, a necessary legal agreement would be secured at that time, when the final HMMP is submitted.
- 13.86 The application is therefore considered to be acceptable in this respect subject to condition.

Open Space provision

- 13.87 CED Local Plan policy HE4 sets out that open space will be sought at a rate of 3.75ha per 1000 population, based on the recommended open space standards from the 2007 Open Space, Sport and Recreation Study. Based on an average occupancy rate of 2.4 people per dwelling, the development would be expected to result in approximately 118 additional residents, meaning the overall open space expected under policy HE4 would comprise 0.44 hectares.
- 13.88 Excluding the bespoke HIP area at the eastern end of the site the indicative layout shows approximately 0.7 hectares of open space, including a Local Equipped Area for Play (LEAP) (400 sqm) and a Local Area for Play (LAP) (100sqm), as well as amenity grassland. The inclusion of the HIP significantly increases the amount of open space provision to 3.6 hectares. Therefore the scheme would meet and exceed the requirements under policy HE4.
- 13.89 Comments from the Heathland Mitigation Team have welcomed the inclusion of the play facilities. The comments note the need to design the play space to integrate with the site and a requirement for the details to be submitted for approval prior to installation and for details to be secured through a management plan. The delivery and ongoing maintenance of the play and open space would be secured through a legal agreement with the precise details to be finalised at reserved matters stage.
- 13.90 The provision of open space in excess of the requirements of policy HE4 within the development is considered to represent a benefit of the scheme to which significant weight may be attached.

Trees

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- 13.91 Trees are present on the site, primarily located on the boundaries of the site and within the eastern area, which is proposed to remain as green space. The main area of the site where the submitted indicative masterplan shows the housing to be located is clear of trees. Therefore the presence of trees on the site is not considered to represent a significant constraint on the development.
- 13.92 The constraints list does indicate tree preservation orders as a constraint on the site. Reviewing the available mapping the tree preservation orders do not affect the site itself but do affect land to the west of the site, including the area around Greenclose Lane, and the housing to the north west of the site, including Birchdale road. The proposals would not directly impact upon any protected trees within these areas.
- 13.93 The application is supported by an arboricultural assessment which has considered the status of the existing and retained trees, with the majority of trees retained and incorporated into the scheme. Comments provided by the tree officer have not raised objection to the proposals but have noted that it will be necessary for the final design to be informed by tree constraints and supported by an appropriately detailed arboricultural impact appraisal and method statement. Subject to this being secured through an appropriate planning condition it is considered that trees would be appropriately considered and protected through the development period. This is afforded neutral weight in the planning balance.

Character and landscape impacts

- 13.94 As the application is submitted in outline with only access for detailed consideration at this stage, a full assessment of the character of the development is not possible. It is nonetheless appropriate to consider whether an appropriate form of development may be achieved. Policy HE2 of the CED Local Plan requires development to be of a high quality which reflects and enhances areas of recognised distinctiveness. It states that development will be permitted if it is compatible with or improves its surroundings in:
- Layout
 - Site coverage
 - Architectural style
 - Scale
 - Bulk
 - Height
 - Materials
 - Landscaping
 - Visual impact
 - Relationship to nearby properties including minimising disturbance to amenity

- Relationship to mature trees.

- 13.95 With regard to landscape quality, policy HE3 states that development should seek to protect and enhance the landscape character of the area and that development will need to take into account the character of settlements and their settings, natural features such as trees, hedgerows, woodland, field boundaries, water features and wildlife corridors, features of cultural historic and heritage value, important views and visual amenity and tranquillity and the need to protect against intrusion from light pollution, noise and motion. Additionally the National Planning Policy Framework confirms that good design is a key aspect of sustainable development and fundamental to what the planning and development process should achieve. Paragraph 135 of the framework sets out the key expectations for development proposals, which are aligned local policy requirements. Paragraph 136 also emphasises the importance of trees, indicating that planning decisions should ensure that new streets are tree lined.
- 13.96 The development would predominantly relate to the late 20th century development to the north and west, of which Birchdale Road itself forms part. The area comprises late 20th century suburban cul-de-sac development, with average densities of around 24 dwellings per hectare. To the south, Old Manor close is also late 20th century but consists of terraced housing at higher densities.
- 13.97 Birchdale Road slopes towards the site and currently benefits from views across the open fields to the tops of the trees that line the disused railway. There is a strong character to the housing that consists of a series of 2 storey linked houses with prominent bow windows, constructed of buff brick with pitched, concrete pantile roofs. All dwellings have large, open landscaped front gardens with driveways. There is little variation in house design save for an alternating style of porch. This character is repeated in Oakdene Close to the west.
- 13.98 Hornbeam Way which lies more to the north of the site consists of large, detached 2 storey houses. Predominately red brick with a mix of gabled and pitched roofs, the street is also characterised by large, landscaped front gardens with driveways.
- 13.99 Although there are no street trees in the area, large front gardens often include small/medium trees and mature tree planting within rear gardens give the area a verdant feel typical of well established sub urban areas.
- 13.100 As the application is submitted in outline with the detailed matters of layout, scale, design and landscaping being reserved for future determination, detailed assessment of these matters is not possible at this time. Comments provided by the Council's Urban Design and Landscape Officers have confirmed that the site has capacity to accommodate additional development without giving rise to undue harm.
- 13.101 Comments from urban design indicate that the street patterns, boundary treatments, set backs and plot ratios should reference local context, albeit with some flexibility to ensure that the development makes efficient use of the land and can accommodate other design objectives such as prioritising active travel, ensuring active streets and

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minimising the impact of car parking. The comments identify opportunities for additional pedestrian and cycle routes which would enhance the connectivity of the site, and guidance on design objectives for the detailed design are also provided. The Urban Design officer recommends that the proposals are considered by the Design Review Panel to inform the detailed design.

- 13.102 The Council's Landscape officer has confirmed that the principle of residential development could be accepted in landscape terms, notwithstanding the impact of the development on the openness of the green belt which they note would be subject to permanent change as a result of the development. However they have advised that the supporting Landscape and Visual Appraisal is a reasonable assessment of the scheme's impacts, which are assessed being moderate adverse impacts on completion, and moderate/minor adverse impacts on completion and the development and which would result in moderate to minor adverse impacts on sensitive receptors and negligible effects on less sensitive receptors. The comments do suggest the submission of further visualisation and section drawings of the proposed scheme to fully justify that the quantum of development can be accommodated but it is not considered that these can be reasonably required given the outline nature of the proposals. It is however acknowledged that in light of these comments the submitted indicative layout drawings should not be formally approved at this stage. The landscape officer's comments also recommend that the scheme is considered by the Design Review Panel and this is therefore to be included as an informative noted.
- 13.103 The landscape officer also recommends conditions to ensure the retention and protection existing vegetation around the perimeter of the site, reservation of 3.82 ha of the site for green infrastructure only, further details of hard and soft landscaping, and a Landscape and Ecological Management Plan.
- 13.104 In addition to the comments from the landscape and urban design officers, third party comments have raised concerns over the impact of the development on the character of the area and the density of development being too high. The indicated development area comprises 1.8 hectares which equates to a development density of 27 dwellings per hectare. This is marginally higher than the 24 dwellings per hectare of the Wider Highland Park estate but it is not considered that this is a significantly higher density of development to the extent that it would appear incongruous or out of character.
- 13.105 Although the comments of urban design and landscape officers have indicated that further information at this stage would assist in providing greater certainty over eventual design approach to accommodating the proposed level of development, in view of the outline nature of the proposals it is not considered essential at this stage and, in the context of the Council's housing land supply position and the application of the tilted balance, it is not considered that a reason for refusal on this point could be sustained. It is therefore concluded that the site is capable of delivering an appropriately high quality of design, subject to detailed consideration at reserved matters stage. It therefore complies with the requirements of policies HE2 and HE3 of the CED Local Plan and the

National Planning Policy Framework. This is afforded neutral weight in the planning balance.

Impacts on amenity

- 13.106 Concern has been raised in respect of the impact of the proposals on the amenity of neighbouring residents through overlooking, overbearing, overshadowing and from noise and disturbance. As the proposals are submitted in outline with only access being for approval at this stage, it is not possible to undertake a detailed assessment of the impact of the proposals on neighbouring residential amenity. However the submitted indicative masterplan does allow for an initial assessment of the relationships to neighbouring properties.
- 13.107 The closest relationship would be with 20 Cranfield Avenue where the masterplan shows a dwelling at approximately 16m distance. That would however be a back to side relationship and the indicative masterplan indicates that the units in that part of the site as single storey. The relationship has been assessed from within number 20 Cranfield avenue and its garden. The application site rises up from the boundary with number 20, with number 20 itself elevated above its garden, with ground level changes across its plot equivalent to at least a storey. Given the relationship and the scale of the development, while any new dwelling would clearly be visible from number 20 and would unavoidably alter the outlook from that property, it is considered that with appropriate attention to siting, orientation and spacing at reserved matters stage harmful impacts could be avoided.
- 13.108 In other locations the closest relationships would be to the rear of the housing in Old Manor Close, to the south. That housing sits on lower ground, with the application site rising up relatively steeply from it. Nonetheless, the indicative masterplan shows a separation distance of around 28m minimum between the backs of the houses on Old Manor Close and the front of houses within the site, with landscaping, access roads and drainage located between. Notwithstanding the difference in levels, as the site is located to the north, it would not result in direct overshadowing of these properties.
- 13.109 Concerns have also been raised from residents in Hornbeam Way and Beaucroft lane in respect of the greenspace, which is shown as having a walking route which would be around 10m from the boundary but in an area where users of the greenspace may stray from the path. The concerns relate to the loss of privacy, and potential security concerns. It is noted that several of the properties which would share a boundary with the greenspace have relatively open boundaries defined by wire fences allowing views onto the site.
- 13.110 Detailed landscaping proposals and proposals for the management of the greenspace secured via conditions would be able to address these concerns through the installation of appropriate boundary fencing or additional vegetation along boundaries. It is not unusual for properties to back on to areas of publicly accessible open space, be they play areas, SANG or other forms of greenspace. Furthermore, any visibility towards

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neighbouring properties is likely to be only in passing as users travel through the greenspace. The dwell points indicated on the plan are shown as benches which would naturally be oriented to make the most of available southwards and eastwards views, away from the immediate neighbours.

- 13.111 While there would inevitably be a degree of change for neighbours and some additional visibility between dwellings, it is considered unlikely that any impacts would result in sufficient harm to justify refusal of planning permission at this stage. Should specific issues with impacts on amenity be identified at the reserved matters stage, the ability to refuse any reserved matters application, or require amendments to resolve concerns, would remain.
- 13.112 Noise impacts from the development are considered in the following section.
- 13.113 In respect of the provision of appropriate levels of amenity for future residents of the development, it is not possible to assess whether that would be achieved at this stage due to the outline nature of the application. A full assessment would form part of the consideration of reserved matters. However, the indicative layout shows a typical permitter block layout which allows for reasonably sized private rear gardens and appropriate separation between buildings. Subject to detailed consideration at reserved matters stage and planning conditions as appropriate, it is considered that the scheme would provide an appropriate level of amenity for residents.
- 13.114 The proposal is therefore considered to comply with policy HE2 of the CED Local Plan in this regard. The impacts of the development on amenity are considered to carry neutral weight in the planning balance.

Ground conditions

- 13.115 The application is supported by a preliminary land contamination risk assessment. The assessment is desk based and recommends further ground investigation. The report has been reviewed by the Council's ground contamination consultants who have advised that the report confirms to technical requirements for a preliminary investigation and that, depending on the outcome of the recommended invasive investigation, remediation may be required, as well as a watching brief. It has therefore been recommended that conditions to require the investigation and any subsequent remediation are imposed. Subject to the imposition of these conditions the risks from potential contamination are appropriately addressed and the proposal complies with policy ME3 of the CED Local Plan.

Air quality

- 13.116 The application is supported by an air quality assessment which highlights that background particulate and NO₂ levels are well below relevant objectives and limit values. The assessment identifies the potential for impacts during the construction phase particularly from dust for which mitigation may be necessary. Post construction the assessment indicates that, based upon the understanding of predicted trip

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generation from the development and the background levels of particulates and NO₂, it concludes that the development is unlikely to result in pollution concentrations which would lead to any exceedances of the annual mean air quality objectives for the site and that the development will not have any significant air quality impacts.

- 13.117 Comments from the council's Environmental Protection Team have confirmed that they don't have any adverse comments following a review of the assessment and recommending that dust mitigation measures are secured through a Construction Management Plan. Subject to a condition to secure that it is therefore considered that the proposal will not lead to harm through a reduction in air quality.
- 13.118 Concerns over air quality impacts of the development have been raised in third party comments which quote significantly higher pollutant levels, in particular for nitrogen oxides. However those figures appear to be based on a significant overstatement of the trip generation from the development and all trips being HGVs moving off from a standing start whereas the access arrangements would mean that vehicles would generally be up to speed when exiting the site, and due to the nature of the development would be expected to be predominantly cars or vans. It is therefore considered that these comments can be afforded little weight.
- 13.119 Comments have also suggested that air quality issues would be exacerbated by the urban canyon effect on Birchdale Road. Although there is no specific policy on urban canyon effects it is understood that the effects only become significant when the ratio of width to height of the canyon created by facing buildings is at or above 1. On Birchdale Road the minimum separation between buildings is around 21m. Given that all of the houses are 2 storey in scale the ratio is approximately 0.4 at worst so it is not anticipated that the urban canyon effect would be significant in this instance.
- 13.120 Overall it is concluded that, subject to appropriate conditions the proposals would comply with policy ME3 of the CED Local Plan.

Noise

- 13.121 In respect of noise, a screening report has been provided which identifies existing traffic noise to be the main potential source of noise impacts for future occupants and that the additional traffic from the development is unlikely to cause unacceptable levels of additional noise impact. Comments from the Council's Environmental Protection Team recommend that at reserved matters stage, details of a scheme for protecting the proposed dwellings from noise is submitted. This may be subject to an appropriate planning condition.
- 13.122 Their comments also highlight the potential for the use of Air Source Heat Pumps to generate noise impacts as a result of the development and that if these are to be used a noise assessment should be submitted. As the application is in outline with all matters except for accesses reserved, it is not considered reasonable or proportionate to require

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such information at this stage. However a suitably worded condition may secure the required assessment.

- 13.123 Concerns have also been raised by third parties in respect of the impact of noise from the development in the long term on neighbours. While there would be some additional noise from the occupation of new dwellings, the noise impacts of residential development are inherently limited with the use considered to be a noise sensitive rather than noise generating use. While there would be additional noise during the construction period, it is considered that this can be adequately addressed through a construction management plan secured by condition. Subject to the appropriate conditions and detailed consideration at reserved matters stage the proposal is considered to comply with policies ME3 and HE2 of the CED Local Plan.

Financial and non-financial benefits

- 13.124 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	
Affordable housing	50% on site provision
Play space	Onsite provision of a LEAP and LAP
Bespoke HIP	Onsite provision of heathland mitigation
Public open space	On site provision of public open space
Contributions	
Education	£5,880 per 2+ bedroom dwelling
NHS	£516 per dwelling
Public transport infrastructure	£2,400
Non material considerations	
CIL Contributions	Zero rated as HIP is provided.

- 13.125 As the development exceeds 40 dwellings and will be delivering a bespoke Heathland Infrastructure Project, the development would not be liable to pay CIL. Contributions would however be sought towards provision of additional education and health infrastructure in the area.
- 13.126 It is noted that concerns have been raised in a significant proportion of the public comments on the application over the provision of infrastructure, particularly for education and healthcare services. The scale of the proposed development is not so great that it would justify provision of new on-site school or healthcare services. However it is acknowledged that the additional population arising from the development would contribute to additional pressures on these services within the town. Policy LN7 of the CED Local Plan requires the provision of community facilities and services to support existing and future population concerns. Ordinarily, infrastructure such as this

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would be funded through CIL. As the development would be zero-rated, financial contributions towards off-site education and healthcare provision are sought.

- 13.127 The application is therefore considered to be acceptable in this respect subject to the completion of an appropriate legal agreement.

Environmental implications

- 13.128 In addition to the specific considerations in respect of potential ground contamination, air quality and noise, discussed above, the development would lead to additional CO₂ emissions which would include CO₂ released from the ground during groundworks, emissions during the construction period and embodied within the fabric of the buildings, and emissions during the lifetime of the development. The development would however need to comply with current building regulations requirements in respect of energy efficiency. The submitted sustainability statement indicates that air source heat pumps and solar photovoltaic panels will be utilised on properties to minimise reliance on fossil fuels.

13. Summary of issues and the planning balance

- 14.1 The development would conflict with the Development Plan as a whole due to the site's location outside of the main urban area and within the green belt, where development plan policies seek to restrain development. As set out above, legislation requires that planning application are determined in accordance with the development plan unless material considerations indicate otherwise.
- 14.2 As Dorset Council is currently unable to demonstrate a 5 year supply of deliverable housing sites, the development plan is considered out-of-date and the 'tilted balance' as set out in paragraph 11d of the National Planning Policy Framework is engaged. Although the NPPF does not form part of the Development Plan it is a material consideration for decision making purposes. Paragraph 11(d) requires that planning permission is granted unless the application of policies within the NPPF that protect areas or assets of particular importance (as set out in footnote 7 of the framework) provide a strong reason for refusing permission, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole.
- 14.3 The area or assets of particular importance set out in footnote 7 of the framework include several which are of relevance to the application site:
- Habitats sites and Sites of Special Scientific Interest (SSSI)
 - Green Belt
 - Local Green Space
 - Irreplaceable habitats
 - Designated heritage assets

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- Areas at risk of flooding or coastal change.

- 14.4 It is therefore necessary to consider whether the policies in respect of each of these would provide a strong reason for the refusal of planning permission.
- 14.5 As set out above, the strategy defined through the applicant's most recent amendments to the application, defining a bespoke HIP within the site are considered sufficient to mitigate the likely significant effects of the development on the Dorset Heathlands. Subject to the mitigation being secured through a legal agreement, the impacts on habitats sites or SSSIs would not provide a reason for refusing development.
- 14.6 In respect of Green Belt, the site is located within the Green Belt and the development of the site would result in a reduction in openness. However, having considered the case made by the applicant, available evidence from the 2021 Green Belt review and their own assessment, officers consider that the site is capable of being considered as Grey Belt as defined within the NPPF. The proposals would meet the 'golden rules' for Green Belt release and are considered to be sustainably located. Therefore, in accordance with paragraph 155 of the framework, the development should not be regarded as inappropriate development within the Green Belt. Therefore, officers consider that the site's Green Belt status does not provide a strong reason for refusing the development in this instance.
- 14.7 The site would not directly impact upon any defined areas of local green space. There is a recently registered town/village green adjacent to the proposed access from Birchdale Road. However this would not be directly affected by the development. Officers therefore consider that this would not provide a strong reason for refusing the development.
- 14.8 Although the site is acknowledged to have biodiversity value and includes area of priority habitat, these areas do not sit within the list of habitats listed within the glossary to the framework for irreplaceable habitats, which are ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen. Furthermore the most recent comments from the Natural Environment Team acknowledge that, although there would be a net loss of biodiversity on site due to the development, the areas of priority habitat would be avoided. In view of this, officers do not consider that this would provide a strong reason for refusing the development.
- 14.9 The impacts of the development on designated heritage assets has been assessed and it has been confirmed that there would be some, less than substantial harm to the setting of the Grade II* listed Old Manor Farmhouse. That harm has been assessed as being toward the lower end of the scale. As required by the National Planning Policy Framework, officers have weighed that harm against the public benefits of the scheme which include the contribution to the supply of housing, the provision of 50% affordable housing on site and the provision of open space. It has been concluded that these benefits carry substantial weight and are sufficient to outweigh the less than substantial harm to the setting of Old Manor Farmhouse. Officers do not therefore consider that this would provide a strong reason for refusing the development.

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- 14.10 Flood risk and drainage has been considered through the submission of a flood risk assessment and drainage strategy. It is acknowledged that there has been a significant level of concern raised in third party comments in respect of the potential for the development to contribute to additional flood risk within Wimborne. However the drainage strategy has sought to apply the SuDS hierarchy and has proposed a drainage solution which would drain to an existing watercourse with a new detention basin providing surface water storage to allowed for a controlled outflow equivalent to the existing greenfield runoff rate. The strategy has been reviewed by the Lead Local Flood Authority, which has confirmed that it has no objection and that the development would not increase flood risk off site. Therefore officers do not consider that this would provide a strong reason for refusing the development.
- 14.11 Considering the overall planning balance, the various issues have been set out in the table below, setting out whether they carry weight in favour of the development, against the development, or neutrally in the overall planning balance.

Issue	Benefit	Neutral	Disbenefit
Affordable housing provision	Substantial		
Contribution to housing land supply	Significant		
Provision of public greenspace and play areas	Significant		
Financial contributions towards education and health provision	Significant		
Flood risk and drainage		Neutral	
Highways and access		Neutral	
Trees		Neutral	
Character and landscape		Neutral	
Amenity		Neutral	
Environmental protection (noise, air quality and contamination)		Neutral	
Biodiversity			Minor

- 14.12 Overall it is considered that, although there would be some loss of biodiversity interests on the site (which would be mitigated), which weighs against the proposals there would be considerable benefits which carry weight in favour of the grant of planning permission. Applying the test in paragraph 11(d)(ii) of the NPPF it is not considered that there are adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the framework as a whole.
- 14.13 The policies within the National Planning Policy Framework are a material consideration to which substantial weight are afforded. The presumption in favour of sustainable development indicates that where the development plan is out of date planning

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permission should be granted. Within the Green Belt, paragraph 155 establishes that within areas considered to be grey belt, development which meets the 'golden rules' should not be regarded as inappropriate development. The proposal is considered to meet the 'golden rules'; the policies relating to areas or issues set out in footnote 7 of the framework are not considered to provide a strong reason to refuse permission and the development. It is not considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits. Therefore, the planning balance weighs in favour of the grant of planning permission and accordingly it is recommended that planning permission is granted.

14. 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) in a form to be agreed by the Legal Services manager to secure the following:

- 50% on site affordable housing
- Bespoke Heathland Infrastructure project
- Public open space provision including LAP and LEAP.
- Financial contribution towards education of £5,880 per 2+ bedroom dwelling, index linked from the date of the committee resolution
- Financial contribution towards NHS services of £516 per dwelling, index linked from the date of the committee resolution
- Contribution of £2,400 towards public transport infrastructure

And subject to the following conditions:

1. No part of the development hereby approved shall commence until details of all reserved matters (all matters except access from Birchdale Road) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory development of the site.

2. An application for approval of any 'reserved matter' must be made not later than the expiration of three years beginning with the date of this permission.

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

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

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

4. The development hereby permitted shall be carried out in accordance with the following approved plans:
BRW-001 The Location Plan
P23073-001B Proposed Access Strategy

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

5. The number of dwellings to be constructed on the site shall not exceed 49.

Reason: To ensure the adequate operation of heathland mitigation and avoid in-combination effects on habitats sites.

6. Prior to the commencement of the development, a construction method statement shall have been submitted to and approved in writing by the Local Planning Authority. The statement shall include measures to manage dust arising from construction and vehicle movements, storage of waste materials prior to the site, operating times of construction and a prohibition on the use of bonfires during construction. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: to prevent unacceptable impacts upon the amenity of neighbouring residents during the construction period.

7. Prior to commencement of development hereby approved a Construction Traffic Management Plan and programme of works shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods
- a framework for managing abnormal loads
- location of construction site access
- contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic measures where necessary.

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The development shall thereafter be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

8. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority:

- 1) a 'desk study' report documenting the site history.
- 2) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment.
- 3) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed.
- 4) a detailed phasing scheme for the development and remedial works (including a time scale).
- 5) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time.

The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted first comes in to use or is occupied. On completion of the development written confirmation that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

9. Prior to the commencement of development a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction and a timetable for implementation of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS). The surface water scheme shall be implemented in accordance with the approved details including the timetable for implementation.

Reason: To prevent the increased risk of flooding and to protect water quality and to take into account current national standards for SuDS.

10. No development shall take place, including demolition, ground works and vegetation clearance, until a protected species mitigation and monitoring strategy has been submitted to, and approved in writing by, the local planning authority. The purpose of the strategy shall be to confirm and establish the effectiveness of measures to translocate reptiles and protect the badger population. The content of the Strategy shall include the following:
- a) Aims and objectives of monitoring to match the stated purpose.
 - b) Identification of adequate baseline conditions prior to the start of development.
 - c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
 - d) Methods for data gathering and analysis.

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- e) Location of monitoring.
- f) Timing and duration of monitoring.
- g) Responsible persons and lines of communication.
- h) Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The monitoring strategy must be implemented in accordance with the approved details.

Reason: To secure mitigation, compensation and enhancement/net gain for impacts on biodiversity

11. Prior to commencement of work on the site details of any proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy will reflect the need to avoid harm to protected species and to minimise light spill from lighting associated with pre-construction, construction and operational activities, and demonstrate how the current best practice guidance, including Guidance Note 8 Bats and Artificial Lighting (BCT/ILP, 2023) has been implemented. There shall be no lighting of the site other than in accordance with the approved strategy.

Reason: In the interests of on biodiversity

12. The development shall not be commenced until a Habitat Management and Monitoring Plan (the HMMP) has been prepared in accordance with the approved Biodiversity Gain Plan and submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:

i) A non-technical summary;

ii) The roles and responsibilities of the people or organisation(s) delivering the HMMP;

iii) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan and a timetable for implementation;

iv) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of the habitat and enhancement works as set out in the HMMP.

v) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority.

Thereafter the development shall be carried out, along with the management and monitoring of habitat, in accordance with the approved HMMP.

Reason: In the interests of biodiversity to secure the monitoring and management of significant onsite habitats.

13. Prior to the commencement of the development hereby approved (including demolition, material storage and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012 (as amended), including a scaled tree protection plan (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority (LPA). The TPP and AMS shall include:
- a) Location and installation of services/utilities/ drainage.
 - b) Methods of demolition within the root protection area (RPA) of retained trees (as defined in BS 5837: 2012).
 - c) Details of construction within or impacting the RPA of retained trees.
 - d) A full specification for the installation of boundary treatment.
 - e) A full specification for the construction of any roads, parking areas and driveways affecting trees RPA. This shall include details of a no-dig construction method, the extent of areas to be constructed using this specification, and relevant cross-sections through these areas.
 - f) Detailed levels and cross-sections demonstrating that raised surfacing levels proposed for no-dig construction within RPAs can be accommodated without conflicting with adjacent building damp-proof courses.
 - g) A specification for protective fencing during demolition and construction phases and a scaled plan showing its alignment.
 - h) A specification for scaffolding and ground protection within tree protection zones.
 - i) A Scaled Tree Protection Plan (TPP) showing protection measures and identifying prohibited construction activities within RPAs.
 - j) Details of site access, temporary parking, welfare facilities, loading/unloading and storage of equipment, materials, fuels and waste as well concrete mixing and prohibition of fires
 - k) Boundary treatments within RPAs
 - l) Methodology and detailed assessment of root pruning
 - m) Arboricultural supervision and inspection by a suitably qualified arboriculturist
 - n) Reporting procedure for inspection and supervision
 - o) Methods to improve rooting environments for retained and proposed trees and landscaping
 - p) Veteran and ancient tree/woodland protection and management

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.

14. Before the access is utilised it must be constructed as shown on drawing number P23073-001B. Thereafter, it must be permanently maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure that highway safety is not adversely impacted upon.

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15. Before the development commences a scheme for the turning and parking of vehicles must be submitted to and approved in writing by the Planning Authority. The approved scheme must be constructed before any part of the development hereby permitted is occupied or utilised. Thereafter, these areas must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

16. Prior to the commencement of any development hereby approved, all existing trees and hedges to be retained, shall be fully safeguarded in accordance with BS 5837:2005 (Trees in relation to construction - recommendations) or any other Standard that may be in force at the time that development commences and these safeguarding measures shall be retained for the duration of construction works and building operations. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s).

Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity

17. Prior to the occupation of the development details of maintenance and management of the surface water sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should have regard to the guidance set out in the current DEFRA national standards Sustainable Drainage Systems (SuDS). The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These shall include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure the future maintenance of the surface water drainage system, and to prevent the increased risk of flooding and to take into account current national standards for SuDS.

18. Notice in writing shall be given to the Local Planning Authority within one month of the habitat creation and enhancement works as set out in the approved HMP having been completed. The notice shall include a completion report evidencing the completed habitat enhancements.

Reason: In the interests of biodiversity to secure the monitoring and management of significant onsite habitats.

19. Notwithstanding the information shown on the plans approved by this application, before the development is occupied or utilised, precise details of the geometric highway layout, turning and parking areas shall have been submitted to and agreed in writing by the Local Planning Authority.

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

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20. 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 by the Planning Authority. . The approved scheme must be constructed before the development is commenced 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.

21. Prior to the development hereby approved being first brought into use or occupied , details of measures for noise attenuation shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be completed in accordance with the approved details and the noise attenuation measures shall be retained thereafter.

Reason: In order to protect the living conditions of surrounding residential properties.

22. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved LEMP must be implemented in accordance with the approved details.

Reason: To protect the landscape character of the area and to mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

23. Prior to the commencement of any development hereby approved, above damp course level, full details of hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include where appropriate : proposed finished levels or contours, means of enclosure, car parking layout, other vehicular and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (eg; furniture, play equipment, signs, lighting, refuse or other storage units, proposed and existing functional services above and below ground (eg; drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc), retained

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historic landscape features and proposals for their restoration where relevant. The development shall be carried out in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.

24. 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.

25. Notwithstanding the indicative details submitted as part of this application, no less than 3.82 hectares of the site shall be retained for green infrastructure as part of the development, including a Heathland Mitigation Project, Public Open Space, SuDS, play space and incidental greens space/landscaping within the development.

Reason: To ensure the appropriate development of the site and avoid unacceptable impacts on landscape character.

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 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>

2. No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 15.00m of the proposed access road,

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including the junction with the existing public highway, has been completed to at least binder course level.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

3. The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Highways Development team. They can be reached by telephone at 01305 225401, by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.
4. The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making-up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset Council's Highways Development team. They can be reached by email: highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.
5. If the new road layout is not offered for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.
6. In addition to this permission, the junction works referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site. The applicant should contact Dorset Council's Highways Development team. They can be reached by email at highwaysdevelopment@dorsetcouncil.gov.uk, or in writing at Highways Development team, Economic Growth and Infrastructure, Dorset Council, County Hall, Dorchester, DT1 1XJ.
7. 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.
8. The applicant is advised that Dorset Council requires the development to be subject to a 20mph speed limit with any signage, road marking and Traffic Regulation to be provided at the applicant's expense.
9. The Environment Agency's (EA) Risk of Flooding from Surface Water flood mapping indicates that the areas for proposed for development are not generally affected by surface water flooding. Page 9 of the FRA shows that the surface water flood extents to the west of the site are not located within the redline boundary (shown below). The site layout may suggest that the flood extents are actually located within the red line boundary.

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Notwithstanding this, at the reserved matter stage, the layout will need to ensure that buildings are not located within the mapped flood extents, and also to provide a setback

10. The applicant can apply to South West Water for clarification of the point of connection for either clean potable water services and/or foul sewerage services. For more information and to download the application form, please visit the South West Water website: www.southwestwater.co.uk/building-and-development/services/pre-development-services
11. Prior to the submission of any application for the approval of reserved matters the applicant is advised to engage with Design West to provide a design review of the proposals. Design West brings together expertise from across the built and natural environment sectors. An independent and not-for-profit organisation, they work collaboratively with the development sector and decision-makers to shape better places. Design West make a charge for their services, and you will need to book and pay direct. You must let us know if you are seeking a review because there will also be an additional charge for Council officer time in preparing for and attending the review panel. We will provide a bespoke quote for our time on request at a rate of £120 (inc. vat) per hour or part thereof. Find out about Design West at this link: <https://www.designreviewwest.org/about/>
12. Prior to the submission of any application for the approval of reserved matters the applicant is recommended to engage with Design West who will provide a design review of your proposals. Design West brings together the best expertise from across the built and natural environment sectors. An independent and not-for-profit organisation, they work collaboratively with the development sector and decision-makers to shape better places. Design West make a charge for their services, and you will need to book and pay direct. You must let us know if you are seeking a review because there will also be an additional charge for Council officer time in preparing for and attending the review panel. We will provide a bespoke quote for our time on request at a rate of £120 (inc. vat) per hour or part thereof. Find out about Design West at this link: <https://www.designreviewwest.org/about/>
13. 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.
14. Badgers are protected under the Badger Act 1992. Section 3 of the Act states:
"A person is guilty of an offence... by doing any of the following things... -
a) damaging a badger sett or any part of it;
b) destroying a badger sett;
c) obstructing access to, or any entrance of, a badger sett;
d) causing a dog to enter a badger sett; or

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e) disturbing a badger when it is occupying a badger sett, intending to do any of these things or being reckless as to whether his actions would have any of those consequences" If a badger(s) or badger sett is discovered during works; all work should stop and advice sought from Natural England by calling 0300 060 3900 or Dorset Council Natural Environment Team by calling 01305 221697 / net@dorsetcouncil.gov.uk, before proceeding.

15. The works associated with this application require a European Protected Species (EPS) License or Low Impact Class (LIC) License to avoid unlawful harm to species protected under the Conservation of Habitats and Species Regulations (2017) (as amended). Approval of an EPS/LIC License is a separate process from obtaining Planning Permission therefore the applicant is at risk of committing an offence where no License has been obtained. Planning Permission does not guarantee a licence, nor does in any way prejudice Natural England's decision on whether a licence should be issued, nor does it provide any legal defence against possible offences. It is relevant only to the purposes of consideration of the proposed development by the Local Planning Authority.

16. 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.

17. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to:

- Provision of on-site affordable housing
- Provision of heathland mitigation
- Provision of open space
- Contributions towards Education, Health and Public Transport

18. 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>

19. The applicant is advised that, if the use of air source heat pumps is proposed at reserved matters stage, any application should be supported by a noise assessment to demonstrate there will be no adverse noise effects upon existing nearby receptors and future occupants of the proposed dwellings. Such a noise assessment must be undertaken by a Suitably Qualified Acoustician and consider the local circumstances, the nature of the installations,

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tonality, intermittency of operation, sound levels in reverse cycle, background sound levels, structure borne sound and vibration transmission.

- B)** Refuse permission for the reasons set out below if the agreement is not completed by 22 October 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement and Development Management Area Manager East.

Reasons for refusal if S106 agreement not completed:

1. The site lies within 5km of a number of Sites of Special Scientific Interest (SSSIs) which are also designated European wildlife sites, namely Dorset Heathlands Special Protection Area, Dorset Heaths Special Area of Conservation and Dorset Heathlands Ramsar. The proximity of these European sites means that determination of the application should be undertaken with regard to the requirements of the Conservation of Habitats and Species Regulations 2017, in particular Regulation 63. The proposal fails to secure the avoidance measures identified as necessary to mitigate the impact of the development, in combination with other plans and projects, on the integrity of the designated site as set out in the Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2020-2025 and there are no imperative reasons of overriding public interest in support of the proposal. The development is therefore contrary to Policy ME2 of the adopted Christchurch and East Dorset Local Plan – Part 1 2014, the Dorset Heathlands Planning Framework 2020-2025 SPD, and paragraphs 185 of the National Planning Policy Framework. This forms a clear reason for refusal of the proposal in accordance with NPPF 2023 para 11 d) i.
2. The proposed development fails to secure appropriate provision of public open space, contrary to policy HE4 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014.
3. The proposed development fails to secure an appropriate contribution to affordable housing, contrary to Policy LN3 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014.
4. The proposed development fails to secure an appropriate contribution towards health and education provision, contrary to policy LN7 of the adopted Christchurch and East Dorset Local Plan – Part 1
5. The proposed development fails to secure an appropriate contribution to sustainable transport and highways provisions, contrary to Policy KS11 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014.

Eastern Area Planning Committee

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