

Application Number:	P/FUL/2025/05229
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Pleydells Farm Lower Street Okeford Fitzpaine DT11 0RQ
Proposal:	Erection of 19no. dwellings & amenity space with access from Lower Street
Applicant name:	P & J Okeford Fitzpaine Ltd and Mr C Norton
Case Officer:	Kirsten Williams
Ward Member(s):	Cllr Murcer

1. Reason application is going to committee:

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 Okeford Fitzpaine Parish Council.

2. Summary of recommendation:

Grant planning permission subject to conditions as set out at the end of this report and the completion of a Section 106 Planning Obligation under Section 106 of the Town and Country Planning Act 1990 (S106 agreement) to secure affordable housing and financial contributions.

3. Key planning issues

Issue	Conclusion
Principle of development	Principle deemed to be acceptable.
Affordable housing	Affordable home provision meets policy requirement for affordable homes of 40% (36.8% provided on site in addition to a 3.2% offsite contribution)
Layout, Scale, design and housing mix	Layout, scale and design is broadly in accordance with local policy. Housing mix proposed suitably addressed the local need.
Impact on heritage assets	No harm to designated heritage assets.
Landscape impact	Proposal would conserve the setting of the landscape and scenic beauty of the Dorset National Landscape.
Impact on neighbouring amenity	Residential amenity to neighbouring developments would be sufficiently protected.
Highway and transport safety	Proposed development would not result in unacceptable impact on highway safety.

Issue	Conclusion
Surface water and foul drainage	The proposed sustainable surface water drainage scheme is considered acceptable in principle. Details of proposed foul drainage are required to be secured via a suitably worded condition.
Biodiversity and ecology	Acceptable mitigation and enhancement measures have been proposed and could be secured via a suitably worded condition.
Infrastructure contributions	A unilateral undertaking has been drafted and being progressed to secure the necessary obligations.
Environmental implications	Measures have been incorporated into proposals to support sustainable construction methods and the long term sustainability of the development.

4. Description of site

The site is approximately 0.72ha in size and is located at the south western edge of Okeford Fitzpaine. It is located wholly outside of the settlement boundary of the village.

The site itself forms part of an agricultural field associated with the now redundant Pleydells Farm. The access is via Lower Street. In terms of topography the site is broadly flat but with a subtle drop towards the south. Hedgerows line the western boundary. The proposed southern extent of the site would not follow an existing field boundary line and is currently open and part of the wider field. The new development at Old Dairy lies immediately to the east of the site. Public footpath N48/25 passes within 30m of the site to the south and allows clear view towards it.

Okeford Fitzpaine is a rural village, which is surrounded by farmland. The south east corner of the village lies within the Dorset National Landscape (AONB), some 115m to the east of the site at closest points. The historic core of the village contains various listed and unlisted buildings and is designated as a conservation area; the western boundary of Old Dairy forms the extent of the latter relative to the site. There has been additional development in the 20th and 21st century around the outside of the centre of the village, including Old Dairy immediately to the east.

5. Description of development

The application seeks full planning permission for the erection of 19 dwellings, form amenity space, with access.

The development would be accessed via an upgraded vehicular access onto Lower Street and a continuation of the estate road serving the extant scheme for 27 dwellings (Ref: P/FUL/2021/01931). The latest proposal therefore somewhat relies on the extant permission being built out and effectively represents 'phase 2' of the redevelopment of the farm.

The proposed dwellings would attempt to repeat the traditional form and style and largely two storey nature of the extant 27 dwelling scheme, with a similar palette of materials

proposed. Two bungalows are proposed in the south west corner of the site. The amenity space i.e. informal open space area would run with the western boundary of the site.

6. Background and relevant planning history

2/2018/0125/OUT Decision: GRA Decision Date: 16/04/2019

Demolish existing farm buildings and develop land by the erection of 27 No. dwellings with associated parking, access and landscaping (Outline application with all matters reserved).

P/NMA/2020/00223 Decision: GRA Decision Date: 17/02/2021

Non material amendment against planning application 2/2018/0125/out to allow amendments to approved plans to alter visibility splays.

P/FUL/2021/01931 Decision: GRA Decision Date: 07/03/2023

Demolish existing farm buildings and Erect 27 No. dwellings, form vehicular access, parking and landscaping.

P/FUL/2023/04809 Decision: Refused Decision Date: 11/03/2024

Erect 19 No. dwellings, form amenity space, create vehicular access and 43 No. parking spaces.

APP/D1265/W/24/3346463 Decision: Dismissed Decision Date: 19/03/2025

Erect 19 No. dwellings, form amenity space, create vehicular access and 43 No. parking spaces.

7. List of constraints

Setting of Okeford Fitzpaine Conservation Area

Setting of Dorset National Landscape (AONB)

Setting of Grade II listed buildings

SSSI impact risk zone

8. Consultations

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

Consultees

9. Dorset Council - Highways – No Objection

The application is supported by the submission of a Transport Assessment (TA) that considers the likely impact of all development traffic upon the highway network.

Predicted Traffic generation for 19 units in the AM and PM peak traffic flows have been established using TRICS (Trip Rate Information Computer System). The proposed development could generate up to 10 vehicular movements in the AM peak and 10 vehicular movements in the PM peak, with a daily predicted traffic flow of around 103 vehicles.

The relocated access provides visibility splays of 2.4 x 30.3m to the east, and 2.4m x 34.3m to the west. Such splays are commensurate with speeds of 25-30mph respectively,

as per the guidance within Manual for Streets, and provides a significant improvement over the existing arrangement. The Highway Authority finds this acceptable.

The conclusion reached by the TA, which is accepted by the Highway Authority, is that the proposed development will not result in material or unacceptable impact upon the highway network.

To sum up, 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.

10. Okeford Fitzpaine Parish Council - OBJECT

A previous application P/FUL/2023/04809 was refused by Dorset Council and then went to appeal Secretary of State (Planning Inspectorate) the refusal was upheld.

Planning permission was given in 2018 & 2023 for 27 houses at Pleydells Farm. The 19 houses will be an added extension to that original site. Access will pass through (a newly constructed vehicle access) & in front of the original 27 houses. Therefore, a total of 46 new properties on the proposed site.

The proposed development would be outside of the village's settlement boundary and therefore development of the open countryside, a loss of agricultural land and wildlife habitat.

The site itself is not sited within the boundary of the Okeford Fitzpaine conservation area, but the access via Lower Street is. Construction traffic will have a significant impact on Lower Street and the surrounding conservation area.

The proposed development will be situated within close proximity to a number of listed buildings on Lower Street.

This development is a disproportional increase in housing with regards to our existing village infrastructure. The Village shop is vulnerable as it is currently for sale. The village school has now closed.

Since the last application was submitted no improvements have been suggested or submitted with regards to the Highway issues that were highlighted. There is a real concern for pedestrian and road safety at the proposed junction with Lower Street. Parked cars from residents and pub visitors parking will all affect visibility. There will be an increase of traffic in the area due to poor public transport service. There are limited employment opportunities within the village itself. There will be pressure created on parking within the village centre.

The capacity of the existing drainage and sewage systems will be stretched. In the previous refusal surface water run-off and foul drainage issues were highlighted. A flood/drainage report is currently underway, but the results are not yet known.

There is a lack of demonstrated local housing need – houses are still unsold on the most recent development in the village – Shillingstone Fields. This development has empty houses that are allocated for social housing but are still not occupied.

Noise, light, and visual intrusion will impact on nearby residents.

Okeford Fitzpaine Parish Council would like to OBJECT to the proposed 19 houses for the above reasons.

[Case Officer note: Dorset Councils Housing Enabling team has confirmed that the properties referred to on the Shillingstone Fields development have not been left vacant

due to a lack of housing need, but rather as a consequence of the developer's insolvency and the resulting delays in completing the homes.]

11. Dorset Council - Conservation Officers

The proposed scheme has been assessed, in relation to impacts on special architectural/historical significance, and, due to proximity, the Okeford Fitzpaine Conservation Area, and are addressed further below.

Proposals broadly comprise the erection of 19 No. dwellings, the formation of amenity space and the provision for vehicular access and 43 No. parking spaces. The scheme is considered an increase in extent to application P/Ful/2021/01931 and, therefore, conservation officer comments, previously submitted for Pleydells Farm, are considered relevant to the assessment of application P/FUL/2023/04809. Therefore, predicated on the unique context of the application site, we maintain no derivation from the original provision of comments which conclude a response of no harm.

12. Dorset Council - Trees (North West Weymouth)

Please note that my comments are limited to existing trees and hedgerows. I am not commenting on strategic landscaping, views, or proposed new planting, which I defer to my Landscape Architect colleagues.

The site is largely devoid of tree cover, but there are several native hedgerows around the perimeter, particularly along the western boundary. These hedgerows could be readily incorporated into the design and will continue to provide amenity value and important wildlife corridors.

I could not find details on how these hedgerows will be protected during the development period. I recommend that their retention and protection be secured in accordance with BS5837:2012 – Trees in relation to design, demolition and construction – Recommendations. This can be achieved through the imposition of standard planning conditions.

Recommendations

Conditions required;

LAD 11 Tree & Hedgerow protection – pre commencement

LAD13 Boundary Treatment

13. Dorset Council - Housing Enabling Team

To be policy compliant, this site would need to deliver 40% of the new homes as affordable, and the developers are proposing 36.8% as affordable. It would be acceptable for the 3.2% (0.6 of a home) to be provided to Dorset Council by way of a commuted sum payment, to be used towards other affordable housing projects in the area. This sum has been calculated as £42,514. Of the 7 affordable homes to be delivered onsite, 5 are designated for rent and two for intermediate tenure, in accordance with policy requirements.

All proposed homes, both affordable and market, are either 2- or 3-bedroom properties. It would benefit the local community if the scheme could include at least one 1-bedroom or one 4-bedroom home, to better reflect identified local housing needs. There is a particularly high demand for 1-bedroom properties in the area. The affordable housing should be proportionate to the scale and mix of the market housing, well-integrated within the development, and designed to the same high standard. This will help ensure a

balanced and 'tenure neutral' community, where no tenure is disadvantaged. The affordable homes should be secured via a Section 106 agreement.

14. Dorset Council - Economic Development and Tourism

We maintain that this application will have the following Economic Impacts.

- The addition of 19 dwellings will help address local housing needs, supporting population growth and workforce retention. Greater housing availability can attract young families and professionals, strengthening the local economy.
- The development will provide a short-term boost in employment for construction, suppliers, and associated trades. Local contractors and businesses may benefit from procurement opportunities.
- New residents will contribute to local retail, hospitality, and service sectors.
- In addition, the inclusion of amenity space enhances quality of life, making the area more appealing to residents and investors.
- It also supports health and wellbeing, indirectly benefiting productivity and economic resilience.
- The Local Authority will benefit from increased council tax revenue.

15. Dorset Council - Flood Risk Management

Published flood mapping indicates that the site is outside of the mapped fluvial flood extents, and therefore the flood risk from fluvial flooding is considered to be very low. The flood mapping also indicates that the site is outside of the mapped surface water flood extents. Therefore, the flood risk from surface water flooding is considered to be very low. The risk of groundwater emergence mapping indicates that the site is in an area of low risk of groundwater emergence. I consider that the proposed development is compatible with the flood risk.

Flood risk from the development

It is welcome that an open basin for the temporary storage of surface water runoff is proposed. The report and conceptual calculations adopt a QBAR rate of 6.5l/s/ha. This rate is within a typical range of rates that have been calculated for areas within Dorset. The rate appears to have been based on basic catchment descriptors. The method is appropriate for the conceptual design. For the detailed design it will be expected that catchment descriptors for the catchments will be obtained from the FEH website and included in the surface water drainage strategy report.

An attenuation basin is proposed. Infiltration testing on the adjacent site indicates that disposal of surface water via infiltration is not viable. Therefore, the proposed method of an attenuated discharge is acceptable. The basin size appears appropriate at this stage of the conceptual design.

Due to current topography and ground cover, surface water runoff across the site will essentially drain from the site as sheet flow. Discharge to the drainage channel to the West of the site will be spread out along the length of the channel. The proposed drainage strategy will collect surface water runoff from the site and concentrate the discharge of it to a single point at the outfall. The location of the proposed outfall is directly upstream from an un-surveyed section of the channel. At the request of the LLFA the applicant provided

photographic evidence that the channel, at this location, is in a fit state to take a concentrated flow.

Significant updates to the National Standards for SuDS were released in late June 2025. An updated surface water management design was drafted at the request of the LLFA to incorporate permeable surfaces to parking spaces. It is considered that this change satisfactorily aligns the proposal with the June 2025 standards.

The LLFA are satisfied that the proposed drainage scheme is suitable and have recommended conditions to secure the detailed surface water scheme prior to commencement and the maintenance and management of the surface water scheme prior to occupation.

16. Dorset Council – Environmental Services – Protection

Recommend conditions and or modifications (set out below)

Contaminated Land

In addition to any comments made by the Council's contaminated land consultants, please apply the unexpected, contaminated land condition to any permission given.

Noise

The Sustainability Statement (point 9.6) indicates an Air Source Heat Pump (ASHP) will be installed at each property.

Allowing multiple air source heat pumps in proximity introduces the potential for adverse noise impacts. The cumulative noise emissions from several heat pumps could create an unacceptable acoustic environment for residents if not properly assessed and controlled.

It is recommended that the applicant be required to provide a written noise report, produced by a competent and suitably qualified acoustic consultant, ideally with experience of assessing noise from multiple ASHP installations at new multi – dwelling residential developments.

The noise report should assess the effects on the following receptors:

- Existing nearby dwellings
- Proposed new dwellings

The noise assessment should have close regard to the acoustic characteristics of the ASHPs used. Unless otherwise justified, it should assume a 'worst case scenario' in terms of noise emitted.

The noise assessment should have regard to appropriate standards and criteria, with justification for their selection. It should also closely reflect the principles found in Planning practice Guidance: Noise.

The noise report should state anticipated levels at receptors without mitigation, detail any mitigation measures considered necessary, and state anticipated levels at receptors with said mitigation measures in place.

Any noise report produced will be carefully and reasonably evaluated for robustness, including criteria and methodologies selected, and validity of conclusions drawn.

Construction Management

Due to the close vicinity of existing residential dwellings Environmental Health recommend a condition for a construction method statement to be agreed with the local authority prior to development of the site should planning permission be granted, to manage any possible adverse effects associated with the development. This should include no bonfires, protection of nearby receptors from dust arising from construction and vehicle movements

and storage of waste materials prior to removal from site. The recommended construction method statement should contain operating times of construction and other mitigation measures to reduce noise during the build.

17. Dorset Council - Section 106

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 (Primary & Secondary)	£6,094.34 per dwelling towards primary and 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. Towards improvements to the pavilion at the recreation ground to provide a hub for community use and indoor and outdoor recreational activities, which will serve the development.
Rights of Way	£1,520 4x stiles to gates £1,137.50 footpath N48/66 to village hall surfacing enhancement
Informal Open Space Maintenance Contribution	£1,278.80 per dwelling - only if being transferred to Parish Council
Destination Play Facilities	£967.52 per dwelling towards play provision and improvements at Bowey Play Area and or Castle Lane Recreation Area.

Destination Play Facilities Maintenance	£359.36 per dwelling. Towards the maintenance of play facilities which will serve the development.
Formal Outdoor Sports Facilities Contribution	£1,318.80 per dwelling towards sports facilities in Okeford Fitzpaine or local area which will serve the development.
Formal Outdoor Sports Facilities Maintenance Contribution	£128.73 per dwelling towards the maintenance of sports facilities in Okeford Fitzpaine or local area which will serve the development.
Library Contribution	£75 per dwelling – towards additional equipment and stock at Sturminster Newton Library, which will serve the residents of the development.
Bus and Sustainable Transport Contribution	£600 – to provide a pole, flag and timetable case for a bus stop in the village centre, close to the proposed development.
Indicative S106 Monitoring Fee	Number of obligations grouped by infrastructure type -10. Total fee - £835 x 10 = £8,350

18. Historic England

In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

19. Dorset Council - Public Transport

We will be seeking a small amount of s106 to improve bus stop infrastructure in the village, for the nearest bus stops about 110metres away from site.

Representations received

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

20. Summary of comments:

One representation has been received, making comments (concerns) on the application. The material planning considerations raised are:

- Concerns regarding the impact of extra vehicles using the entrance off Lower Street.

- Limited visibility pulling out from the entrance to the site, especially looking west where the listed building of Yeatmans blocks the view of oncoming vehicles.
- The road is often used by visitors to the pub and looking east can also become a problem with parked cars.

21. 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 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

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.

22. Relevant policies

North Dorset Local Plan Part 1 (2016)

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

Policy 1.7 - Development within Settlement Boundaries

Material considerations

Emerging Dorset Council Local Plan:

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

National Planning Policy Framework 2024 (as amended 2025)

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 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.

- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

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

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

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- 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).

23. Other material considerations

- Dismissed appeal on refused application P/FUL/2023/04809, Phase 2 - Erect 19 No. dwellings, form amenity space, create vehicular access and 43 No. parking spaces.
- Dorset AONB Management Plan 2019-2024
- Technical housing standards - Nationally described space standards

All of Dorset:

Dorset AONB Landscape Character Assessment

The Dorset National Landscape Management Plan 2026-31

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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.

24. 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.

25. 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.

Access from the Lower Street entrance of the site to the available facilities within the village would, however, comprise pavements. Footways have been incorporated into the layout within the proposed development itself which helps to minimise any potential disadvantage to some people with protected characteristics.

26. Officers have considered the requirement of the duty, and it is not considered that the proposal would give rise to specific impacts on persons with protected characteristics.

27. Public Benefits

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

What	Amount / value
Material considerations	
Affordable Housing	7 No. Affordable homes, of which 5 proposed as affordable rent and 2 shared ownership (policy compliant).
Quantum of greenspace	0.25 Hectare

What	Amount / value
Spending in local economy by residents of proposed dwellings	The proposal will support the local economy, providing housing required to support the long-term economic growth in the area with new residents spending on goods and services as they move in.
Employment created during construction phase	The proposal will support local jobs in the construction sector and will bring about 'added value' in the local area through associated spending and economic activity.
Non material considerations	
Contributions to Council Tax Revenue	According to the appropriate charging bands.

28. Planning Assessment

Please note that this assessment refers to appeal decision for P/FUL/2023/04809 as this is a material consideration when assessing this application. The proposal submitted in this application is largely in line with that assessed for P/FUL/2023/04809 but with the reason for dismissal of the appeal being addressed through this application via an updated affordable housing scheme.

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

- Principle of development;
- Affordable housing;
- Layout, scale, design and housing mix;
- Impact on heritage assets;
- Landscape impact;
- Impact on neighbouring amenity;
- Highway and transport safety;
- Surface water and foul drainage;
- Biodiversity and ecology;
- Infrastructure contributions;
- Environmental implications.

29. Principle of development

The officers report for the previous application P/FUL/2023/04809 concluded that the proposal was in conflict with the local and national development strategy.

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. Policy 2 of the North Dorset District Local Plan (NDLP) Part 1 sets out the spatial strategy for North Dorset and this identifies the four main market towns: Blandford, Gillingham,

Shaftesbury and Sturminster Newton as the focus for future development, in recognition of their population and service provision. Below this, Stalbridge and 18 larger villages are identified based on population, range of services and proximity to services, together with consideration of local issues, as being able to accommodate a degree of growth to meet local and essential needs. Okeford Fitzpaine is identified as one of the 'larger villages' in the Local Plan. Outside of the settlement boundaries of the 4 main towns and larger villages areas, countryside policies apply. Development within the Countryside is to be strictly controlled unless it is required to enable essential rural needs to be met.

Policy 6 of the Local Plan sets out that at least 825 new dwellings should be built in the countryside over the plan period of 2011-2031 to meet local needs. The figure has been increased by more recent housing needs assessments. This figure is not a cap and has already been exceeded, with the Council anticipating that more than 1800 homes would be delivered in the countryside by the end of the current plan period. The Local Plan is clear that focus is on meeting local and essential needs, rather than strategic needs, to meet the Policy 6 figure.

This 'phase 2' site differs relative to the extant permission insofar as it does not immediately adjoin to the settlement boundary of Okeford Fitzpaine. It clearly lies beyond it and, in policy terms, the site is within the 'countryside' where development would normally be strictly controlled, unless it is required to enable essential rural needs to be met.

Housing land supply

At the time of the Appeal decision on P/FUL/2023/04809 Dorset Council's housing land supply was 5.02 years. As a result in accordance with footnote 8 of the NPPF, the 'tilted balance' and presumption in favour of sustainable development was not engaged and full weight could be attributed to the Local Plan spatial strategy policies (2, 6 and 20) which explicitly indicate that planning permission should not be granted for the type of proposed development in this location.

However, at the time the current application was submitted changes to the housing requirement have been implemented. 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.

Thus the Council 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 are out of date. This means that the tilted balance and presumption in favour of sustainable development now 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.

Appeal decision on P/FUL/2023/04809

When assessed by the Planning Inspectorate during the appeal on the previous application the inspector noted that:

‘the properties would not be isolated homes in the countryside in the context of the Framework given the proximity to existing properties and phase 1... Okeford Fitzpaine is identified as one of the larger villages in the Local Plan and the appeal site would lead on from the adjacent one.’

Notwithstanding this, the inspector concluded that the proposed development would be in conflict with Policies 2, 6 and 20 of the Local Plan and not supported in principle, unless other material considerations indicate otherwise. One such consideration is the NPPF and level of housing land supply. At the time of the appeal Dorset Council had a 5 year housing land supply so the policies in the local plan could be relied upon. However, given the current housing land supply situation, resulting in the engagement of the ‘tilted balance’ and presumption in favour of sustainable development under paragraph 11d the weight we can attribute to the local plan policies has significantly reduced.

It is therefore relevant to determine whether the proposal is considered to be sustainable development. Paragraph 83 of the NPPF recognises that “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities...”. It goes on to say that “Where there are groups of smaller settlements, development in one village may support services in a village nearby.”

When assessed by the Planning Inspectorate during the appeal on the previous application the inspector noted that:

“while not having education or health facilities, there are some services and facilities in the village that are only a relatively short distance from the appeal site. To access these, pedestrians and cyclists would need, in places, to travel along narrow roads or where footways are limited or absent. This would be more difficult for those with more limited mobility.

Notwithstanding this, at the time of my site visit, which I appreciate is only a snapshot in time, I saw people accessing facilities and the bus stop which would provide access to a wider range of settlements, by foot over a similar distance to that residents of the appeal scheme would. The amount and speed of traffic was relatively low and did not make walking or cycling uninviting. As such, while at times of darkness and inclement weather the use of private vehicles would be more likely, future occupiers would have reasonable access to services and facilities by other modes of transport.”

In conclusion, when assessed against Policies 2, 6 and 20 of the Local Plan, the context we are now assessing this application has since changed due to the engagement of the ‘tilted balance’ and presumption in favour of sustainable development. When assessed against the NPPF it is considered that in this instance the proposal does constitute sustainable development and is therefore in accordance with para. 83 of the NPPF.

30. Affordable housing

Policy 8 of the North Dorset Local Plan (NDLP) (affordable housing) states that outside the main towns and villages, 40% of the total number of dwellings are to be affordable with a presumption that it will be provided on-site.

It is proposed to deliver 36.8% affordable housing onsite, equating to 7 of the 19 dwellings proposed. Dorset Councils Housing Enabling Team has confirmed that it would be acceptable for the remaining 3.2% (0.6 of a home) to be provided by way of a commuted sum payment, to be used towards other affordable housing projects in the area. This sum has been calculated as £42,514 and can be secured with a S106 agreement.

Of the 7 affordable homes to be delivered onsite, 5 are designated for rent and two for intermediate tenure, which is in accordance with policy which requires 70-85% to be provided as affordable rent and the remaining 15-30% as intermediate housing.

Proposed Housing mix

In terms of housing mix, Policy 7 of the Local Plan states that in the period to 2031, the Council will support the delivery of “about 40% of market housing in North Dorset as one or two bedroom properties and about 60% of market housing as three or more bedroom properties.” The opposite is applicable for affordable housing (60% as one/ two bedroom properties; 40% as three or more bedroom properties). These proportions are the starting point. A different mix may be permitted if it can be soundly justified by local circumstances or viability considerations. The proposal we are considering as part of this application constitutes the following housing mix:

Tenure	2 bed	3 bed
Market	33%	67%
Affordable	85%	15%

Appeal decision on P/FUL/2023/04809

At the previous appeal the inspector considered the proposed housing mix as one of the main issues of the appeal. The appeal proposal constituted the following housing mix:

Tenure	2 bed	3 bed
Market	33%	67%
Affordable	29%	71%

The inspector considered that:

“There would be a considerable over provision of three-bedroom affordable units from that specified in Policy 7. There are a far greater number on the waiting list across the Council area for three-bedroom affordable homes than the scheme would provide. Nonetheless, the overall proportion of this need is far closer to the policy mix than is proposed and no specific local needs housing survey has been carried out to justify the deviation from the policy standards.

The initial consultation response from the Housing Enabling Officer indicated that there had been a considerably higher number of bids for a three-bedroom property on the register. However, that reply, and their response of May 2024 also indicates a high level of interest in the 2-bedroom units and a greater number of these being needed in terms of local connection. Within the parish, the scheme would provide more three-bedroom affordable homes than there is a local connection need for. It has not been shown that local circumstances or viability justify moving away from the desired mix.

As such, the proposed development would not provide an appropriate housing mix. It would be contrary to Policy 7 of the Local Plan where it requires an appropriate housing mix unless justified.”

When compared to the housing mix considered at appeal the current proposal directly addresses this item by providing significantly less 3 bed affordable homes and more 2 bed

affordable homes. DC Housing Enabling have noted that all proposed homes, both affordable and market, are either 2- or 3-bedroom properties and that it would benefit the local community if the scheme could include at least one 1-bedroom or one 4-bedroom home, to better reflect identified local housing needs as there is a particularly high demand for 1-bedroom properties in the area. However, the significant increase in 2-bedroom affordable properties from the appeal scheme does correct the housing mix to more closely reflect the local need for smaller affordable homes and is therefore considered on balance to be acceptable.

It is worth noting that all of the proposed affordable homes meet or exceed the areas outlined in the Nationally Described Space Standard, which will help to safeguard the quality of living conditions for future residents.

Dorset Councils Housing Register represents those waiting for affordable rented properties and prioritises households with a local connection, before cascading to surrounding parishes and then the wider Dorset Council area, ensuring local needs are met while maintaining flexibility to address wider housing demand. It is worth noting that households seeking shared ownership properties or low cost home ownership options are no longer listed on the housing register. There are currently 22 local connection households on the register which have Okeford Fitzpaine listed as a location where they would like to live, and a further 51 households from surrounding parishes. These statistics demonstrate that there is a real need for affordable rented properties in Okeford Fitzpaine, and the 5 affordable rented properties proposed as part of the scheme would contribute to meeting that need.

In conclusion, the overall affordable housing provision in conjunction with a commuted sum to cover the 0.6 home shortfall meets the policy requirement for affordable homes. The proposed housing mix of affordable homes was one of the two reasons for dismissal of the previous appeal. The applicant has directly addressed this by increasing the amount of 2-bed affordable homes and decreasing the number of 3-bed homes in this application, thus better meeting the local need for a greater number of smaller affordable homes. The proposal is therefore considered to be in accordance with policy 7 of the NDLP.

31. Layout, scale, design and housing mix

Policy 24 of the Local Plan stipulates that development should be designed to improve the character and quality of the area within which it is located and respond to the local context. Relevant design principles and standards are set out in Figures 10.1, 10.2 and 10.3 of the Local Plan. Paragraph 135 of the 2023 NPPF reflects many of these principles and standards and sets out its own criteria for ensuring development would create high quality, beautiful and sustainable buildings and places.

As with the adjacent extant permission for 27 dwellings, this phase of the development would similarly consist of a mix of detached, semi-detached and terraced homes, each with its own parking and private garden. The buildings will be arranged on the site in a fairly informal arrangement, with most dwellings addressing the street frontages (and some also the open space areas), in order to respect the character of the village core. The layout also includes a larger informal open space area against the western boundary, which would also provide a soft landscaping buffer with the adjoining agricultural fields. The area could accommodate further informal, natural play equipment to complement the small provision within the extant scheme.

Within the village, the local context includes houses with wide frontages and relatively shallow depths that sit towards the front of their plots. Smaller semi-detached properties

include dormers that serve the upper floor and cut through the eaves, as seen in the houses on Higher Street and the successful new build versions that form the frontage of the Old Dairy scheme to the east of the site. Materials at the latter include brick, render, stone and flint and brick banded properties. Along Lower Street, just west of the site entrance, development includes bungalows and semi-detached housing which are poorer in terms of their quality and presence within the street scene. Within the village core, the architectural quality of the more historic buildings is high, with strong characteristics typical of North Dorset villages, including brick and stone built cottages with thatched and tiled roofs sitting tightly on the back edge of the pavement.

Appeal decision on P/FUL/2023/04809

The layout submitted for the previous application P/FUL/2023/04809 formed one of the reasons for refusal. The refusal reason stated:

“The layout of the scheme, in its current form, is not acceptable by virtue of the incohesive arrangements of Plots 28-31 and Plots 32-34, including some of the parking areas for these plots. In addition, the design of the internal road does not prioritise pedestrians over vehicles. The majority of dwellings would access directly onto the carriageway with no refuge areas for pedestrians, especially those with protected characteristics, can avoid vehicles if required. The layout of the development as submitted would also not make provision for required 2m wide footways and 5m wide carriageways. Parking provision is awkward and, in some instances, would partly obstruct the carriageway...In the absence of any amended plans to address these issues, it is considered that the proposal, in its current form, is unacceptable in terms of design, layout and housing mix and does not comply with Policies 7 and 24 of the North Dorset Local Plan Part 1 2016, as well as paragraphs 60, 96, 131, 135 of the National Planning Policy Framework 2023.”

When considered by the Planning Inspectorate at appeal the inspector did not uphold the refusal layout of Layout. He considered that the incohesive arrangements of plots 28-31 “would not be discordant with the pattern of development nearby.” And that “the forward position of plots 28-29 would largely screen the not significant amount of frontage parking in the streetscene and prevent it being dominant”. In terms of the parking areas, the inspector considered that “The parking spaces themselves would be overlooked from the properties behind and the street. Means of enclosure could also be conditioned to prevent the parking spaces being prominent in the streetscene”. The point of access from the homes being directly onto the carriageway the inspector considered “There are no separate footways for large parts of the internal road. However, the use of different materials would delineate spaces such as the shared surface for the roads and footways to make them more legible and clearly defined. This would make them more attractive and easier to use.”

The layout proposed in the current application closely follows that which was previously considered and deemed by the Inspector at appeal to be in accordance with the design and character protection aims of Policies 7 and 24 of the Local Plan. During the course of the current application an amended site plan has been submitted to address officer concerns cited above over pedestrian safety on the previous layout. Changes made include the addition of dedicated footways added between units 35-38, 44-45 and the road in lieu of the small front gardens. A pavement has also been added to the western side of the estate road running N/S. This change results in a dedicated and safe route for pedestrians walking through the site, with 2m wide footways and 5m wide carriageways as required. The parking layout has been amended and no longer partially obstructs the carriageway. As such it is considered that the proposed layout is in line with *Policies 7 and*

24 of the North Dorset Local Plan Part 1 2016, as well as paragraphs 61, 96, 131, 135 of the National Planning Policy Framework 2024.

Housing mix

In terms of housing mix, Policy 7 of the Local Plan states that in the period to 2031, the Council will support the delivery of “about 40% of market housing in North Dorset as one or two bedroom properties and about 60% of market housing as three or more bedroom properties.” The opposite is applicable for affordable housing (60% as one/two bedroom properties; 40% as three or more bedroom properties). These proportions are the starting point. A different mix may be permitted if it can be soundly justified by local circumstances or viability considerations.

One of the reasons the previous appeal on P/FUL/2023/04809 was dismissed centred on the affordable housing mix, which did not comply with the policy requirement and no justification was provided for this. The affordable housing provision included 29% 2 bed and 71% 3 bed units. The current application has addressed this by amending the mix and significantly increased the number of 2 bed affordable homes, therefore addressing the local need for more smaller affordable homes. The proposed housing mix for the scheme proposed in the current application would comprise:

Market Housing:

- 4No. (33%) two bedroom open market houses;
- 8No. (67%) three bedroom open market houses;

Affordable Housing:

- 6No. (85%) two bedroom affordable houses;
- 1No. (15%) three bedroom affordable house.

The mix of market housing does not strictly comply with the starting point mix as set out in Policy 7 of the Local Plan. For the scheme to more closely align with the policy there should be 1 additional two bedroom open market in place of a three bedroom house. The affordable unit mix is more heavily weighted towards 2 bed affordable homes than identified in policy. However, there is a high level of interest in 2-bedroom affordable units and a greater number of these are needed in terms of local connection. The scheme suitably addresses this need.

The affordable homes proposed are all located to the north of the estate road. The properties are all type A, B or C, none of which are replicated in the market provision of homes in the scheme. In terms of appearance the materials and architectural details used are replicated across the affordable and market house types and therefore regardless of the affordable homes being poorly dispersed through the site, it is considered that the appearance of the homes ensures they would be ‘tenure neutral’ and contribute to a balanced community.

As such, it is considered that the proposed development would provide an appropriate housing mix and it complies with Policy 7 of the NDLP.

32. Impact on heritage assets

As with the extant scheme for 27 dwellings, the proposed development also has the potential to affect the settings of the following designated heritage assets:

- Okeford Fitzpaine Conservation Area
- Yeatmans (Grade II listed building)
- Langstone Farmhouse (Grade II listed building)

- Darknoll Farmhouse (Grade II listed building)
- Squirrel Cottage & Woodpecker Cottage (Grade II listed building)
- Pleydells Farmhouse (Grade II listed building)

The impact on heritage assets was considered at the previous appeal. The inspector made the following considerations:

“There are several listed buildings in the village near the site. Their significance, is in part, derived from the traditional materials and design of the buildings and their position along the historic routes leading from the village core. The significance of the Okeford Fitzpaine Conservation Area is in part from the layout around the village core along with the traditional and historic properties in that area.”

“The immediate setting of these heritage assets includes their position addressing the roads at the centre of the village and relationship with the more historic elements of the built form. This contributes to their significance. The wider area, including the appeal site, does not contribute to their significance as it comprises a more varied and wide-ranging built form in terms of scale, layout and materials. Given this and that the scheme would assimilate into the newer development at the edge of the village, the significance of the heritage assets would be preserved.”

The current application has been consulted upon with the Council’s Conservation Officer, who considered that there would remain no harm to the significance of all these assets as a result of the cumulative development.

Having concluded that the proposed development would result in no harm to designated heritage assets it is not necessary to engage paragraphs 207 or 208 of the NPPF. Having had regard to s66 and s72 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 designated heritage assets. Thus, impacts would be acceptable and in accordance with Policy 5 of the Local Plan and section 16 of the revised NPPF.

33. Landscape impact

To the north of the site is the historic ribbon development along Lower Street; to the east is a mixture of historic housing and modern housing on land previously forming part of Pleydell’s Farm. Beyond this housing is the historic centre of the village. To the south and west of the site is open pasture rising up Okeford Hill from where the site can be viewed within the context of the village. The Dorset National Landscape encompasses Okeford Hill and an area of the village between Pound Lane and Higher Street, though the site itself is not within the NL.

The site is located in the South Blackmore Rolling Vale Landscape Character Area where fields are characteristically bound by thick hedgerows. It is also within 435m of the North Dorset Escarpment (Okeford Hill), which is within the Dorset National Landscape. Planning guidelines in the NL Landscape Character Assessment indicate that new housing development within the setting of the scarp should be small scale and complement the form and character of the historic settlement pattern. Extension toward the scarp should be carefully controlled and should incorporate appropriate native planting to help assimilate it into the landscape. Development that encroaches on the scarp should be strongly resisted.

Although visible from Okeford Hill, there is some separation between the site and the Dorset National Landscape (NL) and the proposed development would not have any greater effect on views out of the Dorset National Landscape (NL) than the adjacent

development on views out of the NL. The scheme is relatively small scale and of appropriate form and character. It would be seen with other modern development at the edge of the settlement. As such, it is accepted that the proposed development seeks to conserve and enhance the natural beauty of the Dorset National Landscape in accordance with paragraph 189 of the revised NPPF.

At the previous appeal the inspector considered that “There is some separation between the appeal site and the Dorset National Landscape (NL). The scheme is relatively small scale and of appropriate form and character. It would be seen with other modern development at the edge of the settlement. As such, it would conserve the landscape and scenic beauty of the NL.”

It is therefore considered that the proposed development satisfactorily complies with the requirements of paragraphs 135, 136, 187 and 189 of the NPPF and of Policies 4 and 15 of the North Dorset Local Plan.

34. Impact on neighbouring amenity

This second phase of the development is such that it would not adjoin to any existing residential properties, unlike the first phase. Thus, the impact upon these, including those residing in Old Dairy i.e. the new development to the east of the site, would be acceptable.

Consideration is required for how the second phase may affect dwellings to be constructed as part of the first phase. The layout and orientation of buildings indicate that mutual relationships between dwellings would be acceptable, should the development have been constructed as one whole scheme.

Therefore, it is accepted that residential amenity can be sufficiently protected in accordance with Policy 25 of The Local Plan.

35. Highway and transport safety

The officer who assessed the previous application P/FUL/2023/04809 concluded that there was no indication that there would be a severe residual cumulative impact on the road network as a result of the development to warrant a reason for refusal under paragraph 115 of the revised NPPF. However, it was considered that the layout of the scheme would present some problematic highway safety repercussions and accentuate the unacceptability of the development layout. These concerns included:

- parts of the scheme lack a required 2m wide footway and further sections of the site have a carriageway with an inadequate width.
- Concern a refuse vehicle would not be able to freely traverse the site in the event of casual parking on the estate roads.
- The layout would not promote ease of movement through promoted accessibility and the needs of the mobility or sensory impaired.

As such, at that time the Highway Authority advised that the layout would not be safe and suitable for use by all road users as it would not comply with the Authority's adopted road requirements. It was considered that the proposed layout of the development would not put people before traffic; it would have an unacceptable impact on highway safety and not comply with paragraph 115 of the NPPF and Policy 24 of the Local Plan.

At appeal on the previous application P/FUL/2023/04809 the inspector considered the effect of the proposed development on highway safety. In relation to service margins and footways, the inspector identified that *“there would be space to accommodate service margins at the edge of the open space without any significant loss of it. This and any crossings could be covered by condition were the appeal to be allowed.”* In relation to access for refuse vehicles, he considered there to be *“no reason why vehicles would block the path of refuse vehicles at the site.”* In relation to ease of movement and safety across the site the inspector noted there was *“no compelling evidence that the use of a shared surface in itself raises highways safety concerns”* and *“The shared areas would be sufficient to allow cars to pass pedestrians and the use of materials, subject to condition, would assist in differentiating between areas.”* The inspector concluded that *“while elements may not meet adoptable standards, they would not cause harm to highway safety or to road users”* and therefore *“the proposed development would not harm highway safety. It would accord with Policy 24 of the Local Plan”*

In light of the inspector’s assessment at appeal and changes to the layout including the addition of dedicated footways, which are material considerations to the current application, DC Highways have confirmed that the proposed development will not result in material or unacceptable impact upon the highway network. 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 NPPF (December 2024.)

36. Surface water and foul drainage

When considered during the original application, the proposed surface water drainage strategy was deemed to be unsatisfactory and therefore constituted one of the reasons for refusal, as follows:

“The location of the proposed attenuation basin has not been incorporated into the development site to substantiate the surface water drainage strategy. The proposed drainage strategy fails to identify acceptable exceedance flow routes from the basin to demonstrate where surface water can be directed, should the designed system fail or exceed capacity, and that there would be no increase in flood risk to adjacent residential properties. It therefore cannot be satisfied that the proposed new development would avoid risk of flooding from all sources or seek to mitigate it appropriately. The proposed development would therefore be contrary to Policy 3 and 13 of the Local Plan, as well as paragraphs 173 and 175 of the National Planning Policy Framework 2023.”

At appeal the inspector considered that there was *“no compelling evidence that a suitable drainage scheme is unachievable”* and noted that *“the Lead Local Flood Authority have not raised concerns over the concept or principles of the drainage scheme.”* In terms of the location of the proposed attenuation basin the inspector concluded that regardless of being outside of the red line boundary, *“the land parcel where the basin was proposed is within the control of the appellant.”* The Inspector therefore concluded that in the absence of evidence to suggest that the proposed basin method was unsuitable, *“conditions could be imposed for further details of it, its future maintenance and management as well as exceedance flow routes”* and *“the proposed development would not cause increased flood risk”*.

The Lead Local Flood Authority (LLFA) have been consulted on the current application, as required for major development applications. The LLFA have recognised that flood risks to the development are low by virtue of the fact the site lies in flood zone 1, beyond any high or medium surface water flood risk areas, and not within any groundwater susceptibility zones.

In terms of flood risks from the development, the LLFA have confirmed that the principle of above ground attenuation basin, and the proposed size of it, would be acceptable. The depth and gradient of slope proposed at this stage are designed in accordance with the 'CIRIA Health and safety principles for SuDS'. The LLFA have recommended pre-commencement conditions on any approval to secure the detailed surface water management scheme for the site and details of maintenance and management of the surface water sustainable drainage scheme.

37. Biodiversity and ecology

To support the application the applicants have submitted an Ecological Assessment, as well as a Biodiversity Plan (BP) in accordance with local protocol, owing to the site exceeding 0.1ha in area. The applicant has also submitted a Biodiversity net gain base line and proposal. They confirm in the BP that the site is composed of Modified Grassland, which receives regular applications of fertiliser and has relatively low ecological. The loss of the grassland is proposed to be mitigated by enhancing the buffer area to the west and by tree planting to provide a Biodiversity Net Gain on site.

The BP captures suggested mitigation and enhancement measures and identifies that 160m of hedgerow would be affected insofar as it would be translocated. The BP includes the methodology of this and also includes details of changes to the grassland on site, as well as measures including hedgehog access, bat crevice features, sparrow nest boxes, integrated swift boxes and bee bricks. Enhancement measures are also proposed, including the planting of 40m of native hedgerow along the southern boundary and trees within the site.

The BP has not been signed by the Council's Natural Environment Team and issued with an accompanying Certificate of Approval to certify that the measures are acceptable to the Council. As such, it would be a necessity for a condition to be imposed to require a final version of the BP to be submitted.

38. Infrastructure contributions

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 on-site and off-site obligations, as required by Policies 13 (Grey Infrastructure), 14 (Social Infrastructure) and 15 (Green Infrastructure).

In this case the following on-site and off-site contributions would be required:

Affordable Housing	36.8% On Site Provision Commutated sum payment of £42,514 to offset the remaining 3.2% (0.6 of a home).
NHS Contribution	£772 per dwelling to support infrastructure for primary, secondary and community care within the NHS system.
Education (Primary & Secondary)	£6094.34 per dwelling
Education (SEN Provision)	£1487.62 per dwelling

Pre-School Provision Contribution	£190.50 per dwelling
Community, Leisure and Sports Facilities Contribution	£2,006.97 per dwelling towards improvements to the pavilion at the recreation ground to provide a hub for community use and indoor and outdoor recreational activities, which will serve the development.
Rights of Way	£1,520 4x stiles to gates £1,137.50 footpath N48/66 to village hall surfacing enhancement
Informal Open Space Maintenance Contribution	£1,278.80 per dwelling only if being transferred to PC
Destination Play Facilities	£967.52 per dwelling towards play provision and improvements at Bowey Play Area and or Castle Lane Recreation Area
Destination Play Facilities Maintenance	£359.36 per dwelling towards play provision and improvements at Bowey Play Area and or Castle Lane Recreation Area
Formal Outdoor Sports Facilities Contribution	£1,318.80 per dwelling towards sports facilities in Okeford Fitzpaine or local area which will serve the development
Formal Outdoor Sports Facilities Maintenance Contribution	£128.73 per dwelling towards the maintenance of sports facilities in Okeford Fitzpaine or local area which will serve the development
Library Contribution	£75 per dwelling towards additional equipment and stock at Sturminster Newton Library
Bus and Sustainable Transport Contribution	£600 to provide a pole, flag and timetable case for a bus stop in the village centre, close to the proposed development
Indicative S106 Monitoring Fee	Number of obligations grouped by infrastructure type -10. Total fee - £835 x 10 = £8,350

These will form the Heads of Terms for a legal agreement to secure the necessary financial contributions, in addition to the onsite affordable housing provision. A Unilateral Undertaking has been drafted and is in the process of being agreed. This will need to be completed and signed before any approval could be processed.

39. Environmental implications

A sustainability statement has been submitted with the application. This confirms the following measures proposed to ensure the development proposed is sustainable:

- Utilisation of a nationwide timber procurement policy and use of materials with a lesser environmental impact.
- Eco-sanitaryware and flow restriction devices to be included in the construction of every property.
- Implementation of sustainable surface water drainage systems integrated with green infrastructure to enhance biodiversity within the development.
- A site waste management plan will operate at the construction site.
- Energy efficiency measures will be included in the construction specification of every home.
- Incorporation of air source heat pumps throughout the development to offer low carbon heating solutions, achieving a minimum 50% reduction in accordance with building regulations.

It is considered that these measures will contribute to sustainable construction methods and the long-term sustainability of the development and is in accordance with the policy 3 of the NDLP and Para 167 of the NPPF (Nov 2024).

40. Summary of issues and the planning balance

The site is located outside of the settlement boundary of Okeford Fitzpaine and therefore in the countryside for the sake of planning policy. 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 and 20 in the Local Plan and, thus, not supported in principle unless other material considerations indicate otherwise.

Key material considerations in this respect are the Council's current housing land supply position, the NPPF and the appeal decision on the previous application P/FUL/2023/04809.

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, it is expected that the larger villages will be required to accommodate the housing need.

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 and 20) should be considered out-of-date.

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.

Criterion (i) are the “footnote 7” reasons detailed in the NPPF. The relevant ‘Footnote 7’ policies in this instance would be those that are related to designated heritage assets and land designated as a National Landscape. 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.

The proposal would contribute to the supply of housing in the area in a location with reasonable access to services and facilities. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. Contributions and other facilities secured in the planning obligation could be used by the wider public such as the open space. However, they would primarily be to offset and prevent harm from the proposed scheme. Therefore, any such benefits would be small.

There would also be environmental, economic and social benefits associated with the build and occupation of the dwellings and contribution to the local and wider economy. Nonetheless, given the scale of the scheme the benefits would be small as would those in relation to biodiversity. The lack of harm from the main issues I found acceptable would be a neutral factor.

The delivery of new market and affordable dwellings on the edge of a sustainable larger village significantly weighs in favour of the proposal.

The density of the proposed development would be comparable and characteristic with other development within the village, including those on the village edges. As such, the proposed amount of the development would make an efficient use of land and not result in any harmful overdevelopment.

With the imposition of conditions to control materials and landscape, the design and visual impact of the development would be acceptable and not provide a significant and demonstrable adverse impact. This weighs in favour of the proposal.

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 point into the site and internal estate roads and footways 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 has been 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.

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 Councils 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 market and affordable housing, which justify a decision other than in accordance with the development plan.

Taking all of 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 legal agreement

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

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

- Affordable housing on site
- Contribution towards other affordable housing projects in the area,
- NHS infrastructure financial contribution,
- Education financial contribution,
- Pre-school financial contribution,
- Community facilities financial contribution,
- Leisure and Sports Facilities financial contribution,
- Rights of Way financial contribution,
- Informal Open Space Maintenance financial contribution,
- Destination Play Facilities financial contribution
- Destination Play Facilities Maintenance financial contribution,
- Formal Outdoor Sports Facilities financial contribution
- Formal Outdoor Sports Facilities Maintenance financial contribution,
- Library and Bus and Sustainable Transport financial contribution.

and subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

5842-WLA-2ZZ-XX-DR-A-0010 Location plan & block plan
5842-WLA-2ZZ-XX-DR-A-0111 11 Proposed site layout plan
5842-WLA-208-XX-DR-A-1008 Type A floor plans & roof plan
5842-WLA-211-ZZ-DR-A-1009 Type A elevations
5842-WLA-210-XX-DR-A-1010 Type B/C floor plans & roof plan

5842-WLA-211-ZZ-DR-A-1011 Type B/C elevations
 5842-WLA-220-XX-DR-A-1020 Type C floor plans
 5842-WLA-220-ZZ-DR-A-1021 Type C front & rear elevations
 5842-WLA-220-ZZ-DR-A-1022 Type C elevations & roof plan
 5842-WLA-204-XX-DR-A-1030 Type D floor plans & roof plan
 5842-WLA-204-XX-DR-A-1031 Type D elevations sheet 1
 5842-WLA-204-XX-DR-A-1032 Type D elevations sheet 2
 5842-WLA-205-XX-DR-A-1040 Type E floor plans & roof plan
 5842-WLA-205-XX-DR-A-1041 Type E elevations
 5842-WLA-206-XX-DR-A-1050 Type F floor plans & elevations
 5842-WLA-207-XX-DR-A-1060 Type G floor plans & elevations
 5842-WLA-208-XX-DR-A-1070 Type H floor plans & elevations
 5842-WLA-209-XX-DR-A-1080 Type J floor plans & elevations
 5842-WLA-210-XX-DR-A-1090 Type K floor plans & roof plan
 5842-WLA-211-ZZ-DR-A-1091 Type K elevations
 5842-WLA-2ZZ-XX-DR-A-1100 Triple garage floor plans & elevations
 5842-WLA-2ZZ-XX-DR-A-1101 Single garage floor plans & elevations

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

3. Prior to the commencement of development, a detailed surface water management scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall
 - (a) be based upon the site specific hydrological and hydrogeological context of the development
 - (b) incorporate sustainable drainage principles in accordance with the current DEFRA non-statutory technical standards for Sustainable Drainage Systems (SuDS)
 - (c) demonstrate that surface water will be managed during construction and for the lifetime of the development without increasing flood risk on or offsite and
 - (d) include details of future maintenance and management arrangements.
 The approved scheme shall be implemented in full prior to first occupation and thereafter maintained in accordance with the approved details.

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

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

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

5. Prior to the commencement of any works on site, a detailed foul drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development must be carried out in accordance with the agreed details prior to occupation or use of any dwelling hereby permitted.

Reason: To prevent flood risks and effluent issues on and off the site.

6. Prior to the commencement of any development above damp proof course details and samples of all external facing building materials for the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved materials.

Reason: To ensure a satisfactory visual appearance of the development.

7. Prior to the commencement of any development above damp course level, a soft landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the hedgerow translocation along the western and southern boundaries of the site. The approved scheme shall be implemented in full during the first planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 10 years.

Reason: In the interest of visual amenity.

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

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

9. Prior to commencement of the development hereby approved a final Biodiversity Plan must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the Biodiversity Plan must be implemented in full in accordance with the specified timescales in the Plan and the approved requirements and recommendations shall be retained and maintained for the lifetime of the development.

Reason: To mitigate and enhance biodiversity and ecology, including protected species.

10. Prior to commencement of development hereby approved a Construction Traffic Management Plan and programme of works must be submitted to and approved in writing by the Local Planning Authority. The Plan shall include construction vehicle details (number, size, type and frequency of movement), vehicular routes, delivery hours and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities). The development shall thereafter be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of road safety.

11. Prior to any commencement of the development a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should demonstrate mitigation strategies to be used on site during development and shall include details of the following:
- Measures to control the emission of dust, dirt and smoke during construction, together with a scheme to control noise and vibration during the construction phase of the development;
 - Measures to protect all retained and newly created hedgerows and trees with an appropriate buffer for the duration of the construction period in line with BS 5827:2012; and
 - Avoidance measures in relation to the potential presence of nesting birds, badgers, hedgehogs, dormice and reptiles for the duration of the construction period. The approved CEMP shall be adhered to throughout the construction period for the development.

Reason: To protect the local environment and amenity of the area.

12. Prior to the commencement of any development hereby approved, all existing trees and hedges shown on approved plan 5842-WLA-2ZZ-XX-DR-A-0111 to be retained, shall be fully safeguarded in accordance with BS 5837:2005 (Trees in relation to construction - recommendations) or any other Standard that may be in force at the time that development commences and these safeguarding measures shall be retained for the duration of construction works and building operations. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s).

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

13. Prior to occupation of any dwelling hereby permitted, the car parking areas (and any turning space required to be provided) shall be laid out and surfaced in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. These parking facilities shall be retained permanently thereafter for that purpose.

Reason: To ensure provision of adequate parking facilities in the interest of highway safety.

14. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 5842-WLA-2ZZ-XX-DR-A-0111 (Revision 11) must be constructed, unless otherwise agreed in writing by the Planning

Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

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

15. Prior to first occupation of any dwelling hereby approved a scheme showing cycle parking facilities must be submitted to and approved in writing by the Local Planning Authority. Thereafter, these areas must be maintained, kept free from obstruction and available for the purposes specified.

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

16. No external lighting, including street lighting, shall be installed on site until details of the lighting scheme have been submitted to and agreed in writing by the Local Planning Authority. Thereafter any lighting scheme shall be installed, operated and maintained in accordance with the agreed details.

Reason: To protect the rural character of the area and to avoid nuisance to adjoining properties.

17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be submitted to and approved by the Local Planning Authority. 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.

18. Before installation of any air source heat pumps or similar equipment, a noise report from a suitably qualified/experienced person shall be submitted to and agreed in writing by the Local Planning Authority. The written report shall follow the BS4142:2014 format and contain details of background sound measurements at times when the plant is likely to be in operation, against the operational plant sound level(s). The report shall predict the likely impact upon sensitive receptors in the area and all calculations, assumptions and standards applied shall be clearly shown. Where appropriate, the report shall set out appropriate measures to provide mitigation to prevent loss of amenity and prevent creeping background noise levels. The agreed mitigation measure shall be fully implemented and permanently retained thereafter.

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

Informative Notes:

1. In addition to this permission, the vehicle crossing serving this proposal (that is, the area of highway

land between the nearside carriageway edge and the site's road boundary) must be constructed to

the specification of the Highway Authority in order to comply with Section 184 of the Highways Act

1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at

dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public

highway.

2. The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at customerservices@dorsetcouncil.gov.uk, or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ.

3. Electric vehicle charging points

The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

4. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.

