

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 78 APPEAL

BY

Dudsbury Homes (Southern)

LAND SOUTH OF Ringwood Road

Alderholt

DORSET

PROOF OF EVIDENCE OF

Ursula Fay

BSc (Hons), MSc, MRTPI

ON BEHALF

OF

DORSET COUNCIL

Planning Inspectorate Reference: APP/D1265/W/23/3336518

Local Planning Authority Reference: P/OUT/2023/01166

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1. Introduction

- 1.1. My name is Ursula Fay. I have an BSc in Politics from Southampton University and a MSc in Spatial Planning from Oxford Brookes University. I am a Chartered member of the Royal Town Planning Institute.

Qualification, experience and declaration

- 1.2. I have over 15 years' experience working in planning at local authorities, across both planning policy and development management. For the last six years I have worked as the case officer for major development proposals, at Councils in Dorset and Somerset. Prior to this I worked as Community Infrastructure Officer at Vale of White Horse preparing the Community Infrastructure Levy (CIL) Charging Schedule, as a Senior Planner at Wandsworth Council, and as a Planning Policy Officer at New Forest District Council.
- 1.3. The evidence which I have prepared and provide for this appeal reference APP/D1265/W/23/3336518 (in this proof of evidence) is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

Proof of Evidence

- 1.4. My Proof of Evidence (PoE) relates to both planning and urban design issues. However, it is understood that urban design will be dealt with at the inquiry through a round-table discussion and I have therefore placed this part of my evidence in a separate section. This PoE is set out as follows:
- Sections 2-4 summarise the planning history, site and its surroundings and the development proposal
 - Section 5 sets out the relevant planning policies applicable to the Appeal site
 - Sections 6-9 respond to *Issue 1. The significance of the proposal in meeting housing need, having regard to the current supply of housing land and the age of the local plan*
 - Sections 10-15 respond to *Issue 2: Whether the development would be appropriate in this location having regard to: its relationship to Alderholt and other settlements and their facilities; its connection to the highways network; its relationship to the AONB; the local plan spatial strategy; and the emerging Neighbourhood Plan*
 - Sections 16-21 respond to remaining issues

- Sections 22-25 assess the benefits, harm and the appropriate planning balance as applied for determination of the Appeal
 - Section 26 provides a summary and conclusions
- 1.5. My evidence should be read alongside that of:
- Claire Lynch in relation to housing land supply (CDG.2)
 - Atam Verdi in relation to viability matters (CDG.3)
 - Richard Fitter in relation to highways and transport matters (CDG.4)
 - Colm O’Kelly in relation to AONB tranquillity (CDG.5)
 - Mark Lang in relation to ecology and Habitats sites matters (CDG.6)
 - Ed Denham in relation to education matters (CDG.7)
 - Christine Reeves in relation to retail matters (CDG.8)
- 1.6. My evidence should be read in the context of the agreed Statement of Common Ground (SOCG) March 2024 (CDC.1).

Attributing weight in the planning balance

- 1.7. In carrying out my assessment of the proposal I refer to the weight which I attribute to relevant policies and considerations. The aim of this is to enable understanding of my professional opinion regarding each area of assessment. Such weightings are not intended to create a formulaic approach to assessment of the proposal and should not be interpreted in this way. The scale of weights I have used is:

Very significant weight
Significant weight
Moderate weight
Limited weight
Very limited weight

- 1.8. I have applied the scale against each individual benefit or adverse impact. I have not reduced weight from any potential benefit due to adverse impacts arising elsewhere in the proposal (or vice versa). I have however accounted for any relevant mitigation, planning conditions or obligations I reasonably expect would be applied. Although different language has on occasion been used in the Committee Report (CR) (CDA.75) it is based upon this scale. My planning balance takes place at the end of this proof after a full assessment of the individual benefits and adverse impacts.

2. Planning History

- 2.1. There is no relevant planning history on this site prior to the issuing of an Environmental Impact Assessment Scoping Report on 21/12/2022. The Appellant did not seek formal pre-application advice from the Local Planning Authority (LPA).
- 2.2. The CR pages 20-22 sets out details of planning proposals on adjacent land. Of these, the most relevant to this Appeal is an application for Outline planning permission at the former Hawthorn's Nursery, which was determined at Appeal (CDF-35). This provides a clear assessment regarding the principle of development outside the village envelope.

Approach to negotiation of planning applications

- 2.3. The LPA has guidance regarding negotiation on planning applications set out at Appendix D which encourages applicants to take up the LPA's paid pre-application advice service. The Council met with the Appellant upon receipt of the above Scoping application to encourage them to undertake pre-application advice prior to submission of the application.
- 2.4. With regard to amendment of applications The PPG states '*It is at the discretion of the local planning authority whether to accept such changes*'. In any case, the Council did accept one round of changes during the application.
- 2.5. In taking this approach the Council is supported by an appeal decision at Seven Acre Farm in Aylesbury (Appendix E) where the Inspector considered whether Buckinghamshire Council failed to work positively and proactively to seek an approval by not requesting information while an application was live. The Inspector found that that '*the appellant did have adequate opportunity to discuss the current scheme with the Council at the pre-application stage, which might have highlighted any potential areas of concern, but chose not to do so*'.

Development of proposal through the Appeal process

- 2.6. The reasons for refusal were clearly set out in the DN, and the CR provides a detailed assessment of the proposal. This took into consideration the responses and objections of statutory consultees. All this information was available to the Appellant at the time of the decision and while preparing for their Appeal.
- 2.7. The Appellant did not take the opportunity to formally submit additional information to respond to many technical reasons for refusal when submitting their Appeal. No additional evidence relating to highways and transport, ecology, viability, or education was submitted with the Appeal.

- 2.8. The topics where additional evidence was not submitted included issues where there were outstanding objections from statutory consultees – National Highways, the Transport Authority, Education Authority and Natural England. All these had placed objections during the application, many requesting additional information of a technical nature.
- 2.9. Evidence was finally submitted half an hour before the CMC on 2 May, 3 months after the start of the Appeal and less than 4 weeks before Proofs of Evidence were due to be submitted. The Council considers the extent of information submitted was extensive. By this time the Council had begun preparing evidence in relation to the initial Appeal submission.
- 2.10. The Council's position is that this constitutes unreasonable behaviour on the part of the Appellant.

3. Site and Surrounding area

- 3.1. A description of the site and surrounding area is provided within the SOCG (paras. 1.1-2.4, and is not repeated here.
- 3.2. As an update to the position regarding services at Alderholt as set out at 2.4 of the SOCG, this now includes a vet as the vet practice has re-opened.
- 3.3. The following key factors as regards the site and surrounding area are highlighted:
- The existing population of Alderholt is 2,900 – this proposal is forecast to add an additional 4,066 residents.
 - This is a substantial greenfield site
 - There are very limited facilities within Alderholt
 - The distance to access other everyday facilities in larger settlements can be considerable, most notably 6km to Verwood (for a supermarket) and 20km to Wimborne (for catchment Upper School)
- 3.4. The village of Alderholt is outside the designated Green Belt and National Landscape (NL), and over 400m from the Dorset Heathlands SPA/SAC. This is demonstrated on the Key Diagram on page 23 of the Christchurch and East Dorset Local Plan (CEDLP) (CDD.1).

4. Proposal

- 4.1. The Appeal is against the Council's refusal of an Outline application relating to Land South of Ringwood Road in Alderholt. The elements of the refusal are set out in the Decision

Notice (DN) (CDA.76) and Council's Statements of Case (CSoC) (CDC.2) and are not repeated here, but can be summarised as:

- Adverse impacts on Habitats site that have not been adequately mitigated
- Significant development contrary to the settlement hierarchy
- Proposal would not limit the need to travel and offer a genuine choice of transport modes
- Impacts on tranquillity within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB)
- Whether the Transport Assessment has correctly identified highways impacts and how these could be mitigated
- Whether the masterplan demonstrates that uses will function well, particularly regarding the location of the local centre
- Whether St James First School can be extended to accommodate the increase in children resulting from the development
- Whether the proposed development makes an appropriate contribution to affordable housing

4.2. The scheme was also refused due to failure to submit a sequential test and retail impacts assessment, and due to insufficient information regarding surface water management. Additional information has been submitted with the Appeal regarding both these issues. Surface water drainage has been resolved. However, following review of the submitted Retail Impact Sequential Test Assessment (RISTA) the Council has concerns regarding the:

- Impacts on the existing Alderholt Co-op / post office store

4.3. Following the submission of the Retail Impact and Sequential Test Assessment (RISTA) (CDA.73), and subject to appropriate conditions and obligations, the proposal can be assumed to include up to the following:

- 1,630 dwellings (35% affordable)
- 70 extra-care dwellings (35% affordable)
- 10,000sqm business park (uses E(e) / E(f) / E(g)(ii) / E(g)(iii))
- 4,000sqm local centre to include:
 - 400sqm convenience retail
 - 858sqm comparison retail
 - 673sqm food and drink
 - 316sqm indoor sport, recreation or fitness
 - 724sqm medical or health services
 - 1,026sqm offices
 - 6.5ha solar array

- Open space – min. 53ha SANG / 4.5ha outdoor sports / 1ha children & young peoples space / 1ha allotments
- 4.4. The proposal is in Outline, and is accompanied by four parameter plans, which are not described as illustrative either on the plans or at paragraphs 5.4-5.22 of the Environmental Statement (ES) (CDA.13):
- Access & Movement – identifies locations of the proposed ‘primary route’, proposed bus route, existing and proposed footpaths/bridleway, and hubs including the ‘local centre/hub & market square’ (CDA.9)
 - Land Use – identifies the locations of homes/neighbourhood; local centre/hub/market square; employment; green corridors; parks; allotments; recreation ground; SAG and potential solar array (CDA.11)
 - Density – sets unit quantum and densities within neighbourhood areas. Four neighbourhoods are identified (A-D) along with the Employment Site and Market Square & Commercial Core (CDA.10)
 - Green Infrastructure – sets green infrastructure parameters. Identifying recreation grounds/active sports space/children young peoples; amenity green space; natural & semi-natural greenspace; allotments; SANG areas and potential solar array (CDA.8)
- 4.5. In addition, the proposal is accompanied by an illustrative masterplan (CDA.4), clearly labelled illustrative and described as such at para.5.5 of the ES. A Landscape Strategy Plan has also been submitted, this provides further details on the location of woodland, meadows, ponds, swales, wetlands etc.
- 4.6. *‘When used properly, conditions can enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects’ (ID: 21a-001-20140306)*
- 4.7. The Council has considered whether a consent could be granted which does not include the parameter plans, or requires submission of alternative parameters. I do not believe that such an approach would be in accordance with planning policy and the PPG.
- 4.8. The PPG provides advice on the application of conditions. Regarding Outline applications it states: *‘Where details have been submitted as part of an outline application, they must be treated by the local planning authority as forming part of the development for which the application is being made. Conditions cannot be used to reserve these details for subsequent approval. The exception is where the applicant has made it clear that the details have been submitted for illustration purposes only.’ (Reference ID: 21a-005-20190723)*

4.9. While the masterplan has been described as indicative the submitted parameter plans have not. These therefore form part of the application and a condition could not be placed by the Council unless the Appellant had stated these plans to be indicative. Such a statement was not forthcoming during the application stage nor has it been made during the course of this Appeal.

5. Planning policy

5.1. Section 11 of the CR (pages 50-54) sets out plans and policies most relevant to the application proposal. This is not repeated here. Rather, this section focuses on the plans and policies considered most relevant to the determination of this Appeal. A table setting out my opinion on the weight to be attributed to policies and the extent of any conflict is provided at Appendix C.

5.2. The effect of section 70(1) of the Town and Country Planning Act 1990 and section 38(6) Section 38 (6) of the Planning and Compulsory Purchase Act 2004 is that planning applications shall be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in planning decisions.

5.3. The adopted development plans relevant to the application proposals are:

- The Christchurch and East Dorset Local Plan Part 1 – Core Strategy (CEDLP) 2014 (CDD.1)
- The ‘saved’ policies of the East Dorset Local Plan (EDLP) 2002 (CCD.2)
- Bournemouth, Dorset and Poole Minerals Strategy 2014 (CDD.20)

5.4. The CEDLP set out objectives and strategic policies for the plan area. Of most relevance to the Appeal are:

Local Plan 2002

5.5. The EDDP was adopted in January 2002. Some of its policies were ‘saved’ under Schedule 8 of the Planning and Compulsory Purchase Act 2004. The policy of most relevance to the Appeal proposal is:

- **A1 – Housing Development in Alderholt:** permits housing within the Alderholt village envelope, clearly intended to limit housing at Alderholt to sites within the policy envelope.

Christchurch and East Dorset Local Plan (CEDLP)

5.6. The CEDLP was adopted in April 2014 by the former East Dorset District Council (EDDC) along with the former Christchurch Borough Council (CBC), the two Councils at that time operating a 'shared services' model. EDDC and CBC were dissolved in 2019 under local government reorganisation, with East Dorset becoming part of Dorset Council (DC) and Christchurch becoming part of Bournemouth, Christchurch and Poole Council (BCP). The CEDLP remains the overarching planning policy document for areas formerly within East Dorset. The following objectives and policies are most important for the determination of the Appeal.

- **Objective 5 - To Deliver a Suitable, Affordable and Sustainable Range of Housing to Provide for Local Needs:** Housing to be provided to reduce local needs, while maintaining the character of communities. To include well planning sustainable new communities in appropriate locations. Size and type of dwellings to include housing capable of meeting people's needs at all stages of life. Provision of affordable housing at a rate of 35% of total units being developed.
- **Objective 7 - To Reduce the Need for Our Communities to Travel, and to do so More Easily by a Range of Travel Choices: Aims to reduce the need to travel and encourage public transport use, walking and cycling.** Development to be located in the most accessible locations, focused on prime transport corridors. New residential development either close to existing facilities, or where good transport links exist to facilities.
- **KS1 – Presumption in favour of Sustainable Development:** The Council will take a positive approach that reflects the presumption in favour of sustainable development in the NPPF. It will work pro-actively with applicants, in particular through the pre-application process.
- **KS2 – Settlement Hierarchy:** Location, scale and distribution of development should conform with the settlement hierarchy. Identifies a hierarchy of 6 settlement types: Main Settlements, District Centres, Suburban Centres, Rural Service Centres, Village and Hamlets. Alderholt is identified as a Rural Service Centre (RSC). The expectation is that RSCs will be main providers for the rural areas, residential development will be allowed of a scale that reinforces this role.
- **KS6 – Town Centre Hierarchy:** Sets the town centre hierarchy with Verwood identified as a Town Centre. Alderholt is not referenced within the policy.

- **KS7 – Role of Town and District Centres:** Town and District centres to be the focus for town centre uses. A sequential assessment required for application for main town centre uses not in an existing centre. Impact assessment required for planning applications for main town centre uses not in a centre, with a threshold of 500sqm gross for areas other than Christchurch, Ferndown or Wimborne.
- **KS9 Transport Strategy and Prime Transport Corridors:** Development to be located along and at the end of the Prime Transport Corridors in the most accessible locations, supported by transport improvements that will benefit existing and future communities.
- **KS11 – Transport and Development:** Development to reduce the need to travel, provide improved access to key services and facilities, and promote alternative modes of travel. Development will be permitted where mitigation against negative transport impacts is provided. Development to be in accessible locations well linked to existing communities by walking, cycling and public transport. Development must be designed to provide safe, permeable layouts and prioritise direct, attractive routes for walking, cycling and public transport.
- **ME1 – Safeguarding Biodiversity and Geodiversity:** Aims to protect, maintain and enhance the condition of all types of nature conservation types, habitats and species.
- **ME2: Protection of the Dorset Heathlands:** Residential development between 400m and 5km of the Dorset Heathlands to provide mitigation including provision of Suitable Alternative Natural Greenspace (SANG)
- **ME4 – Renewable Energy Provision for Residential and Non-residential Developments:** Encourages provision of renewable, de-centralised and low carbon energy. Investigation of options for district heating and/or power facilities required within larger developments and new neighbourhood/urban extensions. Developers expected to assess a range of suitable options including district wide and/or micro generation.
- **HE2 – Design of New Development:** Development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness.
- **HE3 – Landscape Quality:** Development will need to protect and seek to enhance the landscape character of the area. Proposals need to take factors into account including tranquillity and the need to protect against intrusion from light pollution, noise, and

motion. Proposals to demonstrate that account has been taken of the relevant AONB Management Plan.

- **HE4 – Open Space Provision:** Sets standards for open space provision, including active sports space, children & young people’s space, and allotments.
- **LN1 – The Size and Type of New Dwellings:** Size and type of new dwellings to reflect current and projected housing needs identified in the Strategic Housing Market Assessment (SHMA)
- **LN3 – Provision of Affordable Housing:** Greenfield residential development to provide up to 50% of the residential units as affordable housing. Any application which on financial viability grounds proposes a lower level of affordable housing than is required must be accompanied by clear and robust evidence that will be subject to verification.
- **PC5 – Shops and Community Facilities in Local Centres and Villages:** Loss of existing retail premises, leisure and other local facilities will be resisted unless it is clearly demonstrated there is insufficient demand and it is not feasible and viable to support their continued existence and the loss would not result in a substantial decline in the range and quality of services for local people.

Supplementary Planning Documents / Guidance

- 5.7. The **Housing and Affordable Housing SPD (CDD.6)** was adopted in December 2018. The document addresses the principles and processes that will ensure the delivery of housing to meet local need and demand. The SPD explains that an affordable housing target for the area has been set at 35%, reflecting the combined total of all net additional residential development and accepts that some sites will deliver less than others due to differences in policy requirements or due to viability.
- 5.8. The **Dorset Heathlands Planning Framework 2020-2025 SPD**, and the **Dorset Heathlands Interim Air Quality Strategy** provide guidance on avoiding and mitigating impacts on the Dorset Heathlands arising from development.

Minerals

- 5.9. Policy 20 of the **Hampshire Minerals and Waste Plan 2013** provides for the extraction of remaining reserves at Bleak Hill Quarry and extension of Bleak Hill Quarry. These are located to the south of the Appeal site.
- 5.10. Policy SG1 of the **Bournemouth, Dorset and Poole Minerals Strategy 2014** safeguards existing minerals reserves.

Draft Dorset Local Plan

- 5.11. Dorset Council undertook Regulation 18 consultation on a **Draft Dorset Council Local Plan** (DDCLP) (CDD.16) in January 2021. This set out a draft development strategy for Dorset (in Section 2.6) and also looked at options for expansion at Alderholt. At the time of the decision the Council was progressing the DDCLP under the Town and Country Planning (Local Planning) (England) Regulations 2012, with the plan having reached Regulation 18. The weight to be attached to the DDCLP was considered at para. 16.25 of the CR with the conclusion that very limited weight should be given to the consultation policies.
- 5.12. Due to the deadlines for transitional arrangements to a new plan-making system introduced by the Levelling Up and Regeneration Act 2023 (LURA), the Council made the decision to progress the plan through the new approach to developing a local plan.
- 5.13. A recent appeal decision considered the implications of this in relation to whether the Council is required to show a 4 or 5 year supply of housing with reference to para. 226 of the NPPF. The Inspector stated: *'I acknowledge the undeniable position that there is a plan that has passed through the Regulation 18 stage that has not been formally withdrawn or abandoned. However, the reality of the situation is that the plan in the form that it was at that time will not progress.'* While the background information that informed the DDCLP will be used to inform a new-style Local Plan, the Inspector advised that *'the resultant local plan, which will have to go through all stages of the new plan-making process will, in effect, be an entirely new plan.'*
- 5.14. Given this development I consider that the DDCLP has slightly less weight than when it was progressing under the existing Local Plan system. As the DDCLP in its current form will not progress it must be accorded less weight than when it was progressing, and is of no material weight. Nonetheless, it assists in setting out the context within which potential expansion at Alderholt was considered.
- 5.15. Policy ALD1 in Section 18 sets out Option 1 for the *'small-scale expansion'* (about 300 homes) of Alderholt on land north of Ringwood Road. Option 2, for the possible *'significant expansion'* of Alderholt is discussed in the supporting text (Paras. 18.4.12 to 18.4.14), with the range of possible sites within Dorset that could accommodate significant growth shown at Figure 18.1. This includes the land within the application site. At para. 18.4.3 it states it is *'likely that strategic growth in this location would require further land outside Dorset and within the New Forest District Council area. A strategic approach would therefore need to be taken with development being planned across the two local authority areas.'*
- 5.16. In relation to Option 2, paras. 18.4.12-14 state that this would need to include/deliver:

- *‘significant employment opportunities through the provision of employment land to create a self-contained settlement’*
- *‘New facilities would be needed in the form of a new ‘town centre’ and, depending on the scale of the expanded settlement, a number of local centres. New education provision would be needed including schools across all tiers alongside significant recreation provision.’*
- *‘the future relationship with nearby Fordingbridge would need to be explored so that the two towns have close links and are complementary in their roles in serving the expanded population. High frequency bus routes along the A338 between Salisbury, Ringwood and Bournemouth would be necessary with a hub formed to serve the Fordingbridge/Alderholt area.’*

- 5.17. The options for growth at Alderholt do not form part of the development strategy at draft Policy DEV2. The draft policy identifies where growth will be delivered within the south eastern Dorset functional area, but makes no mention of growth at Alderholt. Paragraph 2.6.6 explains *‘a further option of significant growth at Alderholt has been considered, but this would need to lead to a significant improvement in the self-containment of the village to enable it to be considered sustainable development’*.
- 5.18. A Sustainability Appraisal (SA) of the DDCLP was undertaken. Stage 1 considered the potential for growth in all directions around Alderholt and Stage 2 assessed the sustainability of Option 1 (in isolation) and Option 2 (together with Option 1 as the first phase of development). The assessment of Option 2 in the SA only has limited applicability to the Appeal proposal since the option assumes that sites around the village (and potentially within New Forest District) would be developed, not just land within the current application site. It is not considered the proposed development would deliver the positive benefits envisaged by the SA.
- 5.19. The SA was based on the assumption that a ‘sustainable town’ would be created (as outlined in Paragraph 18.4.6). As a result, the assessment of Option 2 gives positive scores for community, housing and economy, on the basis that there would be: the provision of a significant amount of housing, including affordable housing, the provision of community and educational facilities, employment land and associated infrastructure (such as roads) and improvements to bus routes. The current application is not of sufficient scale to create a town (as envisaged), a policy-compliant level of affordable housing is not being provided, and the types of infrastructure that might be expected in a town (such as education facilities above first school level) are not being proposed.

- 5.20. The SA gave negative scores for biodiversity, climate change and the historic environment. The score for biodiversity recognised the location of Option 2 within the River Avon catchment and the proximity of the Dorset Heathlands and the need to mitigate for any adverse impacts on these sites. It also recognised that a development of this scale may result in an increase in greenhouse gas emissions and that there may be opportunities for strategic scale climate change mitigation. With regard to heritage, the concern related to potential impacts on a Scheduled Monument to the north of the village, which would not be affected by development on the current application site. In relation to the current application, concerns remain about the potential impacts on internationally important wildlife sites and whether the suggested mitigation would be effective or deliverable.
- Alderholt Neighbourhood Plan
- 5.21. The Alderholt Neighbourhood Plan (ANP) (CDD.19) has reached Regulation 16, and is undergoing public consultation closing on 25 June 2024. The plan proposes three new housing sites, each for between 15 to 20 houses. The aim of these is to meet the housing need within Alderholt over the plan period (2022 to 2034). The weight attributed to the ANP is discussed later in this proof
- National Planning
- 5.22. The latest iteration of the National Planning Policy Framework (NPPF) was issued in December 2023. This post-dated the CR and DN for this application and many of the paragraph numbers referred to have changed as a result. This is referenced as applicable to the Appeal proposal, where relevant I will highlight where these changes to paragraph numbers have taken place.
- 5.23. The Planning Policy Guidance (PPG) provides key guidance for the implementation of the NPPF, and is referred to where relevant.

6. Council's case

- 6.1. Below is set out the Council's case in relation to each of the main issues identified by the Inspector. It is noted that there have many submissions of additional evidence in addition to some changes in position on the part of the Appellant since the application was refused. Key changes include:
- The submission of the RISTA

- The submission of an Energy Strategy proposing a net-zero development powered by a micro-grid of renewable energy
 - A change in education strategy from a two-tier to a three-tier system
 - The submission of a revised Transport Assessment
 - The submission (to the Council only) of viability evidence in the form of a revised Main Appraisal and a Local Centre Appraisal, which the Appellant has advised us they intend to rely on in respect of their viability evidence
- 6.2. There have also been indications of other changes in the Appellant’s position through the drafting of the S106. This may alter certainty around the delivery of some benefits and mitigation. The Council will continue to work with the Appellant on negotiation of an appropriate S106 agreement.
- 6.3. It is a matter of considerable concern that the Appellant’s proposals are not mature and settled, even at this late stage, when proofs of evidence are having to be finalised.

Issue 1. The significance of the proposal in meeting housing need, having regard to the current supply of housing land and the age of the local plan

7. Housing Land Supply

- 7.1. It is common ground that the East Dorset area does not currently have a sufficient supply of housing, with the Council’s position being that East Dorset can demonstrate a supply of deliverable sites equivalent to 3.9 years. It is agreed that this should be tested against the need to demonstrate a 5 year requirement. It is fully accepted that there is a clear need for housing within the area, and a particular need for affordable housing.
- 7.2. However, there is disagreement as to the specifics regarding the approach the Council has taken to the calculation, as well as dispute over the deliverability of some of the site included in the supply. Following the CMC, the Appellant’s view is that the housing land supply figure is 2.9 years. The Appellant’s view as set out in their email to PINS dated 16 May 2024 (CDF.34) is that *‘consideration of individual sites is unlikely to need inquiry time, since it will not make a fundamental difference to the housing land supply position when a shortfall of at least 1.1 years is agreed’*. The Council agrees that such a difference is not fundamental.

- 7.3. Detailed evidence on housing land supply calculations and assumptions will be provided by Claire Lynch however the Council will continue efforts to reach common ground to reduce time that needs to be spent on this matter at the inquiry.
- 7.4. The Appellant has also advised their intention to make a case ‘regarding the likely supply position up to and beyond the proposed Local Plan adoption’. As the Inspectorate will be aware, since submitting its Statement of Case (CDC.2), Dorset Council has indicated its intention to submit an Annual Position Statement (APS) to confirm its housing land supply position for the forthcoming year. This brings an element of complexity to any attempt to predict the housing land supply position, for either East Dorset or Dorset as a whole. This may require a further update at the inquiry.

8. Deliverability

- 8.1. The Appellant carried out very limited engagement with relevant stakeholders prior to submitting the application and did not take up formal pre-application advice from many relevant statutory bodies and decision makers. As such, the application arrived with the Council without the benefit of early engagement and front-loading as set out at paras. 39-43 of the NPPF.
- 8.2. The submitted Infrastructure Delivery Plan (IDP) (CDA.64) sets out an expected timetable for delivery of the development, which assumes that occupations beginning in 2026. with development forecasted to continue up until 2038.
- 8.3. While some technical matters have been resolved during the course of this appeal, many remain outstanding. Of those that can be conditioned, a substantial amount of further details will be required to discharge these, with much required before commencement of the development. For example, the Appellant needs to investigate the potential of the site for extraction and re-use of minerals, carry out archaeological fieldwork, provide a detailed surface water management scheme as well as agreeing a design code.
- 8.4. While highways matters are not resolved, there would also remain the need to gain S278 consent in respect of highways improvements.
- 8.5. As Claire Lynch has set out in her detailed evidence, this appears overly optimistic in comparison to evidence regarding the length of time it takes large housing developments to reach the delivery phase.

9. Viability (affordable housing)

- 9.1. It is common ground between the parties that there is a need for affordable housing across Dorset, in my opinion a very significant need.
- 9.2. Policy LN3 of the CEDLP states that *'all greenfield residential development which results in a net increase of housing is to provide up to 50% of the residential units as affordable housing'*. It is common ground that the target for provision of affordable housing from greenfield residential development is 50% of net units.
- 9.3. Policy LN3 makes provision that *'Any Planning Application which on financial viability grounds proposes a lower level of affordable housing than is required by the Policy Percentage Requirements must be accompanied by clear and robust evidence that will be subject to verification.'*
- 9.4. The planning application was accompanied by a Viability Statement (VS) (CDA.44). This was not considered to constitute 'clear and robust evidence' as required by Policy LN3. The Appellant, seeming to have accepted this, submitted the Site Wide Viability Report (SWVR) (CDA.56). Paragraphs 16.58-69 provide an assessment of the proposed contribution to affordable housing.
- 9.5. As set out at para. 16.64 of the CR, key elements which were not agreed at the time of the decision, and which would affect viability include highways improvements, education strategy, Habitats site mitigation and s106 contributions. At the time of this proof these issues remain unresolved, although work to resolve them is ongoing.
- 9.6. Concern was also raised regarding assumed land sales, particularly regarding the Local Centre and employment land.
- 9.7. During the course of the appeal, the Appellant has provided updated viability information to respond to the Council's concerns. Certain inputs, which make a material difference to the amount of affordable housing which could be provided, are not agreed. Mr Verdi's evidence addresses this in more detail. One of the key matters being the agreement of benchmark land value, made up of the existing use value and premium as set out in national policy and guidance. In short, it has not been demonstrated that the development can provide only 35% affordable housing and, even the introduction of a review mechanism into the s.106 (which the Council has suggested because the Appellant did not include it in the draft), does not resolve the issue.

Issue 2: Whether the development would be appropriate in this location having regard to: its relationship to Alderholt and other settlements and their facilities; its connection to the highways network; its relationship to the AONB; the local plan spatial strategy; and the emerging Neighbourhood Plan

10. Principle of development

10.1. At present my view, taking into consideration the position on Habitats Sites, is that presumption in favour of sustainable development set out at para. 11 of the NPPF does not apply to this proposal. Para. 188 of the NPPF (previously 182) states that:

10.2. *‘The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.’*

10.3. This matter was considered at para. 16.20 of the CR. Since that time mitigation has been identified for some of the Habitats effects, but not all. The situation remains that the presumption in favour of sustainable development does not apply.

10.4. However, in a scenario where Habitats impacts are suitably mitigated, it is common ground that the proposal would fall to be considered in the context of the presumption in favour of sustainable development at paragraph 11 of the NPPF.

11. Settlement Hierarchy

11.1. The Appellant’s Statement of case includes two different positions regarding the principle of their proposal. The first is that:

‘(a) the proposals are consistent with the overall strategy of the development plan, through reinforcing and enhancing the function of Alderholt as a Rural Service Centre’

11.2. This is clearly not the case and this scale of development in Alderholt is wholly inconsistent with the development plan. A proposal to double the size of Alderholt through an extension of 1,700 dwellings is clearly contrary to Policies KS2 of the CEDLP and Policy A1 of the EDLP.

- 11.3. Policy KS2 of the CEDLP sets the Settlement Hierarchy for the plan area. The CR assessed the proposal against this KS2 at paras. 16.8-16.10. Alderholt is defined within KS2 as a Rural Service Centre (RSC), expected to be:
- 11.4. *'main providers for the rural areas where residential development will be allowed of a scale that reinforces their role as providers of community, leisure and retail facilities to support the village and adjacent communities.'*
- 11.5. KS2 has six levels in a hierarchy, of which RSCs are positioned 4th. It is helpful to holistically review the CEDLP to understand the strategy behind the settlement hierarchy (edited to East Dorset settlements only).

Hierarchy	Development expectations	Example development allocations/policies
Main settlements - Wimborne Minster, Ferndown and West Parley, Verwood, Corfe Mullen	'the major focus for community, cultural, leisure, retail, utility, employment and residential development ... infill development as well as options for some greenfield development'	<p>Cranborne Road New Neighbourhood, Wimborne - 600 homes, a First School and a local centre</p> <p>Wimborne Town Centre Vision – retail convenience units of 400-500 sqm and comparison units of 2,500-2,550 sqm</p> <p>East of New Road New Neighbourhood, West Parley - 320 homes, and additions to the village centre which could include a convenience foodstore of about 800-900 sq metres</p> <p>Blunt's Farm Employment Allocation, Ferndown – 30 hectares for employment</p> <p>North Western Verwood New Neighbourhood - 230 homes</p> <p>Verwood Town Centre - 600-650 sqm of convenience floorspace and 700-800 sqm of comparison floorspace</p>

Hierarchy	Development expectations	Example development allocations/policies
District centres – West Moors	‘smaller scale community, cultural, leisure, retail, employment and residential development within the existing urban areas’	Blackfield Farm, West Moors - no longer safeguarded from development West Moors District Centre - 40-50 sqm of convenience floorspace and 150-200 sqm of comparison floorspace
Suburban Centres – Colehill, St Leonards and St Ives	‘some residential development along with community, leisure and retail facilities to meet day to day needs within the existing urban areas’	St Leonards Hospital - identified as a Previously Developed Site in the Green Belt
Rural Service Centres - Alderholt, Cranborne, Sixpenny Handley, Sturminster Marshall, Three Legged Cross	‘residential development will be allowed of a scale that reinforces their role as providers of community, leisure and retail facilities to support the village and adjacent communities’	Bailie Gate, Sturminster Marshal – 3.3ha of new employment Woolsbridge Employment Allocation, Three Legged Cross – 13.1ha for employment uses
Villages	‘only very limited development will be allowed’	Furzehill Village Envelope - amended to include the Council Offices. Redevelopment of the site for residential, offices, residential institutions, non residential institutions, hotel and/or community uses will be acceptable.
Hamlets	‘development would not be allowed unless it was functionally required to be in the rural area’	

- 11.6. This demonstrates the strategy taken by the plan of focusing development of a strategic nature at main settlements. Where sites are identified for residential development outside the main settlements this predominantly responds to a unique opportunity, such as a brownfield site. Indeed, although not mentioned in the plan, such a site exists in Alderholt at the former Surplus Stores, where 89 dwellings are currently under construction.

- 11.7. In my opinion, considering the hierarchy set in KS2, and reflecting upon the CEDLP as a whole, the scale of development proposed represents a very significant departure from Policy KS2 and the overall strategy for the development plan.
- 11.8. The Appellant presents an alternative argument regarding the settlement hierarchy, that: *'(b) the settlement hierarchy is in any event out of date in light of the absence of a five year housing land supply'*
- 11.9. The shortfall in 5YHLS is one such consideration. However, this does not mean that all policies are necessarily out-of-date. Rather, the weight should be given to Policy KS2 and other development plan policies should be with regard to their consistency with the NPPF.
- 11.10. As set out at para. 7 of the NPPF, *'the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner.'* This goes on to say at para. 9 that *'planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.'*
- 11.11. Policy KS2 is an expression of the local circumstances and sustainability of settlements within East Dorset. It was adopted following evidence regarding the function of settlements in the area. It provides a tool by which development can be directed to the most sustainable locations. It does not purely relate to the delivery of housing, but covers the delivery of a range of development and services. It is a policy against which development proposals can be assessed to establish their relative sustainability. I accept that the weight attributed to KS2 should be somewhat reduced, however it remains a material consideration of significance to this Appeal.
- 11.12. Policy A1 housing development outside Alderholt village envelope
- 11.13. An Inspector considering a proposal for 60 dwellings at Land North of Ringwood Road (Hawthorns Nursery) (Appendix F), reached the following conclusions regarding the principle of development outside the Alderholt village envelope:
- 11.14. *'Policy A1 of the East Dorset Local Plan 2002 states that 'housing development at Alderholt will be permitted under Policy HODEV1 within the policy envelope defined on the Proposals Map'. When the plan is read as a whole it is clearly intended to limit housing at Alderholt to sites within the policy envelope. As this site lies outside the policy envelope, it would conflict with saved Policy A1 of the EDLP.'* (CDD.2)

- 11.15. In the absence of a 5YHLS, Policy A1 is out of date, and I place limited weight upon it. However, it nonetheless reinforces the expectation that housing development at Alderholt, to support its role as a RSC, would take place within the village envelope.
- 11.16. Draft Dorset Council Local Plan - Settlement Hierarchy
- 11.17. This section addresses the settlement hierarchy in the DDCLP, the option of an extension to Alderholt as one of the options in that plan is discussed later.
- 11.18. The DDCLP (paras. 2.3.10-16) derived a settlement hierarchy for Dorset from the review of the hierarchies in existing adopted local plans for the former Boroughs and Districts and detailed consideration of the function of each settlement. Factors that have been considered in developing the hierarchy include the population of the settlement, the number of everyday facilities (schools, shops etc.) in each settlement, the travel time to a higher order town by public transport and by car, and the availability of superfast broadband at each settlement. This informed the creation of 4 tiers:

Tier	Description	Example settlements
1: Large built-up areas	Main built-up area of the Bournemouth, Christchurch and Poole conurbation within the inner boundary of the South East Dorset Green Belt; and in western Dorset, the county town of Dorchester and the coastal resort of Weymouth, which is the largest urban area in rural Dorset	BCP conurbation (including Upton and Corfe Mullen), Dorchester, Weymouth
2: Towns and other main settlements	Market and coastal towns across Dorset and 'other main settlements' mostly in eastern Dorset and inset from the Green Belt, close to the main built up area of Bournemouth, Christchurch and Poole	Bridport, Lyme Regis, Wareham, Wimborne, Verwood

Tier	Description	Example settlements
3: Villages with 'Local Plan Development Boundaries' or villages excluded from (inset within) the Green Belt	Typically larger villages which have a population of 500 or more and at least some facilities enabling some day-to-day needs to be met locally. Considered appropriate locations for small-scale infilling to meet their local needs.	Alderholt, Bere Regis, Corfe Castle, Cranborne, Charminster
4: Villages without 'Local Plan Development Boundaries' or villages included within (washed over by) the Green Belt.	Typically smaller villages which have a population of less than 500 and few facilities	Not listed

11.19. This demonstrates that the amalgamation of Councils within Dorset has changed the relative status of settlements. The Tier 1 settlements in Dorset are Dorchester and Weymouth, with Wimborne only falling within Tier 2. Alderholt is one of circa. 50 villages identified within Tier 3. This demonstrates that the status of Alderholt as a lower-tier settlement is not materially altered by the local government reorganisation.

12. Alderholt Neighbourhood Plan

- 12.1. Para. 48 of the NPPF states that '*Local planning authorities may give weight to relevant policies in emerging plans according to:*
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework'*
- 12.2. At the time of the decision the ANP had reached Regulation 14 stage and was attributed limited weight accordingly. However, as para. 5.7 of the CSoC acknowledges, there was the potential that this position could change during the course of the inquiry.

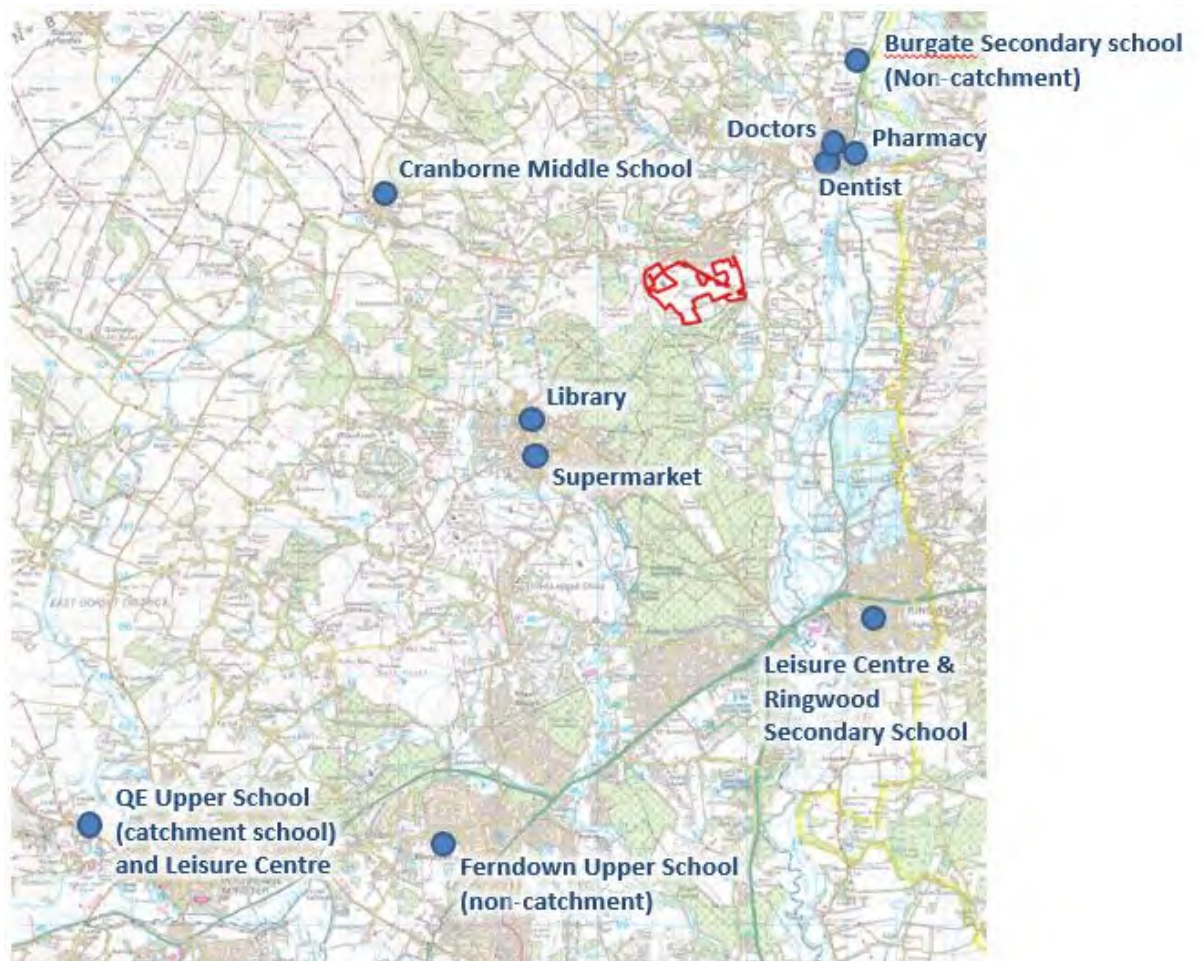
- 12.3. Para. 50 of the NPPF states that *'refusal of planning permission on grounds of prematurity will seldom be justified ... in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan.'* The LPA's publicity period on the ANP ends on 25 June, the position in relation to this plan will therefore materially alter during the inquiry and refusal on grounds of prematurity may become justified.
- 12.4. Para. 49 of the NPPF states that *'in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:*
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and*
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.'*
- 12.5. Regarding a), the proposed development is substantial, and its consent would represent a decision about the location of new development that wholly departs from the approach set out within the ANP. The impacts on neighbourhood plan preparation would be significant.
- 12.6. Regarding b) As the ANP has not yet completed the Regulation 16 consultation a firm judgement cannot yet be made regarding the level of unresolved objections to relevant policies. The level of weight that can be attributed to the plan remains limited pending this assessment.
- 12.7. The Council's position is that a further update to the inquiry on the ANP, the extent of unresolved objections, and the weight that should be attributed to the ANP will be necessary following the publicity period.

13. Sustainability

- 13.1. It is understood there is agreement that the Alderholt does not currently represent a sustainable settlement. There also appears to be agreement that paras.74 and 109 of the NPPF (para. 73 and 105 at the DN) are relevant to assessment of the suitability of Alderholt as a location for significant growth. However, the parties disagree on the application of these paragraphs to the proposal.

- 13.2. There is also disagreement on whether there has been a 'decline in services' to the extent set out at para. 2.12 of the ASoC. This is relevant as this is part of the Appellant's case that the scale of development proposed is necessary to address a decline.
- 13.3. There is also disagreement over whether additional facilities and services are needed within Alderholt to enable it to 'fulfil the function of a RSC'.
- 13.4. Paragraphs 74 and 109 of the NPPF
- 13.5. The Council's case as regards paras. 74 and 109 (73 and 105 at the DN) is set out at paras. 16.154-186 of the CR.
- 13.6. At the time of the decision there was a lack of clarity and certainty, particularly regarding education infrastructure, sustainable transport proposals and uses within the local centre. The Appellant has submitted some additional evidence regarding these matters which is discussed in the relevant specific sections, and on which detailed evidence will be provided by those specialists.
- 13.7. Regarding education infrastructure, the Appellant has altered their position and now accepts that a three-tier system should be assumed. There remains disagreement over whether St James First School can be expanded. As set out in Ed Denham's evidence, the Council provided feedback to the Appellant about the inability of the St James First School site to accommodate the proposed extension in a manner which accords with relevant guidance in important respects. In response, the Appellant has been exploring alternatives informally through the s.106 drafting process. One option seems to be to leave off the search for an alternative site to post the decision. It is not clear whether that possibility is what the Appellant now proposes, but it is something which seems to be in mind.
- 13.8. Detailed evidence regarding education provision is provided by Ed Denham. This demonstrates that the existing St James school site cannot be expanded to accommodate either a 2FE first or primary school. Without on-site education provision, the proposal will result in children needing to commute out of Alderholt to access all tiers of education.
- 13.9. Regarding transport proposals, the Appellant has again altered their position and is willing to provide a commuted sum to fund a 7 year bus service, along with cycle provision to Fordingbridge. There are concerns regarding the deliverability and attractiveness of these proposals. Detailed evidence on these proposals will be provided by Richard Fitter.
- 13.10. Regarding uses within the Local Centre, additional information has been provided on this through the RISTA. Subject to appropriate conditions and obligations, the development could now be assumed to include a convenience store, 7 small retail units, a community hall and medical facilities.

- 13.11. The Appellant appears to place great weight on the perceived improvement of the sustainability of Alderholt following the development. The Vision set out at para 1.7 of the Planning Statement (PS) identifies *'a significant opportunity to establish a self-sustaining settlement.'* Para. 5.9 states that the scheme will *'enable Alderholt to grow organically and sustainably and transform itself into a sustainable settlement'*.
- 13.12. The ASoC states at para. 2.12 that *'Alderholt does not, at present, have services and facilities that meet the needs of its population or those of surrounding communities. ... The planning application seeks to address this issue by providing a range of services, including retail and employment that reduce the requirement for residents to have to travel to other locations.'*
- 13.13. In terms of the facilities that would be provided in Alderholt were this proposal to be consented, if delivered as what presently seems to be in mind, this does represent a small improvement on the existing situation. However much of the provision is a duplication of services which already exist in Alderholt, rather than delivery of new services and facilities.
- 13.14. The map below shows the location of key services not currently provided in Alderholt and their relationship to the site:



- 13.15. The approx. distances from Alderholt to key services not currently provided in the village is as follows, along with how this proposal might change the situation:

Service	Current distance	Current transport options	Change post-application
Supermarket	5.5 miles	Car or very limited bus	No change
Catchment middle school	4.5 miles	Car or school transport	No change
Catchment secondary school	15 miles	Car or school transport	No change
Doctors	2.5 miles	Car or very limited bus	In village
Pharmacy	2.5 miles	Car or very limited bus	Possibly in village/bus/cycle
Dentist	2.5 miles	Car or very limited bus	Possibly in village/bus/cycle
Hospital	13 miles	Car	No change
Library	5 miles	Car or very limited bus	No change
Leisure centre	5 miles	Car or very limited bus	No change
Swimming	6 miles	Car	Bus service however no service evenings or Sundays

- 13.16. Of the above, the service which has most likelihood of moving into Alderholt is a doctor's branch surgery. The Appellant has stated that a dentist and pharmacy will also be provided however there is little certainty of this.
- 13.17. The nearest supermarket and library would remain those provided in Verwood. The site includes some sports provision, however the nearest indoor leisure centres would continue to be in Verwood or Ringwood (for swimming). Detailed evidence on the proposed bus service is provided by Richard Fitter. The proposed bus service would not travel to Verwood and with no evening or Sunday service is unlikely to be a genuine choice of transport for many trips to the Ringwood leisure centre.
- 13.18. My opinion remains that the proposal is contrary to paragraphs 74 and 109 of the NPPF and that the updates made to the proposal relating to education, bus service, cycling, retail and service provision do not make any fundamental difference to the assessment in the CR.

14. The function of Rural Service Centres

- 14.1. The ASOC at para. 2.12 states that '*Alderholt will, with the appeal scheme, properly fulfil the function of a Rural Service Centre through the provision of an appropriate range of*

services.’ However, this suggests that Alderholt is not currently fulfilling that role – this is not the case.

14.2. As evidenced at Appendix B of this proof, the provision of service and facilities in Alderholt is in line with that of other RSCs. While there is some variation in the services provided, there is a core provision of:

- Convenience store
- First School
- Village Hall
- Church
- Pub
- Recreation ground

14.3. Along with some (but not all) of the following:

- Post office
- Café
- Vet
- Doctors/Pharmacy

14.4. In conclusion, there is no evidence that Alderholt is materially underperforming in its role as a RSC or that existing facilities are at risk of closure. It is acknowledged that the settlement would benefit from some health provision and the potential for this proposal to unlock this is factored into my planning balance.

15. AONB Tranquillity

15.1. Para. 181 of the NPPF provides that planning decisions should protect and enhance valued landscapes. Para. 182 states that *‘Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issue ... development within their setting should be sensitively located and designed to avoid or minimise adverse impacts.’*

15.2. Policy HE3 of the CEDLP requires that proposals protect and seek to enhance the landscape character of the area. Proposals will need to demonstrate that factors have been taken into account, including *‘tranquillity and the need to protect against intrusion from light pollution, noise and motion.’*

- 15.3. Development proposals within and/or affecting the setting of the Area of Outstanding Natural Beauty also need to demonstrate that account has been taken of the relevant Management Plan.
- 15.4. The Cranborne Chase Partnership Plan 2019-2024 makes clear that the high levels of tranquillity within the NL/AONB are an important element of the natural beauty of the NL/AONB and a significant part of what makes the area special.
- 15.5. The application is located approx. 2km from the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty / National Landscape (AONB), however very limited information was submitted with the application assessing the potential for impacts on this designation. An objection was received from the AONB Team regarding impacts arising from greater number of vehicles and people on the tranquillity, remoteness, and physical fabric of the AONB.
- 15.6. Additional information was submitted with the Appeal in an update to the ES, and provides an assessment of tranquillity in the AONB. This assessment was based upon traffic assessments set out in the TA. The TA has since been updated however the tranquillity assessment has not.
- 15.7. Detailed evidence on AONB tranquillity is provided by Colm O’Kelly. His evidence is informed by evidence on highways as provided by Richard Fitter. These demonstrate that there would be a material increase in daily traffic volumes, which would result in the effects on the perception of tranquillity ranging from moderate to major adverse. This demonstrates a material impact on this aspect of the AONB’s importance.

Other Matters

1. Whether the potential highways impact of the scheme would be suitably mitigated by off-site highways works and sustainable transport measures.

16. Highways and Transport Impacts

- 16.1. Paras. 16.111-161 assessed the highways impacts arising from the proposal. Since the CR the TAA has been submitted which updates the Appellant’s position on transport matters.
- 16.2. Detailed evidence on transport is provided by Richard Fitter. I summarise the following concerns:

- Access into the site has not been adequately demonstrated (contrary to paras. 114 and 116 of the NPPF)
 - Not demonstrated that priority has been given to pedestrians and cyclists
 - Does not demonstrate that direct, safe, comfortable and attractive routes can be provided to and within the proposed development
 - Concerns regarding deliverability of off-site works, particularly cycle routes along Station Road, Ringwood Road, and along existing footpaths
 - Suitability of proposed cycle route to Fordingbridge and existing cycle route to Verwood has not been demonstrated
 - Impacts on the highway network have not been demonstrated
 - Proposed bus service has not been demonstrated to be viable or sufficient
- 16.3. The main differences between the parties as relates to highways and transport matters appear to be when sufficient detail has been provided at this Outline stage, whether safe access has been demonstrated, whether highways impacts have been demonstrated, whether the proposal would prioritise pedestrians and cyclists, and the suitability and delivery of off-site works.
- 16.4. Policy KS11 of the CEDLP requires development to:
- *‘provide safe, permeable layouts which provide access for all modes of transport, prioritising direct, attractive routes for walking, cycling and public transport’;*
 - *‘provide safe access onto the existing transport network;’*
 - *‘allow safe movement of development related trips on the immediate network’*
 - Para. 114 of the NPPF requires that applications for development ensure that *‘safe and suitable access to the site can be achieved for all users’*. Para. 116 states that applications should *‘give priority first to pedestrian and cycle movements’*.
- 16.5. The evidence provided by Richard Fitter demonstrates that the proposal does not meet these policy aims.
- 16.6. This has implications for the sustainability of the proposal. The reliance on cycle routes that have not been demonstrated to be suitable and deliverable means that travel out of Alderholt by cycle will not be an attractive travel option for most residents. This will increase the need for residents to use the private car.
- 16.7. It has not been demonstrated that walking and cycling has been prioritised within Alderholt, and the safety of access into the site has not been demonstrated. Impacts on the highways network have not been demonstrated.

- 16.8. Para. 115 of the NPPF states that ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’ The detailed evidence from Richard Fitter is that the appellant has failed to demonstrate that such impacts would not occur.

2. Whether the potential ecological impact of the scheme on protected habitats would be adequately mitigated.

17. Habitats Sites

- 17.1. The Appeal site is located in an area which includes multiple Habitats Sites protected under the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations), chiefly the Dorset Heathlands SPA/SAC/Ramsar, the River Avon SAC, and the New Forest SPA/SAC/Ramsar. There are well documented challenges relating to development which affects these sites. There are also clear frameworks and pathways towards mitigation.
- 17.2. The Habitats Regulations require that where a plan or project is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects) the competent authority must undertake an Appropriate Assessment of the implications of the plan or project for that site in view of that site’s conservation objectives. The Council was the competent authority regarding the planning application, with the Inspectorate now the competent authority in respect of this Appeal.
- 17.3. The application was accompanied by Information for a Habitats Regulations Assessment (IHRA) (CDA.30). It is common ground that, in the absence of mitigation, the proposal is likely to have an adverse effect upon the integrity of on the Dorset Heathlands SPA/SAC/Ramsar, New Forest SPA/SAC/Ramsar and River Avon SAC.
- 17.4. Natural England (NE), as the statutory consultee for the natural environment, objected to the application (CDB.21). This objection still stands at the time of writing this proof.
- 17.5. After consultation with NE, the Council concluded an Appropriate Assessment (CDB.33) which found that adverse effects on the integrity of these Habitats sites would arise from the proposal, which does not demonstrate that these can be adequately mitigated. Paragraphs 16.246-16.264 of the CR provide an assessment of Habitats issues.

- 17.6. Both the Council and Natural England have met with the Appellant to attempt to resolve this matter during the course of this Appeal. This has resulted in the submission of an 'Addendum Information for HRA' (AIHRA) (CDA.99) on 2 May. The Council understands that NE are unlikely to have capacity to review the AIHRA until the week that the inquiry opens. It will therefore be necessary to update the inquiry once their position is known.
- 17.7. Detailed evidence will be given by Mark Lang regarding the potential impact pathways on Habitats Sites, whether likely effects that could occur as a result of the development, either alone or in-combination with other plans and projects have been adequately identified within the IHRA and AIHRA, and the adequacy of mitigation proposed.

Dorset Heathlands

- 17.8. The Dorset Heathlands SPD (DHSPD) provides a strategy for mitigation of recreational impacts on the heathlands, a strategy that has been in operation since January 2007. The purpose of the DHSPD is to enable development through implementation of measures to avoid these likely effects. For applications of this scale within the 400m – 5km 'zone' such as this one, the primary means of mitigation is through Suitable Alternative Natural Greenspace (SANG).
- 17.9. Additional information regarding the SANG was provided on 2 May 2024 and will be addressed in the proof of Mark Lang. There remains concern over whether the IHRA and AIHRA have adequately assessed capacity requirements. There remains an outstanding objection from Natural England regarding the SANG details and it is unknown whether they are satisfied by the additional information supplied.
- 17.10. The delivery mechanism for a 'buffer' at Sleepbrook (as set out at para. 4.13 of the AIHRA) and to air quality of the Dorset Heathlands SAC, has been satisfactorily resolved, subject to securing the mitigation through a legal agreement. However, there is a lack of detail regarding recreational pressures within Ringwood Forest, and it is not known whether additional mitigation is required.
- 17.11. It is understood that the Appellant is no longer relying upon the use of a bridleway which travels across Cranborne Common to Verwood as part of its transport strategy and the ATA reflects this position. The transport and sustainability implications of no longer promoting this route are considered within the detailed evidence of Richard Fitter.

New Forest

17.12. The Appellant now has accepted the position of the Council and NE that the proposal should make a financial contribution towards mitigation of recreational pressures on the New Forest SPA/SAC. This matter is pending agreement of an appropriate legal obligation.

17.13. Air Quality

17.14. Concerns around air quality at New Forest sites arose from concerns that the TA was considered unacceptable, so there could not be certainty around assumptions used in the IHRA. Concerns around air quality remain, as it is not clear on what basis roads have been scoped in / out. Revised traffic data which informed the modelling has not been provided by the Appellant and so there remain doubts regarding the impacts on air quality at the New Forest SAC/SPA. There is also no justification regarding why the A338 south which travels through the River Avon has not been included in the modelling.

17.15. It is noted that there is now an air quality monitoring scheme in place for the New Forest towards which financial contributions can be made, and this may be a route to mitigation for this area.

17.16. This matter is reliant upon accurate assessment and modelling of highways movements, as the Council has not yet been able to review the traffic data an update on the position is likely to be necessary at the Inquiry.

River Avon

17.17. It is common ground that the proposal would generate phosphates through discharge of treated wastewater, and that this would feed into the Avon Valley catchment. This would result in effects on nutrient neutrality within the Habitats Site. It is also agreed that phosphate credits are available to purchase from an approved phosphate offsetting project.

17.18. The disagreement is around the amount of certainty that is needed, regarding how many credits are likely to be required (arising from the 'nutrient budget'), how many (if any) should be reserved or secured at this stage, and the effects that purchasing credits could have on viability.

17.19. The Appellant has submitted a revised nutrient budget in response to concerns raised regarding the methodology set out in the IHRA. This no longer relies upon SuDS as an element of the nutrient mitigation. However, the AIHRA project phasing schedule only allows for the occupation of 360 dwellings by the end of 2030. This is less than the 456 dwellings assumed in the IDP.

- 17.20. The submitted nutrient budget states that the annual in-perpetuity nutrient is projected at 95.83kg/year. It is considered that this should be accounted for within the submitted viability to demonstrate that mitigation can viably be delivered. At present it does not appear that the full post-2030 cost has been accounted for in the submitted viability evidence.
- 17.21. Additionally, NE have advised (and the Council concur) that credits should be reserved / secured to provide confidence in delivery of the mitigation. Mark Lang provides detailed evidence regarding the adequacy of the nutrient budget and the proposed mitigation.

3. Whether the proposed local centre would be suitably located and adequate to serve the development, and whether its impact on other centres would be acceptable.

18. Masterplanning

- 18.1. My detailed evidence on masterplanning is expected to be discussed at a round table session and is set out in the Annex A to this proof. This sets out the planning position, considers what has been applied for at this Outline stage, and demonstrates that there is a demonstratively preferable (and alternative) location on this site for the proposed local centre. This adds weight to the assessment made in paras. 16.187-202 of the CR.

19. Retail impacts

- 19.1. A Sequential Test and Retail Impact Assessment was required to be submitted with the application. These were not which led to refusal on these grounds. The RISTA was submitted along with the Appeal and provided an assessment of the 4,000sqm of Class E uses proposed at the local centre. This has resolved the reason for refusal, while necessitating that the RISTA be reviewed and considered at this Appeal stage.
- 19.2. Detailed evidence on retail matters is provided by Christine Reeves, who has reviewed the RISTA. She concludes that there will not be harm to existing centres, provided the development takes the form assessed in the RISTA.
- 19.3. A draft condition is suggested to secure the provision of specific provisions such as the convenience store and small retail units, while also restricting provision in line with the development tested in the RISTA.

- 19.4. The RISTA does not test the 10,000sqm Class E uses within the business park. A condition is suggested to restrict these to non-main town centre uses.
- 19.5. At the time that this proof was finalised the Council is awaiting a response from the Appellant regarding their acceptance of the draft conditions.

4. Whether the scheme would make appropriate provision for education

20. Education

- 20.1. Paragraph 99 of the NPPF (para. 95 at the decision) provides that:
'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.'
- 20.2. The Appellant did not obtain the advice of the Local Education Authority (LEA) before submitting their application. If they had they would have become aware of the need for a proposal of this scale at Alderholt to deliver a new First School. If the Appellant had carried out their Education Impact Assessment (EdIA) (CDA.79) in time to inform their application it would have been obvious to them that education provision was needed.
- 20.3. The EdIA was submitted during the application process in response to comments from the LEA. At that time a case was made that Alderholt should move to a 2-tier system of education. The Appellant proposed expansion of St James to a 2FE primary school, with contributions towards expansion of secondary provision at the Burgate School in Fordingbridge.
- 20.4. The current proposal is for Alderholt to remain in the 3-tier system, with expansion of St James to become a 2FE first school and contributions towards upper provision at QE School in Winborne. The ATA has been updated to reflect this change.
- 20.5. The fundamental issue with both approaches in terms of education delivery is the size and constraints on the existing St James site. Detailed evidence on this will be provided by Ed Denham and demonstrates that the St James site cannot accommodate a 2FE first school.

- 20.6. The Appellant has suggested a legal obligation could enable a new school site to be identified at a future date. However, a site for this has not been suggested and as such there is insufficient certainty to require an obligation. In addition, as explained in Ed Denham's evidence, there would be a lack of certainty regarding the suitability of the school location. Such an approach would provide insufficient reassurance that an acceptable site would be found in order to provide the additional education capacity which is required as a result of the new housing proposed by the development.

21. Energy Strategy

- 21.1. Policy ME4 of the CEDLP set requirements for renewable energy provision from developments, of particular relevance to large scale development is the requirement that *'Within larger developments and new neighbourhoods/urban extensions, the Councils will require the investigation of options for district heating and/or power facilities. Developments may be required to connect to district heating and/or power facilities where appropriate, feasible and viable. In line with the energy hierarchy set out in Policy ME3, developers will be expected to assess a range of suitable options including district wide and/or micro generation in respect of their sites, with the suitability of the chosen technology being judged on a site-specific basis.'*
- 21.2. Dorset Council declared a climate emergency in 2019 and its Natural, Environment, Climate and Ecology Strategy 2023-25 (NECES) (CDF.29) includes an objective to encourage net zero new builds (Mission 5 objective 1). The objective is to *'establish policy, guidance and toolkits to encourage net zero new builds that follow the energy hierarchy.'*
- 21.3. However the above objective still seeks development *'to minimise the need to travel and enable sustainable travel options.'* Adding net-zero to a scheme which is fundamentally in the wrong place without access to sustainable travel will not make it sustainable.
- 21.4. The Appeal was accompanied by a Planning Energy Strategy (PES) (CDA.74) which did not form part of the original planning submission and which has not informed the update of other documents such as the ES or the SWVR. This document does not appear to relate to any technical RfR so it is assumed the intention in submitting it is to add weight in favour of the application, rather than responding to any particular concern.
- 21.5. The Council has two concerns about the implementation of the PES. Firstly, the PES suggests two possible approaches to create a 'micro-grid', however both rely upon installation of a Battery Energy Storage System (BESS), something that was not included as

part of the application proposal. As such it does not appear that the micro-grid can be established without the need for additional planning consent.

- 21.6. Secondly, one of the two PES approaches relies upon the use of land outside the application site for installation of a solar farm. This land does not currently have planning consent for this purpose and has not been identified as being in the control of the Appellant. The other approach requires the use of dwelling roofs to create the micro-grid, with the suggestion that all dwellings would be required to join the grid and share energy from their PV panels. The Council has not to date seen a draft of a S106 agreement that could secure such an obligation on future home owners.
- 21.7. In summary, while the Council is keen to encourage net-zero development, the submitted evidence does not provide confidence regarding its delivery.

22. Consequences arising from Appropriate Assessment

- 22.1. Mark Lang has identified a lack of certainty relating to the assessment and mitigation provided in the IHRA and AIHRA. Adverse effects on the integrity of Habitats sites would arise from the proposal, and it has not been demonstrated that these can be adequately mitigated. Unless an Appropriate Assessment concludes that the proposal will not adversely affect the integrity of Habitats sites then the presumption in favour of sustainable development does not apply. The duty to carry out the Appropriate Assessment now rests with the Planning Inspectorate.
- 22.2. As matters stand, there remain in my view valid concerns about the impact on protected Habitat which has the effect of dis-applying the tilted balance.

23. Benefits of the Proposal

- 23.1. The ASoC sets out a list of benefits which I assess here in turn. In so doing I assume that obligations and conditions continue to progress towards agreement as expected by the Council in time for the inquiry. My assumptions in this regard are based on headline conditions agreed through the SOCG, and as anticipated to be secured through S106. Should the position change there will be a need to update this evidence.
- 23.2. *'That the proposal represents an appropriate scale of development to deliver the aims of supporting Alderholt as a Rural Service Centre, reversing the decline in the range of services and facilities available.'*

- 23.3. As set out in my evidence above, the scale of development proposed goes far beyond what is expected to support a RSC. Alderholt is already meeting this function. I can place no weight on the proposal meeting the aims of KS2 as the proposal is wholly contrary to this policy.
- 23.4. 'much needed housing'
- 23.5. It is acknowledged that the existing housing land supply position in East Dorset is below 5 years. If the Appeal was allowed, it would make a long term contribution to housing land supply. The provision of housing is given very significant weight.
- 23.6. However, I have doubts about the prospects of this appeal proposal delivering a meaningful amount of housing in the first 5 years. There are many stakeholders involved in this project, with a substantial level of detail still to be resolved.
- 23.7. The Appellant has agreed in principle to conditions which require accelerated agreement of reserved details and commencement of development, which shows commitment to early delivery. However, following agreement of details there are significant infrastructure works required which impact on occupations, including potential extraction of minerals, delivery of SANG and other Habitats mitigation, as well as the delivery of transport infrastructure.
- 23.8. The very significant weight I have placed is therefore attributed to the delivery of housing, not as a resolution to the shortfall in the 5YHLS.
- 23.9. 'affordable housing'
- 23.10. The proposal would deliver a substantial amount of affordable housing, to which I attach very significant weight.
- 23.11. 'care provision'
- 23.12. I give significant weight to the benefits arising from provision of extra-care units.
- 23.13. 'services and facilities to Alderholt, including health, medical and employment'
- 23.14. I have considered how the range of services and facilities available to residents could materially change following this proposal. There would be an increase in services in the form of seven small retail stores and a new branch surgery. There is a second convenience store proposed which may offer some element of choice should Alderholt be able to support two convenience stores in the long term. There is also the possibility of a pharmacy and dentist although I consider these less likely to be delivered.
- 23.15. There may be some potential food and drink uses. The indication from the Appellant has been that these would take the form of a pub, although they have not applied for consent for this use and I consider the delivery of this element is uncertain. I place moderate

weight on the non-obligated elements of the proposed local centre in terms of their contribution to services and facilities.

- 23.16. In terms of the benefits arising from the proposed branch surgery, I agree that the provision of a new branch surgery for the existing residents of Alderholt would be a significant benefit. However, the Appellant would deliver this to the extent that it is necessary to mitigate the impacts of their proposal. The funding for provision of healthcare for existing residents would come from elsewhere.
- 23.17. The proposal would unlock a site for the new facility, however there is an existing branch surgery site within Alderholt albeit in need of refurbishment. I acknowledge that by front-loading this infrastructure the proposal could accelerate the provision of health services in Alderholt.
- 23.18. Healthcare is one of several substantial contributions proposed to mitigate the impacts of the development and make it acceptable in planning terms. These include the on-site SANG, open space, sports facilities, play areas, and community sports hall. All bar the healthcare extend, or are additional to, existing provision of a similar nature. This is necessary given the scale of the proposal but it does not fundamentally increase the range of services and facilities available to existing residents. In the CR these combined contributions were afforded 'modest' weight, reflecting a position in-between limited and moderate. This reflected the moderate weight attached to wider community benefits arising from the doctors surgery, and the limited weight afforded to remaining contributions.
- 23.19. Regarding employment, I do not consider this to be in itself a service or facility. Nonetheless, employment would be provided at both the local centre and business park. This benefit is included within the section on economic benefits below.
- 23.20. 'Housing that is net zero in operation'
- 23.21. The strategy for net zero is something which did not form part of the planning application and was not therefore covered in the CR. I am not convinced that the PES has demonstrated deliverability, as it is currently at a conceptual stage of development and no option has been selected. I have reservations that on further investigation it may not be practical, feasible or viable to deliver the PES in its entirety.
- 23.22. Were the PES to include a selected option, with a demonstrated means of delivery, I would afford this benefit significant weight. In the absence of that information I only consider limited weight appropriate.
- 23.23. 'Biodiversity Net Gain in excess of 10%'

- 23.24. As set out in the CSOC significant weight is placed on the delivery of Biodiversity Net Gain in excess of 10%, in advance of this being a requirement of the Environment Act.
- 23.25. 'an energy strategy based on the use of renewables'
- 23.26. Again, I consider the PES insufficiently advanced to place more than limited weight upon this. An additional part of the scheme is a solar array. In the absence of certainty around whether this is part of the PES I place limited weight on the benefits arising from the solar array, as I do not consider it integral to the scheme.
- 23.27. 'improved public transport with a dedicated bus service'
- 23.28. The Appellant proposes to contribute towards a bus service for seven years. This would provide a service between Cranborne and Ringwood. However, many main settlements in the area would remain very difficult to access by public transport. Insufficient evidence has been submitted to demonstrate that the financial contribution offered would fund the bus service for this period. Viability and long-term future of bus service provision cannot be guaranteed and it is also unclear if the bus service. Given these concerns I place limited weight on the benefits arising from improved public transport.
- 23.29. 'highway improvements'
- 23.30. The majority of highway improvements proposed are intended to mitigate the impacts of the development. It has not been demonstrated that they would provide adequate mitigation, and there is also a lack of evidence that mitigation can be delivered. This is considered further in the section on adverse impacts below.
- 23.31. 'new educational facilities and a much improved educational journey for the children of Alderholt'
- 23.32. Given the concerns raised by Ed Denham regarding the capacity of the St James site, I cannot agree that there will be an educational benefit arising from the scheme, my opinion is that the impacts will be adverse. Many children of first school age will be forced to travel outside Alderholt to access education should the development take place without identified provision. As matters stand, the appeal proposal has failed to demonstrate that it makes proper provision to address the capacity requirements arising from the development itself, let alone delivering wider benefits. I place a significant adverse weight on the approach taken to education.
- 23.33. 'substantial public open space incorporating SANG'

- 23.34. Again, the public open space elements of this proposal are required directly to mitigate the impacts of the development. I place limited weight on the wider social benefits that arise from these necessary obligations.
- 23.35. In addition, I place moderate weight on the approach taken within the masterplanning to landscape-led design strategy and green infrastructure proposals.
- 23.36. Economic benefits
- 23.37. Although not specifically identified by the Appellant, I have afforded significant weight to the economic benefits in the form of long-term employment opportunities at the business park and local centre, along with short-term creation of construction jobs, and longer-term benefits in terms of additional expenditure and use of services in the local area

24. Adverse impacts

- 24.1. I have identified the following adverse impacts arising from this proposal:

Unsustainable location

- 24.2. The location of the proposal adjoining the tier-4 settlement of Alderholt, with limited existing facilities and sustainable transport options, is afforded very significant weight. This is not mitigated by the measures proposed to make Alderholt sustainable, which would not materially alter the unsustainable nature of this settlement.

Draft policy documents

- 24.3. Impacts arising from prematurity to the ANP are currently afforded limited weight. However, once the publicity period for the Regulation 16 plan has ended the level of weight will need to be reviewed taking into account the extent of unresolved objections.
- 24.4. The Impacts arising from prematurity to the Hampshire Minerals and Waste Plan – Partial Update were also considered within the CR, these continue to be afforded very limited weight given this plan is not at an advanced stage.

AONB Tranquillity

- 24.5. In the CR, following concerns raised by the AONB Team I placed moderate weight on a lack of information and assessment relating to AONB tranquillity. Information has now been provided and the Council's assessment has identified material effects ranging from moderate to major adverse. In light of these findings, I continue to place moderate weight

on these impacts. This reflects the AONB's status as a protected landscape of national importance.

Affordable housing viability

- 24.6. The failure to adequately justify the provision of a non-policy compliant level of affordable housing is attributed significant weight.

Highways

- 24.7. The TA and ATA have failed to demonstrate safe access to the site and that there will not be a severe impact on the highway network. It has also not been demonstrated that priority has been given to walkers and cyclists. These failures are given significant weight.

Masterplanning and retail impacts

- 24.8. Limited weight is placed on impacts that would arise on the existing Co-op store, which could lead to its closure or relocation onto the development site. Significant weight is placed on the masterplan approach to land uses, which does not demonstrate how the development would function successfully in the long-term.

Education

- 24.9. Significant weight is attached to the approach taken to education, which does not demonstrate that the proposal can adequately meet its needs.

Other impacts (excepting Habitats)

- 24.10. The impacts on landscape, archaeology, trees, mineral safeguarding, public rights of way, air quality, and all other considerations are afforded limited weight.

25. Planning balance

- 25.1. Notwithstanding the individual weight attributed to the above benefits, their collective weight would be very significant. The collective weight of adverse impacts would also be very significant. In my assessment the provision of a very significant amount of housing in an unsustainable location with poor provision for sustainable transport methods is demonstratively harmful and contrary to the policies in the NPPF.

- 25.2. The adverse impacts of granting permission for this proposal would significantly and demonstratively outweigh the benefits and the Council respectfully requests that this Appeal be dismissed.

26. Summary / Conclusions

- 26.1. The structure of the proof is informed by the issues raised at the Case Management Conference. It is to be read in the context of proofs from the Council's other witnesses. The scale used to attribute weight in the planning balance is explained.
- 26.2. A planning history is provided, along with an assessment of the site and surrounding area and details of the proposal. Summaries of relevant planning policies and supplementary planning guidance are provided.
- 26.3. The Council's case is set out. This begins with housing land supply, finding that East Dorset does not currently have a sufficient supply of housing. This matter is agreed however details of the housing land supply figure are in dispute. The Council does not have confidence in the delivery rates set out by the Appellant. A further update may be needed to the inquiry.
- 26.4. Regarding viability, it is common ground that there is a need for affordable housing. However, there is disagreement over the contribution that this proposal could viably make towards this.
- 26.5. The Council explains its position that the presumption in favour does not apply to the proposal due to impacts on Habitats Sites. A case is set out demonstrating that the proposal is contrary to the settlement hierarchy set out in Policy KS2 of the Christchurch and East Dorset Local Plan. Policy A1 of the East Dorset Local Plan and the hierarchy within the Draft Dorset Council Local Plan are also considered.
- 26.6. The emerging Alderholt Neighbourhood Plan is considered, along with the level of weight that can be attributed before the end of the publicity period on 25 June. The plan is currently afforded limited weight however it is the Council's opinion that a further update will be needed to the inquiry.
- 26.7. It is agreed that Alderholt does not currently represent a sustainable settlement, while there is disagreement about whether it could become so. Existing and proposed facilities are considered, both within Alderholt and in surrounding settlements, finding that many services are not accessibly through sustainable transport. Alderholt is compared to other Rural Service Centres and found to offer a similar range of services. The impacts on the proposal on tranquillity within the AONB/National Landscape are considered.

- 26.8. Highways impacts are considered, and it is found that the Transport Assessment and Addendum Transport Assessment have not demonstrated highways safety or traffic impacts.
- 26.9. The impacts arising on Habitats sites are considered. There is an outstanding objection from Natural England. Additional mitigation has been offered which has resolved some Habitats issues (subject to legal agreement). However, not all impacts have been satisfactorily resolved.
- 26.10. Masterplanning is addressed in a separate Annex to this evidence. Impacts arising from main town centre uses are considered, it is found that the proposal would not harm town centres subject to conditions.
- 26.11. School places need to be provided as there is insufficient space in the existing village school. The Appellant proposes to expand the existing school but there is insufficient room on the site to do so.
- 26.12. A Planning Energy Strategy was submitted with the Appeal, aiming to achieve a net-zero development. There are concerns about whether there is deliverable.
- 26.13. The benefits of the proposal are set out, assessed against those submitted by the Appellant and found to be very significant. Adverse impacts are likewise considered and found very significant. A planning balance exercise concludes that the impacts of granting permission would significantly and demonstratively outweigh the benefits and requests that the Appeal is dismissed.

Annex 1: Urban Design Proof of Evidence

1. Introduction

- 1.1. The purpose of this Annex is to provide evidence in relation to urban design, which is expected to be considered at the inquiry by way of a round table discussion. This evidence relates to reason for refusal 3 which relates to whether proposed uses will function well in terms of their relationship to each other and to the existing settlement of Alderholt.
- 1.2. This evidence is intended to contribute towards the consideration of **‘Whether the proposed local centre would be suitably located and adequate to serve the development, and whether its impact on other centres would be acceptable.’**
- 1.3. It follows on from the evidence set out in the planning proof above and aims to avoid repetition.
- 1.4. Detailed evidence relating to this topic is also provided by Christine Reeves in relation to retail, and Richard Fitter in relation to Highways.

2. Existing services and facilities

- 2.1. Regarding the existing spread of services and facilities within Alderholt, the below diagram sets out the locations of these, both within and outside the village envelope.

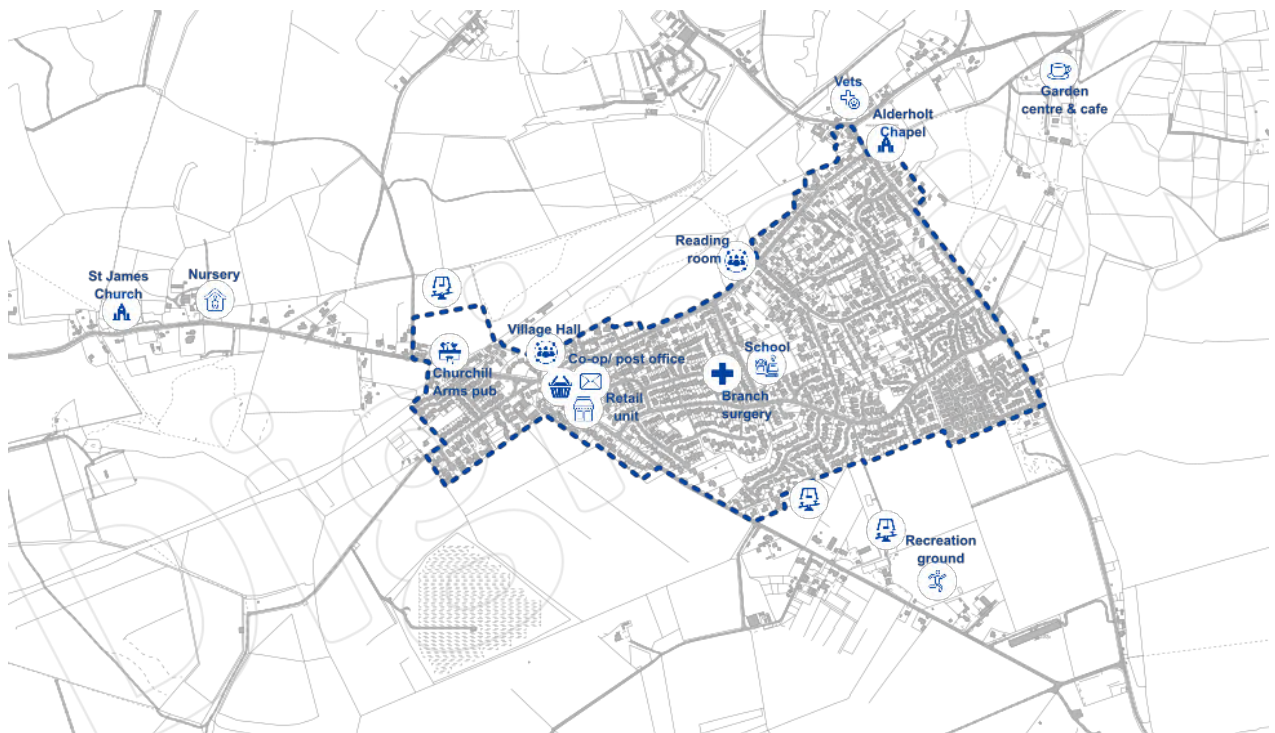


Fig 1: Facilities in and around the Alderholt village envelope

- 2.2. Many of the existing facilities are located on or close to Station Road/Daggons Lane (the B3078) which travels through the north of Alderholt, connecting it with Fordingbridge and Cranborne.
- 2.3. There is no defined centre within Alderholt, however there is a small clustering of the Co-op convenience store with post office, the Village Hall and a retail unit (currently selling second hand clothes), which are located at the junction between Station Road and Ringwood Road.



Fig 2: clustering of uses at the Station Road/Ringwood Road junction

3. Proposal

- 3.1. A Design & Access Statement (DAS) was submitted with the application (Rev A). The submitted DAS includes the following sections:
- Introduction
 - Local Heritage Reference – Area Analysis
 - Contextual Analysis
 - Constraints and Opportunities
 - Use
 - Amount
 - Scale

- Access
 - Conclusion
- 3.2. The application included an indicative Masterplan and Landscape Strategy Plan, along with parameter plans relating to Access and Movement, Land Use, Density and Green Infrastructure. An indicative Local Centre plan was submitted during the course of the application.
- 3.3. The indicative Masterplan shows a new link road to be created off a new roundabout on Hillbury Road. This would travel through the site, crossing Ringwood Road and forming a loop which joins the existing settlement / village envelope of Alderholt at a new junction with Ringwood Road. Access and the relationship with the new link road appear to influence the positioning of the employment and local centre uses. The 'business park' is positioned adjacent to the Hillbury Road roundabout. The Local Centre is positioned on the link road at its southernmost point.
- 3.4. The parameter plans are heavily influenced by the indicative masterplan. For example, areas of green infrastructure follow the building lines and street pattern identified in the masterplan. The footprint of the local centre identified on the Land Use and Density parameter plans similarly replicates the detailed layout of this as shown on the Masterplan and the Local Centre plan.
- 3.5. The Access and Movement parameter plan is more indicative, identifying high level movements and links expected to be created as part of the development proposal. However, this plan continues to identify the locations of two 'hubs' to form the employment and local centre areas.
- 3.6. It is clear from the approach taken that the masterplan is the intended layout of the Appellant, and this was confirmed at the Case Management Conference (CMC) held on 2 May. In addition, the Land Use, Access and Movement and Density parameter plans submitted solidify the approach to land use adopted in the indicative masterplan. I would expect to see those plans conditioned, as I explained in my planning evidence.

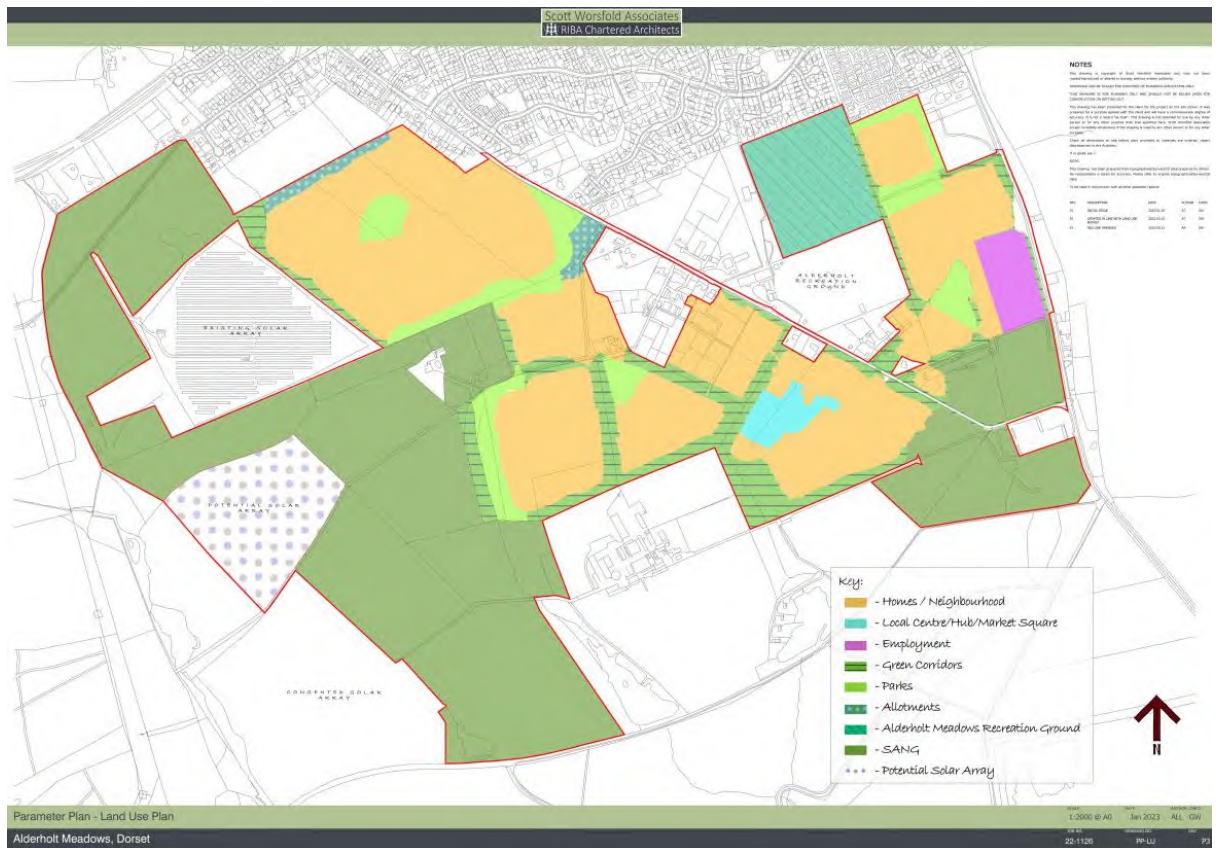


Fig 3: Submitted land Use Parameter Plan – local centre defined in blue

4. Design policy

4.1. Chapter 12 of the NPPF sets expectations regarding the importance of design to the planning and development process, with the sustainability of places being fundamental to this process. Paragraph 135 sets criteria which developments should meet to ensure good design. Of particular relevance to the positioning of land uses on this site are whether the proposal:

will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities.

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users

4.2. Key to ensuring the functionality of an area are the connections and ease of access by sustainable transport methods. Paragraph 110 of the NPPF sets the expectation that the

mix of uses within larger scale sites should *minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities.*

- 4.3. As the National Design Guides sets out, a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels. These include the layout or masterplan. While layout is a reserved matter, elements of this would, at a high level, be fixed through approval of the submitted parameter plans.



Fig. 4: Ten characteristics of well-design places, National Design Guide

- 4.4. The National Model Design Code (NMDC) includes guidance on the preparation of masterplans on larger sites. The expectation is that such sites would usually have been allocated in a local plan and generally be larger sites. The Appeal proposal comes outside of the plan-making process and as such has not had the benefit of masterplanning prior to submission of the application.
- 4.5. As set out within the NMDC, the aim of the masterplan is to provide a framework for the site. The elements that are identified as likely to be included are:
- The landscape strategy, taking account of existing natural features of the site and wider area, biodiversity and new structural elements.
 - Green infrastructure including the amount and position of open space provision.
 - The number, type and tenure of homes and other uses (from the local plan allocation).
 - The **points of access and connection** to the wider street network.

- The **broad position of the primary and secondary streets** but not local streets.
- The **position of the local centre** if relevant.
- The area types that will apply to different parts of the site (which will in turn reference rules on density, height, street building line etc.)
- Sustainability measures and supportive design in respect of masterplanning.



Fig 5: Development Site Masterplan example, as set out in NMDC

- 4.6. Detailed guidance within the NMDC is focused on urban and suburban areas. However, this does provide further guidance on how to design for school, community facilities and local services (U.3). Considered key in this instance are the guidance that schools *need to be located to be as accessible as possible to the communities which they serve and to provide maximum support to local shops and services* (para. 170). Community spaces should be *located to be as accessible as possible to the communities which they serve and to provide maximum support to local shops and services* (para 173). Regarding local services, *ideally people need to be able to meet most of their day to day needs within a walkable radius of their home* (para. 176).
- 4.7. Relevant policies within the Christchurch and East Dorset Local Plan (CEDLP) include:
- Policy HE2 design

- Policy KS11 transport
- Policy PC5 Shops and community facilities

5. Urban Design at Outline stage

- 5.1. It is understood and acknowledged that the proposal is at Outline stage, with layout, scale, appearance and landscaping forming reserved matters. During the course of the application concerns were raised by the Council regarding the approach to the design and the submitted D&A and Design Code. At the heart of this concern was the The absence of any coherent vision relating to the function of the development underpinning key design decisions. The design solutions focused on the appearance and detailing of building typologies, with insufficient evidence regarding issues of a more fundamental nature. It was not demonstrated that decisions made had been taken with consideration to the relationships and connectivity between uses and users of the built environment, both in terms of connections with the existing settlement, and within the site.
- 5.2. Urban design is an iterative process, with good design addressing constraints and opportunities at all scales and stages of the development process. A poor design decision taken at the start of a process not only impacts upon the fundamentals of a proposal, but also affects more detailed design considerations at subsequent stages. Some design aspects of this proposal necessarily fall to be considered at this Outline stage, because they are fundamental to the proposal and submitted parameter plans.
- 5.3. the Council's concern relates to the relationship between land uses as existing and proposed, and (as to the latter), in particular the business park and local centre.
- 5.4. In relation to whether a condition could satisfactorily resolve this issue by leaving these matters to be considered at a later stage, it is considered firstly that this was not an option available to the Council when it made its decision, and secondly that this would not represent good place-making.
- 5.5. Regarding whether this matter can be addressed by condition, the PPG provides advice on the application of conditions. Regarding Outline applications it states: *'Where details have been submitted as part of an outline application, they must be treated by the local planning authority as forming part of the development for which the application is being made. Conditions cannot be used to reserve these details for subsequent approval. The exception is where the applicant has made it clear that the details have been submitted for illustration purposes only.'*

- 5.6. As set out above, while the masterplan has been described as indicative the submitted parameter plans have not. These therefore form part of the application and a condition could not be placed by the Council unless the Appellant had stated these plans to be indicative. Such a statement was not forthcoming during the application stage nor has it been made during the course of this Appeal. The agreed SOCG list of condition topics references 'approved parameter plans'.
- 5.7. Regarding placemaking and how this should inform an Outline proposal, it is helpful to consider the the approach routinely taken in relation to other strategic scale developments within the former East Dorset area, all of which are of significantly smaller scale than this proposal. When the CEDLP was prepared, masterplanning was undertaken for the strategic sites allocated for housing and mixed-use development. Detailed masterplans were prepared for each site, to help demonstrate the types of developments sought by the Council. These masterplans were included within the CEDLP policy allocations.
- 5.8. The masterplans are accompanied by 'principles' set out in the Masterplan Reports as referenced within the policy allocations. These set key design criteria for consideration. These include masterplanning of the following, where relevant to the scheme:
- the route of spine / link roads
 - supporting infrastructure such as schools
 - non-residential elements such as local centres or community facilities
 - development densities
 - Forthcoming Outline proposals have been assessed against the allocation policies, along with the 'principles'.
- 5.9. As the proposal site was not allocated for development within the CEDLP it has not had the benefit of masterplanning at the plan-making stage with the Council's input. Consequently it is reasonable to expect that such design principles would be considered at the Outline stage of this proposal. Indeed the proposal and parameter plans submitted have provided the extent of masterplanning which could be expected at the Outline stage. It is therefore necessary and appropriate for a masterplanning framework to be settled at this stage. The material submitted by the Appellant indicates what is in mind, and it is those details the Council takes exception to.

6. Design Approach

- 6.1. A Design and Access Statement (DAS) was submitted with the application. A DAS provides a 'framework for applicants to explain how the proposed development is a suitable response

to the site and its setting, and demonstrate that it can be adequately accessed by prospective users' (PPG Reference ID: 14-029-20140306).

- 6.2. It can reasonably be expected that a site for this scale of development would be accompanied by an explanation of the design approach including site analysis, opportunities and constraints, the context and design vision. For an Outline proposal of this nature, this would focus on how the analysis has informed the design framework and key parameters set.
- 6.3. A hierarchy exists within the built environment, design should be considered at multiple scales e.g. settlement, district, street. The testing of existing route and proposed route networks can aid in understanding how existing settlements work and test design proposals.
- 6.4. Urban design is not a science, and there may be multiple approaches and variations of design that may be appropriate for a proposal. However, tools for assessment and analysis can and should be used to inform design decisions. Section 1.B of the NMDC provides guidance on baseline analysis, identifying street hierarchy, transport accessibility and land use patterns as elements to be analysed which will inform a design vision. It is not clear from the submitted D&A how elements of the design approach and vision have been arrived at. Given the Council's concerns it is considered appropriate assess the site to understand the existing and proposed route networks along with future walking and cycling distances.
- 6.5. Urban design considerations are not limited to internal site layouts or the design of buildings. For the purposes of an outline application of this scale, it is considered that the natural environment, movement network and patterns of uses are fundamental design elements that fall to be considered at the Outline stage, particularly at the scale at which they interact with the existing settlement. This is part of a hierarchy of design decisions that would need to take place. The Council believes a good approach to design would follow as process as follows.
 - Outline – Vision & masterplan/framework. Strategic movement, green infrastructure networks and relationships between uses.
 - Pre-submission of reserved matters condition – Design Code. Specific detailed parameters which build upon the design vision/masterplan.
 - Reserved matters – Urban tissue. Arrangement of streets, blocks, plots and buildings. Details e.g. building appearance, landscaping.

- 6.6. The Design Code step of this process could be conditioned, and a recommended condition has been proposed. The NMDC says at para. 9 that Design Codes are important because they provide ‘a framework for creating healthy, safe, green, environmentally responsive, sustainable and distinctive places, with a consistent and high-quality standard of design. The aim is to bring conversations about design to the start of the planning process, with codes intended to build upon the design vision and masterplan.’ The conditioning of a design code cannot mitigate for poor masterplanning or design visions where these would constrain future decisions.

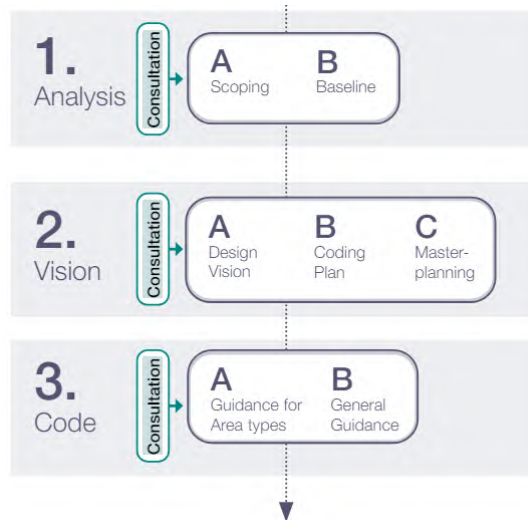


Fig 6: Design Code Process, NMDC

7. Planning Application

- 7.1. The submitted D&A does not adequately explain how the existing settlement of Alderholt had been analysed and taken into consideration in the design process. It focusses on immediately adjacent relationships. The scale of the proposal is such that the size of Alderholt would be doubled. Consequently, the proposal needs to assess and consider impacts and relationships much further from the site boundaries than might be expected from development of a lesser scale.
- 7.2. The D&A analysis does not comprehensively identify existing service and facilities in Alderholt, nor the position of existing land uses. The rationale behind the creation of the link road is predominantly driven by vehicular requirements. It does not include a rationale regarding the approach to positioning of the local centre and employment land.

- 7.3. The Appellant was asked during the application process to provide an explanation and rationale behind the strategy for the location of employment and land uses. Their response is set out in the Additional Information Request May 2023 (AIR) (CDA.77):
- 7.4. An critique of this explanation led to the following concerns, particularly as regards the position of the local centre.

Appellant's design explanation	Council's critique
<i>In the most accessible location for all Alderholt's residents.</i>	The local centre is positioned at what would be the southernmost point of the village, rather than centrally. Will a 'centre' on the edge be the most accessible location?
<i>visible for anyone passing through the village</i>	What basis is there for the assumption that the spine road will be the most likely route for those passing through the village?
<i>located on the new primary route through the development</i>	While it may be located on the new spine road through the development, will this be a primary route, or at least a route which is towards the top of the hierarchy of streets in Alderholt?
<i>proposed centre is also adjacent to another significant community focus in Alderholt – Alderholt recreation ground</i>	The centre is not adjacent to the recreation ground, being located on the spine road rather than on Ringwood Road where the main access to the recreation ground is. Is this relationship sufficient as a design explanation?
<i>a choice to walk through the park to access the centre or to walk down tree lined footways on the new Ringwood Road</i>	How relevant is this choice to the consideration of options for placement of a local centre?
<i>employees can easily walk the short distance into the centre</i>	Is the relationship likely to encourage this journey?
<i>the majority of vehicular trips serving the businesses will not have to pass through the village but can access the employment area from the strategic road network to the south of Alderholt</i>	Has the employment land been located to cater to vehicular access rather than pedestrians? And if so is this appropriate given the type of employment land proposed?

- 7.5. The Appellant was asked to provide further justification regarding the position of land uses, for example through submission of space syntax or similar methodologies for analysis of movement networks, but did not submit this information.

8. The Case

- 8.1. The Council makes a case that the proposed Local Centre is poorly positioned in terms of its relationship with both the existing settlement and this proposed development. Evidence suggests that the existing Co-op is located in a superior position due to its location at a junction with two strategic routes.
- 8.2. Detailed evidence will be provided by Christine Reeves regarding retail impacts of the proposal and the risks relating to closure of the existing Co-op convenience store and post office. Should the Co-op close, the village would be left with only the new convenience store, which would be poorly positioned to serve existing areas of the village.
- 8.3. The Council further considers there is an alternative location within the boundary of the development site, which would provide a materially improved location.

Alternative site for Local Centre

- 8.4. As part of the analysis of the proposal the Council identified the below location on the site which could form a more logical positioning for the new local centre. The Council believes it is appropriate to consider this alternative location as a comparative exercise, although any change in location would require submission of revised parameter plans.



Fig 7: Alternative site for local centre

- 8.5. The existing parameter plans would preclude placing the local centre in this location without an amendment for the reasons given above.

Street Network and Connectivity

- 8.6. A key factor in determining the best locations for commercial uses is the examination of existing street patterns and networks, to determine where there will be sufficient users of ‘footfall’ to make sure uses viable.
- 8.7. Space Syntax have created an OpenMapping project which measures spatial accessibility across Great Britain, for use in urban planning. This measures how often a street segment appears as the simplest route between other street segments in the area, the simplest route being defined as the route that undergoes the least total change in direction from start point to end point. At 2,000m this will identify where pedestrian movement is likely to be higher, while at 10,000m it will identify where vehicular movement is likely to be higher.
- 8.8. This measure of spatial accessibility is purely based on where existing roads and junctions are located, it does not take account of built development. However, there is a strong relationship in areas that have developed organically over time between spatial accessibility and the positioning of uses benefit from passing trade, or ‘footfall’.
- 8.9. Space syntax mapping for the settlement of Alderholt as existing is set out below (annotations added).

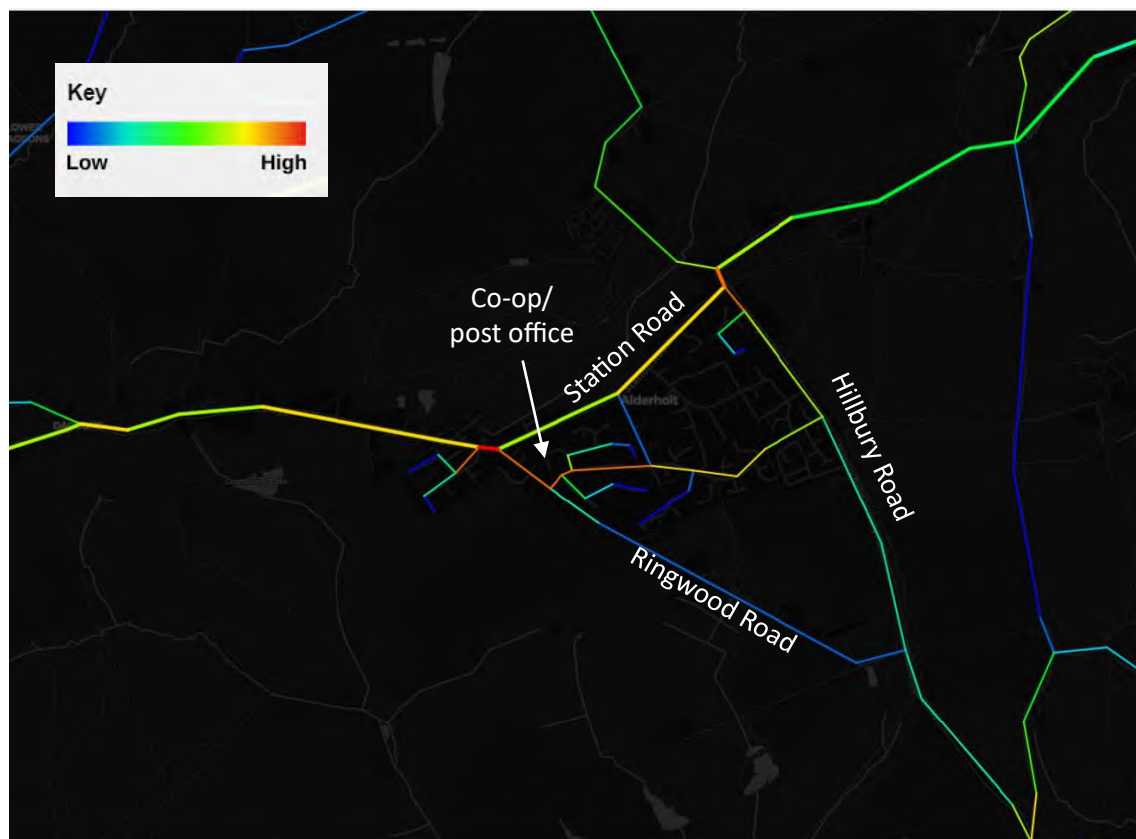


Fig 8 Space Syntax at 2,000m (likely pedestrian movement)



Fig 9: Space Syntax at 10,000m (likely vehicular movement)

- 8.10. This provides evidence regarding existing movement patterns which are relevant to the proposed local centre location. Firstly that the existing Co-op is located in the location where pedestrian activity within Alderholt is likely to be highest. Secondly, that the primary route for vehicular traffic passing through Alderholt, is likely to be along Station Road.
- 8.11. To further understand the existing and proposed connections in Alderholt, the existing and proposed route networks have been assessed, using a morphological approach to route analysis developed by Karl Kropf (2017). This assessment identifies route types solely on their relationships to centre or to other routes and is based on pedestrian connections.

8.12. The initial identification is of strategic routes that connect built up areas:

Route type	Description	Relevant routes in Alderholt
Primary	routes connected to a centre on each end (bicentric)	Station Road/Daggons Road
Secondary	Routes connected to a centre on each end and a through route on the other (monocentric)	Hillbury Road
Pericentric	Routes connected on each end to one of another of the higher-level strategic routes (primary or secondary)	Ringwood Road

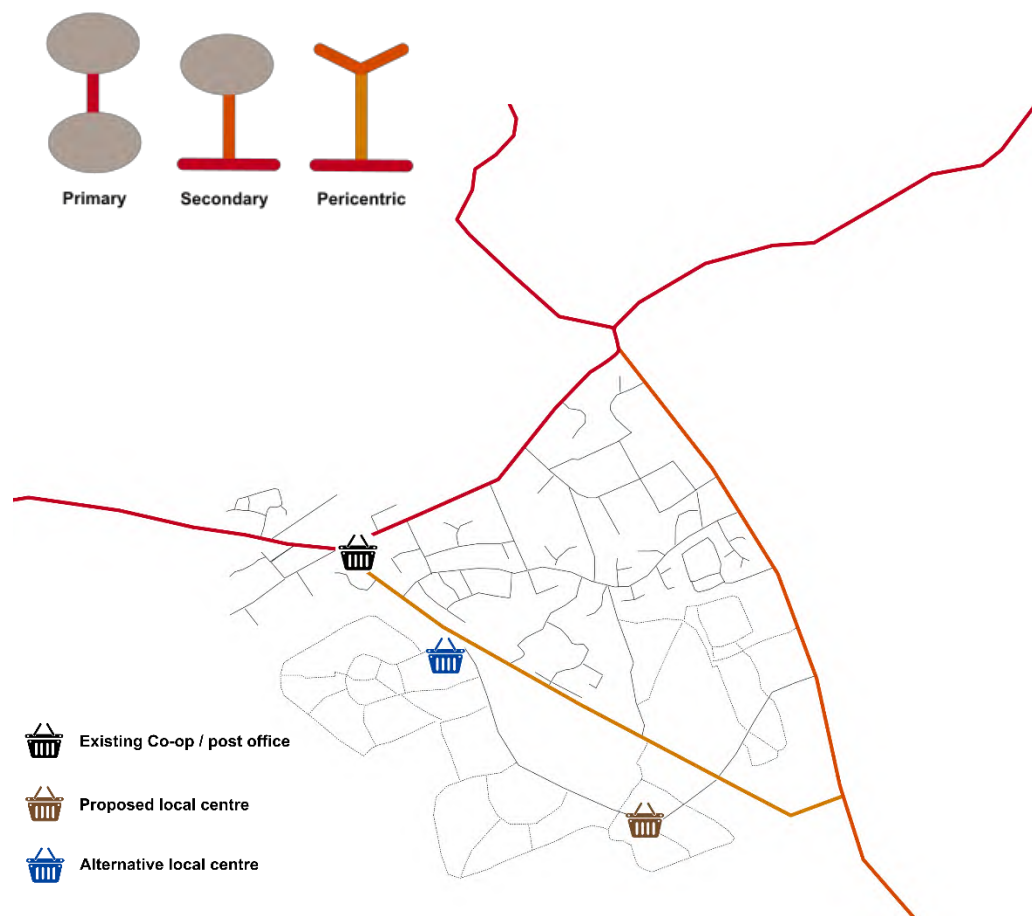


Fig 10: Analysis of strategic route

8.13. As can be seen from this analysis, the existing Co-op is positioned at junction between two strategic routes. This adds weight to the evidence arising from the Space Syntax mapping regarding the appropriateness of this location for a convenience store.

8.14. The proposed location for the new local centre within the development is not adjacent to any strategic route, nor would any strategic route (as defined by this methodology) be created. The alternative local centre is located on a strategic route (pericentric). It's

connectivity with the strategic network is reduced in comparison to the existing Co-op, but improved in comparison to the proposed local centre location.

8.15. With regard to local routes, these are defined as follows:

Route type	Description
Throughroute	Route connected to a different route on each end
Through-loop	Route connected on both ends to the same route
End-loop	Route connected to a route on one end and itself on the other
Cul-de-sac	Route connected to another on one end only

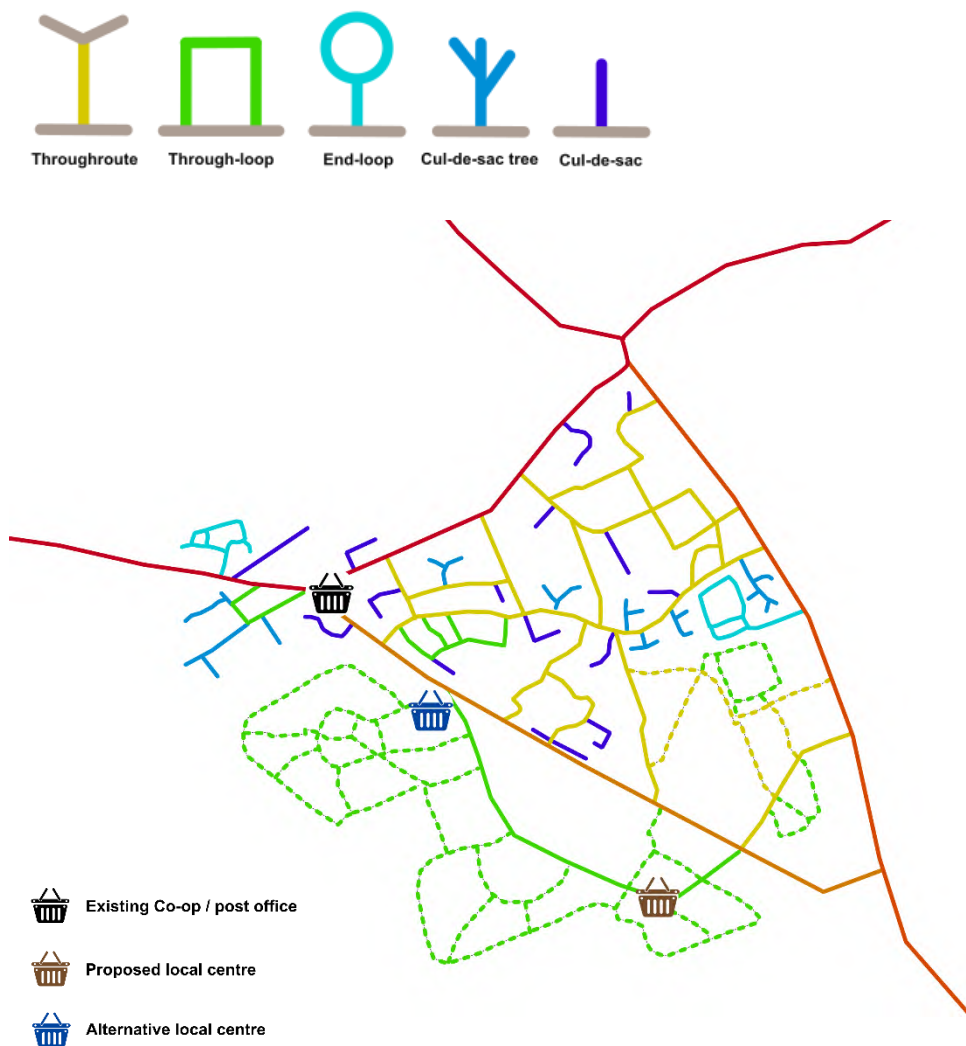


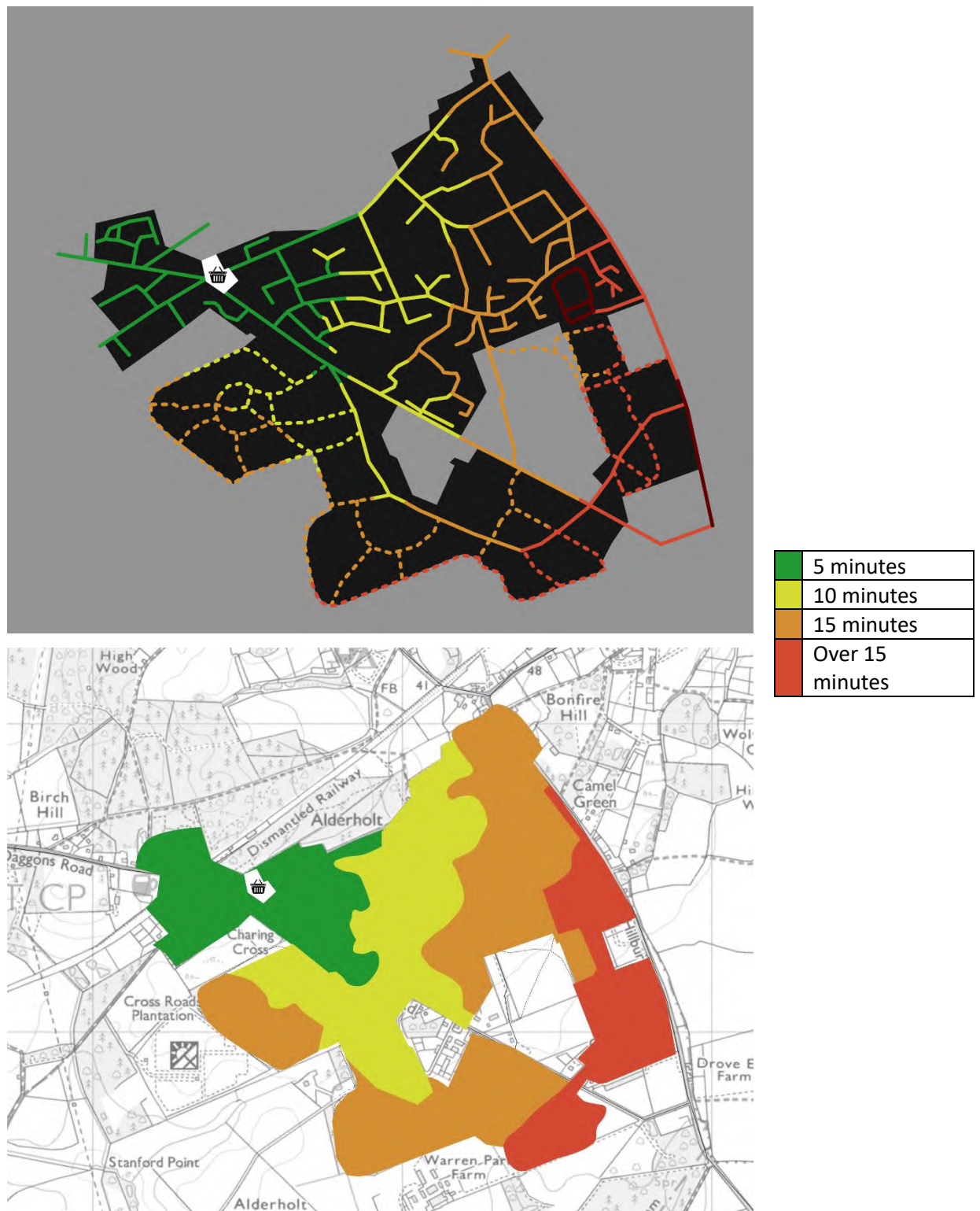
Fig 11: Analysis of all routes in comparison to existing Co-op and proposed local centre

8.16. This analysis identifies that the south-west section of the proposed spine road constitutes a through-loop. This is because it connects on both ends to Ringwood Road. As such the proposed location is generally used only by those who are accessing a use within it – it does not.

Walking and Cycling Distances

- 8.17. The Appellant's design explanation in the AIR stated that the new local centre was '*within 1200m (15 minutes walking distance) of almost all homes within Alderholt*'. The Appellant has since submitted evidence regarding walking and cycling distances, which is intended to demonstrate pedestrian and cycle routes from existing and proposed development to the proposed local centre, this focuses of 15 minute walking and 5 minute cycling routes.
- 8.18. A 15 minute walk should be the maximum time, not a target. As explained within the detailed evidence given by Richard Fitter, 10 minutes is considered an acceptable walking distance, while 15 minutes is the preferred maximum. Para 6.4 of the CIHT Planning for Walking April 2015 (CDF.15), references '*walking neighbourhoods are typically characterised as having a range of facilities within 10 minutes' walking distance (around 800 metres)*.'
- 8.19. Additionally, the evidence submitted demonstrates that many dwellings at the north end of Alderholt are not located within a 15 minute walk.
- 8.20. Richard Fitter provides detailed evidence regarding cycling and the suitability of routes to the local centre. As shown at his cycle isochrones at figure 3.1, the proposed development is within a 5 minute cycle of both the existing Co-op and the alternative local centre location. The WCT demonstrates that the proposed local centre is within a 5 minute cycle of all areas. The focus should therefore be on walking distances.
- 8.21. Two considerations arise from this – firstly is there a location that would reduce the extent of built areas over a 15 minute walk. Secondly, would other locations increase the extent of built areas within a 10 minute walk.
- 8.22. To analyse this, assessments have been undertaken of walking distances for 5, 10, 15 and over 15 minutes in relation to the existing Co-op, proposed local centre and alternative local centre locations. Something not reflected in the assessment undertaken by the Appellant, but shown in the Council's evidence, is the pattern of development that would exist in Alderholt, both existing, under construction, and proposed.
- 8.23. Significant areas within what would become enclosed by the village would not be developed for residential or employment uses, including the recreation ground and some small fields/paddocks and farms which are outside of the existing village envelope, but excluded from the boundary of this proposal. Such areas contain no, or very few, residents that could benefit from proximity to a local centre.

Existing Co-op/post office/village hall



Figs 12: Walking times from the existing Co-op/post office/village hall

- 8.24. The majority of the existing Alderholt Village envelope is located within a 15 minute walk of the Co-op, the exception being dwellings at the very south-east corner. Much of the proposed development would also be within 15 minutes, however areas at the south-east would be over this distance.

- 8.25. In this scenario approx. 47% of the existing and proposed built areas of Alderholt would be within a 10 min walk of the Co-op. Approx. 16% is over 15 mins.

Proposed Local Centre

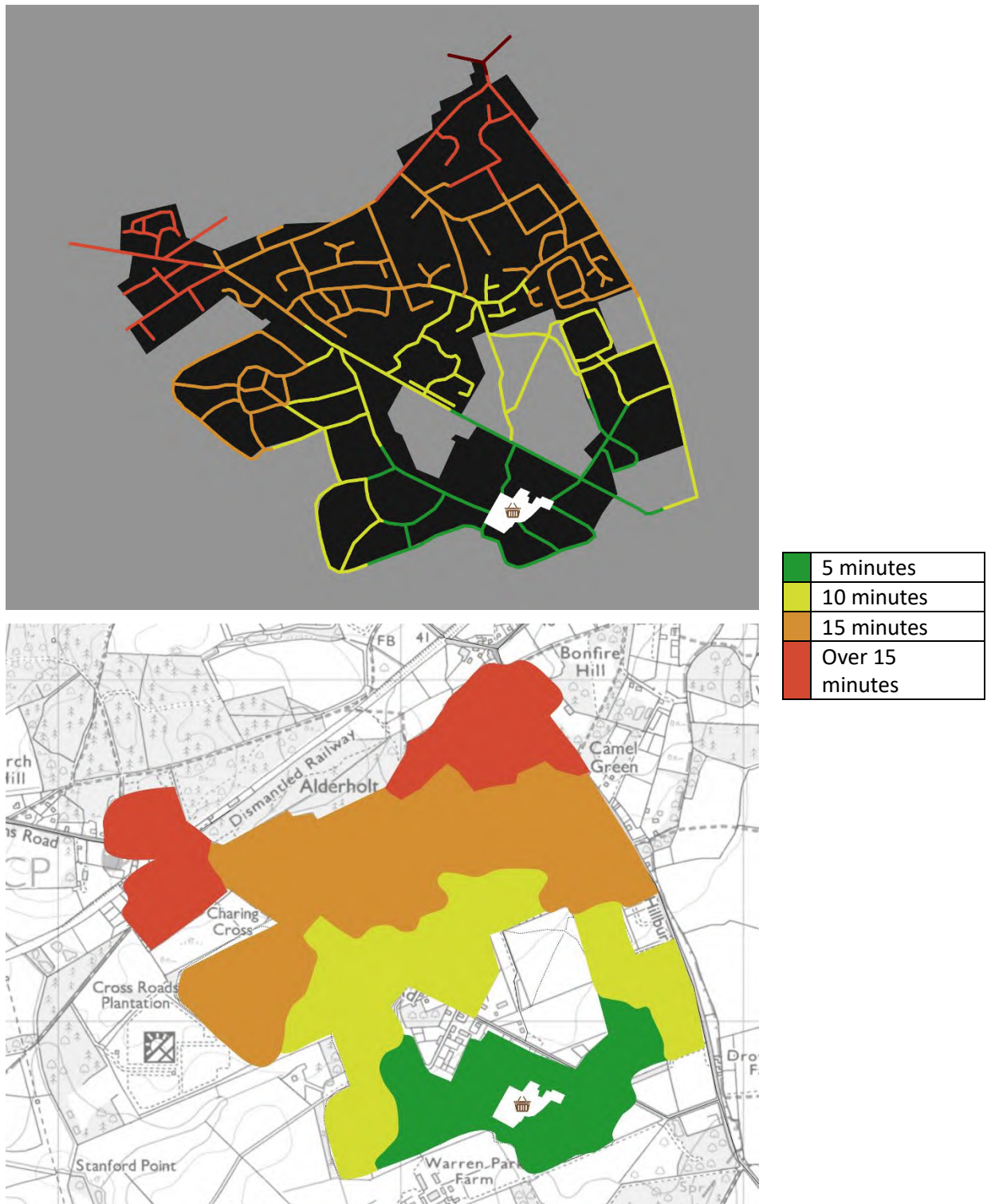


Fig 13: Walking times from the proposed local centre

- 8.26. The proposed local centre is situated at the south of the proposal and so the areas which are over 15 minutes walk away are those towards the north within the existing village envelope.
- 8.27. In this scenario approx. 44% of the existing and proposed built areas are within a 10 min walk of the proposed local centre. Approx. 13% is over 15 minutes.

Alternative Local Centre

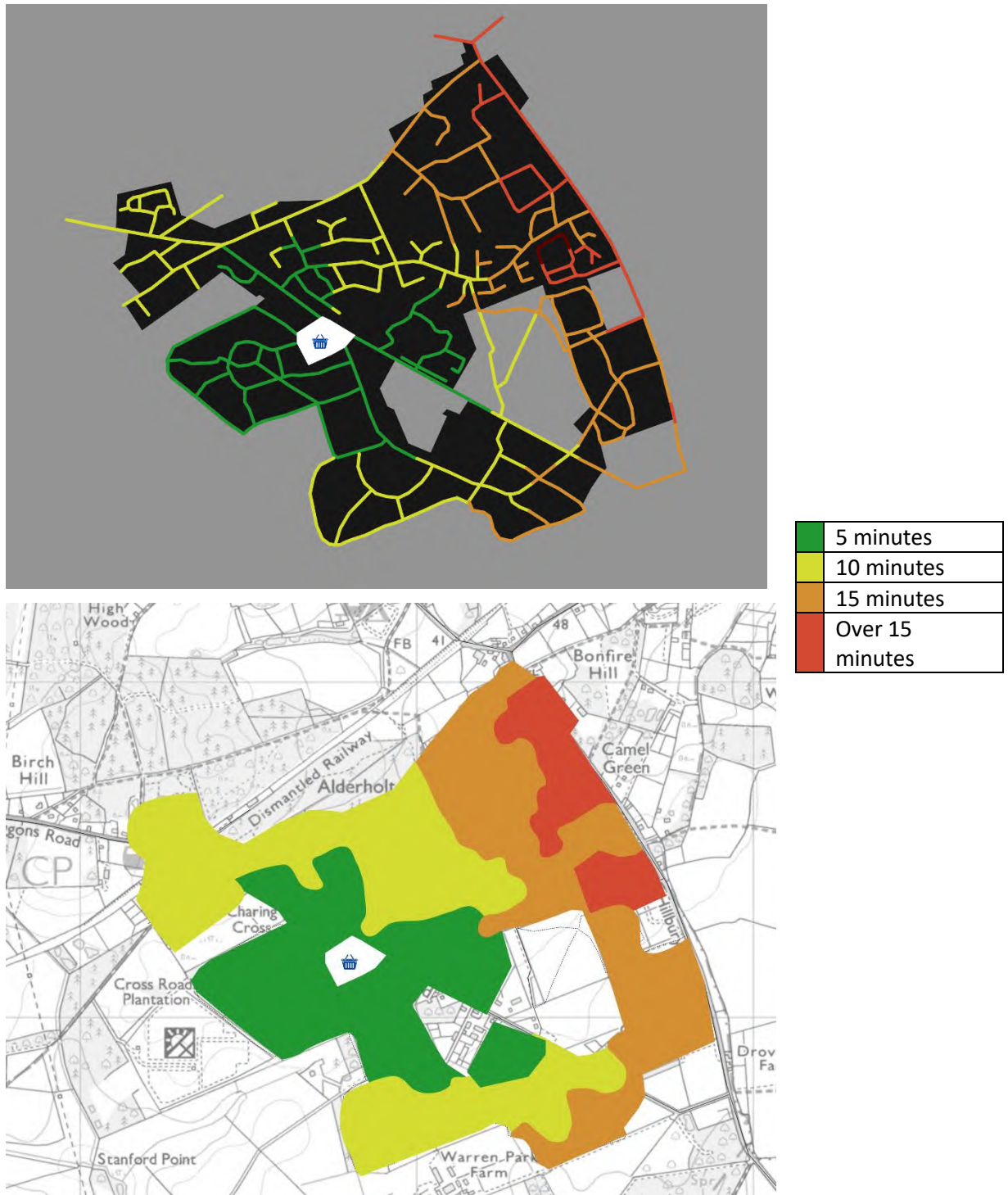


Fig 14: Walking times from an alternative local centre position

- 8.28. In this scenario approx. 65% of the existing and proposed built areas are within a 10 min walk of the proposed local centre. Approx 7% is over 15 mins.
- 8.29. Regarding the Appellant’s position that the proposed local centre location provides ‘the most direct route from the existing footpaths that enter/leave the southern edge of Alderholt’ as set out in Appellant’s evidence, evidence provided by Richard Fitter demonstrates that this is not the case.
- 8.30. The following summary table summarises the assessment of each of the three locations for local centre uses tested within this evidence.

	Existing co-op / post office	Proposed local centre	Alternative local centre
Space syntax	High connectivity	No evidence	Medium connectivity
Strategic route network	Connected to two strategic routes	No relationship	Connected to one strategic route
Proportion of built areas within 10 mins	47%	44%	65%
Proportion of built areas over 15 mins	16%	13%	7%

- 8.31. In terms of walking distances, the existing Co-op and proposed local centre are very similar. Each serves one half of the village much better than the other. The main difference between the two is that the existing co-op has a significantly better relationship with the existing route network. However, proposed local is not intended to comprise only a convenience store serving half of Alderholt – the Appellant’s case is based on this offering additional facilities and services to serve the whole village.
- 8.32. The alternative local centre location provides the most sustainable location in terms of walking routes. It is adequately placed on the strategic route network. If a new local centre is to be created on this site, the Council’s alternative is materially superior to the Appellant’s proposed location.

9. Phasing

- 9.1. The Appellant has submitted a draft Phasing Plan (PP) (CDA.6), along with the IDP, these together set out the Appellant’s strategy for phasing of the development. It is acknowledged that the PP is indicative however it has informed submission of a SANG Phasing Plan within the AIHRA (Map 3) and as such any material amendments to it may require re-consideration of habitats impacts.
- 9.2. The proposed Local Centre is within Phase 4 and expected to be delivered by 2030. Adjacent to the Local Centre are phases 7, 8, 12 and 13. The below table shows the expected delivery of these in comparison to the Local Centre.

	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038
Local Centre										
Phase 7										
Phase 8										
Phase 12										
Phase 13										
Rec. ground										

Fig 15: Phasing of Local Centre in comparison to adjacent parcels

- 9.3. This raises concerns regarding the short- and medium- term viability of the Local Centre while the development is being built out, and the attractiveness of this location to potential developers and occupiers during this period. In addition, new paths and links with the recreation ground are relied upon by the Appellant in their design explanation. However, the recreation ground extension which is forecast for completion in 2032. By this time existing residents of Alderholt using the Local Centre would have established patterns of travel.
- 9.4. By comparison, the alternative local centre is located next to the existing settlement, and early phases of the proposed development.

10. Summary and Conclusions

11. This Annex explains how existing services and facilities within Alderholt have a close relationship with Station Road/Daggons Lane, which travels across the north of the settlement.

12. Relevant elements of the proposal are considered including the submitted DAS and parameter plans. An assessment of relevant design policy is provided along with an explanation relevant consideration related to design in this Outline application.
13. The design approach and application submission are critiqued, finding that the Appellant has not demonstrated how key considerations and baseline analysis have informed a design vision. A design explanation provided during the application process is critiqued demonstrating that this is unclear in terms of its justification for the proposal
14. The Council's case is set out, that the proposed local centre is poorly positioned. An alternative local centre site is identified within the development boundary. The existing (but undefined) 'centre', proposed local centre and alternative local centre are tested using various methods of analysis. These demonstrate that the proposed local centre can be demonstrated to be in the least accessible location of the three, with the alternative local centre being best placed for walking and cycling, and the 'existing' centre being best placed for the strategic route network.
15. Proposed phasing is considered, which demonstrates that the proposed local centre would not be supported by surrounding development at the time it becomes operational, which is considered will impact on the attractiveness of this location.
16. In conclusion, the proposed local centre is poorly located, particularly for access by walking for existing residents. The Appellant has not provided sufficient justification for this location, and a significantly more accessible location is available. This matter cannot be resolved via condition given the fixed nature of the local centre on the submitted parameter plans and falls to be considered at the Outline stage.

References

Kropf, K (2017) The Handbook of Urban Morphology. (Wiley, Chichester)

Space Syntax OpenMapping – available from: <https://spacesyntax.com/project/openmapping-gb/>

Appendix A: Detailed route analysis of existing and proposed route network

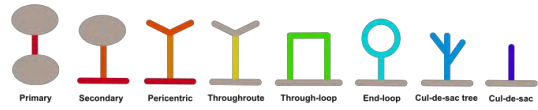


Fig A1: Strategic routes

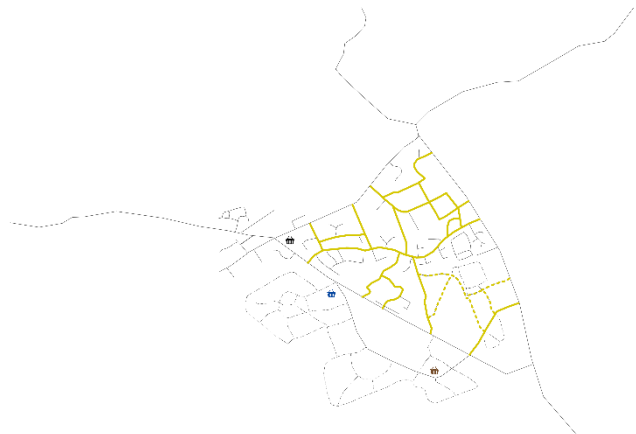


Fig A2: Local Routes

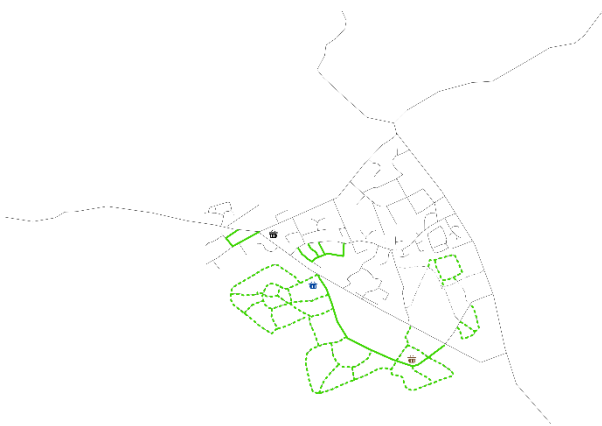


Fig A3: Closed-loop routes

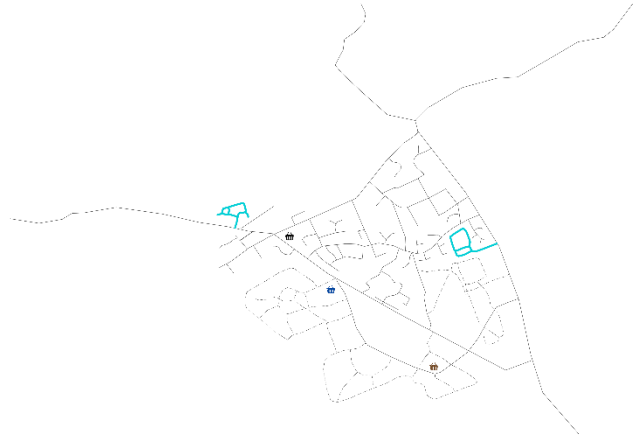


Fig A4: End-loop routes



Fig A5: Cul-de-sac trees

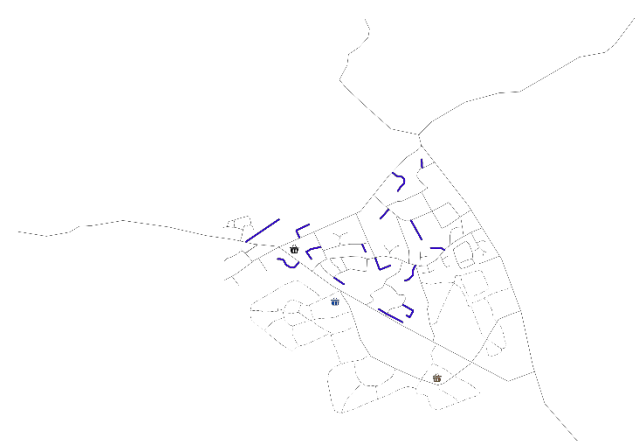


Fig A6: Cul-de-sacs

Appendix B - Assessment of Rural Service Centres (RSC) in East Dorset

	Alderholt (existing)	Cranborne	Sixpenny Handley	Sturminster Marshall	Three Legged Cross
Population	2,872	579	649	1,507	1,127
Services/Facilities					
First School	Yes	Yes	Yes	Yes	Yes
Middle School	No	Yes	No	No	No
Village Hall	Yes	Yes	Yes	Yes	Yes
Doctors surgery	Yes	No	Yes	No	No
Pharmacy	No	No	No	Yes	No
Convenience store	Yes	Yes	Yes	Yes	Yes (2)
Post office	Yes	Yes	No	No	Yes
Other retail	Yes (1)	Yes (1)	Yes (1)	No	No
Pub	Yes	Yes	Yes	Yes	No
Cafe	Yes	Yes	No	No	Yes
Vet	Yes	Yes	No	No	Yes
Church	Yes	Yes	Yes	Yes	Yes
Recreation ground	Yes	Yes	Yes	Yes	No

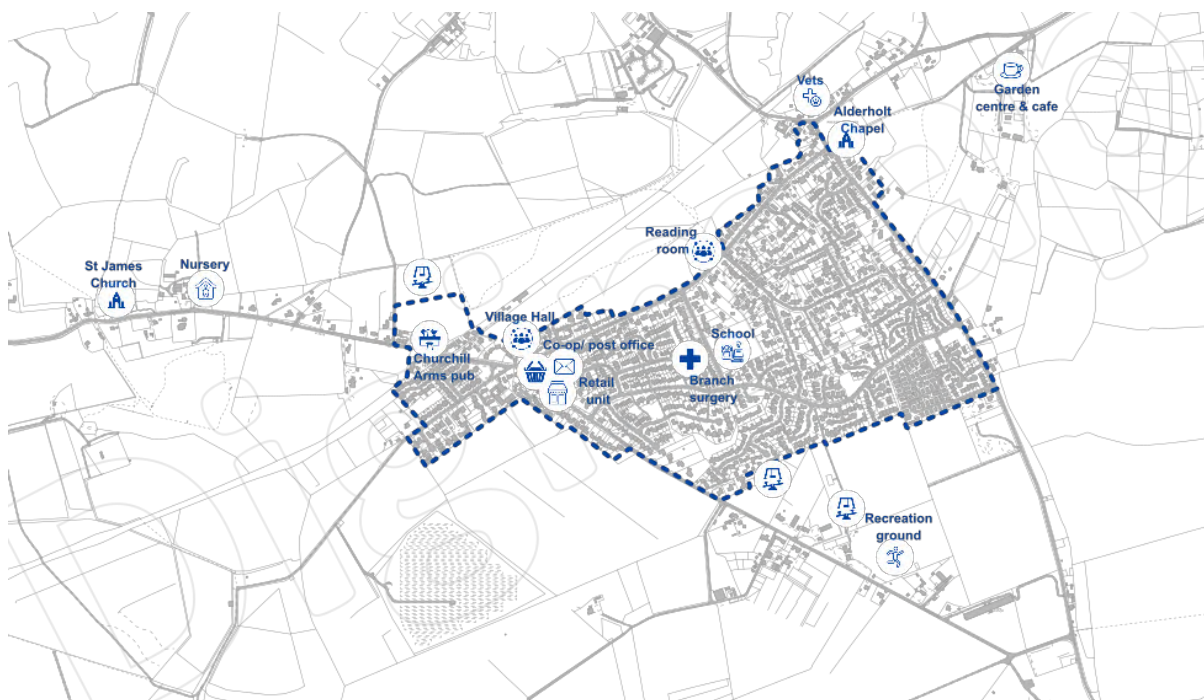


Fig B1: Facilities/services in Alderholt

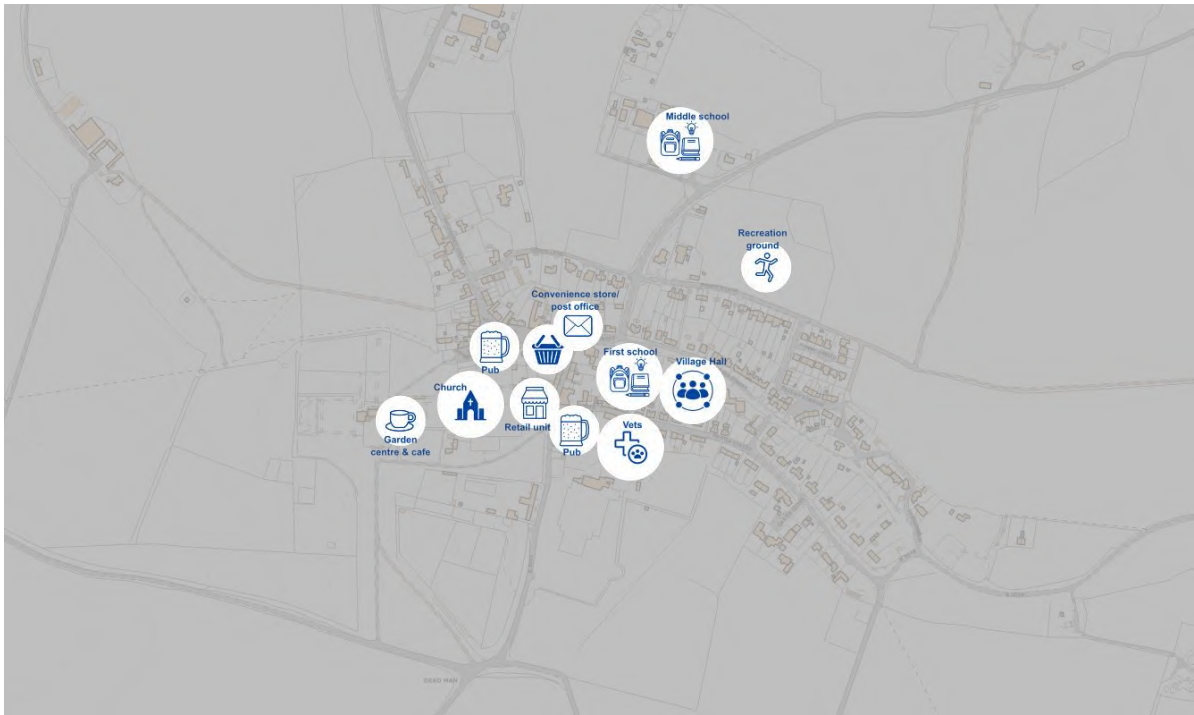


Fig B2: Facilities/services in Cranborne

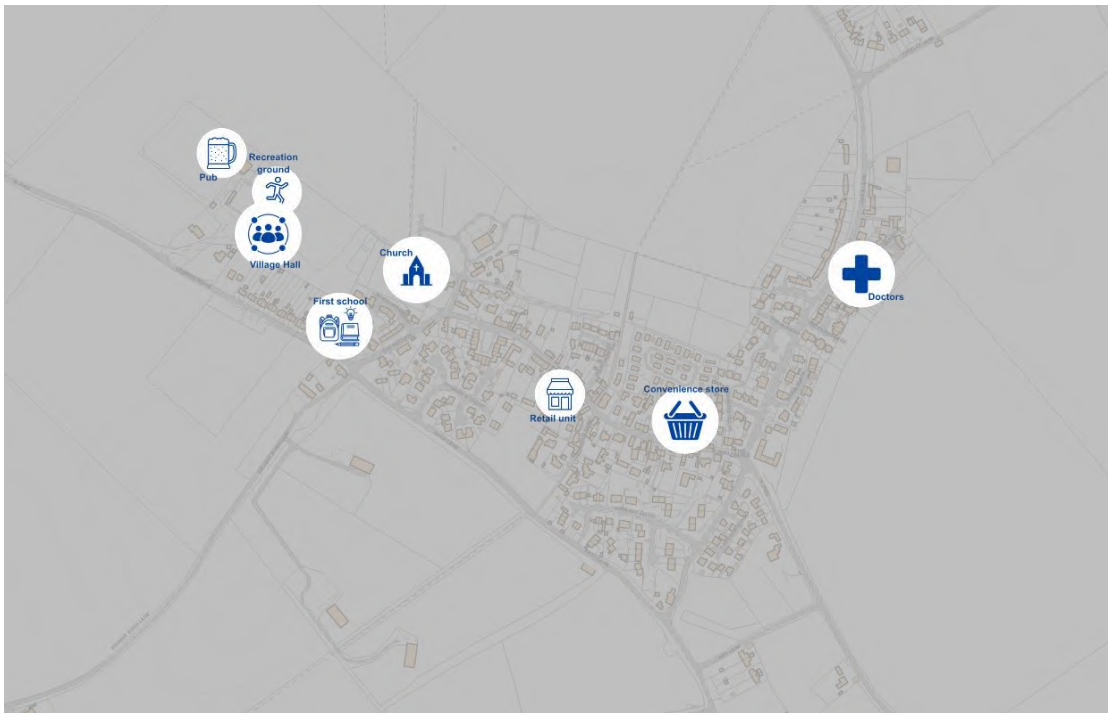


Fig B3: Facilities/service in Sixpenny Handley

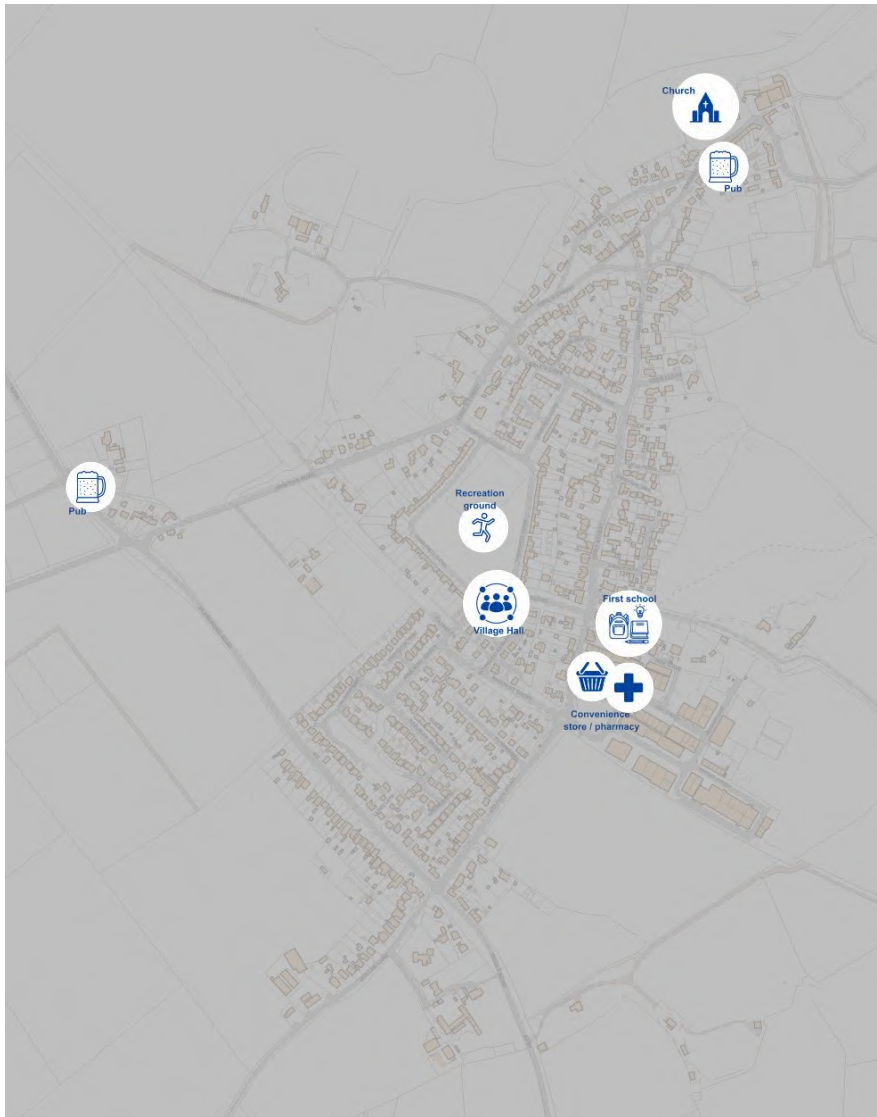


Fig B4: Facilities/services in Sturminster Marshall

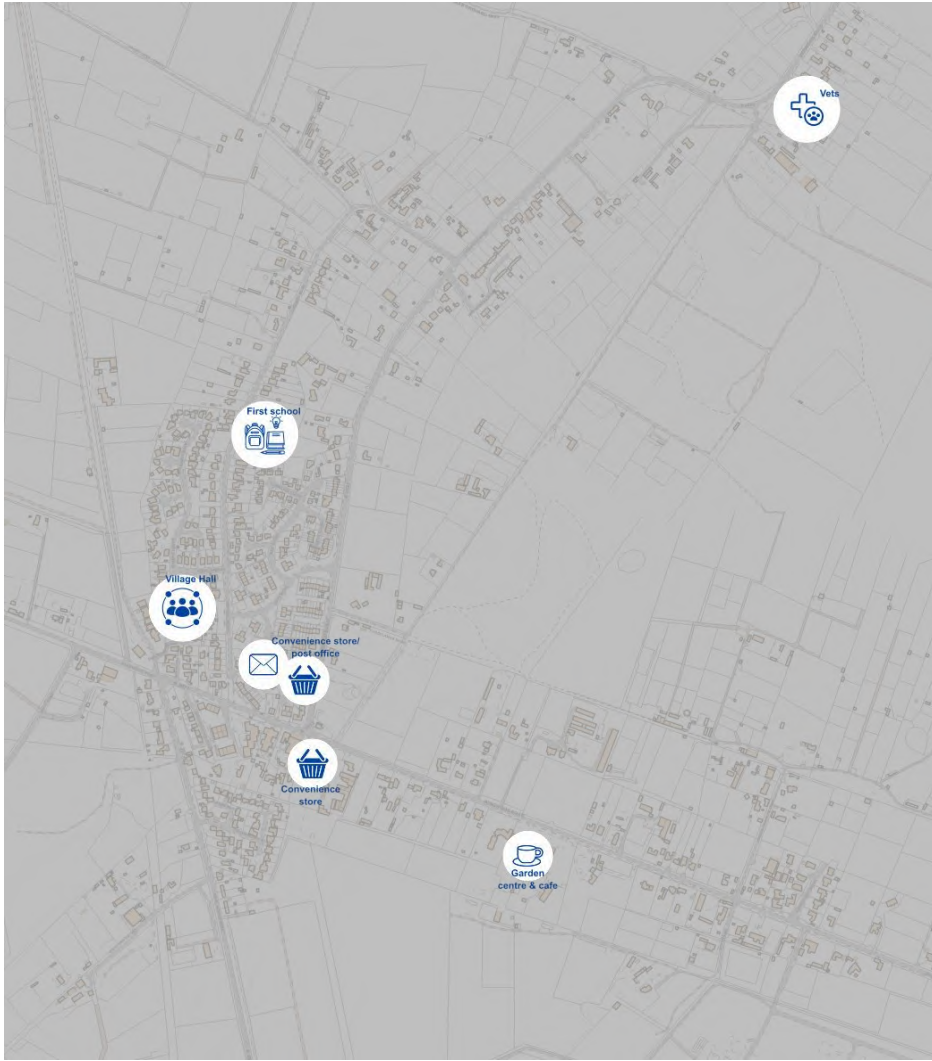


Fig B5: Facilities/services in Three Legged Cross

Appendix C: Table giving weight to Local Plan policies most relevant to reasons for refusal

Policy	Criterion	Weight to policy	Conflict	Weight to conflict
KS1 Presumption in favour of Sustainable Development	The Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.	Full - supports NPPF presumption in favour of sustainable development	Adverse impacts of granting permission would significantly and demonstratively outweigh the benefits, when assessed against the policies in the Framework taken as a whole	Very significant
KS2 Settlement Hierarchy	Location, scale and distribution of development should conform with the settlement hierarchy	Almost full – provides local hierarchy to inform sustainable decision making in support of Chapter 2 of the NPPF	Proposal places a very significant scale of development at tier 4 (out of 6) in the hierarchy	Very significant
KS9 Transport Strategy and Prime Transport Corridors	Development will be located along and at the end of the Prime Transport Corridors in the most accessible locations and supported by transport improvements that will benefit existing and future communities	Almost full – provides local policy to inform sustainable decision making in support of Chapter 2 of the NPPF	Proposal not located along or at the end of a Prime Transport Corridor as identified in the policy	Significant
KS11 Transport and Development	The Councils will use their planning powers to influence development so that it reduces the need to travel, provides improved access to key services and facilities and promotes alternative modes of travel.	Almost full – supports the aims of NPPF Chapter 9	Location of proposal along with proposed facilities and transport provision will not meet the aims of the policy	Very significant

Policy	Criterion	Weight to policy	Conflict	Weight to conflict
ME2 Protection of the Dorset Heathlands	Any residential development between 400m and 5km of these areas will provide mitigation through a range of measures as set out in the Core Strategy, Site Specific Allocations Development Plan Document and the Dorset Heathlands Planning Framework Supplementary Planning Document	Full weight as supports the requirements of the Habitats Regulations	Insufficient evidence submitted regarding proposed SANG mitigation	Very significant
HE3 - Landscape Quality	Proposals need to take factors into account including tranquillity and the need to protect against intrusion from light pollution, noise, and motion. Proposals to demonstrate that account has been taken of the relevant AONB Management Plan.	Full weight in relation to those aspects of the policy which relate to Areas of Outstanding Natural Beauty/National Landscapes	Evidence shows material increase in traffic through AONB, leading to loss of tranquillity	Moderate

Policy	Criterion	Weight to policy	Conflict	Weight to conflict
LN3 Provision of Affordable Housing	All greenfield residential development which results in a net increase of housing is to provide up to 50% of the residential units as affordable housing. Any Planning Application which on financial viability grounds proposes a lower level of affordable housing ... must be accompanied by clear and robust evidence.	Full weight as it does not restrict the delivery of housing	Viability inputs, assumptions and level of affordable housing that could be provided is not agreed	Significant
PC5 Shops and Community Facilities in Local Centres and Villages	Loss of existing retail premises, leisure and other local facilities will be resisted unless it is clearly demonstrated there is insufficient demand and it is not feasible and viable to support their continued existence and the loss would not result in a substantial decline in the range and quality of services for local people	Full weight as it does not restrict the delivery of housing	Retail evidence shows risk of closure of existing Co-op store. However, this would be replaced by new convenience store.	Limited
A1	Housing development at Alderholt will be permitted under Policy HODEV1 within the policy envelope defined on the Proposals Map	Limited weight in the absence of a 5YHLS due to the stringent restrictions it places on housing	Proposal is outside of the village envelope	Limited

Dorset Council Development Management Guidance Note

Negotiation on planning applications and applications for listed building consent

Context

National policy recognises the importance of early engagement and front-loading in the decision-making process. The National Planning Policy Framework (NPPF) has a specific section on 'pre-application engagement and front-loading'. Para. 39 acknowledges that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties.

Para. 40 of the NPPF states, amongst other things, that:

“Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer”.

Para. 41 further highlights the benefits of resolving as many issues at pre-application stage as possible.

Dorset Council offers a pre-application advice service and details of this service can be found here <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning/planning/pre-application-advice>. The Council also welcomes planning performance agreements and is happy to discuss these with applicants prior to the submission of a pre-application enquiry or planning application. Please be aware that some departments within Dorset Council operate their own pre-application enquiry services such as highways, the natural environment team and the flood risk management team.

Applications for listed building consent can often require a greater level of detail. Early engagement using our pre application advice service can help by letting you know what is required to support your application, as well as resolving any issues before your application is submitted.

There is no legal requirement for a Local Planning Authority (LPA) to accept amendments, or additional information once a valid application has been submitted. Our duty, as LPA, is to determine valid application as quickly and effectively as possible, within nationally set time limits. Usually these are 13 or 16 weeks for applications for major development, and 8 weeks for all other types of development including listed building consent.

National planning practice guidance advises that:

“Once a planning application has been validated, the local planning authority should make a decision on the proposal as quickly as possible, and in any event within the statutory time limit, unless a longer period is agreed in writing with the applicant”.

If a planning application takes longer than the statutory period to decide, and an Extension of Time (EOT) has not been agreed with the applicant, the government's policy is that the decision should be made within 26 weeks at most to comply with the 'planning guarantee'. Where a valid application has not been determined within the relevant statutory period (i.e., within 8, 13 or 16 weeks) or within an agreed EOT, the applicant has the right to appeal to the Secretary of State against non- determination.

Failure to determine applications within statutory timescales creates uncertainty for all those involved including the applicant and third parties and prolonging the determination period for the application by accepting numerous rounds of amended plans can result in the Council spending a disproportionate amount of time on an application. Furthermore, failure to determine applications within statutory timescales has significant implications for performance targets and could put the Council at risk of being placed in special measures.

When amendments will be accepted on non-major applications under consideration:

This guidance will help you understand when the Council will/will not request amended plans/additional information for non-major planning applications and applications for listed building consent.

When an application is received it will be checked against the national and local lists for validation requirements and will be expected to be submitted in a form and with the necessary information to enable it to be fully assessed and determined as submitted, without amendment or addition.

The Council is striving to make decisions on non-major applications and applications for listed building consent within statutory timescales (8 weeks from receipt of a complete application) and as such it takes the default position of not seeking or accepting amendments to those applications where applicants and/or their agents have not engaged with the Council, prior to application submission, via the pre-application advice service offered by the Council, unless one of the four exceptions below is met:

1. The information requested is required by the national or local lists for validation and was not requested prior to the validation of the application.
2. Further analysis of the application post-validation means more information or clarification is required to aid full consideration i.e. the information must be required to complete the assessment of the scheme (for example a cross-section drawing) and the applicant submits the requested information to the planning case officer within 2 weeks of the request and agrees in writing to a 4 week extension of time to the end date for the determination of the application. Such an extension of time for determination will allow further consultation/consideration as necessary of the additional information. Without the agreement to the extension of time for determination the application will be determined as submitted and the additional information will not be accepted.
3. Amendments of a minor nature that will secure a required improvement to the scheme but will not jeopardise a decision within the statutory period i.e., does not require additional consultation or re-consultation or publicity. If such amendments are requested the amendments shall be submitted to the planning officer within 2 weeks of the request for the information, otherwise the application will be determined as submitted. In order to help you, officers will consolidate any request for amendments into a single request and will only accept one round of amendments to a scheme.
4. The amendments requested will be likely to, in the view of the planning case officer, make the scheme acceptable, and the applicant/agent used the Council's pre-application advice service, received positive feedback on the scheme, the application scheme does not deviate significantly from the pre-application scheme and the amendment was not previously identified as part of that feedback. If the amendment triggers the need for a fresh 21-day consultation, the applicant will be requested to agree to an extension of time for the determination of the application.

This means that, in general, amendments to applications will not be accepted if/for:

- An increase in the size of or a change to the red line of the application site unless very minor in nature and requested by the planning case officer.
- It would trigger the need for a fresh 21-day consultation.
- A significant move or relocation of footprint.
- A significant change or increase to the volume and/or massing of the built form.
- Different uses to that applied for.
- It significantly alters the character or description of the proposal.
- An increase in the number of dwellings proposed.
- The proposal would conflict with development plan policies.
- It would increase the visual impact of the development in a way that is likely to cause greater harm than the submitted scheme.
- It would increase the amenity impact of the development on a feature of recognised sensitivity.
- It would increase the impact on a heritage asset – designated or non- designated.
- It would exacerbate concerns raised by third parties.

This is not an exhaustive list and is intended to act as guidance. All the above are at the discretion and judgement of the planning case officer and their line manager.

We will not accept unsolicited amendments so please do not seek to make amendments in response to consultee comments, third party representations or an objection without first clearing the submission of the amendments with the planning case officer.

When amendments will be accepted on major planning applications under consideration:

The Council has a longer statutory timescale for the determination of major planning applications – 13 weeks, unless Environmental Impact Assessment (EIA) development which is then 16 weeks or an alternative period for determination as has been agreed in a Planning Performance Agreement between the applicant and the Council. Given the longer timescale for determination and the greater likely quantum (e.g., number of units/floorspace), scale and/or significance of development proposed, officers will seek to engage in negotiations with the applicant, provided there is not an in-principle conflict with the development plan policies in the view of the planning case officer and any amendments sought would do one or more of the following:

- Address the comments and requirements of technical consultees.
- Address concerns raised by neighbours, Town/Parish Councils and Ward Members.
- Comply with the requirements of the policies of the development plan.

Amendments will only be accepted where they are accompanied by a statement setting out what the amendments to the scheme are, including references to the relevant plan numbers of both superseded and amended plans. Furthermore, amendments will only be accepted where the applicant agrees to a suitable extension of time for the determination of the application.

Amendments are not an alternative to the submission of a properly thought through and prepared application. The Council encourages applicants to engage with the Council via its pre-application advice service and welcomes the discussion of planning performance agreements with applicants.

It will be for the planning case officer, and their line manager, to decide if more than one round of amendments will be accepted.

We will not accept unsolicited amendments so please do not seek to make amendments in response to consultee comments, third party representations or an objection without first clearing the submission of the amendments with the planning case officer.

Amendments to the submission of applications submitted to seek approval of details reserved by condition:

Once an application for the approval of details reserved by condition has been validated the Council will seek to determine the application within statutory timescales (8 weeks or 12 weeks if an extension of time has been agreed between the Council and the applicant). As such it is expected that all necessary plans and information required in order to consider the matter(s) will have been submitted at validation stage.

Planning case officers will exercise their discretion as to whether it would be appropriate, having regard to the nature of the additional or amended information required and the timescales for determination as to whether they will request additional/amended information in order to address identified issues. In general, additional/amended information will only be sought where it is very minor in nature. The planning officer when making any request will provide a timescale for submission of the additional/amended information and if not received within the timescale the application will be determined as submitted. In all cases only one round of amendments will be accepted, following a request by a planning case officer, after which the application will be determined.

We will not accept unsolicited amendments so please do not seek to make amendments in response to consultee comments without first clearing the submission of the amendments with the planning case officer.

Costs Decision

Site visit made on 15 February 2023

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 May 2023

Costs application in relation to Appeal Ref: APP/J0405/W/22/3304555 Seven Acre Farm, Aylesbury Road, Aston Clinton, Aylesbury, Buckinghamshire, HP22 5AH

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr G Coppola (SVG Holdings Ltd.) for a full award of costs against Buckinghamshire Council.
 - The appeal was against the refusal of planning permission for an extension to a commercial building at Seven Acre Farm Business Centre.
-

Decision

1. The application for an award of costs is partially allowed, in the terms set out below.

Reasons

2. The Planning Practice Guidance (PPG) advises that costs may be awarded where:
 - a party has behaved unreasonably; and
 - the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process.
3. The PPG clarifies that unreasonable behaviour may either be procedural or substantive. Although an application for costs may relate to events before the appeal, the PPG states that costs unrelated to the appeal are not eligible for an award.
4. The application for costs by the appellant is based on substantive and procedural grounds in that it alleges the Council acted unreasonably in; - (1) preventing development that should clearly be permitted, based on an incorrect assessment of local and national planning policy relating to development outside of a settlement boundary; and (2) failing to work positively and proactively with the Agent to seek an approval, by not requesting a tree survey whilst the application was still live.
5. In accordance with section 38(6) of the 2004 Act¹ and section 70(2) of the 1990 Act², applications for planning permission must be determined in

¹ Planning and Compulsory Purchase Act 2004

² Town and Country Planning Act 1990 (as amended)



Appeal Decision

Inquiry opened on 26 September 2017

Site visit made on 4 October 2017

by David Prentis BA BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 06 November 2017

Appeal Ref: APP/U1240/W/17/3169111

Land North of Ringwood Road, Alderholt SP6 3HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Gladman Developments Limited against the decision of East Dorset District Council.
 - The application Ref 3/16/1446/OUT, dated 22 July 2016, was refused by notice dated 11 November 2016.
 - The development proposed is demolition of The Hawthorns former horticultural nursery and bungalow and erection of up to 60 dwellings (including up to 50% affordable housing), introduction of structural planting and landscaping, informal public open space, surface water flood mitigation and attenuation, primary vehicular access off Ringwood Road, pedestrian access off Broomfield Drive and associated ancillary works.
-

Decision

1. The appeal is allowed and outline planning permission is granted for demolition of The Hawthorns former horticultural nursery and bungalow and erection of up to 60 dwellings (including up to 50% affordable housing), introduction of structural planting and landscaping, informal public open space, surface water flood mitigation and attenuation, primary vehicular access off Ringwood Road, pedestrian access off Broomfield Drive and associated ancillary works at land north of Ringwood Road, Alderholt SP6 3HZ in accordance with the terms of the application, Ref 3/16/1446/OUT, dated 22 July 2016, subject to the conditions set out in the attached schedule 1.

Preliminary matters

2. The Inquiry sat for 6 days on 26 to 29 September and 3 to 4 October 2017. There was an accompanied site visit on 4 October 2017 and I carried out unaccompanied visits to the site and surrounding area before and during the course of the Inquiry.
3. The application was submitted in outline with only the means of access to be determined at this stage. It was supported by an illustrative development framework and an illustrative masterplan which I have taken into account.
4. At the Inquiry the appellant asked me to determine the appeal on the basis of an amended access drawing. This showed the access to Ringwood Road relocated approximately 30m from the position originally proposed. The amendment sought to avoid potential harm to an oak tree (T18). The