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|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number:</b> | P/OUT/2025/06076                                                                                                                                        |
| <b>Webpage:</b>            | <a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>                                                             |
| <b>Site address:</b>       | Land off Manston Road Sturminster Newton DT10 1AF                                                                                                       |
| <b>Proposal:</b>           | Erection of up to 50 no. dwellings, including provision of public open space, drainage & ancillary works (outline application to determine access only) |
| <b>Applicant name:</b>     | Mr Jeremy Campling                                                                                                                                      |
| <b>Case Officer:</b>       | Rob McDonald                                                                                                                                            |
| <b>Ward Member(s):</b>     | Cllr Jones                                                                                                                                              |

**1. Reason application is going to committee:**

- 1.1 The application is being considered by the Northern Area Planning Committee as it is a major planning application with an officer recommendation that is contrary to comments made by Sturminster Newton Town Council.

**2. Summary of recommendation:**

- 2.1 To delegate authority to the Service Manager for Development Management and Enforcement or the Development Management Northern Area Manager to either:

A) GRANT planning permission following completion of a S106 Planning Obligation to secure:

- Affordable housing on site
- NHS infrastructure financial contribution
- Education (secondary and SEN provision) financial contribution
- Pre-school provision financial contribution
- Community, leisure and sports facilities financial contribution
- Allotments financial contribution
- Informal open space on site
- Informal open space maintenance financial contribution
- Destination play facilities financial contribution
- LAP/LEAP on site
- LAP/LEAP maintenance financial contribution
- Formal outdoor sports facilities financial contribution
- Formal outdoor sports facilities maintenance financial contribution
- Public rights of way and Trailway financial contribution
- Library financial contribution
- Bus and sustainable transport financial contribution
- General monitoring fee

and subject to the following conditions:

- Reserved Matters time limits
- Approved plans

- Surface water management and drainage designs – pre commencement and preoccupation
- Foul drainage – pre commencement
- Construction Traffic Management Plan (CTMP) – pre-commencement
- Arboricultural Method Statement – pre commencement
- Construction Environmental Management Plan (CEMP) – pre-commencement
- Vehicle crossing construction – pre-construction of dwellings and internal estate roads
- Footway connecting site to recreation ground – Grampian style pre-occupation
- Cycle parking details – pre-occupation
- Finalised EclA – pre-occupation
- Visibility splays – compliance condition
- Unexpected potential land contamination

and an informative stipulating that a finalised Habitat Management and Monitoring Plan (HMMP) should be submitted to ensure the statutory 'Biodiversity Gain Plan condition' can be satisfied.

or B) Refuse permission for the reasons set out below if the s106 agreement is not completed by 17 September 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement or the Development Management Northern Area Manager.

Reason for refusal: In the absence of a legally binding mechanism to ensure the delivery of affordable housing and grey, green and social infrastructure the proposal is contrary to Policies 8, 13, 14 and 15 of the North Dorset Local Plan Part 1.

### 3. Key planning issues

| Issue                                              | Conclusion                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Principle of development – Housing land supply     | At present the Council cannot demonstrate a five year housing land supply, with the figure of 2.53 years supply, indicating a serious level of housing need (including affordable housing need). As such, the NPPF 'tilted balance' and presumption in favour of sustainable development is engaged.                                                       |
| Principle of development – Location of development | Location of the site conflicts with the spatial strategy policies. However, it adjoins the settlement boundary for one of the four main towns within the Local Plan area and is within reasonable walking/cycling distance to day-to-day services and facilities throughout the town.                                                                      |
| Local character and landscape impact               | The density of the proposed development would be appropriate for an edge of settlement location, make an efficient use of land and not result in any harmful overdevelopment. The Council's Landscape Officer considers that the adverse visual effects of the development could be mitigated and would not be significant enough to warrant an objection. |

| Issue                                               | Conclusion                                                                                                                                                                                                                                                     |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Flood risks and drainage                            | The proposed development can demonstrate appropriate surface water management and could be made safe for its lifetime without potentially increasing flood risk elsewhere.                                                                                     |
| Heritage impact                                     | The proposed development would result in no harm to the setting of any of the designated heritage assets within proximity of the site, thereby preserving their significance.                                                                                  |
| Highway and transport safety                        | The proposed vehicular access points into the site and Manston Road pedestrian crossings would be acceptable and not result in any severe impacts in terms of highway safety.                                                                                  |
| Biodiversity and ecology                            | Impact in terms of biodiversity and protected trees can either be avoided or suitably mitigated.                                                                                                                                                               |
| Residential amenity                                 | The impact on neighbouring amenity could be designed to not cause any adverse impacts.                                                                                                                                                                         |
| Impact on agricultural land                         | The development would not result in the loss of any best and most versatile agricultural land.                                                                                                                                                                 |
| Affordable housing and infrastructure contributions | A policy-compliant provision of affordable housing has been proposed and can be secured by legal agreement. Similarly, planning obligations/contributions necessary to make the development acceptable have been agreed and can be secured by legal agreement. |

#### 4. Description of site

- 4.1 The 3.69ha site lies on the east side of Manston Road, outside of the settlement boundary of Sturminster Newton, but adjoining it. The application site would comprise two parcels of agricultural land and dropping down in levels by some 20m to the tree-lined meandering riverbank of Chivrick's Brook. The red line of the site excludes the adjacent fluvial flood zones 2 and 3. A strip of land running north to south through the middle of the site has been identified as being susceptible to groundwater flooding. The SE corner of the site includes two [Black] Poplar trees that are now protected by a Tree Preservation Order (TPO) (Ref: TPO/2025/0090). The western and southern boundaries of the site, as well as the mutual boundary between the two parcels within the site, are formed of mixed species hedgerows. The existing northern boundary of the site is lined with post and wire fencing. The site has an existing access opposite 21 Manston Road which would continue to be used as the 'primary route' serving the development. Public footpath N53/7 runs through the site and close to the southern boundary, before crossing an existing bridge over Chivrick's Brook.
- 4.2 The site does not contain any designated heritage assets, nor are there any within the immediate vicinity of the site. Both Fiddleford Manor (a grade I listed building and Scheduled Monument (SM)) and Fiddleford Mill (a grade II listed building) are around 1km to the south east of the site. The hillfort of Hambledon Hill, another SM, is some 5km to the south east.

- 4.3 The site has a rural, pastoral agricultural character and is within the North Dorset Limestone Ridges landscape character area. The Clay Vale landscape character type lies on the east side of the brook. The boundary of the Dorset National Landscape (AONB) lies some 4.3km to the south east, with Hambledon Hill a prominent topographic feature, albeit not from within the site itself. The North Dorset Trailway passes within 600m to the south. Piddles Wood SSSI lies some 1.1km to the south of the site.
- 4.4 The site is adjoined by a detached residential building to the north west “Little Shillings” and a detached dwelling “Tuscans” to the south west. Existing post-war dwellings line the western side of Manston Road.

## **5. Description of development**

- 5.1 The application seeks outline planning permission to erect up to 50 dwellings, including the provision of public open space, drainage and ancillary works.
- 5.2 The access points into the site is the only matter to be considered at this outline stage. In this respect, the existing access into the site would be retained and serve as the ‘primary route’ serving the scheme. A secondary access off of Manston Road would be formed at the northern tip.
- 5.3 Indicative plans have been submitted to illustrate a potential layout and internal road configuration. It should be reiterated that the layout shown would not form part of an approval at this stage, should permission be granted.
- 5.4 With the exception of the bisecting hedgerow opening to accommodate the estate road, other existing trees in and around the site would be retained.

## **6. Background and relevant planning history**

2/1978/0854 - Decision: REF - Decision Date: 27/12/1978

Use land for erection of 10 No. dwellings and garages, form new access

2/1995/0559 - Decision: REF - Decision Date: 10/11/1995

Develop land for residential purposes

2/1995/0760 - Decision: REF - Decision Date: 04/01/1996

Develop land by erection of 10 no. dwellings, form vehicular access

P/OUT/2023/01678 - Decision: REF - Decision Date: 19/02/2024

Erection of up to 52no. dwellings & associated works (outline application to determine access only)

P/OUT/2023/01678 - Dismissed at appeal - 17/01/2025

Erection of up to 52no. dwellings & associated works (outline application to determine access only)

## **7. List of constraints**

- Outside settlement boundary
- Adjacent to Flood Zones 2 and 3
- Risk of Surface Water Flooding Extent 1 in 30
- Risk of Groundwater Emergence; Groundwater levels are either at or very near (within 0.025m of) the ground surface.; Within this zone there is a risk of groundwater flooding to both surface and subsurface assets. Groundwater may emerge at significant rates and has the capacity to flow overland and/or pond within any topographic low spots.;
- Site of Special Scientific Interest (SSSI) impact risk zone
- Public Right of Way (PROW): Footpath N53/7

## **8. Consultations**

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

### **Cllr Jones (Ward Member)**

No formal response received within the consultation period.

### **Sturminster Newton Town Council**

Objection:

- The site lies outside the settlement boundary of Sturminster Newton. Site is not allocated in the current or emerging development plans.
- The Sturminster Newton Neighbourhood Plan (2016–2031) explicitly identifies land east of Manston Road as unsuitable for development due to its topography, landscape sensitivity, and visibility. The site occupies a prominent, sloping valley-side hillside forming part of the rural setting of Sturminster Newton and Chivrick's Brook. Development east of Manston Road would breach the strong town–countryside edge identified in both the Local Plan evidence base and Neighbourhood Plan.
- The application remains highly visible from Hambledon Hill, the North Dorset Trailway and multiple public rights of way.
- The revised LVIA does not materially reduce the harm identified in the 2023 refusal and appeal documentation. The proposal continues to cause significant adverse landscape and visual effects.
- No up-to-date Dorset Council traffic or speed survey for Manston Road.
- Proposed access is positioned directly opposite private driveways, which creates conflict and turning risks.
- Local observations highlight restricted visibility due to the road gradient, vertical alignment and boundary vegetation.
- Flood risks - parts of the site lie within or adjacent to Flood Zones 2 and 3 and the site is known to experience groundwater flood susceptibility.
- Foul drainage strategy requires pumping sewage uphill from the development to the Wessex Water network. Pumped systems are energy-dependent, vulnerable to mechanical failure, and pose pollution and public health risks if they fail.
- Loss of hedgerow and associated ecology.
- Rural character experienced and amenity value along the public right of way crossing site would be affected by housing, lighting and hard surfacing.
- Geotechnical and slope stability assessments required given the topography of the site.
- Not enough smaller houses or affordable rent proposed – does not align with local housing needs.
- Limited safe pedestrian access into town – car reliant.

### **Manston Parish Council (neighbouring Parish)**

No response received at time of determination.

### **Hammoon Parish Council (neighbouring Parish)**

No response received at time of determination.

### **Hinton St Mary Parish Council (neighbouring Parish)**

No response received at time of determination.

### **Okeford Fitzpaine Parish Council (neighbouring Parish)**

No response received at time of determination.

### **Natural England**

No response received at time of determination.

### **Environment Agency**

No objections subject to conditions re. FRA, landscape management plan, water efficiency, CEMP.

### **Highway Authority**

No objections:

The existing agricultural access onto Manston Road (B3091) is to be upgraded to a simple priority junction. Visibility splays will be provided that accord with the guidance provided by Manual for Streets (MfS) and Manual for Streets 2 (MfS2), allowing for the 85th percentile approach vehicle speeds that were provided by an automated traffic count (ATC) provided by Dorset Council. Swept path analyses confirm that the new junction can be safely used by large service vehicles.

A secondary access is proposed at the north-west corner of the site, which will serve up to five dwellings. This access will also be provided with the appropriate visibility splays.

Both new accesses will provide safe uncontrolled crossing points on Manston Road.

The application is supported by a Transport Assessment (TA) that considers the likely highway impact of a development of up to 50 dwellings.

The TRICS assessment predicts that the development is expected to generate approximately 24 and 27 additional vehicular trips in the AM and PM peaks respectively. This is less than one additional trip every two minutes. Allowing for distribution of this traffic onto the local highway network, it is predicted that in the peak hour periods the proposed development would be likely to generate approximately 15 additional trips through the town centre, or on average less than one trip every four minutes.

The proposal is also supported by a Framework Travel Plan which will seek to facilitate the use of sustainable modes of travel.

The Highway Authority considers that the submitted Transport Assessment is satisfactory and robust and 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 (NPPF) - December 2024.

Conditions recommended re. estate road construction, junction completion, cycle parking, visibility splays, highway widening and footway improvements, CTMP.

### Additional comments received 30 June 2026

As noted in the Transport Assessment, the site is located near to the North Dorset Trailway, which provides an off-road walking and cycling path to Blandford Forum and Speitsbury to the south-west of Sturminster Newtown, and forms part of the National Cycle Network. The Trailway is identified in the Active Travel Plan for Dorset as a priority route for improvement, as such a contribution should be sought towards ongoing improvements to the Trailway, both to encourage local journeys for access to local amenities and facilities, between the development into Sturminster Minister, as well as for inter-urban journeys to/from Blandford Forum as the nearest main centre.

Similarly, with regards to the bus, the Transport Assessment identifies the nearest pair of bus stops, it would be preferable to have them both improved to access to/from the development by sustainable means of transport. Currently served by the CR4 (Yeovil – Blandford Forum, First), the bus stops are Manston Road, (NaPTAN ref: dorapgam) and The Sheppards Yard, (NaPTAN ref: dorapgat). Both bus stops would benefit from improvements, including RTI (real-time information), Kassel Kerb, (to enable level access), clear ways and bus stop cages. Costs and design specification can be provided from the Dorset Travel team if required.

Further, as part of a submitted Travel Plan for the development, that consideration be given to the provision of bus passes/travel vouchers for new residents to encourage travel by sustainable modes, further information can be provided from the Dorset Travel Team if required.

### **Lead Local Flood Authority**

Initial holding objection withdrawn following submission of further information. No objection subject to conditions re. detailed surface water management scheme and its maintenance and management.

### **Dorset Council – Landscape Officer**

No objection:

The proposals would develop a site in a countryside setting beyond the defined edge of the settlement, and in so doing they would erode the current clearly defined eastern edge of the settlement, and result in the intrusion of built development down the undeveloped slope and into the valley.

However, the adverse landscape effects of development would not be significant enough to warrant an objection and that the adverse visual impacts of the development could be mitigated. Therefore, the proposed development does not conflict with NPPF Paragraphs 187 and 189, North Dorset Local Plan Policy 4, or Sturminster Newtown Neighbourhood Plan Policy 2.

### **Dorset Council – Natural Environment Team**

Initial comments 29 December 2025

- EclA is acceptable.
- Hedgerows around and through the site are Priority Habitat – 30m would be lost to accommodate access point, but there would be an overall increase in quantum of native hedgerow within the site – so impact not objectionable. However, NPPF para 193 hierarchy needs consideration.
- Hedgerow through the site is also important for bats.
- Ecological parameter plan needs to be provided for the buffers and then conditioned.
- Conditions recommended re. lighting, CEMP, EclA, badger survey.
- 10% BNG cannot be achieved on site. improvements should be made to retain existing habitats, then enhance existing and create new habitats.

Further comments 10 April 2026 following additional information provided

- Ecological Parameters Plan submitted is acceptable and should be conditioned.
- Given that the onsite net change in area habitat units is only fractionally below 10%, I would hope that small changes can be made within the reserved matters application to achieve onsite delivery of BNG. BNG cannot form a reason for refusal.
- Conditions recommended again.

### **Dorset Council – Building Control**

No response received at time of determination.

### **Dorset Council – Environmental Health**

- Contaminated land consultants will be able to provide comments on this. Apply unexpected contamination condition.
- No adverse comments on Odour report.
- Applicant needs to demonstrate that there will be no adverse noise affect upon new residents from the existing noise climate adjacent to a busy road. A suitable and sufficient noise assessment needs to be undertaken taking into consideration noise from traffic. The

assessment should inform a scheme for protecting the proposed dwellings and amenity spaces (garden area) from the external noise climate if necessary.

- Noise report also required for air source heat pump effects at reserved matters stage.
- Demolition and construction method statement condition recommended.

### **Dorset Council – Housing Enabling Team**

- As of November 2025 there are 95 households on the Housing Register that have a local connection to Sturminster Newton, and a further 162 households have listed Sturminster Newton as a preferred area to live.
- Scheme is welcomed to meet local housing needs and address wider need across county.
- The scheme includes five two-bedroom flats over garages (FOG) properties, and we support their inclusion, provided all homes meet the NDSS as indicated in the plans.
- In terms of housing mix, 12 of the 50 dwellings are two-bedroom properties, and there are no one-bedroom homes. This means only 24% of the homes are one- or two-bedroom, compared to the Local Plan's starting point of 60%. The majority are three- and four-bedroom properties, suggesting the scheme is weighted towards meeting the needs of families rather than couples or individuals. The inclusion of some one bedroom homes would be welcomed, and we would also hope that some of the 14 four-bedroom properties will be made available for affordable rent, as larger affordable rented homes are often in short supply.
- Overall, the scheme offers a generous level of affordable housing, meets space standards, and aligns well with identified local and wider housing needs. We support the application and encourage consideration of the mix to ensure a balanced community. While the application does not currently provide details of the tenure mix, we would expect this to comply with Policy 8 of the North Dorset Local Plan, which requires a minimum of 70% of affordable units to be for affordable rent.

*CASE OFFICER NOTE: The final mix and size of dwellings could be considered and agreed at the reserved matters stage.*

### **Dorset Council – CIL and Planning Agreements**

In order to make development acceptable in planning terms, applications for major housing development are expected to maintain and enhance the level of grey, green & social infrastructure as set out in Policies 13, 14 and 15 of the LPP1.

|                                   |                                                                                                                                      |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Affordable Housing                | 40% On Site Provision                                                                                                                |
| NHS Infrastructure Contribution   | £722 per dwelling to support infrastructure for Primary, Secondary and Community care within the NHS system                          |
| Education (Secondary)             | £4,077.03 per dwelling towards secondary school improvements which support the needs of the development.                             |
|                                   | Reflecting current Government advice in the Dept for Education – Securing Developer Contributions for Education Guidance August 2023 |
| Education – SEN Provision         | £1,487.62 per dwelling.                                                                                                              |
|                                   | Reflecting current Government advice in the Dept for Education - Securing Developer Contributions for Education Guidance August 2023 |
| Pre-School Provision Contribution | £190.50 per dwelling.                                                                                                                |

Reflecting current Government advice in the Dept for Education - Securing Developer Contributions for Education Guidance August 2023

|                                                           |                                                                                                                                                                                                 |
|-----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Community, Leisure and Sports Facilities Contribution     | £2,006.97 per dwelling.<br>Towards a project to create a youth hub for children and teenagers at Ricketts Lane Recreation Ground                                                                |
| Allotments Contribution                                   | £308.16 per dwelling                                                                                                                                                                            |
| LAP/LEAP                                                  | Onsite provision.<br>Fields in Trust Guidance recommends on site provision of a LAP or LEAP for this scale of development                                                                       |
| LAP/LEAP Maintenance Contribution                         | £359.36 per dwelling - if transferred to Sturminster Newton Town Council or Dorset Council                                                                                                      |
| Informal Open Space Maintenance Contribution              | £1,278.80 per dwelling - only if being transferred to Sturminster Newton Town Council or Dorset Council                                                                                         |
| Destination Play Facilities                               | £967.52 per dwelling towards play provision and improvements at Rixon and/or Rickets Lane Recreation Grounds                                                                                    |
| Destination Play Facilities Maintenance                   | £359.36 per dwelling.<br>Towards the maintenance of play facilities which will serve the development at Rixon and/or Rickets Lane Recreation Grounds                                            |
| Formal Outdoor Sports Facilities Contribution             | £1,318.80 per dwelling towards sports facilities in Sturminster Newton                                                                                                                          |
| Formal Outdoor Sports Facilities Maintenance Contribution | £128.73 per dwelling towards the maintenance of sports facilities in Sturminster Newton                                                                                                         |
| Rights of Way & Trailway                                  | ROW - £27,000 total:<br>£19,000 - improvements to 5 bridges along footpath N45/18<br>£8,000 - footpath N53/7 resurfacing of a 170-metre section<br>Trailway - £6,000 for surfacing contribution |
| Library Contribution                                      | £75 per dwelling – towards additional equipment and stock at Sturminster Newton Library                                                                                                         |
| Bus and Sustainable Transport Contribution                | £1,200 to provide 2 new bus stops close to the development entrance at approx. £600 each                                                                                                        |
| Indicative S106 Monitoring Fee                            | Number of Obligations<br>Total fee - £835 x 11 = £9,185                                                                                                                                         |

#### **Dorset Council – Public Transport**

No response received at time of determination.

#### **Dorset Waste Team**

No comments received at time of determination.

#### **Dorset Council – Tree Officer**

Whilst I appreciate that this application is Outline for the gaining of access only, I do have concerns regarding the impact of the final proposal on wildlife and existing trees, hedging and ground flora meaning that the site will of course be irrevocably changed. In light of this I have deemed it expedient to protect 2x Poplar spp. Shown as T1 and T2 on the Tree Survey supplied as they are considered important in the context of the site and are highly visible and prominent in the landscape. These two trees are now protected by TPO reference TPO/2025/0090. Regrettably many of the ash trees on site are to some extent colonised with Ash dieback and this therefore increases the importance of these 2 Poplar trees as they add maturity and visual amenity to the site.

This application requires the removal or translocation of a section of hedgerow to facilitate the access road onto the field / development and to create the visibility splay. Further detail is needed to show how these hedges are to be managed going forward and the methodology for any translocation.

Full and final Arboricultural Impacts and Method Statement and Tree Protection Plan to be conditioned if approved.

#### Further comments received 15 July 2026

I have looked at the Forestry Commission guidance which gives general information about Black Poplar trees (which mention the size/spread of the trees); along with other sources of tree species information I agree that Black poplars can achieve mature heights in excess of 20m and it could be that their roots could extend (laterally) twice the height of the tree, possibly more in riverine situations/conditions.

I note the academic paper from a study in Italy regarding the underground riparian features of root systems on the Black Poplar trees studied in which it states that the trees have “a very complex root structure”. I have not been able to trace any documentary evidence for Black Poplar tree roots *extending 40 metres*.

Perhaps the 40m figure came from estimating the height of the trees in the proposed development site (20m) and doubling it.

With regards tree protection conditions and the outline application under consideration the following conditions should be applied:-

#### Tree Condition 1:-

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 draft 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:

- Location and installation of services/utilities/ drainage.
- Methods of demolition within the root protection area (RPA) of retained trees (as defined in BS 5837: 2012).
- Details of construction within or impacting the RPA of retained trees.
- A specification for protective fencing during demolition and construction phases and a scaled plan showing its alignment.
- A draft scaled Tree Protection Plan (TPP) showing protection measures and identifying prohibited construction activities within RPAs – i.e. the ‘Construction Exclusion Zone’

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.

#### Tree Condition 2:-

Prior to the commencement of any development hereby approved (including any preparatory works of ground clearance, tree works, or demolition) the following measures shall be carried out:

- a) A site meeting shall take place between the Local Planning Authority's (LPA's) Tree Officer, the appointed Arboricultural Consultant and Site Manager to assess the potential impact of the development upon the Black Poplar trees just beyond the south east corner of the site, and the outcomes of the meeting shall thereafter be agreed in writing by the LPA;
- b) An Arboricultural Supervision and Monitoring Statement, which has been informed by the agreed outcomes of the site meeting, has been submitted to and agreed in writing by the LPA.
- c) Under arboricultural supervision (to be audited), small trial trenches/excavation, dug by hand, shall take place at selected positions within the application site proximal to and 15 metres from the base of the Black Poplar trees to determine any presence/absence of tree roots to inform the design layout of the site.

The development shall, thereafter, be carried out in accordance with the approved Arboricultural Supervision and Monitoring Statement.

Reason: To ensure that the development proceeds in accordance with the approved arboricultural details and that appropriate protective measures are implemented before any works commence.

#### **Wessex Water**

No response received at time of determination.

#### **Ramblers Association**

If Footpath N53/7, to the south of the development, is beyond the site boundary then we suggest that a link to the path be created directly from the site.

We are aware that there is no footway on the eastern side of Manston Road which is subject to fast moving traffic. Safe crossing points are therefore essential for walkers and cyclists travelling into the village from the new estate.

#### **Dorset Police Architectural Liaison**

No response received at time of determination.

#### **Dorset & Wiltshire Fire and Rescue**

Development would need to be built to meet current Building Regulations requirements.

#### **WPA Consultants**

The reporting indicates low risk on the assessment of potential contaminant linkages but recommends soil sampling. This should be targeted to probable sources of contamination and the processes of investigation and risk assessment need to be formalised under contaminated land planning conditions. A process of remediation may be necessary and a watching brief for currently unknown issues must be in place.

#### **Education Officer**

No comments received at time of determination.

#### **Rights of Way Officer**

No objection subject to relevant information and actions within letter.

#### **Dorset Council – Urban Design**

Support subject to conditions:

- The site measures 3.39 hectares (ha) and at 50 dwellings this equates to a gross density of 14 dwellings per hectares (dph) which is considered low density. As stated in the Design & Access Statement (DAS), the developable area is 1.55 ha which would equate to a net density of 32dph. Manston Road is characterised by linear development with large plots and deep gardens.

- A pedestrian link to the existing PROW (N53/7) should be explicitly shown on the Illustrative Masterplan.
- The layout within the Illustrative Masterplan is predicated on cul-de-sac development which is shown to incorporate several streets that terminate without a turning head (as highlighted on the annotated plan below). While this is a point of detail, it is important to consider how the layout could better facilitate strong internal permeability to promote active travel.
- The secondary vehicular access point that is proposed would commit the development to creating a private driveway. This private driveway is indicatively shown on the Illustrative Masterplan without pedestrian connections to the rest of the proposed development. This arrangement would reinforce a car-centric approach to the development.
- Illustrative masterplan shows good natural surveillance of public open space areas but this could be improved at reserved matters stage.
- The indicative plans show a layout including only tandem or garage parking. It is not recommended to incorporate this quantum of tandem / garage parking at a detailed stage of design.
- Several plots within the illustrative proposals would not be afforded private amenity space, owing to the use of FOGs. Where private amenity space is shown, it appears disproportionate to the size of the associated dwelling.
- The indicative accommodation schedule as currently proposed would not provide a housing mix of the supported position. The total indicative mix is weighted towards larger dwellings (3b & 4b) with less than 25% of the total mix being proposed as 1b / 2b properties. Assuming a total of 20 affordable dwellings (equating to 40% of the total mix), if the 2B dwellings were exclusively affordable dwellings then this would equal 60% of the affordable housing mix which would meet the supported position within Policy 7 for affordable housing. However, this scenario would leave the open market mix at 0% two-bedroom properties which deviates from the supported position.

CASE OFFICER NOTE: These are all matters that can and should be resolved and finalised at the reserved matters application stage, should the outline be approved.

### **Economic Development and Tourism**

No concerns and objections.

### **Dorset Council – Libraries**

No comments received at time of determination.

### **Dorset Council – Public Health Dorset**

No comments received at time of determination.

### **Dorset Wildlife Trust**

No comments received at time of determination.

### **NHS Dorset**

No comments received at time of determination.

**Full comments are available on the Council's website.**

### **Representations received**

| Total - objections | Total - No objections | Total - comments |
|--------------------|-----------------------|------------------|
|--------------------|-----------------------|------------------|

|    |   |   |
|----|---|---|
| 21 | 0 | 0 |
|----|---|---|

### **Summary of comments of objections:**

- Outside settlement boundary of town, conflicts with spatial strategy - could set a precedent for other development.
- Flood risks and drainage issues on site – groundwater and surface water.
- Drainage scheme impact on Chivrick's Brook.
- Highway safety – pedestrians crossing Manston Rd, positioning of access and crossing points, visibility splays, walking routes, increased traffic movements, existing speed limit exceedances.
- Lack of infrastructure in the town to cope with additional population.
- No social rent units provided.
- Landscape and visual impact cannot be mitigated, even with tree screening.
- Impact on biodiversity – bats, owls, otters, hedgerows.
- Ground stability.
- Sewerage system – pumping uphill.
- Noise and disruption during construction phase.

### **9. Duties**

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

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.

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

### **10. Relevant policies**

#### Development plan

In this case the development plan comprises:

#### **Adopted North Dorset Local Plan:**

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

Policy 1 – Presumption in Favour of Sustainable Development

Policy 2 – Core Spatial Strategy

Policy 3 – Climate Change

Policy 4 – The Natural Environment

Policy 5 – The Historic Environment

Policy 6 – Housing Distribution

Policy 7 – Delivering Homes

Policy 8 – Affordable Housing

Policy 13 – Grey Infrastructure  
Policy 14 – Social Infrastructure  
Policy 15 – Green Infrastructure  
Policy 20 – The Countryside  
Policy 23 – Parking  
Policy 24 – Design  
Policy 25 – Amenity

### **Bournemouth, Christchurch, Poole and Dorset Minerals Sites Plan 2019**

Policy MS-8: Preventing Land-Use Conflict

### **Bournemouth, Dorset & Poole Minerals Strategy (2014)**

Policy SG1 - Mineral Safeguarding Area  
Policy SG2 - Mineral Consultation Area  
Policy SG3 - Safeguarding of mineral sites and facilities

### **Bournemouth, Dorset & Poole Waste Plan 2019**

Policy 22 - Waste from new developments

### **Sturminster Newton Neighbourhood Plans 2019**

Policy 2 – Important views and landscape sensitivity  
Policy 6 – Trees in the landscape  
Policy 7 – Housing numbers and locations  
Policy 11 – Open space and recreation provision and standards in new development  
Policy 12 – Delivering a safe and convenient travel network  
Policy 14 – Rural recreational trails  
Policy 31 – Rixon and Eastern Fringe character

### Material considerations

#### **Emerging local plans:**

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

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

#### **The Dorset Council Local Plan**

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

#### **Local Nature Recovery Strategy**

The Dorset Local Nature Recovery Strategy identifies local priorities for nature recovery and maps areas where action would be most beneficial. In planning decisions it is a material consideration, helping to ensure that development supports biodiversity enhancement and aligns with Dorset's agreed priorities for nature recovery.

### **National Planning Policy Framework 2024 (as amended 2025)**

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

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' This outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 8 'Promoting healthy and safe communities'
- Section 9 'Promoting sustainable transport'
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that when considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

### **National Planning Practice Guidance**

#### **Other material considerations**

Sturminster Newton Town Design Statement SPD (2008)

National Character Areas (NCA) Profile: 133 Blackmore Vale and Vale of Wardour (NE539)

Local Development Framework: North Dorset Landscape Character Assessment (as amended) (2008)

North Dorset Strategic Landscape and Heritage Study (October 2019)

Cranborne Chase AONB Management Plan 2019-2024

### Housing land supply

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

### Housing Delivery Test (HDT)

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

## **11. Human rights**

Article 6 - right to a fair trial.

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

The first protocol of Article 1 protection of property.

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

## **12. Public Sector Equalities Duty**

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

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

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

Whilst the application site is not located in line with the spatial strategy of the Local Plan, access from the site to the town's facilities would be served by lit footways on the opposite side of Manston Road. As an outline application there is uncertainty with regards to whether the levels through the site and the crossing point at Manston Road would prove to be impractical or undesirable for those with protected characteristics, however it is also acceptable that these are unlikely to be insurmountable.

Officers have considered the requirement of the duty, and it is considered that the proposal would be unlikely give rise to specific impacts on persons with protected characteristics.

## **13. Public Benefits**

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

| What                                                                                        | Amount / value                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Material considerations</u>                                                              |                                                                                                                                                                                                    |
| Housing                                                                                     | A total of up to 50 dwellings.                                                                                                                                                                     |
| Affordable housing                                                                          | Up to 20 of the dwellings.                                                                                                                                                                         |
| Public open space                                                                           | A proportion of the site, including potential play area space.                                                                                                                                     |
| Financial contributions to education (inc. SEN)                                             | £5,564.65 per dwelling                                                                                                                                                                             |
| Financial contributions to healthcare                                                       | £722 per dwelling                                                                                                                                                                                  |
| Financial contributions to pre-schools                                                      | £190.50 per dwelling                                                                                                                                                                               |
| Financial contributions to Community, Leisure and Sports Facilities                         | £2,006.97 per dwelling                                                                                                                                                                             |
| Financial contributions to Formal Outdoor Sports Facilities Contribution (inc. maintenance) | £1,447.53 per dwelling                                                                                                                                                                             |
| Financial contributions to play spaces (inc. on site LAP and off site maintenance)          | £1,686.24 per dwelling                                                                                                                                                                             |
| Financial contributions to Informal open space maintenance                                  | £1,278.80 per dwelling                                                                                                                                                                             |
| Financial contributions to rights of way                                                    | £27,000                                                                                                                                                                                            |
| Financial contributions to libraries                                                        | £75 per dwelling                                                                                                                                                                                   |
| Financial contribution to bus and sustainable transport                                     | £1,200                                                                                                                                                                                             |
| Employment during construction phase                                                        | The proposal would support local jobs in the construction sector and will bring about 'added value' in the local area through associated spending and economic activity.                           |
| Spending in the local economy by future occupiers                                           | The proposal would support the local economy and provide housing required to support the long-term economic growth in the area, with new residents spending on goods and services as they move in. |
| <u>Non material considerations</u>                                                          |                                                                                                                                                                                                    |
| Council Tax                                                                                 | According to appropriate charging bands/property value.                                                                                                                                            |
| New Homes Bonus                                                                             | A proportion of the allocation.                                                                                                                                                                    |

## **14. Planning Assessment**

14.1 The main planning considerations for this application are considered to relate to:

- Principle of development - Housing land supply
- Principle of development - Location of development
- Local character and landscape impact
- Flood risks and drainage
- Heritage impact
- Highway and transport safety
- Biodiversity and ecology
- Impact on protected trees
- Residential amenity
- Impact on agricultural land
- Affordable housing and infrastructure contributions

### **Principle of development - Housing land supply**

- 14.2 At the time the application was submitted the Council had an Annual Position Statement (APS) that confirmed that the whole Dorset Council area could demonstrate a housing land supply of 5.02 years. However, in accordance with the Planning Inspectorate's report, the Council were only able to rely on this position until 31 October 2025. The latest version of the NPPF (published December 2024 and updated February 2025) removed provision for local authorities to produce an APS to confirm their housing land supply.
- 14.3 In response to the expiration of the APS the Council published its latest 5 year housing land supply position statement in October 2025, with the latest housing requirement and local housing need, using the standard methodology set out in the NPPF and planning practice guidance (PPG). As per the position statement, the latest local housing need figure for the Dorset Council area is calculated to be 3,246 dwellings per annum for 1 April 2025 using the standard method. Over five years, this need is 17,040 dwellings, including a 5% buffer. However, the Council can only demonstrate a deliverable housing supply of 8,639 dwellings for the 2025-2030 period, which is equivalent to 2.53 years supply.
- 14.4 Thus, whilst the Council still benefits from a result of 106% in the 2023 Housing Delivery Test measurement (published December 2024), it is unable to demonstrate a deliverable housing land supply of 5 years. 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 North Dorset Local Plan Part 1 are out of date. This means that the tilted balance and presumption in favour of sustainable development applies in decision-making. The case officer's balancing exercise in this context is set out later in the 'Planning Balance' section of this report.

### **Principle of development - Location of development**

#### **Spatial strategy**

- 14.5 The statutory basis for decision taking in planning is that determinations must be made in accordance with the development plan unless material considerations indicate otherwise. The North Dorset Local Plan Part 1 ('Local Plan') establishes the Council's approach to the distribution of development, including housing, across the district. Policy 2 of the Local Plan seeks to focus growth, including the vast majority of housing, mainly towards the four main towns of Blandford, Gillingham, Shaftesbury and Sturminster Newton. Lower tier

settlements such as Stalbridge and the 18 larger villages should focus on growth to meet local (rather than strategic) needs. Settlement boundaries have been retained by saved policy 1.7 of the 2003 North Dorset District-Wide Local Plan. Beyond the settlement boundaries of the main towns and villages, countryside development plan policies apply to strictly control new development.

- 14.6 Policy 19 of the Local Plan sets out that at least 395 new dwellings should be built in Sturminster Newton over the plan period of 2011-2031 to meet local needs, and this will be met through “infilling and redevelopment within the settlement boundary, including the redevelopment of land in and around the Station Road area...” The Sturminster Newton Neighbourhood Plan (SNNP) indicates that across the whole parish of Sturminster Newton this be increased to a minimum of 457 new dwellings.
- 14.7 Policy 7 of the SNNP makes it clear that “New dwellings should be located within the settlement boundary, on allocated sites or delivered through the conversion of existing buildings” and that “Green field sites outside the settlement boundary should not be released.”
- 14.8 Policy 20 of the Local Plan applies to all development outside of the settlement boundaries and states that development will only be permitted where it is a type appropriate for the countryside or can be demonstrated that there is an overriding need for it to be located in the countryside. The supporting text to Policy 20 suggests that ‘overriding need’ relates to development that requires a countryside location rather than addressing generic needs for housing that are unable to be met within settlements.
- 14.9 Although adjoining the boundary, the application site is located on a greenfield site outside of the settlement boundary of Sturminster Newton. The proposed development would not represent a type of development that would be appropriate in the countryside or otherwise have a demonstrable overriding need for a countryside location.
- 14.10 The proposed development would therefore be in conflict with Policies 2, 19 and 20 of the Local Plan, as well as Policy 7 of the SNNP, and not supported in principle, unless other material considerations indicate otherwise. One such material consideration is the NPPF. Given the housing land supply situation, the ‘tilted balance’ and presumption in favour of sustainable development under paragraph 11d is engaged.
- 14.11 The Inspector in the previous application stated that Policy 6 of the Local Plan was not relevant to the matter of spatial strategy “as it simply identifies the housing distribution in the district” and therefore weighs neither for nor against the proposal.

#### Accessibility to local services and facilities

- 14.12 The matter of the site’s proximity to local services and facilities was not raised as a concern during the previous application or by the Inspector in making their decision at appeal. The Inspector rightly recognised that, adjoining the eastern boundary of the town, the site is within 800m of a convenience store and 1.2km to the town centre, doctors, schools and a leisure centre. It is also within close walking distance to bus stops along Manston Road. The Inspector therefore accepted that future occupiers would have relatively easy access to a range of goods and services which could be sought by sustainable travel means. The topography of the site was, however, raised as a concern, with the downhill sloping site potentially discouraging some future occupiers from leaving the site by foot or cycle, thereby reducing the accessibility credentials of the site. Although not stated by the Inspector, this disadvantage would be felt most notably by those with protected characteristics. Accordingly, the Inspector afforded the accessibility of the site a ‘modest’ extent of weight in favour of the proposed development. It is possible that some challenges

with the sloping topography across the site could be designed to minimise overtly steep pedestrian routes at the more detailed reserved matters stage.

- 14.13 Despite lying outside of the settlement boundary and in conflict with spatial strategy, future occupiers of the proposed development would be able to access the full range of services and facilities available within one of the 'four main towns' in the North Dorset Local Plan area. As such, the location of the development would not be unsuitable for housing.

### **Local character and landscape impact**

- 14.14 During the previous appeal on site it was agreed between all parties, including the Inspector, that there is a distinction to be made between impact on landscape, which should be treated as a resource, and impact on visual amenity, which is the effect on people observing the development in places where the development can be viewed, such as villages, roads, public rights of way and individual dwellings. The Inspector also commented on how the proposal would affect the existing settlement pattern.
- 14.15 Quantum of development and density was not raised as a concern with the previous application and it would remain around an acceptable 14dph. This would not be inappropriate for an edge of town location and is comparable with the Land off Elm Close approved allocated site.
- 14.16 As set out in their latest LVIA, the applicant's proposed mitigation and enhancement measures for the scheme includes the retention and planting of vegetation and hedgerows, orientated buildings to face outwards, and setting development back from the public footpaths.
- 14.17 Comparing the illustrative masterplan submitted for the current application with the amended equivalent plan that was submitted with and considered as part of the dismissed appeal, the indicative scheme is almost identical. The only material difference appears to be a slight change of building positions/orientation and road layout in the SE corner of the site. The proposed mitigatory planting appears to be repeated from the appeal scheme.

### **Site context and policy**

- 14.18 The SNNP recognises that, as a result of its underlying landform, the river and its floodplain, and its historic pattern of growth, Sturminster Newton has limited future development potential that would be considered 'sustainable'." Policy 7 of the SNNP reiterates that new dwellings should be located within the settlement boundary and that no green field sites outside of it should be released for housing development.
- 14.19 Policy 2 of the SNNP highlights that "Development should not be supported if it would adversely affect views from Hambledon Hill, the main approach roads to the town, or the routes and spaces identified in Maps 3 and 9." The routes and spaces identified in the numbered Maps include the public footpath that crosses the site (N53/7) and the North Dorset Trailway to the south (N53/93).
- 14.20 Policy 31 of the SNNP captures the character and pattern of development of the local area known as Rixon and Eastern Fringe, within which the application site lies. Of pertinence to the application site, it highlights that "Manston Road, which runs along a ridge, provides quite a strong demarcation between town and country, with little development on its eastern side, where the land slopes down and is clearly visible from the wider landscape. The main exception to this is Sturminster Storage and the adjoining dwellings. Land east of Manston Road is considered unsuitable for further development, particularly because the topography makes it difficult for landscaping to soften the visual impact of building in extensive wider

views.” The main part of the policy also states that “the development on the ridgeline along Manson Road (including the eastern end of Rixon Hill) is particularly sensitive in wider views.”

- 14.21 The Sturminster Newton Town Design Statement SPD, which is a material consideration, also highlights the clear distinction between the town and the countryside formed by the Manston Road, as well as the importance of the footpath network to the east, the visual intrusion of existing development along the Manston Road on views from the countryside and the design guidelines which state that development should not adversely affect important views from the countryside. Design guideline D6 states that “Development should not adversely affect important views of the countryside”. Design Guideline L1 states that “any new development adjoining or close to rural edges of the town should be planned and designed to create a sensitive transition between Town and Country”. Design Guideline L3 states that “hard and soft landscape should be provided where appropriate to enable development to integrate successfully into the local environment”.
- 14.22 Whilst Policy 8 of the SNNP revised the settlement boundary of the town to include the existing buildings at Sturminster Storage on the east side of Manston Road, it did not extend it to include any other land east of Manston Road. There is a housing allocation in this part of the town ‘Land off Elm Close’ which is a comparatively well contained site within wider views. It was granted full planning permission for 98 dwellings, open space, allotments and associated infrastructure in August 2021 (Ref: 2/2019/1801/FUL).

#### Settlement pattern

- 14.23 The Inspector, in dismissing the previous application, noted that the site would not infill a plot that is between existing built form and is not surrounded by the settlement boundary on three sides. Existing development to the north and south of the site is sporadic and would not bracket the site, having comparatively shallow plot depths. The scheme would also not be perceived as ‘rounding off’ or completing the adjacent settlement.
- 14.24 By developing on the sloping eastern side of Manston Road the previous refusal considered the proposal would be at odds with the spatial pattern of development within the Rixon and Eastern Fringe area and wider town. In visual terms, the development would represent an obvious breakage of the strong demarcation between town and country character and form a harmful encroachment into the open, rural, sloping countryside and Chivrick’s Brook floodplain.
- 14.25 On this point, the Inspector stated that “[the scheme] would intrude into the open countryside in a manner discordant with the existing settlement pattern.” This effect would remain the case with the current application. The proposal would still involve major residential development intruding into the open countryside and on the slope on the east side of Manston Road. This clearly would be at odds with the existing pattern of development in the Rixon and Eastern Fringe local area of the town.

#### Landscape character

- 14.26 The site lies within the ‘North Dorset Limestone Ridges’ within the North Dorset Landscape Character Assessment (‘NDCA’). The mapping and boundaries of the landscape character areas in the NDCA correspond with the ‘Dorset Landscape Character Types’, with the site lying within the ‘Limestone Hills’ landscape type in this respect. The ‘Clay Vale’ landscape character type forms the land on the east side of the site beyond the brook. A key characteristic of the Limestone Hills character type is distinctive settlement patterns either along ridges or on the side slopes of ridges. Map regression of the town area reveals that, historically, development in Sturminster Newton has focused on its plateau position within

the landscape, generally staying above the 65m contour line and avoiding development down the eastern slopes. Therefore, officers previously considered that development down the eastern slopes, in addition to the plateau, would not be characteristic for the Limestone Hills landscape type and would be harmful to landscape character.

- 14.27 However, the Inspector for the previous application recognised that, whilst the town is primarily a plateau settlement it also has development on slopes on parts of the southern and western sides, demonstrating recognisable characteristics of both plateau and 'hanging' settlements that lie within the Limestone Hills. This is accepted by both the applicant and the Council's Landscape Officer. Therefore, notwithstanding the spatial context set out in Policy 31 of the SNNP, an argument could be made that development on more slopes around the town would not be uncharacteristic in the Limestone Hills.
- 14.28 Notwithstanding this, the Inspector considered that the site lies within an area of transition between two character type areas (which has not been disputed by the applicant) and makes more of a positive contribution to the adjacent Clay Vale landscape character type insofar as being part of the slope, below the Limestone Hills ridgeline and visually connected to the adjacent valley as an arable parcel of land.
- 14.29 There is no dispute that the edge of the settlement along Manston Road, which comprises visually intrusive existing housing, forms a hard boundary with the site and marks a clear change in character. As the Inspector reiterated in their decision, the connected range of fields that comprise the eastern sloping edge of the town are largely interrupted by built form and form a significant undeveloped feature within the wider landscape from views to the east and SE. The site and its adjacent fields therefore make an important positive contribution to the local landscape character.
- 14.30 The applicant's latest LVIA submitted with the current application asserts that "the nature of the development proposed is not uncharacteristic within the receiving landscape" and that "overall, it is considered that the Proposed Development will not result in unacceptable effects on landscape and visual receptors as the development preserves the characteristic attributes of the landscape and responds positively to the Sturminster Newton Settlement."
- 14.31 The Inspector for the previous application did not agree with the appellant that further development would ameliorate the negative effects of existing development. The Inspector considered that proposed development would intrude into the clearly defined character of the eastern slopes of the settlement have a moderate adverse impact on the landscape character of the appeal site and a substantial adverse impact on the wider landscape character of the area.
- 14.32 The Inspector agreed with the appellant that the proposal "would soften the urban edge of Manston Road" but that this gain would be limited and that the harm found to landscape character would not be outweighed by mitigation in the form of segregated development blocks and green space/planting.
- 14.33 Under s85(1) of the Countryside and Rights of Way Act 2000 (as amended) it is a statutory duty for the LPA, in exercising or performing any function in relation to, or so as to affect, a National Landscape (NL) to seek to further the purpose of conserving and enhancing the natural beauty of the NL. In decision-making this duty includes development that affects the setting of a NL. This duty needs to be considered in tandem with paragraph 189 of the NPPF, which states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes (which have the highest status of protection in relation to these issues). The same paragraph adds that development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. Whilst the proposed development would inevitably result

in a degree of adverse impact on the landscape character of the site and localised landscape context, given the c5km separation and intervening vegetation and built form, it remains accepted that the proposed development would not adversely affect the landscape character and setting of the Cranborne Chase National Landscape. The NL would therefore be conserved and enhanced as a result of the development.

- 14.34 In terms of landscape character impact, the Inspector concluded that the previously proposed development would conflict with the established character and an intrusion of built form that would erode the eastern edge of the settlement, cause significant landscape harm, erode the character of the Rixon and Eastern Fringe character area that mitigation would be unable to address. This is not disputed by the Council's Landscape Officer. However, the Landscape Officer also considers that, as currently proposed, the adverse landscape effects of development would not be significant enough to warrant an objection. Ultimately, the Landscape Officer is satisfied that the illustrative masterplan and submitted AVRs, the latter of which is new material information, demonstrate that the adverse visual effects of the development could be mitigated within a reasonable time frame and, therefore, the proposal would not conflict with Policy 4 of the Local Plan, Policy 2 of the SNNP and paragraphs 187 and 189 of the NPPF.

### Visual effects

- 14.35 In the context of Policy 2 of the SNNP, Manston Road forms one of the main approach roads into the town and a route identified in Map 9 includes the section of footpath N53/7 that crosses the site. At the time of the previous application officers considered that the immediate adverse visual effect resulting from an obvious breakage of the strong demarcation between town and country character and encroachment into the open, rural, sloping countryside would be most apparent from these two key immediate viewpoints.
- 14.36 From the entrance to the site itself along Manston Road, the open and uninterrupted Clay Vale and pasture panoramic landscape can be appreciated, with Hambledon Hill forming a prominent landscape feature further in the distance. This was agreed by the Inspector. At the time of the appeal officers considered that, with a well-maintained hedgerow along the east side of Manston Road, the landscape to the east of the site remains appreciative. The Inspector, on the other hand, considered that the roadside hedgerows would largely limit views into and through the site, with motorists experiencing only brief glimpses of the site and passing pedestrians and cyclists taking in longer views only at the entrance and in gaps through the hedging.
- 14.37 As with the previous application, the illustrative masterplan of the proposal indicates that most of the roadside hedgerow would be retained, leaving views from Manston Road once again largely unchanged. Illustrative cross section drawings submitted with the appeal demonstrated that, due to the slope, the hedging would screen most development from pedestrian eye level along Manston Road, with only the roofs of housing closest to the highway being visible. The only exception to this would be at the proposed entrance points where receptors would see a substantial magnitude of change, consisting of both buildings and roads. This would remain the case with the current proposal. These views would be localised only and would take in only parts of the scheme. The Inspector deemed this to amount to only a moderate harmful visual effect, rather than significant.
- 14.38 The SNNP highlights that land on the east side of Manston Road would be unsuitable for further development because the topography would make it difficult for landscaping to soften the visual impact of building in extensive wider views. Owing to the elevated position of the site relative to the river valley flood plain, close and middle distant views of the site are possible from footpaths to the north east (N45/19), east (N45/18) and south east.

- 14.39 These views were also recognised by the Inspector for the previous application. The Inspector acknowledged that, whilst existing field boundary screening provides several layers of screening, some views from public footpath N45/19 provide largely open and unscreened views of most of the site and its neighbouring sloping landform. However, from here, the Inspector accepted that a scheme that sought mitigation through a reduced number of dwellings (52 units down to 50 units) and additional linear planting through the site, based on the indicative layout, would “diffuse views of housing and soften views” and reduce the visual impact of the development to minor adverse only.
- 14.40 The Inspector also accepted that, given the separation and intervening existing vegetation, views from the Trailway are relatively filtered, where the site is a small part of a far wider view. As such, there would only be a minor adverse visual impact from here.
- 14.41 It was agreed at the time of the appeal that receptors of ‘Map 9 route’ public footpath N53/7 passing through the southern section of the site would experience an immediate landscape that would be largely dominated by new buildings, roadways and associated equipment. The Council’s position at the time of the previous application was that the magnitude of change from this footpath would be major to moderate adverse. However, the Inspector disagreed, stating in their decision that “the retention of the existing hedge through the site, and the proposed addition [sic] planting, would prevent many views of the proposed development across the total site... the proposed development has been shown on the indicative plan to be set away from the pathway by a significant distance, diminishing its visual impact... the overall effect of development on users of the PRow would be moderate rather than major adverse.”
- 14.42 In terms of visual impact, the Inspector concluded that due to the combination of landform, existing screening, the ability to separate proposed housing on the site with areas of green space and landscape mitigation, the identified moderate adverse visual effects would be localised only and not therefore cause a significant adverse visual effect. The moderate degree of impact would not present a clear reason to refuse the proposal on visual amenity grounds from views along the main approach roads and the routes identified in the SNNP maps.
- 14.43 Based on the information submitted with the current application, which includes a new LVIA and Accurate Visual Representations (AVRs), the Council’s Landscape Officer agrees that the proposed development would be unlikely to cause a significant adverse visual effect given the mitigation proposed and evidenced by AVRs of the proposed development.
- 14.44 As such, there are no landscape or visual objections to the proposed development of the site and officers consider the proposal would comply with Policy 4 of the Local Plan, Policy 2 of the SNNP and paragraphs 187 and 189 of the NPPF.

### **Flood risks and drainage**

- 14.45 As highlighted earlier in the report, the red line application site area for the current proposal excludes the fluvial flood zones 2 and 3 associated with adjacent Chivrick’s Brook. The latest mapping data indicates no surface water flood risks are present on site or would be in the future with climate change. However, as with the previous application, there would remain a strip of land running north to south through the middle of the site that has been identified as being susceptible to groundwater flooding.
- 14.46 During the course of the previous appeal the Council accepted that evidence provided by the applicant, which showed that groundwater was not encountered until at least 1.4m below ground level, indicated that risks from groundwater flooding are low in reality.

- 14.47 Given there would be no high or medium flood risks from all sources on the site now and or in the future, it follows that the flood risk sequential test set out in national and local policy does not need to be applied in this instance.
- 14.48 As with the previous scheme, two above ground attenuation basins are proposed as part of the drainage strategy. Groundwater monitoring conducted in August 2021 and results of infiltration testing is enough to rule out infiltration (soakaways) as a viable means of disposal of surface water runoff. Winter groundwater monitoring would have only been required had infiltration proven viable and to prove that a 1m separation could be achieved between observed groundwater levels and the base of basins. The surface water drainage layout is also the same as the previous application and remains acceptable. The proposed strategy would attenuate surface water runoff and discharge to Chivrick's Brook in accordance with the third tier of the drainage hierarchy. Flows generated within the northern and southern extents of the site would be directed into a series of lined SuDS features (wet ponds or seasonally dry basins). Permeable paving within all private driveways and parking areas would also be proposed. These areas must only drain their direct footprint, with runoff from adjacent properties and garages to be positively drained towards the lined attenuation basins.
- 14.49 The proposed drainage strategy has been considered by the LLFA who have withdrawn any previous holding objections raised. The standard conditions regarding a finalised drainage scheme are recommended and can be imposed. Accordingly, the proposed development would not avoid areas at risk of flooding from all sources and incorporate a suitable drainage strategy to ensure compliance with Policy 3 of the Local Plan.
- 14.50 Some concerns have been raised through third party representations regarding the stability of the land, given the geology and groundwater characteristics. The Geotechnical and Geo-environmental Assessment submitted with the application indicates that traditional strip/shallow trench fill foundations are expected to be appropriate in the western part of the site. Through the central and eastern parts of the site, ground conditions are marginal in terms of shallow / trench fill foundation suitability. As such it is recommended in the assessment that alternative foundation solutions should be sought, such as traditional piling. Further investigation is recommended once layouts have been finalised through the reserved matters stage. Thus, the assessment indicates that solutions are workable and that these may ultimately affect the final quantum and layout of the development at the reserved matters stage.
- 14.51 As per the previously application, the proposed foul drainage strategy would involve the site draining via a gravity sewer into a pumping station towards the southern boundary. The final positioning of the pumping station would need to ensure it does not obstruct public footpath N53/7. A rising main would then provide a pumped connection up to the closest Wessex Water foul sewer on Manston Road. The FRA submitted with the application confirms there is capacity to receive a pumped connection. The point of connection to the public network would be via application and agreement with Wessex Water. This information is sufficient to demonstrate compliance with Policy 13 of the Local Plan.

## **Heritage impact**

- 14.52 The previously refused application concluded that the development would cause no harm to any designated heritage assets within proximity of the site.
- 14.53 The Inspector, in making his decision, effectively agreed, concluding that there would be a negligible effect on the setting of grade I listed building and Scheduled Monument Fiddleford Manor & Mill House and grade II listed building Fiddleford Mill due given the separation and intervening plant screening. Similarly, the Inspector also concluded that the

proposed development would not adversely affect the setting of Hambledon Hill as a hillfort as it would not impede the understanding of the monument's topographical importance and not affect its relationship with other local hillforts, thus preserving its significance.

- 14.54 As such, having once again concluded that the proposed development would result in no harm to designated heritage assets it is not necessary to engage paragraph 215 of the NPPF. Having had regard to s66 and of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that no harm would be caused to the significance of any heritage assets. Thus, impacts would be acceptable and in accordance with Policy 5 of the Local Plan and section 16 of the NPPF.

### **Highway and transport safety**

- 14.55 As mentioned, access is the only 'matter' to be considered at this stage and the applicant has confirmed that it is only the access points into the site that are to be considered and not also the internal roads as shown on the illustrative masterplan.
- 14.56 It is worth pointing out that the Inspector, in dismissing the appeal for the previous application on site, made no specific comments on highway safety matters.
- 14.57 The existing access into the site would be upgraded to serve as the 'primary route' serving the scheme. A secondary access off of Manston Road would be formed at the northern tip, indicatively shown to serve potentially up to 5 dwellings. The access points would be positioned in exactly the same points along Manston Road as previously proposed and accepted. The indicative layout, including internal roads, is also shown to be almost identical to the previous iteration considered as part of the appeal.
- 14.58 As with the previous application, the HA have again accepted that visibility splays for both accesses would meet with the guidance provided by Manual for Streets and Manual for Streets 2, allowing for the 85th percentile approach vehicle speeds. The 85<sup>th</sup> percentile speeds from the most recent ATC survey (June 2025) indicate that speeds have reduced relative to the June 2022 survey for the previous application. Notwithstanding the lower 85<sup>th</sup> percentile speeds, the applicants have retained the same visibility splays as previous accepted (and based on the higher speeds). Concern has been raised through third party representations regarding driveways opposite the access points. This is only the case for the primary access point, which utilises an existing access so is not a new scenario in this respect. Nonetheless, this is not an unusual situation and, for the sake of highway safety, vehicles would already be expected to enter and exit any existing driveways in a forward gear. No highway safety issues have been highlighted by the HA in this respect.
- 14.59 Swept path analysis confirms that the new junction could be safely navigated by large service vehicles. Both new accesses would provide safe uncontrolled crossing points on Manston Road.
- 14.60 The application is again supported by a Transport Assessment (TA) that considers the likely highway impact of a development of up to 50 dwellings. Findings within the latest TA align with the previous application. The TRICS assessment predicts that the development is expected to generate approximately 24 and 27 additional vehicular trips in the AM and PM peaks respectively i.e. less than one additional trip every two minutes. Allowing for distribution of traffic onto the local highway network, it is predicted that in the peak hour periods the proposed development would be likely to generate approximately 15 additional trips through the town centre, or on average less than one trip every four minutes.
- 14.61 Once again, uncontrolled crossings are proposed by the access points, enabling connection to the existing pavement along the west side of Manston Road and, thereafter, links through

to Rixon recreation ground and active travel routes into the town centre. Details of the crossings can be secured by condition to ensure they are suitable for all users, including those with protected characteristics. A direct link with public footpath N53/7 passing through the site would also, in effect, form a third option for connecting to Manston Road. No objections or safety concerns have been raised by the HA in respect of the pedestrian crossing points.

- 14.62 The proposal is also supported by a Framework Travel Plan which would seek to facilitate the use of sustainable modes of travel. As noted in the TA, the site is located near to the North Dorset Trailway, which provides an off-road walking and cycling path to Blandford Forum and forms part of the National Cycle Network. The Trailway is identified in the Active Travel Plan for Dorset as a priority route for improvement. As such a contribution is sought towards ongoing improvements to the Trailway, both to encourage local journeys for access to local amenities and facilities and for journeys to/from Blandford Forum as one of the other main towns. Similarly, the TA also identifies the nearest bus stops. These should be improved to access to/from the development by sustainable means of transport. Currently served by the CR4 (Yeovil – Blandford Forum, First), the bus stops are Manston Road and The Sheppards Yard. Both bus stops would benefit from improvements, including RTI (real-time information), Kassel Kerb, (to enable level access), clear ways and bus stop cages. The TA indicates that a full Travel Plan would be produced and this can be conditioned accordingly.
- 14.63 With these points in mind, the HA has advised that the submitted highway-related information is satisfactory and robust and that the residual cumulative impact of the development would not be 'severe' when consideration is given to paragraphs 114 and 115 of the NPPF. A number of conditions have been recommended.

## **Biodiversity and ecology**

### Impact on habitats and biodiversity

- 14.64 To support the application the applicant has submitted an Ecological Impact Assessment (EclA), Ecology Parameters Plan, Ecology Note and information relating to Biodiversity Net Gain (BNG). On this occasion the applicant has not opted to follow the Council's Dorset Biodiversity Appraisal Protocol (DBAP). However, it is acknowledged that the DBAP is not a mandatory process in the planning application.
- 14.65 The information submitted has nonetheless been assessed by NET and is considered to accurately assess the ecological baseline and ecological receptors relevant to the application and is acceptable. NET recommend the requirements and mitigation within the documentation be conditioned to ensure implementation at the reserved matters stage.
- 14.66 The hedgerows, comprising native species, forming the southern and western boundaries, as well as transecting the site, were identified through the previously refused application as being Priority Habitat/Habitats of Principle Importance. Sections 40 and 41 of the Natural Environment and Rural Communities (NERC) Act 2006 impose a legal duty to local authorities to identify and conserve Habitats of Principle Importance and publish a list of such habitats and species, meaning that they are a material consideration within the planning process. Bat activity surveys of the site also show the central hedgerow to be of importance to foraging and commuting bats, with the EclA describing use by Myotis bat species and Greater Horseshoe bats, albeit this species was recorded on just one night.
- 14.67 The proposal would result in the loss of some 30m of Priority Habitat hedgerow, to form the access to the site from Manston Road and access to dwellings in the southern field within the site. However, as NET point out, in the absence of a specific policy within the Local

Plan protecting Priority Habitats, and bearing in mind that development would increase the quantum of native hedgerow within the site, the impact would not be considered significant enough to require an objection specifically on the grounds of loss of priority habitat.

- 14.68 The EclA captures suggested mitigation and enhancement measures and these include protective fencing, buffers, sensitive lighting, the implementation of bat boxes, bird boxes, hedgehog holes, bee bricks, an attenuation basin, grassland planting, hedgerow replacement planting and other native planting.
- 14.69 As detailed further in the next section of this report, Black Poplar trees have been identified in the SE corner of the site and these are recognised as 'Priority Species' under the Local Natural Recovery Strategy (LNRS). The LNRS does not confer any protection to this as a species, rather it guides activities to ensure that they remain or return to Dorset. Black Poplar fall under the 'conservation translocation' section, which would support the deliberate movement and release of Black Poplar into the wild for conservation purposes. As such, there is a potential opportunity for further Black Poplar trees to be translocated to the riverside edge of the site to further enhance the natural environment.
- 14.70 The proposal would therefore comply with Policy 4 of the Local Plan and paragraph 193(a) of the NPPF which require, amongst other matters, that significant harm should be avoided or mitigated (and compensated for as a last resort).

#### **BNG**

- 14.71 The Biodiversity Metric submitted indicates that 9% gain can be achieved on site, based on the indicative layout. NET have commented that, given that the on site net change in area habitat units is only fractionally below 10%, it is accepted that small changes could be made at the reserved matters stage to achieve on site delivery of BNG.
- 14.72 A Habitat Management and Monitoring Plan (HMMP) would need to be submitted to satisfy the statutory Biodiversity Gain Plan condition. For major applications this is usually secured by a post-decision legal agreement as associated monitoring fees over the 30 year period need to be calculated.

#### **Impact on protected trees**

- 14.73 The applicant's Arboricultural Impact Assessment sets out how retained trees and hedgerows in and around the site would be protected during the course of construction works and thereafter. A 'Tree Constraints Plan' identifies the location of the two protected [Black] Poplar trees, their root protection area (RPA) and the extent of protective measures around these.
- 14.74 Just prior to the completion of this report, third party representation was received asserting that not only are there three (not two) Poplar species trees in this location but that these are Black Poplars, a rare species (c7000 nationally). One of the trees is said to be female, of which there are only 600 known nationally. The representation refers to an academic paper from Italy regarding the underground riparian features of root systems on Black Poplars, finding that these trees can have a very complex root structure. The representation opines that Black Poplar root structures could extend to up to 40m, but no documentary evidence has been submitted to verify this.
- 14.75 Nonetheless, given the potential impact on the RPA of these protected trees could affect the final drainage layout and possibly some built development within the SE corner of the scheme when devised at the reserved matters stage, it is considered appropriate to impose the conditions recommended by the Tree Officer. This includes a finalised Arboricultural

Method Statement and Tree Protection Plan, as well as the necessity for a meeting between respective arboricultural specialists and hand dug excavations 15m from the Black Poplars to determine the presence or absence of any tree roots. Ultimately, whilst the outcome of these conditions may potentially affect the finalised layout of the scheme, it is unlikely to do so significantly and the layout of the proposal is a reserved matter and not part of the consideration at this point. Therefore, it is accepted that a solution could be reached which can ensure that the protected trees would not be adversely affected in accordance with Policy 24 of the Local Plan.

## **Residential amenity**

- 14.76 As the application is once again in outline form the full extent of impact upon amenity cannot be fully realised until the reserved matter stage(s) when scale and layout would be considered. The scale and layout of the scheme would need to carefully consider the impact upon the properties of Little Shillings and Tuscans to the north and south of the site, as well as the houses lining the west side of Manston Road. It is likely that a scheme could be devised to ensure that overbearingness, loss of outlook, loss of light and loss of privacy could be avoided.
- 14.77 Similarly, the scheme would also need to consider such impacts between the dwellings forming the proposed development itself.
- 14.78 An issue that could affect housing on site is the presence of the Sturminster Newton Sewage Treatment Works some 350m to the south. However an Odour Assessment submitted with the previous application demonstrated that the risk of an odour complaint being received by Wessex Water from future residents of the proposed development would be low.
- 14.79 Overall, it is upheld that the impact upon neighbouring amenity would be unlikely to be considered significantly harmful to warrant a reason for refusal. The proposal would therefore comply with Policy 25 of the Local Plan.

## **Impact on agricultural land**

- 14.80 Policy 4 of the Local Plan states that the Council will seek to protect the best and most versatile agricultural land from development. As both Policy 4 and Annex 2 in the NPPF confirm, 'best and most versatile agricultural land' is land in grades 1, 2 and 3a of the Agricultural Land Classification (ALC). Policy 4 also states that the Council will only approve development which would result in its permanent loss where:
- the site has been allocated for development in either the Local Plan or a neighbourhood plan; or
  - it can be demonstrated that the social or economic benefits of the proposal outweigh the value of the land; or
  - there is no appropriate alternative site, including previously developed sites or sites of lower agricultural value; or
  - the proposal is small in scale, to support the diversification of an existing agricultural business.
- 14.81 The applicant has not provided a detailed assessment of the ALC across the site. However, according to the Natural England 1:250,000 scale Agricultural Land Classification Map for the south west region (2010), the site would appear to be identified as Grade 4 'Poor' land and, therefore, not best and most versatile agricultural land.

- 14.82 As such, the proposed development would not result in the permanent loss of the best and most versatile agricultural land.

### **Affordable housing and infrastructure contributions**

- 14.83 Policy 8 of the Local Plan sets out the Council's approach to the provision of affordable housing and seeks 25% affordable housing if within the settlement boundary of Sturminster Newton and any urban extensions to these towns. Elsewhere in the district, 40% affordable housing would be sought. As the scheme would not fall within the settlement boundary or comprise an allocated urban extension to it, the larger 40% 'elsewhere' figure would be required in this case. The applicant indicates in their Planning Statement that the 40% policy compliant provision would be provided on site, with what they equate to be up to 20 dwellings as affordable housing. The affordable houses would need to be made of an acceptable mix, as per Policy 7 of the Local Plan.
- 14.84 Some representations have raised concerns that no affordable rent units would be provided as part of the development, although not signposted to where this is stated in any of the application documentation. As per the previous application, the intention is to provide policy compliant tenure split, including affordable rent, and this can be negotiated via the legal agreement.
- 14.85 In addition to affordable housing and to ensure the development is acceptable in planning terms, applications for major housing development are expected to maintain and enhance the level of grey, green and social infrastructure through onsite and off-site obligations, as required by Policies 13 (Grey Infrastructure), 14 (Social Infrastructure) and 15 (Green Infrastructure).
- 14.86 On site and off site obligations and financial contributions required to make the proposed development acceptable are set out in the s106 & CIL Officer's consultation response earlier in this report. A legal agreement has been drafted to secure these obligations to make the development acceptable in planning terms in compliance with Policies 13, 14 and 15 of the Local Plan.

### **15. Environmental implications**

- 15.1 In May 2019, Dorset Council declared a Climate Emergency and there is a heightened expectation that the planning department will secure reductions in the carbon footprint of developments.
- 15.2 The applicant has submitted an 'Energy, Sustainability and EV Strategy' which sets out how the proposed development would respond to the requirements of Policy 3 of the Local Plan.
- 15.3 The strategy details how sustainable design and construction would be addressed, including reducing energy consumption and carbon emissions, minimising waste and increasing recycling, conserving water resources, incorporating green infrastructure and sustainable drainage, minimising pollution, maximising the use of sustainable materials and adaptation to Climate Change. As the application is for outline planning permission, the full details of design and construction are not set out in the strategy but are suggested to guide future technical design matters at the reserved matters stage.
- 15.4 To reduce energy demand passive design measures including: making the most of sunlight and daylight; prevention of overheating; natural cooling; thermal performance; enhanced U-values and air tightness improvements would be prioritised.
- 15.5 The final orientation of buildings would also consider the benefit of heat and light from the sun. Additional savings can also be made through the fixtures and fittings within dwellings. Solar panels and air source heat pumps are likely to be incorporated into the development to reduce the dependency on natural non-renewables. As recommended by the

Environment Agency in their consultation response, it is also intended to implement water efficiency measures to ensure that the standard for water stressed locations of 110 litres per person per day is met.

- 15.6 Each dwelling will be provided with an EV charging point adjacent to a parking space and within the curtilage of the dwelling (where possible). This will be in accordance with Infrastructure for charging electric vehicles: Approved Document S.
- 15.7 The location of the site is accessible by foot or cycle to local services and facilities within the town, reducing reliance on combustion engine motor vehicles and supporting the sustainability credentials of the scheme.

## **16. Summary of issues and the planning balance**

- 16.1 The site adjoins but lies outside of the settlement boundary of Sturminster Newton and is therefore in the countryside. The site is not allocated for housing development in either the adopted Local Plan or more recent Sturminster Newton Neighbourhood Plan. The proposal is not a type of development listed within Policy 20 of the Local Plan that would be appropriate in the countryside and it has not otherwise been demonstrated that there is an overriding need for the development to be in the countryside. As such, the proposed development would be contrary to the spatial strategy Policies 2, 6, 19 and 20 in the Local Plan, as well as Policy 7 of the SNNP, and, thus, not supported in principle unless other material considerations indicate otherwise.
- 16.2 Key material considerations in this respect are the Council's current housing land supply position and the NPPF.
- 16.3 At present the Council cannot demonstrate a five-year housing land supply, with the figure of 2.53 years supply indicating a serious level of housing need (that includes an affordable housing need). There is no up to date spatial strategy that responds to this position and a new Dorset Council wide local plan is not forecast to be adopted imminently. Going forward, Sturminster Newton, as one of the smaller towns, would be expected to accommodate smaller-scale expansion.
- 16.4 With a lack of five-year housing land supply, paragraph 11(d) of the NPPF dictates that the policies which are most important for determining the application (Policies 2, 6, 19 and 20) should be considered out-of-date.
- 16.5 The consequences of this are that the NPPF's tilted balance is engaged and planning permission should be granted unless:
  - (i) the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
  - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 16.6 Criterion (i) are the "footnote 7" reasons detailed in the NPPF. As detailed in the report, there would be no strong reasons to refuse the proposed development under this limb of paragraph 11d.
- 16.7 With no strong reasons found to refuse planning permission under paragraph 11d(i) of the NPPF, it follows that paragraph 11d(ii) is engaged, whereby planning permission should be granted unless 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. The same paragraph states that particular regard must be given to key policies for

directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

- 16.8 The SNNP became part of the development plan in March 2019, more than five years ago. As such, paragraph 14 of the NPPF is not engaged for this application.
- 16.9 In terms of benefits, the proposed development would provide a positive contribution towards the Council's much needed housing land supply. This would include a policy compliant provision of affordable housing. Although the location of the site would be in conflict with the spatial strategy it is within walking distance of a range of services and facilities found within one of the four main towns within the Local Plan area. New pedestrian crossing points would connect to existing lit, paved footways into the town centre. The additional housing and associated spend from future occupiers would also support the existing services and facilities. Given the Council's serious housing land supply shortage and direction of travel of the emerging Dorset Council Local Plan seeking to provide small-scale expansion of Sturminster Newton, the harm from conflict with spatial strategy policies carries only limited weight in the balance. The delivery of new market and affordable dwellings outweighs this harm and significantly weighs in favour of the proposal.
- 16.10 Additional public benefits, as set out in section 13 of the report, include the provision of on-site public open space and play space, financial contributions towards infrastructure, economic benefits from construction jobs, supply chain, local expenditure, Council Tax receipts and NHB are all affordable moderate weight in favour of the proposal.
- 16.11 The density of the proposed development would be appropriate for an edge of settlement location, make an efficient use of land and not result in any harmful overdevelopment. This weighs in favour of the proposal.
- 16.12 The Council's Landscape Officer considers that the information submitted with the current application demonstrates that the adverse visual effects of the development could be mitigated within a reasonable time frame and would not be significant enough to warrant an objection. As such, the proposal would comply with Policy 4 of the Local Plan, Policy 2 of the SNNP and paragraphs 187 and 189 of the NPPF. This also weighs in favour of the proposal.
- 16.13 The proposed development would result in no harm to the setting of any of the designated heritage assets within proximity of the site, thereby preserving their significance. Subject to conditions, the proposed development can demonstrate appropriate surface water management and could be made safe for its lifetime without potentially increasing flood risk elsewhere. The proposed vehicular access points into the site and Manston Road pedestrian crossings would be acceptable and not result in any severe impacts in terms of highway safety. Significant harm to biodiversity and protected trees can either be avoided or suitably mitigated. The impact on neighbouring amenity could be designed to not cause any adverse impacts. The development would not result in the loss of any best and most versatile agricultural land. The statutory requirement of BNG could, in principle, be secured by condition and/or legal agreement. These points provide neutral benefits, affording limited weight in the balance.
- 16.14 The proposal would conflict with the spatial strategy and thus not in accordance with the comprehensive strategy for housing development set out in the Local Plan. As such, the proposal would conflict with the development plan as a whole. However, given the Council's five-year housing land supply position, only very limited weight can be given to the conflict with spatial strategy Policies 2, 6 and 20 of the Local Plan. However, there are strong material considerations, including the provision of much needed market and affordable

housing, which justify a decision other than in accordance with the development plan.

16.15 Taking the above points and the material consideration of paragraph 11d of the NPPF into account, there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies of the NPPF as a whole. As such the proposed development benefits from the NPPF's presumption in favour of sustainable development and is recommended for approval, subject to conditions and completion of the s106 agreement.

## **17. Recommendation**

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

A) GRANT planning permission following completion of a S106 Planning Obligation to secure:

- Affordable housing on site
- NHS infrastructure financial contribution
- Education (secondary and SEN provision) financial contribution
- Pre-school provision financial contribution
- Community, leisure and sports facilities financial contribution
- Allotments financial contribution
- Informal open space on site
- Informal open space maintenance financial contribution
- Destination play facilities financial contribution
- LAP/LEAP on site
- LAP/LEAP maintenance financial contribution
- Formal outdoor sports facilities financial contribution
- Formal outdoor sports facilities maintenance financial contribution
- Public rights of way and Trailway financial contribution
- Library financial contribution
- Bus and sustainable transport financial contribution
- General monitoring fee

and subject to the following conditions:

1. Approval of the details of the layout, scale, appearance and landscaping (hereinafter "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Such development shall be carried out as approved.

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

2. Application for the approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this outline permission.

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

3. The development hereby permitted shall be begun before the expiration of two years from the date of final approval of the Reserved Matters or, in the case of approval on different dated, the final approval of the last Reserved 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 strictly and only in accordance with the approved drawings and details forming the approved application:

Location Plan - 250606 L 01 01 Rev B

Proposed Site Access Arrangements – Primary Access Junction – 01-PHL-1001 Rev F

Proposed Site Access Arrangements – Secondary Access Junction – 01-PHL-1002 Rev D

Ecological Parameters Plan – 1201 P01

Reason: For the avoidance of doubt and to clarify the permission.

5. Prior to the commencement of any development hereby approved a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction and how tree protection measures may affect the surface water scheme, must have been submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be fully implemented in accordance with the submitted details before the development is completed.

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

6. Notwithstanding the information shown on the plans approved by this application, prior to the commencement of any development hereby approved precise details of the access must have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure safe access into and out of the site.

7. Prior to the commencement of any development hereby approved a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved CTMP.

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 any development hereby approved a Construction Environment Management Plan (CEMP) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved CEMP.

Reason: To prevent pollution of the water environment.

9. Prior to the commencement of any development hereby approved (including demolition, material storage and all preparatory work), a scheme for the protection of the retained trees (including the 3 Black Poplars), 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. The TPP and AMS shall include:

a) Location and installation of services/utilities/drainage.

b) Methods of demolition if within the root protection area (RPA) of retained trees (as defined in BS 5837: 2012).

c) Details of all storage areas and/or construction within or impacting the RPA of retained trees.

d) A specification for protective fencing during demolition and construction phases and a scaled plan showing its alignment.

e) Methods to improve rooting environments for retained and proposed trees and landscaping.

f) Details and methodologies of any removal or translocation of hedgerows to facilitate access points into the site and visibility splays and details of how these hedges would be managed in the future.

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.

10. Prior to the commencement of any development hereby approved (including any preparatory works of ground clearance, tree works, or demolition) the following measures shall be carried out:

a) A site meeting shall take place between the Local Planning Authority's (LPA's) Tree Officer, the appointed Arboricultural Consultant and Site Manager to assess the potential impact of the development upon the Black Poplar trees just beyond the south east corner of the site, and the outcomes of the meeting shall thereafter be agreed in writing by the LPA; and

b) An Arboricultural Supervision and Monitoring Statement, which has been informed by the agreed outcomes of the site meeting, has been submitted to and agreed in writing by the LPA.

c) Under arboricultural supervision (to be audited), small trial trenches/excavation, dug by hand, shall take place at selected positions within the application site proximal to and 15 metres from the base of the Black Poplar trees to determine any presence/absence of tree roots to inform the design layout of the site.

The development shall, thereafter, be carried out in accordance with the approved Arboricultural Supervision and Monitoring Statement.

Reason: To ensure that the development proceeds in accordance with the approved arboricultural details and that appropriate protective measures are implemented before any works commence.

11. Prior to the commencement of construction of any dwellings hereby approved, the first 15.00 metres of the proposed access roads, including the junction with the existing public highway, must be 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.

12. Prior to the first occupation of any dwellings hereby approved, the following works must have been constructed to the specification of the Local Planning Authority:

The highway widening and footway improvements shown on drawing number 01-PHL-1001 Rev F and 01-PHL-1002 Rev D (or similar scheme to be agreed in writing with the Local Planning Authority).

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

13. Prior to first occupation of any dwellings hereby approved details of maintenance and management of both the surface water sustainable drainage scheme and any receiving system must have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the development.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

14. Prior to first occupation of any dwellings hereby approved a Travel Plan must be submitted to and approved in writing by the Local Planning Authority. The Travel Plan must include:

- Targets for sustainable travel arrangements.
- Effective measures for the on-going monitoring of the Travel Plan.
- A commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development.
- Effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development

Thereafter, the development must be implemented in accordance with the approved Travel Plan.

Reason: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site.

15. Prior to the first occupation of any dwellings hereby approved, a scheme showing precise details of cycle parking facilities must be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of each dwelling hereby approved, the approved cycle parking facilities for the dwelling must be constructed and, thereafter, must be maintained for the lifetime of the development for the purpose specified.

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

16. Prior to the first occupation of any dwellings hereby approved, the visibility splay areas as shown on Drawing Numbers 01-PHL-1001 Rev F and 01-PHL-1002 Rev D must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must, thereafter, be maintained and kept free from all obstructions.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

17. Prior to the first occupation of any dwellings hereby approved, a scheme for water efficiency must be submitted to and approved in writing by the Local Planning Authority. The scheme should demonstrate a standard of a maximum of 110 litres per person per day is applied for all residential development. Thereafter, the approved scheme shall be implemented in accordance with the agreed details.

Reason: To meet the demands of climate change.

18. The development hereby approved must be carried out in accordance with the Flood Risk Assessment Rev H (dated 13 February 2026), including the proposed flood risk mitigation and foul drainage strategy. These measures shall be fully implemented and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants, to not increase flood risk elsewhere and to ensure the development does pose an unacceptable risk to the water environment.

19. The Ecological Impact Assessment (Ref: NPA 30170 0400), dated 24/11/2025, must be implemented in full in accordance with the specified timetable in the approved Assessment. Thereafter, the approved mitigation and enhancement measures shall be retained and maintained for the lifetime of the development.

Reason: To ensure impacts upon designated wildlife sites, nature conservation interests and biodiversity are satisfactorily mitigated.

20. In the event that contamination is found at any time when carrying out the development hereby permitted that was not previously identified, it must be reported in writing immediately to the Local Planning Authority along with a timetable for remediation. An investigation, risk assessment and remediation strategy shall be submitted to and approved by the Local Planning Authority and implemented in accordance with the approved timetable. Following completion of measures

identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the living conditions of future and neighbouring occupiers and to protect the water environment and other sensitive receptors.

and an informative stipulating that a finalised Habitat Management and Monitoring Plan (HMMP) should be submitted to ensure the statutory 'Biodiversity Gain Plan condition' can be satisfied.

or B) Refuse permission for the reasons set out below if the s106 agreement is not completed by 17 September 2026 or such extended time as agreed by the Service Manager for Development Management and Enforcement or the Development Management Northern Area Manager.

Reason for refusal: In the absence of a legally binding mechanism to ensure the delivery of affordable housing and grey, green and social infrastructure the proposal is contrary to Policies 8, 13, 14 and 15 of the North Dorset Local Plan Part 1.

Written agreement to the pre-commencement condition(s) was received from the applicant on 8 July 2026 and 13 July 2026.