

Town and Country Planning Act 1990 (Section 78)

Appeal in relation to:

Knoll House Hotel, Studland

By Kingfisher Resorts Ltd

Joanna Ede MA DipLD CMLI

Proof of Evidence on Landscape

Prepared on behalf of Dorset Council

Local Planning Authority reference: P/FUL/2022/06840

Planning Inspectorate reference: APP/D1265/W/24/3348224

November 2024

Contents

1.	Summary	3
2.	Introduction	7
3.	Landscape Policy Context	11
4.	Evaluation of the Landscape and Visual Context	17
5.	Purbeck Heritage Coast	28
6.	Commentary on the Application Drawings and Visualisations	30
7.	Landscape and Visual Effects of the Proposed Scheme	44
8.	Consideration of the Development in relation to Planning Policy and Reasons for Refusal 1 and 5	60
9.	Conclusion	63

Joanna Ede
joanna.ede@turley.co.uk

Client

Dorset Council

Our reference

01931 - Knoll House - HTAL

November 2024

1. Summary

The Site

- 1.1 The Site is located in a central position, on a small knoll, within Studland Bay on the Purbeck Coast. It is the site of an existing hotel which was established in the early twentieth century. The hotel, albeit faded in places, makes a positive contribution to local character, partly through its distinctive frontage facing on to Ferry Road and partly through its historical and cultural associations. Mature trees within and around the Site also contribute positively to local character. The western and southern areas of the hotel are of lower quality and poorer condition. However, the impact of these on the surrounding landscape is low due to their reduced height, form and massing and integration with existing mature vegetation.

Landscape and Visual Context

- 1.2 This Site is located within a **landscape of national and international importance** which is highly valued for its landscape and scenic qualities. It is within an area covered by multiple designations including Heritage Coast, National Landscape and the European Diploma for Protected Areas. It is therefore an area of very high landscape sensitivity.
- 1.3 The Site lies within the South Purbeck Heaths Landscape Character Area, key characteristics of which are its tranquil and remote character, perceived naturalness and an absence of built development.
- 1.4 The Site is in a prominent position on Ferry Road which is a key coastal route and public bridleway. Mature woodland to the north and west of the Site provides some visual enclosure. However, there are direct, close proximity views of the Site from Ferry Road, short and medium distance views from public rights of way to the south and long distance views from Ballard Downs further south. The Site is therefore open to view to large number of visitors and local residents passing through the area.
- 1.5 The above considerations amount to a landscape of unusually high sensitivity. As a consequence, any development proposals in this landscape require a very sensitive design response of an appropriate scale and which delivers a high quality design, appropriate to the local landscape character.

The Proposals

- 1.6 Full planning permission is sought for the redevelopment of the Site as a luxury resort comprising hotel, holiday villas and leisure facilities. Compared to the existing situation, whilst the total number of 'keys' on site is to be reduced, the amount of development on the Site is to be substantially increased.
- 1.7 The total floor area of development is to increase by two and a half times and the height and scale of buildings are also proposed to increase. Whilst most existing buildings on site are one or two storeys, the proposal includes a substantial part of the development as three storeys (including a large three storey crescent of 20 villas proposed on the highest part of the Site). A substantial number of mature trees are identified for removal to accommodate the proposed

scheme and the survival of other trees is threatened due to the proximity of proposed buildings, retaining walls and earthworks.

- 1.8** In my opinion, there are significant insufficiencies in the drawings and documents submitted with the planning application including in relation to: proposed levels and earthworks, landscape proposals, structural information, visualisations and woodland management.

Landscape and Visual Effects

- 1.9** In my opinion, the introduction of a luxury resort on a site within a landscape of this sensitivity, would have a significant adverse impact on landscape character. A development of this scale, in this location, would not conserve and enhance the landscape and scenic qualities of the area and the adverse effects of the proposals cannot be adequately mitigated.
- 1.10** I consider the proposed increase in height, scale and massing of development on the Site is too great and that the proposal is too urban in character and would be incongruent with the character and appearance of the surrounding landscape. As a result, the proposals are inappropriate to the Site's location in open countryside in a landscape of national and international importance and would adversely affect the area's Special Qualities of 'tranquillity and remoteness', 'undeveloped rural character' and 'undeveloped coastline'.
- 1.11** In my opinion, the LVIA does not provide a balanced assessment of the likely effects of the proposals. It has focussed on perceived positive aspects of the proposals and the negative aspects have not been properly considered or reported. As a consequence, the LVIA has understated the adverse effects of the proposals.
- 1.12** When the magnitude of change of the proposals is considered alongside the high and very high sensitivity of the landscape receptors, the overall level/significance of effect would be Major Adverse for the Site and AONB Special Qualities, Moderate Adverse for the Purbeck Heaths LCA and Minor to Moderate Adverse for the Purbeck Ridge LCA.

Consideration of the Development in relation to Planning Policy and Reasons for Refusal 1 and 5

- 1.13** In relation to national planning policy I consider that the proposals would result in significant adverse effects on landscape character and views and therefore that the proposals would fail to '*conserve and enhance*' the landscape and scenic beauty of the National Landscape. I also consider that the proposals would not comply with national policy in relation to some design matters as the scheme proposals would fail to integrate with the surrounding landscape, do not respond appropriately to local character and are of an inappropriate scale.
- 1.14** In relation to Policy E1: Landscape, I have concluded that the proposals fail to comply with the requirements of this policy. Firstly, the scale and extent of development is considerably more than the 'limited' level of development which this policy would allow in the National Landscape. Secondly, I have demonstrated that the proposals would result in significant adverse landscape and visual effects in the National Landscape.
- 1.15** In relation to Policy E12: Design, I consider that the proposals fail to meet the criteria for good design including in particular its: failure to integrate positively with its surroundings and with the area's prevailing character.

- 1.16 For similar reasons, in my opinion, the proposals do not comply with policies for conserving and enhancing landscape quality set out within the Dorset AONB Management Plan

Reason for Refusal 1

- 1.17 The first Reason for Refusal states that the proposal *'by reason of its scale, form and massing fails to ensure that there would be no detrimental effect upon the environment and natural landscape and fails to be compatible to the special character of the Heritage Coast'*. In my opinion it is clear that this reason for refusal is fully justifiable. I have demonstrated that the substantial increase in scale of development on the Site and the urban character of the proposals would have a harmful effect on the surrounding landscape and on the Special Qualities of the National Landscape. The impacts on landscape character and views would be Adverse (not Beneficial as suggested by the Appellant) and could not be satisfactorily mitigated.

Reason for Refusal 5

- 1.18 The fifth reason for refusal has two parts to it. The first relates to potential damage/premature decline to retained trees caused by the development. This matter is covered in detail in the evidence of Mr Andrew Douglas; however, from my experience as a landscape architect I concur with his opinion that the development proposals presents a high risk that trees will be damaged and /or suffer premature decline and that therefore this part of the reason for refusal is fully justified.
- 1.19 The second part of the reason for refusal relates to the scheme's landscape proposals and the absence of sufficient information to demonstrate that these will form attractive, appropriate and effective landscaping of the development. In my opinion, the Landscape Strategy would not provide appropriate or effective landscaping for the scheme and therefore that this part of the reason for refusal is also fully justified.

Conclusions

- 1.20 In conclusion, the Site is located in a landscape which is of national and international significance and is a landscape of very high sensitivity. Key characteristics of the area include its tranquil and remote character, open heathland and an absence of development.
- 1.21 In my opinion, the proposals represents an inappropriate scale of development which would be harmful to the rural character and appearance of the landscape and Heritage Coast.
- 1.22 I consider that the adverse impacts of the proposals have been under-stated in the LVIA and the perceived beneficial impacts have been over-stated. The proposal would form a substantial area of new development in the landscape which would appear too large, too prominent and too urban in character. A development of the scale and type proposed would not integrate well with its surroundings and would adversely affect the character and Special Qualities of the Dorset National Landscape and Purbeck Heritage Coast and would fail to conserve and enhance its landscape and scenic qualities.
- 1.23 I conclude that the Site forms part of a very important and very sensitive area of landscape and that the proposals would have a *'detrimental effect upon the environment and natural landscape and fails to be compatible to the special character of the Heritage Coast'*. In addition, I consider that the landscape proposals would not *'result in visually attractive, appropriate and effective landscaping of the development'*. I consider it would result in significant landscape

harm and therefore fully concur with the first and fifth reasons for refusal which were set out in the Decision Notice.

2. Introduction

Qualifications and Experience

- 2.1 My name is Joanna Mary Ede. I am a Director and Head of Landscape and VIA at Turley planning consultants. I am a Chartered Landscape Architect and Member of the Landscape Institute. I hold a Master's Degree in Landscape Architecture, a Postgraduate Diploma in Landscape Architecture, and a BA honours degree in Geography. I have over 30 years' professional experience as a Landscape Architect and am also a Recognised Practitioner in Urban Design.
- 2.2 I have presented papers at the annual conference of the European Council of Landscape Architecture Schools at the University of Greenwich in 2017 and the Activating Biophilic Cities Conference at the University of Greenwich in 2018. In 2018 I was invited to act as judge at the Landscape Institute Awards in the Landscape Planning Category. I have also been an external examiner for the Landscape degree course at the University of Sheffield and at Leeds Metropolitan University.
- 2.3 In 2019 I was invited by the Landscape Institute Technical Committee to form part of a small group tasked with producing a Technical Guidance Note (TGN) on Valued Landscapes. The working group considered the meaning of the term 'valued landscapes' within the NPPF and how it should be interpreted in the context of developing appropriate policies as part of development plans for local authorities as well as in the context of making decisions on individual planning applications. The TGN was published by the Landscape Institute in May 2021¹.
- 2.4 I have a wide range of experience in both Landscape Design and Landscape Planning, including advising on development in and around designated landscapes and have worked for both the public and private sector. This has included acting as an expert witness at Public Inquiries and Hearings. I have provided landscape evidence on behalf of a wide range of developers including Thakeham Homes, Cove Homes and Catesby and on behalf of local authorities including Aylesbury Vale District Council, St Edmundsbury Council and the Borough Council of Wellingborough.
- 2.5 I work on projects across the UK including a number in Dorset, Devon and along the wider south coast. I am familiar with the area that surrounds the Appeal Site and also the wider Dorset National Landscape.
- 2.6 Much of my work has involved undertaking Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs) and my current role focusses on undertaking and reviewing LVAs and LVIAs on sites across the UK. Projects for which I have completed LVIAs include: Proposed extension to Dorset Hospital, a residential development in Taunton, a 3,500 unit residential development on the edge of Scunthorpe; several residential and mixed use developments around the fringes of Swindon; a residential development on the edge of Wadebridge in Cornwall; a large mixed-use development on the seafront in Southend; and, a residential development on the edge of Arlesey, in Bedfordshire.

¹ TGN 02-21: Assessing landscape value outside national designations, Landscape Institute, May 2021

- 2.7 All the landscape and visual assessment work I carry out is undertaken in accordance with the 'Guidelines for Landscape and Visual Assessment' (3rd edition, published by the Landscape Institute and Institute for Environmental Management and Assessment), hereafter referred to as 'GLVA3'.
- 2.8 My professional experience also includes a major landscape study of sites put forward for housing allocation in the South Wealden Growth Area on behalf of Wealden District Council; a Landscape Character and Green Belt study for Basildon Borough Council; a landscape character assessment for East Hertfordshire District Council; and, the preparation of landscape proposals and landscape statements to support a large number of planning submissions for development on behalf of a number of private developers including: Crest Nicholson, Berkeley Homes, Cove Homes and Thakeham Homes.

Instructions

- 2.9 In October 2024, I was invited by Dorset Council (DC) to represent the Council on behalf of issues relating to landscape and visual impact concerning the refusal of planning permission by DC for a Full Planning Application for the proposed development of a luxury leisure resort on the site of the existing Knoll House Hotel.
- 2.10 I was approached after the Council had submitted its Statement of Case and was invited to review the Council's case in relation to the reasons for refusal relating to landscape matters. I considered the drawings and documents submitted by the applicant and carried out a desktop study of other relevant plans and photographs. Following this, I concluded that I could support the Council's position and accepted the commission to act on their behalf. I visited the site shortly after this, which reinforced my opinion that I supported the Council's position.

Statement of Truth

- 2.11 I confirm that the evidence that I have prepared and provide for this Inquiry (Planning Inspectorate Reference:) has been prepared, and is given, in accordance with the guidance of my professional institute, The Landscape Institute, and I confirm that the opinions expressed are my true and professional opinions.

Summary description of the proposed development

- 2.12 The proposed scheme was described in the planning application as:

"Redevelopment of existing hotel to provide new tourist accommodation including: 30 hotel bedrooms, apartment and villa accommodation and associated leisure and dining facilities"

Reasons for refusal

- 2.13 This Appeal is against the refusal of a full planning application submitted on behalf of Kingfisher Resorts Ltd to Dorset Council. In the decision notice, five reasons for refusal were cited. Of these, reason 1 and 5 relate to landscape matters and state:

1. The proposal has been assessed as being major development within the Dorset Area of Outstanding Natural Beauty (AONB). As such there is a requirement to assess the impact upon the local economy, any scope for developing outside of the AONB and ensuring that there is no detrimental effect on the environment and landscaping. The proposal by reason

of its scale, form and massing fails to ensure that there would be no detrimental effect upon the environment and natural landscape and fails to be compatible to the special character of the Heritage Coast. This impact has been considered against the substantial local economic benefits. The proposal however is contrary to Policies D, TA, CO and LHH of the Purbeck Local Plan Part 1, the aims and objectives of the NPPF, especially paragraph 177 and 178² and Policies C1 a, c and f, C2 d, e, and f and C4 a, c, d, e, f and g of the Dorset AONB Management Plan 2019 -2024.

5. Insufficient evidence has been submitted to demonstrate that the proposals will not result in damage/premature decline to trees proposed for retention through direct and indirect effects due to less-than-ideal growing conditions, their age and variable resilience to change, versus the magnitude of the development. In addition, insufficient details have been submitted to demonstrate that landscaping within the site including proposed earthworks will result in visually attractive, appropriate and effective landscaping of the development. The proposed development is therefore contrary to Policies LLH and D of the Purbeck Local Plan and paragraphs 135-136 of the NPPF

Key issues and scope of evidence

2.14 On the basis of the above reasons for refusal, the statements of case by the Council and Appellant and the matters agreed and noted in the draft Statement of Common Ground, I understand that the main issues which relate to landscape and which are disputed by the Appellant and Council are:

- The appropriateness of the scale, form and massing of the proposals;
- The appropriateness of the design of the proposals (and whether the policy requirements for good design as set out in the NPPF and Dorset AONB Management Plan are met);
- The effect of the proposals on landscape character (including the Dorset National Landscape and Purbeck Heritage Coast);
- The accuracy and adequacy of landscape drawings and visualisations submitted with the planning application; and,
- The quality and effectiveness of the scheme's landscape proposals.

2.15 To address the above issues, my evidence will cover the following:

- A summary of the landscape policy context relevant to this appeal (Section 3)
- A summary analysis and evaluation of the landscape and visual context of the Appeal Site including the Purbeck Heritage Coast. This supplements the factual information contained within the Landscape Statement of Common Ground; (Section 4 and 5);

- A review of the development proposals and supporting documents prepared on behalf of the applicant, including a review of the LVIA, LVIA Addendum prepared by Richard Sneesby Landscape Architects (RSLA) and supporting visualisations (Section 6); and,
- Analysis and commentary on the landscape and visual effects of the proposed scheme and the effect of these on the local landscape character and the Special Qualities of the Dorset National Landscape (Section 7);
- A consideration of the development in relation to planning policy and the reasons for refusal (Section 8);
- Conclusions (Section 9); and,
- A summary (Section 1).

2.16 My evidence should be read alongside that of the Council's other witnesses including:

- Ms Gemma Fitzpatrick regarding planning policy and the planning balance; and,
- Mr Andrew Douglas regarding trees.

Methodology

2.17 This evidence has been prepared following a review of the documents and drawings, which were submitted with the planning application; consultee responses; the Statements of Case prepared by both the applicant and the Council; and, a visit to the site and its surroundings, which I carried out in October 2024. A selection of photographs from my site visit are provided throughout this proof. My evidence also refers to photographs provided by RSLA. My photographs were taken in accordance with 'Photography and photomontage in landscape and visual assessment' – Landscape Institute Advice Note 01/11, using a Lumix Panasonic DMC-LZ40 digital single lens reflex camera with a focal length equivalent to a 50mm focal length lens on a manual 35mm film SLR camera.

2.18 Best practice in relation to landscape and visual assessment is set out in 'Guidelines for Landscape and Visual Impact Assessment', 3rd edition 2013, published by The Landscape Institute and the Institute for Environmental Management and Assessment. Hereafter I refer to this as GLVIA3.

2.19 Quotations within this proof are written in italics. Any parts which are underlined, have been done so for the purpose of my own emphasis.

3. Landscape Policy Context

- 3.1 Planning policy and supporting documents relevant to my evidence are set out briefly below. This includes both Landscape and Design policies and documents as these two topics are closely interrelated and policies relating to both are included within the first reason for refusal. Together these provide the context in which the development proposals should be considered and a framework within which judgements on the planning balance and acceptability of the development can be made.
- 3.2 In section 8, I provide an assessment on whether, and to what extent, the proposed scheme conflicts with these landscape and design policies. Further detail on the planning context, and the question as to how much weight should be given in the planning balance to any such conflict, is provided in the proof of evidence of Ms Gemma Fitzpatrick.

Bern Convention on the Conservation of European Wildlife and Natural Habitats (1982)

- 3.3 The Site lies within the Purbeck Heritage Coast which holds the European Diploma for Protected Areas³ (CD10.5). The Diploma was awarded under the Bern Convention, a binding international legal instrument for nature conservation that covers the natural heritage of the European continent. The obligations of the Convention were transposed into UK law by means of the Wildlife and Countryside Act.
- 3.4 Under the convention, the European Diploma for Protected Areas (the “Diploma”) is awarded for natural or semi-natural areas of exceptional European interest from the point of view of conservation of biological, geological or landscape diversity and which are managed in an exemplary way.
- 3.5 Purbeck Heritage Coast is one of only five areas in England which hold the European Diploma for Protected Areas.
- 3.6 The effect of the Diploma is that the area is placed under the supervision of the Council of Europe.

Countryside and Rights of Way Act 2000 (CROW)

- 3.7 The Site lies within the Dorset National Landscape (formerly AONB). National Landscapes are protected by the Countryside and Rights of Way Act 2000 (CROW Act). Under section 85 of this Act, local authorities have a statutory duty *“In exercising or performing any functions in relation to, or so as to affect, land’* in an area of Outstanding Natural Beauty, relevant authorities *“must seek to further”* the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. This general duty was introduced by section 254(6)(a) of the Levelling Up and Regeneration Act in December 2023 and replaced the previous version of section 85 CROW 2000 which imposed a duty to *“have regard to”* that statutory purpose.

³ [Purbeck Heritage Coast - Convention on the Conservation of European Wildlife and Natural Habitats](#)

National Planning Policy Framework (NPPF) December 2023

- 3.8 Within the National Planning Policy Framework chapter 13 sets out requirements for achieving well-designed places and chapter 15 for conserving and enhancing the natural environment.
- 3.9 With regards to design quality, paragraph 139 sets out that *'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵⁵'*. Footnote 55 to this policy refers to the National Design Guide (CD10.6) and National Model Design Guide.
- 3.10 With regards to landscape protection, the NPPF sets out a hierarchical approach. Paragraph 180 states that the planning system should *'contribute to and enhance the natural and local environment'* by a number of things including:
- a) protecting and enhancing valued landscapes...(in a manner commensurate with their statutory status or identified quality in the development plan);*
 - b) recognising the intrinsic character and beauty of the countryside...*
- 3.11 Paragraph 182 relates to Areas of Outstanding Natural Beauty (now known as National Landscapes) stating 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 issues.'* It goes on to say that *'The scale and extent of development within all these designated areas should be limited'*.
- 3.12 In paragraph 183 further direction is provided in relation to nationally designated landscapes. This states: *'When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated*

Planning Practice Guidance

- 3.13 Planning Practice Guidance (PPG) has been issued by the Government as a web-based resource. This is intended to provide more detailed guidance and information with regard to the implementation of national policy set out in the NPPF.
- 3.14 In the Design section of the PPG, (Paragraph 001 Reference ID: 26-001-20191001) the guidance provides support for paragraph 139, setting out how good design can be achieved

and referencing the National Design Guide including setting out the 10 characteristics of good design (set out below).

- 3.15 In the Natural Environment guidance category of the PPG, paragraph 36 (Reference ID: 8-036-20190721) sets out how planning policies can conserve and enhance landscapes. Paragraph 37 (Reference ID: 8-037-20190721) supports the use of Landscape Character Assessment as a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place.
- 3.16 In relation to development in landscapes designated as being of national importance, paragraph 039 of this guidance category notes the importance of the duty for local planning authorities to ‘have regard’ to the purposes of National Parks and AONBs when considering development proposals within these areas. Paragraph 040 (Reference ID: 8-040-20190721) states that planning policies and decisions need to take account of management plans for AONBs as they provide evidence of the value and special qualities of these areas. Paragraph 41 reiterates that *‘the scale and extent of development in these areas should be limited, in view of the importance of conserving and enhancing their landscapes and scenic beauty’*.and goes on to say that development in AONBs *‘will need to be located and designed in a way that reflects their status as landscapes of the highest quality’*.

National Design Guide (MHCLG 2021) (CD10.6)

- 3.17 The National Design Guide provides guidance on creating high quality buildings and places. It identifies ten characteristics of well-designed places as set out below:

- **Context** – enhances the surroundings.
- **Identity** – attractive and distinctive.
- **Built form** – a coherent pattern of development.
- **Movement** – accessible and easy to move around.
- **Nature** – enhanced and optimised.
- **Public spaces** – safe, social and inclusive.
- **Uses** – mixed and integrated.
- **Homes and buildings** – functional, healthy and sustainable.
- **Resources** – efficient and resilient.
- **Lifespan** – made to last.

Figure3.1: Ten characteristics of well-designed places (National Design Guide, 2021)

- 3.18 Design objectives are identified for each of the key characteristics. The objectives which I consider to be particularly pertinent to my evidence are:

- C1: understand and relate well to the site and its local and wider context
- I1: respond to existing local character and identity
- I2: well-designed, high quality and attractive places and buildings
- I3: Create character and identity
- B2: appropriate building types and forms

3.19 In section 7 I identify key areas where I consider the Appeal Scheme fail to meet these objectives insofar as they involve considerations of the landscape context and character.

Purbeck Local Plan (2018 – 2034) (Adopted 2024)

3.20 The principal local plan policies of relevance to my evidence are Policy E1: Landscape (CD4.019) and Policy E12: Design (CD4.018).

3.21 Policy E1:Landscape states the importance of conserving and enhancing landscape and scenic beauty in the Dorset National Landscape and that (in accordance with the requirements of NPPF para 180), attaches ‘*great weight*’ to this. It states that ‘*the scale and extent of any development within these designated areas will be limited*’ In section 7 of this proof I demonstrate that the proposals constitute substantially more than ‘limited’ development. Policy E1 also states that ‘*Development that significantly adversely affects the character, or visual quality, of the local landscape or seascape, in protected areas will not be permitted*’. In Section 7 I demonstrate that the proposals would result in significant adverse effects on both character and visual amenity.

3.22 Policy E12: Design requires all development to demonstrate a high quality of design. Specific criteria are identified including that development should: integrate positively with its surroundings; reflect traditional building materials; avoid and mitigate adverse impacts including light pollution; and support the efficient use of land taking account of various factor including the local area’s prevailing character. It is for this reason that my evidence also addresses the elements of the scheme design that affect the local area’s prevailing landscape character.

Other Policies and Plans

Dorset AONB Management Plan 2019 – 2024 (CD5.001)

3.23 The Management Plan (CD5.001) sets out a vision for the AONB, provides a statement of significance for the area including identifying the special qualities that make its landscape unique and provides a Policy Framework with objectives and policies for managing the AONB to achieve the vision.

3.24 The Dorset National Landscapes Partnership Board has confirmed that the Management Plan will be reviewed in 2025 and a new Plan completed no later than 31 December 2025. This programme takes advantage of advice made by Lord Benyon in July 2022 as part of the former government’s Landscape Review allowing more time to receive and digest outcomes from the Landscapes Review. In the interim, the current Management Plan will remain valid.

3.25 The identified Special Qualities of relevance to the Appeal Site and its surroundings. These are usefully summarised in the LVIA as:

Special Quality	Comprising
Contrast and diversity – a microcosm of England’s finest landscapes	<ul style="list-style-type: none"> • A collection of fine landscapes • Striking sequences of beautiful countryside that are unique in Britain • Uninterrupted panoramic views to appreciate the complex pattern and textures of the surrounding landscapes • Numerous individual landmarks • Tranquillity and remoteness • Dark night skies • Undeveloped rural character
Wildlife of national and international significance	
A living textbook and historical record of rural England	<ul style="list-style-type: none"> • An exceptional undeveloped coastline • A rich historic and built heritage
A rich legacy of cultural associations	

3.26 Section 9.3 of the Management Plan sets out a strategy and policies for conserving and enhancing landscape quality. This includes requirements that:

- development conserves and enhances the AONB and is sensitively sited and design respects local character (policy C1a)
- design, materials and workmanship are of high quality (policy C1c)
- the AONB’s coast is conserved and enhanced and significant weight is given to maintaining its undeveloped and tranquil nature (policy C1f)
- development proposals should conserve and enhance landscape and scenic beauty (policy C2d)
- the conservation and enhancement of the AONB’s special qualities will be a significant consideration in the planning balance (policy c2e)
- proposals that are harmful to the character and appearance of the area will not be permitted unless there are benefits that clearly outweigh the significant protection afforded to the conservation and enhancement of the AONB. Where impacts cannot be mitigated, planning gain and compensatory measures will be considered (policy C2f)
- new features should not be detrimental to landscape character, tranquillity, and the AONB’s special qualities (policy C4a) quality of views into, within and out of the AONB are protected and where possible enhanced (policy C4c)
- the pattern of landscape features, including settlements, that underpin identity are protected (policy C4d)
- impacts of development on biodiversity should be avoided and reduced (policy C4e)

- cumulative effects that erode landscape character and quality should be avoided and reduced (policy C4f); and
- protecting the AONB from the overprovision of visitor accommodation including camping, caravanning and glamping sites (policy C4g)

4. Evaluation of the Landscape and Visual Context

- 4.1 The context of the Appeal Site in relation to: National Landscape Character; Regional Landscape Character; Designated Sites and Heritage Assets; Special Qualities of the National Landscape; Topography; Tree Preservation Orders; and, Public Rights of Way are set out in the Landscape SoCG and the baseline assessment in the appellant's LVIA. Much of this is a statement of fact with which I agree and have therefore not repeated here.
- 4.2 I note that the LVIA incorrectly refers to the 2008 Dorset Landscape Character Assessment as the relevant published landscape study for the LVIA. However, in fact, the 'Dorset National Landscape, 'Landscape Character Assessment', 2019 is the most recent published landscape character assessment and this provides the most relevant landscape character analysis for this Appeal. This is now an agreed matter in the Landscape Statement of Common Ground and the relevant landscape character area descriptions and guidelines are set out in the Landscape SoCG.
- 4.3 An extract of the 1:50,000 Ordnance Survey map is provided below (Figure 4.1). This identifies the Site location together with key information relating to topography, settlement pattern and landscape features.



Figure 4.1: Extract of 1:50,000 OS map - illustrating site location and relationship with Studland Bay, Ballard Down, Studland Heath and Ballard Down

- 4.4 A description of the Site is included in the Landscape SoCG and is agreed between the two parties. I have set out below a summary of the key characteristics of the Site which I consider to be of particular importance to this appeal.

Position of the Site and relationship with Studland Bay

- 4.5 The Site is located in a central position within Studland Bay. To the east is the bay and open coastline, to the north and west are the internationally important Poole Harbour and heathlands of Studland Heath and Godlington Heath and to the south is the dramatic chalk ridge of Ballard Down. All the surrounding landscape falls within the Dorset National Landscape and Purbeck Heritage Coast and numerous areas of ecological importance are present.

Landscape Sensitivity of the Purbeck Coast

- 4.6 The Site is located in a sensitive part of the Purbeck Coast, which is itself a very sensitive landscape. I consider the key characteristics of the Purbeck Coast further below, but in terms of the specific sensitivity of this Site, I note the following in particular:
- a) its position within a popular and highly visited part of the Dorset National Landscape and Heritage Coast – an area which is **highly valued for its scenic qualities**
 - b) its position within an area with the **European Diploma for Protected Areas** – forming an **internationally significant landscape with exceptional European interest**
 - c) its position within the South Purbeck Heaths Landscape Character Area **a key characteristic** of which is its ***‘tranquil and remote character derived through perceived naturalness and an absence of development’⁴***
 - d) its location on Ferry Road, a key route between Studland and Bournemouth. As such, it is an **important gateway site**, experienced when arriving at Studland from the Sandbanks chain ferry.
 - e) its position on high ground, in a **prominent position**, looking out to sea and forming a **landmark feature in views from the sea**
 - f) its location within an **area heavily used for leisure and tourism** and with numerous public rights of way and areas of open access.
 - g) its **visibility in long distance views** across the National Landscape from as far afield as Sandbanks in the north to Old Harry foreland and Ballard Down in the south
 - h) its **position in open countryside**, set apart from the village of Studland and **away from other built development**. Para 6.107 of the LVIA makes an important, related point and states *‘From elevated viewpoints directly south of the site no other buildings are visible until the waterside edge of Poole. This makes it more significant in the view than most other developments in the area. Weight must be given to this when assessing the proposed development against the baseline condition’*.

⁴ Dorset National Landscape, Landscape Character Assessment 2019 – South Purbeck Heaths LCA - key characteristics and special qualities

- i) **its proximity to ecological areas of high value and sensitivity** including an SAC and SSSI

4.7 The above considerations amount to a landscape of unusually high sensitivity. As a consequence, any development proposals in this landscape require a very sensitive design response of an appropriate scale and which delivers a high quality design, appropriate to the local landscape character.

Existing built form on the Site and its influence on the surrounding area

4.8 In relation to the existing built form on the Site I note the following:

- a) **The existing extent of built development on the Site is already substantial** (comprising around 30 buildings and parking for c. 86 vehicles) and is a noticeable (and in places, prominent) feature in the landscape. (In Section 7 of this proof I set out the substantial increase in development that is proposed in comparison with this existing level).
- b) **The height, form and massing of existing buildings is low key and integrates well with the landform of the Site** (the knoll) and the surrounding area. The highest (western) part of the Site has few buildings and the scale of built form generally steps down towards the edges of the Site.



Figure 4.2: View of existing spa building – illustrating low impact of existing building integrated with planting

- c) Existing **buildings are set within a framework of mature trees** which form distinctive landscape features and help soften the built form, reducing their impacts on the surrounding area.



Figure 4.3: View of eastern elevation of existing hotel – illustrating character of existing building

- d) **The eastern hotel elevation provides a simple but attractive and distinctive frontage to Ferry Road.** The buildings are fairly typical of early twentieth century architecture comprising traditional white render, pitched tile roofs, blue fenestration and formal lawned gardens with mature Scots Pines. In my opinion, the existing hotel sits well in the landscape and makes a positive contribution to the character and identity of Studland Bay. I note that para 6.100 in the LVIA comes to similar conclusions and states: *'The distinctive form of the current east-facing elevation of the hotel also acts as a landmark feature on the approach to Studland from the north, as well as forming a distant landmark feature in views across Studland Bay from Old Harry Rocks'*.
- e) **The main hotel building is also of local historical and cultural interest;** it was constructed at the turn of the twentieth century, initially as a summer retreat for the Bankes family of Kingston Lacey, and was then converted to a hotel in 1931. Enid Blyton was a regular and long term guest to the hotel, visiting three or four times a year for several weeks each time. Many of her stories are said to have been inspired by the landscape and community of the local area. Other guests include Roald Dahl, EM Forster, Michael Palin and Winston Churchill.



Figure 4.4: View of southern edge of the Site – illustrating low form of existing buildings

- f) **Poorer quality buildings in the central and northern part of the Site have limited influence on the character and appearance of the surrounding area** as they are mainly low buildings with low key design and located behind the main hotel and away from the principal frontage.



Figure 4.5: View across hotel car park – illustrating rural character of existing parking

- g) **Car parking is integrated well within the Site** and is rural in character due to its informal layout and mainly gravel and free-draining surfacing.

- h) An assemblage of buildings and structures is present on the southern edge of the Site. Many are in poor condition but their impact on the landscape is reduced by their low heights, low key design and generally small scale.

4.9 In light of the above, I disagree with the conclusions of the LVIA which states at para 6.106 that *'as a collection the development makes a poor, even adverse, contribution to the locality, especially when viewed from the south'* and at para 6.140 that the buildings have a *'poor relationship with the natural beauty of the surrounding'*. I agree that when viewed from the south the existing buildings do not provide a high quality edge but I do not find this development edge to be overly dominant. Instead, in my opinion, collectively I consider that the existing buildings are of an appropriate scale and massing and that the eastern part of the hotel contributes positively to the character and identity of the local area.

Existing vegetation on Site and its influence on surrounding area

4.10 The Site contains a significant number of mature trees and is enclosed to the north and west by mature woodland. Many of the trees within the Site are of high value and are covered by a tree preservation order. A detailed survey of the trees is included within the application AIA (CD1.054) and further commentary on tree matters is provided in the proof of Mr Andrew Douglas

4.11 From the perspective of landscape and visual amenity I note the following in relation to the existing vegetation on the Site:



Figure 4.6: View from elevated land south of the Site – illustrating role of the trees on site (particularly the Pine trees) in forming a skyline feature

- a) **Mature Scots Pines** within the Site form an important and distinctive **skyline feature** in many views across the surrounding landscape. The ability to see through the tree canopies to the sea beyond, contribute to the special scenic quality and interest of the views.



Figure 4.7: View along western side of the Site – illustrating contribution of mature trees to the character of the Site

- b) Existing trees within the Site **contribute positively to the character of the Site** and assist in **integrating the buildings and car park** with the landscape



Figure 4.8: View towards southern edge of Site – identifying mature oak tree covered by a TPO

- c) A mature oak tree (T40) (indicated above with red arrow) on the southern boundary forms a **landscape feature** and is a key element in **defining and enclosing the southern boundary** of the Site. (The feasibility of retaining this tree within the new scheme is disputed – I discuss this further in Section 7).

Contribution of the existing hotel to local character

4.12 Whilst the existing development on the Site comprises a mix of buildings of varying quality, I consider that overall, the existing hotel makes a positive contribution to the character of the local area. I say this for four principal reasons:

- a) The existing hotel forms a landmark building and positive frontage to Ferry Road;
- b) Existing trees (particularly the Scots Pines and southern oak tree) form an attractive treed setting for the hotel and also form a distinctive landmark and important skyline feature;
- c) The traditional, early twentieth century architecture and historic association of the hotel and its guests contributes to the cultural heritage of the landscape;
- d) Existing buildings on the Site which are of lower quality are not prominent or visually intrusive



Figure 4.9: Photos of existing frontage of hotel to Ferry Road - illustrating scale and character of existing buildings (Taken from LVIA Appendix 6.4)

Visual Context

- 4.13 The visibility of the Appeal Site is set out in 6.87 – 6.92 in the LVIA and supported by ZTV plans (LVIA Figures 6a – 6d). Whilst the ZTV mapping exercise has a number of limitations, the ZTV plans remain a useful indicator of the general areas from which the proposals may be visible. They demonstrate that woodland and landform provide localised screening and containment to the site in some areas but that there are also extensive areas in all directions with short-medium – and long- distance views towards the Site. Most of these are publicly accessible areas of land and sea and are experienced by large number of recreational users.
- 4.14 However, the description of the visual baseline within the LVIA has a number of omissions including, in particular:
- 4.15 **No commentary or photography is provided to illustrate night time views.** This is a significant omission as the presence or absence of lighting in the landscape influences several of the special qualities of the National Landscape including its: Dark Night Skies, Undeveloped Rural Character and sense of Tranquillity and Remoteness. It is therefore important to understand the existing light levels associated with the hotel to provide a baseline against which to understand the likely changes to light levels that would arise with the Proposed Development.
- 4.16 **No photography is provided to illustrate views from the sea.** This is again a significant omission in relation to understanding the baseline conditions for: the Special Quality of ‘Undeveloped Coastline’ for the National Landscape and the Heritage Coast; the local seascape character; and the views experienced by boat users. The LVIA identifies that the area is popular with recreational sailors, that ferry routes pass through the area and that potential effects of the proposals on seascape character and views from the sea is a relevant consideration. However, no photography of views from the water is provided. For an application for major development within a National Landscape and Heritage Coast I would have expected photography and further analysis of views from the sea to have been carried out.

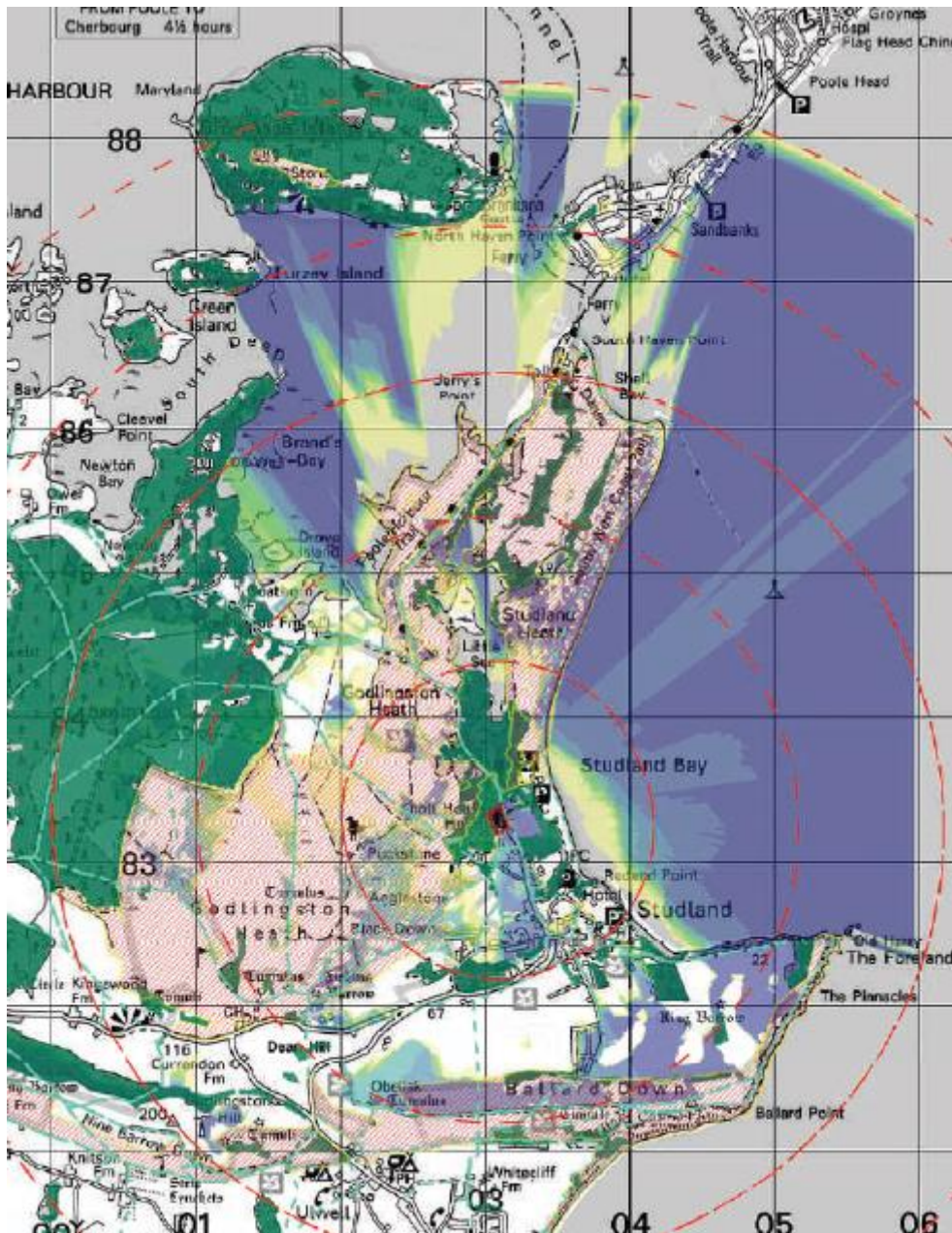


Figure 4.10: Extract of LVIA Figure 6c – Screened ZTV – illustrating large area of potential visual influence of the proposals extending between Ballard Down in the south, Sandbanks and parts of Poole Harbour in the north, elevated areas of heathland to the west and most of Studland Bay to the east

4.17 Contextual photographs of photos of key views are provided in Appendix 6.4 to the LVIA.

4.18 In relation to the visual baseline I note in particular that the LVIA identifies the following:

- all of the visual receptors are identified as being of High sensitivity (LVIA Table 6.8 and LVIA Addendum p4) – I agree

- *'From elevated viewpoints directly south of the site no other buildings are visible until the waterside edge of Poole. This makes it more significant in the view than most other*

developments in the area. Weight must be given to this when assessing the proposed development against the baseline condition'. (LVIA para 6.107) – I agree

- *'nearly all inland visitors are pre-occupied with enjoyment of the scenery'* (LVIA para 6.148) – I agree and would add that enjoyment of the scenery is also of high importance to visitors at sea.

- the *'bracketing of built form by groups of mature trees or woodland'* as a characteristic of the local settlement pattern (para 6.109) – I agree

- the presence of *'a group of visually prominent Scots Pine trees along the site's western and eastern boundaries'* (LVIA para 6.70) – I agree; the pine trees form a distinctive skyline feature in many views;

- *'there are strong visual connections with adjacent landscapes surrounding the site'* (para 6.79) – I agree; the Site's unusual knoll landform accentuates these connections;

- the landmark qualities of the existing building which forms a *'landmark feature on the approach to Studland from the north as well as forming a distant landmark feature in views across Studland Bay from Old Harry Rocks'* (para 6.99) -I agree.

- the importance of *'uninterrupted panoramic views to appreciate the complex pattern and textures of the surrounding landscapes'* as a Special Quality of the National Landscape – I agree

4.19 In addition to the above, in my opinion, the following are further important characteristics of the visual baseline, relevant to this Appeal,:

- Existing views are highly rural in character;

- Views are generally characterised by an absence or low presence of built form (other than in short distance views, from viewpoints close to the Site);

- The eastern elevation of the hotel contributes positively to the character and visual interest of views from Ferry Road;

- Ferry Road is a key route through the National Landscape connecting Studland with Bournemouth (via the Sandbanks ferry) Views from the road contribute to the gateway experience of arriving from the north to Studland and approaching the peninsula from the south.

- Visual receptors on Ferry Road include people travelling by car, cycle, on foot and by bus (including from the Purbeck Breezer – an open-top public bus service). Passengers waiting at the two bus stops immediately adjacent to the hotel are a further receptor group.

- At night, views are likely to be very dark due to the scarcity of street lighting and built development in the landscape.

5. Purbeck Heritage Coast

- 5.1 The LVIA notes that the Site falls within the Purbeck Heritage but gives little analysis of its characteristics or importance. I set out further information below:

Extent of Purbeck Heritage Coast

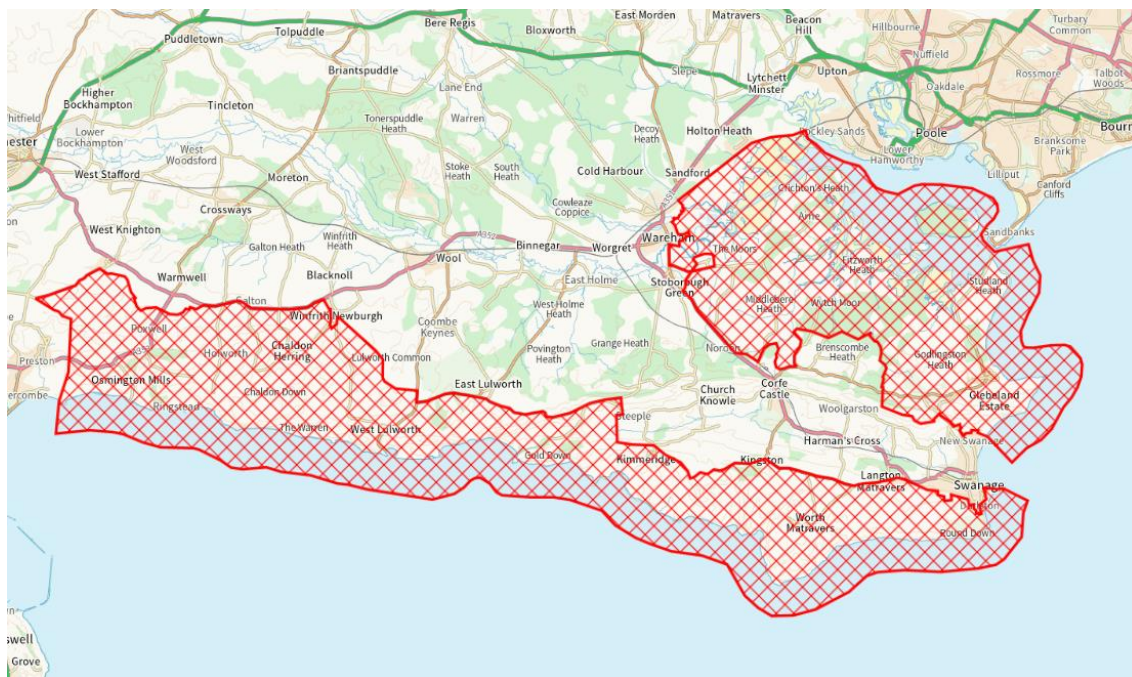


Figure 5.1: Location and extent of Purbeck Heritage Coast (source: Dorset Explorer)

Statutory Status of Heritage Coasts and Policy Protection

- 5.2 Heritage Coasts were proposed in the 1970s by the Countryside Commission and comprised the stretches of English coastline of exceptional or very good scenic quality. They were defined and adopted by local authorities.
- 5.3 Their purpose today is identified as being to *'conserve the best stretches of undeveloped coast in England'⁵including: 'the natural beauty of the coastline; their terrestrial, coastal and marine flora and fauna; and, their heritage features'*
- 5.4 Policy 184 of the NPPF states that *'Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.'*

Purbeck Heritage Coast

- 5.5 Purbeck Heritage Coast was defined in 1981. It is a Heritage Coast of higher importance and value than most other UK Heritage Coasts due to it holding the European Diploma of Protected Areas (EDPA). This is a ***'prestigious international award granted since 1965 by the***

⁵ <https://www.gov.uk/government/publications/heritage-coasts-protecting-undeveloped-coast/heritage-coasts-definition-purpose-and-natural-englands-role>

Committee of Ministers of the Council of Europe. It recognises **natural and semi-natural areas and landscapes of exceptional European importance** for the preservation of biological, geological and landscape diversity which are managed in an exemplary way⁶.

- 5.6 The Diploma was awarded to the Purbeck Heritage Coast in 1984 and subsequently renewed in 1989, 1994, 1999, 2004, 2009 and most recently in 2019 which runs until June 2029. Only four other areas in England hold the European Diploma.
- 5.7 The UK application to the Council of Europe for the award⁷ is provided as CD10.5. In summary the application noted :

The Purbeck Heritage Coast of Dorset is an outstanding example of a tract of countryside and coast which on the one hand is of great importance for its geology, wildlife, landscape and cultural associations and on the other is under considerable pressure from tourism, mineral extraction and agricultural production

- 5.8 The European interest of the area justifying its awards was identified as:

1. In a relatively small area there are a large number of geophysical formations, spanning over 100 million years. Local exposures have given type names to strata found in other parts of Europe

2. The heathlands constitutes the north-western edge of the European lowland heaths, and these heathland habitats are severely restricted in the rest of Great Britain.

3 A number of plant and animal species live here that are on the edges of their European ranges of distribution.

4. It is difficult to find such a variety of natural unspoilt landscape forms in such a confined area in Europe.

5. The unpolluted coastal waters, combined with the variety underwater geology and small tidal range made this a significant locality for marine wildlife

Conclusions on value and importance of Purbeck Heritage Coast

- 5.9 The Purbeck Heritage Coast is recognised as an area of national and international importance which was awarded a European Diploma of Protected Areas due to its exceptional European importance. It is therefore an area of **Very High** landscape value and sensitivity; this equates to the highest level of value and sensitivity in the 'Sensitivity value definitions' set out in Table 6.1 of the LVIA.

⁶ <https://www.europarc.org/european-policy/council-of-europe/the-european-diploma-for-protected-areas/>

⁷ [16809a2157](#)

6. Commentary on the Application Drawings and Visualisations

Introduction

- 6.1 As a full planning application (which has been confirmed as EIA development) there is a requirement that sufficient detail is provided such that the decision-maker is able to understand the likely effects of the scheme. In my opinion, there are some substantial omissions, errors and inconsistencies in the submitted information which mean that the submitted information does not provide a comprehensive or reliable representation of the scheme proposals. I have set out below some of my key areas of concern and the implications of these in understanding the likely effects of the proposals.
- 6.2 I cover the following issues:
- Insufficient information on proposed levels and earthworks strategy
 - Insufficient detail on demolition and construction operations
 - Works and Site extend beyond the red line boundary
 - Inaccurate visualisations
 - Insufficient detail on landscape proposals
 - Absence of woodland management plan
 - Insufficient information on boundary treatments
 - Insufficient structural information
 - Insufficient and inconsistent information on landscape proposals in the application drawings and documents
 - Comments on the LVIA
- 6.3 This is not intended to cover all points and the absence of commentary on other issues does not mean that they are considered acceptable. Other points may be addressed further at the Inquiry if necessary.
- 6.4 I note that the Officer Report highlighted many similar concerns about the adequacy of the submitted proposals⁸ including in particular, concerns in relation to: insufficient surface water details; insufficient details on proposed earthworks along the southern edge and the proposed 'green wall', insufficient information on proposed tree species and relationships with features such as retaining walls; additional design details needed particularly where areas of excavation or fill are proposed; insufficient details regarding proposed sewer; insufficient details regarding proposed ecological mitigation; insufficient evidence regarding effectiveness and deliverability

⁸ The word 'insufficient' appears 22 times in the officer report

of off site mitigation measures; Insufficient information to demonstrate that trees proposed for retention can be retained in the long-term

Insufficient information on proposed levels and earthworks strategy

- 6.5 It is clear that the proposed scheme will involve substantial changes to levels and earth-moving operations within the Site due to the large and deep basements which are proposed⁹, the creation of a building platform **4-6m above existing ground levels** in the north-western part of the Site (e.g. see Figure 6.1) and introduction of new earth mounding which is proposed along the southern boundary.



Figure 6.1: Extract of Dwg 20002 P011 (CD2.003) – illustrating existing (in square brackets) and proposed levels (without brackets) and showing proposal to raise levels by 4 – 6m in north-west part of the Site

⁹ The area schedules (CDC. 3,800m² of basement

- 6.6 Whilst some limited spot heights are provided for existing and proposed levels, the application pack has a significant shortage of information on the overall earthworks strategy for the site. In particular, most site sections do not show the existing ground level, the heights of retaining walls are not given, a proposed contours plan is not provided and it is not clear in which parts of the site the ground levels will be raised and lowered and by how much. On a site of this sensitivity in a National Landscape and with trees covered by a Tree Preservation Orders, these are significant omissions.

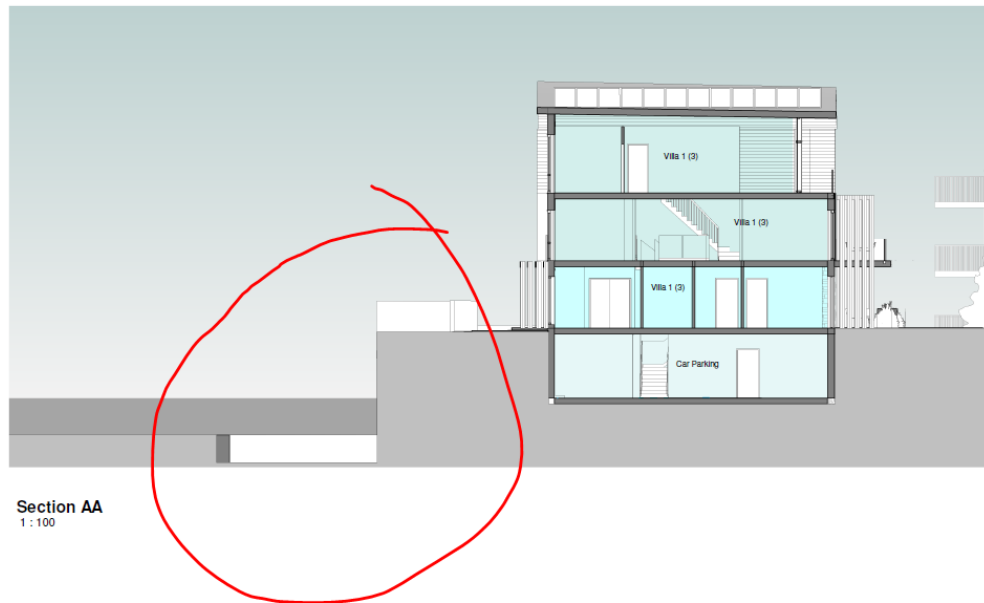


Figure 6.2: Villa Section AA (CD1.026) – Example of incomplete levels information - illustrating lack of information on existing ground levels and how proposed levels tie in with existing site levels at the site boundary. Most other sections are similarly lacking in levels information

- 6.7 Furthermore, I note that the Geotechnical Report which accompanies the application was produced in 2018; in this, at section 7.3 it states : *‘Currently, no extensive earthworks are expected for the site’*. This is clearly incorrect.
- 6.8 I also note that at paragraph 5.3 the Geotechnical report identifies a ‘Medium risk’ that contaminated ground may be present on the site and at para 7.3 that *‘There may not be any suitable soil that could be used as a fill depending on the depth at which the Parkstone Sand Member is encountered, and the thickness of any Made Ground’*. The consequence of both of these points is that there is no certainty on the volumes of material that will need to be imported and exported from the Site.
- 6.9 *Implications of missing information* – Firstly, the drawings do not show how proposed ground levels tie in with existing levels around the site boundary and around retained trees within the Site. There is therefore insufficient evidence to demonstrate that all the trees shown for retention could practically actually be retained as earthwork operations are likely to extend into the root protection areas. The consequence of this is that more trees will need to be removed than currently indicated which would significantly change how the scheme appears in the landscape. Secondly, it has not been demonstrated that the earthworks operations can all be completed within the Site boundary, which is very tight around the development area, or whether a larger area would be required. In an area of such high landscape and ecological

sensitivity it could have significant consequences if the site area needs to increase. Finally, thirdly it is not clear how much material will be exported and imported from Site and the level of plant and traffic movements this will generate. If large volumes of material need to be moved into and/or out of the Site, this will impact on the tranquillity of the National Landscape.

Insufficient detail on demolition and construction operations

- 6.10 Insufficient information has been provided on the demolition and construction phase for the development including: size and location of a site compound (on site or off site?), anticipated vehicle movements, working area, material storage areas, construction plant, piling operations, volumes of material to be imported/exported from site etc.
- 6.11 *Implications* - Details of the demolition and construction operations will affect potential impacts of the proposals on the character, appearance and tranquillity and affect the area of land required to complete the works. This will determine the likelihood of further effects beyond the site boundary. For example, if the operational area extends beyond the site boundary either into the woodland area to the north or west or the grass area to the south then further landscape and visual (and ecological) effects are likely to arise beyond those already identified in the EIA.

Works and Site extend beyond the red line boundary

- 6.12 The red line boundary for the planning application boundary has been drawn tightly around the proposed development area. As shown in Figure 6.3 below and also shown clearly on the Demolition and Proposed Overlay drawing no 12002 revP02 (CD 1.012), the planning application boundary does not relate to the existing site boundary. A substantial part of the western side of the existing Site including large parts of the car park, a ramped access and maintenance depot lie outside of the planning application boundary. The demolition plan indicates removal of existing buildings beyond the red line but the scheme proposals do not include any works to these existing developed areas. As a consequence, the scheme fails to integrate appropriately with its setting.

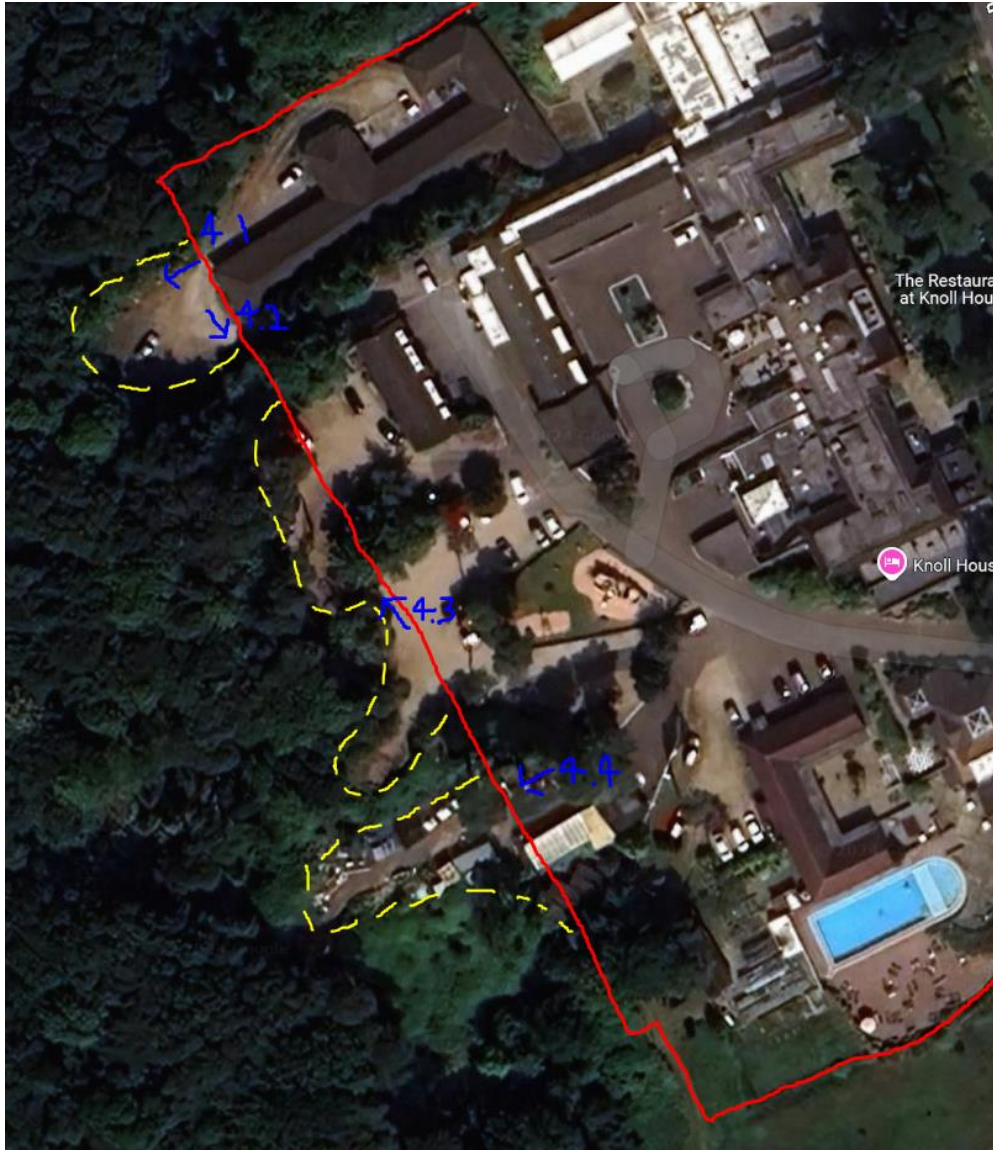


Figure 6.3 – Aerial Photograph of Site identifying planning application boundary in red and areas of existing Site which extend beyond the planning application boundary (in yellow) (illustrative photos 4.1 – 4.1 provided below) - Exclusion of parts of the Site from the scheme proposals means the development will integrate poorly with its context



Photo 4.1: View of existing car park area in the north-western part of the existing site – this area is not included within the scheme and the scheme proposals therefore fail to integrate with this area



Photo 4.2: existing ramp and retaining walls fall partly within the application area and partly outside - the design proposals in this part of the site are unresolved and do not overcome the complex level changes



Photo 4.3: western edge of existing car park falls outside the application area and there are no design proposals for this area - as a result, the western edge of the scheme does not integrate appropriately with the woodland edge.



Photo 4.4: the scheme boundary cuts through the middle of the maintenance yard – the scheme does not include proposals for the appropriate restoration of the area and integration with the woodland.

- 6.13 *Implications* – The exclusion of parts of the western side of the existing hotel site from the Application Scheme means that the scheme does not integrate with these areas. This will create a poor quality interface between the woodland and the proposed development.

Inaccurate visualisations

- 6.14 I have undertaken a detailed review of the visualisations provided in: Appendix 6.5 to the LVIA, the February 2023 LVIA Addendum and the DAS and DAS Addendum. I have summarised below my principal concerns:

- **No Technical Methodology provided** on how the visualisations have been prepared. This is a key requirement/'guiding principle'¹⁰ set out in LI TGN-06-19 (CD10.4). App 10 of the TGN sets out what is required. Most importantly, no information has been provided on how the model and camera locations have been placed in the software.
- **Viewpoint visualisations have been prepared by the architect, not a specialist visualisation consultant.** I would have expected a scheme of this scale and in a landscape this sensitive to have visuals prepared by a specialist visualizer and to be survey-verified.
- **Visualisations incorrectly show all trees on the site (and in adjoining woodland areas) as being retained** (compare tree removal plan with baseline and visualization photos below – no change to the trees present in the view). All the vegetation in the western part of the Site is to be removed ; a total 80+¹¹ trees are being removed (including 16 pine trees). This will be a big reduction in vegetation cover but is not reflected in the visuals. As a result, the buildings appear to be more screened in the visualisations than they would actually be.

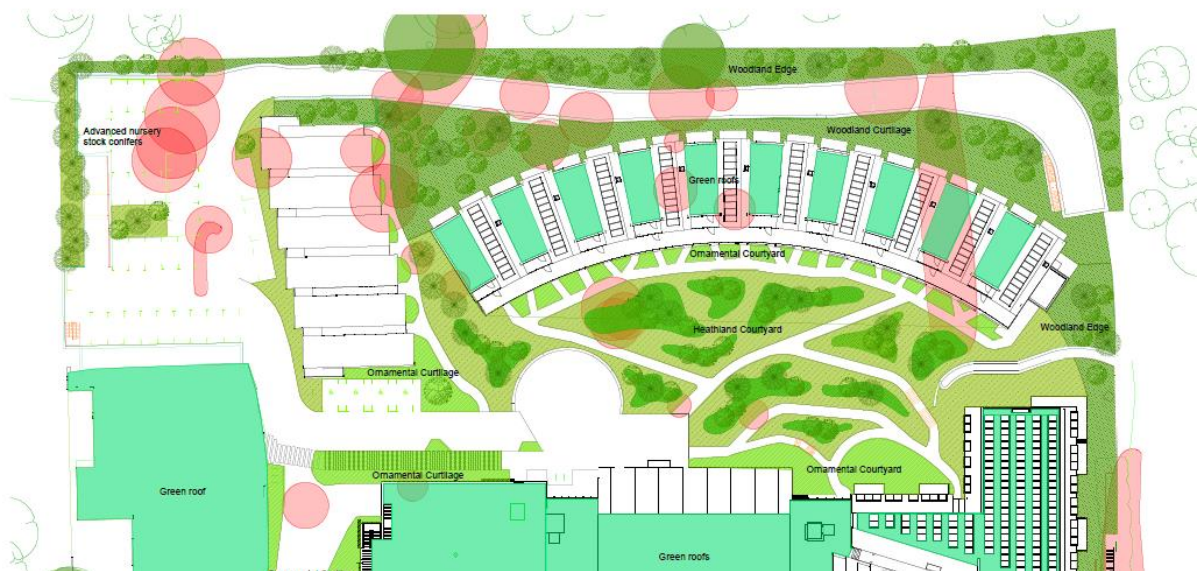


Figure 6.4 – Landscape Strategy plan (CD2.001) – trees to be removed are highlighted red – all trees in western half of the site are being removed (but these are still appearing in the visualisations – see below)

- Visualisations from the south/west **do not take into account reduction in future tree cover as part of woodland management plan.** This will further expose the site (and proposals) in this view

¹⁰ LI TGN06/19 – Section 2

¹¹ Table 2 in AIA identifies 28 individual trees + estimated 54+ trees within groups



– Figure 6.5- LVIA Addendum 2023 (CD2.015) - view 5b baseline



Figure 6.6- LVIA Addendum 2023 - view 5b proposed view – no change to trees shown on baseline

- **View 5b – two storey villas not shown in visualization** – The wireline image of the scheme model (from Appendix 6.5 in the submitted EIA) shows the location of the two storey block of villas (red arrow on Photo 4 below) but this is not shown in the photomontage. In addition the model appears to have been inserted incorrectly as existing buildings on site are still visible.



Figure 6.7 – view 5b wireline from Appendix 6.5 in the submitted EIA (CD1.059) – the two storey villa shown in outline (red arrow) is not appearing in photomontage

- **View 6 - similar issues as view 5b** - visualization does not reflect vegetation that would be removed. Likely greater extent of the crescent terrace would be visible than indicated in visualisation. Wireline in Figure 6.8 below indicates full extent of the crescent.



Figure 6.8 – View 6 – wireline view

- **View 9** – colour of proposed buildings in view 9 is very different (much darker) to other visualisations e.g. view 6. Which is correct? The darker colour in view 9 is not a realistic representation of the proposed materials palette and makes it less evident in the visualization. This is a view in which the sun is shining directly on the building. I would expect the building to appear much lighter (more like in view 6) and more visible than the visualization shows (see Figure 6.9 below).



Figure 6.9 – comparison of visualisations for views 9 and 6 – illustrating unrealistic portrayal of the colour and appearance of the proposals in view 9

- 6.15 *Implications* – In the absence of accurate visualisations, the impact of the proposals cannot be fully understood. However, in general, I consider that the visualisations show the scheme proposals as appearing less visible in the landscape than would actually be the case. This is due partly because the required tree removal is not accurately shown and partly because the colour and materials of proposed buildings are not accurately shown.

Absence of woodland management plan

- 6.16 The application is not accompanied by a woodland management plan (in either outline or detailed form). There is therefore a lack of clarity on how the woodland around the Site will be managed. However, a Woodland Management Plan (WMP) (Focus Ecology, August 2019) was previously submitted (now withdrawn) and in that, the proposals for the woodland to the north and west of the Soe (referred to in the WMP as 'Compartment 1') was identified as: '*Clear fell 95% sweet chestnut, 95% holm oak and 50% Scots pine over 5 years in coupes of approximately 0.5ha*'.
- 6.17 *Implications* – Future management proposals for the surrounding woodland will have significant implications on how the Proposed Scheme will appear in views from the surrounding landscape. For example, if the management strategy is to fell trees and replace with slow growing deciduous species (or leave open) as proposed in the previous woodland management plan, this will substantially open up views towards the site and increase the visibility of the large three storey crescent of villas. In my view, absent a woodland management plan being submitted (even if only in draft) it is not possible to analyse sufficiently the views of the proposal particularly from the west.

Insufficient information on boundary treatments

- 6.18 Information on proposed boundary treatments is missing from the application package. No details are provided on how the boundaries between the Site and the existing woodland to the north and west will be treated. Similarly, no details are provided for the southern boundary to

show how the sensitive edge between the meadow and the spa area will be handled. Will fencing be installed at the base of the earth mounding and/or will a solid boundary be installed around the spa area?

- 6.19 *Implications* – For some simple schemes in areas of low sensitivity boundary treatments can often be managed by a planning condition. However, the Site is in a landscape of very high sensitivity and adjacent to areas of high ecological importance; the treatment of boundaries is therefore important to understand as it will affect how the proposals appear in views from the surrounding area (particularly from the south) and in my view is not something that can be safely left to conditions.

Insufficient and inconsistent information on landscape proposals in the application drawings and documents

- 6.20 With regards to the landscape proposals for the Site, the officers report concludes: *‘proposed landscaping within the site are considered so poor as to require a reason for refusal’*.

- 6.21 My observations in relation to the landscape proposals include:

- The Landscape Strategy (CD2.001) submitted with the application **does not include the southern edge of the Site**. This is an open and sensitive edge to the development which adjoins the open countryside and is an area of Priority Grassland Habitat. Natural England have advised that planting should be avoided in this area¹² but the LVIA has assumed the introduction of tree planting along this edge. The architectural drawings also show the introduction of earth mounding in this area. A detailed landscape solution is required which shows earthworks, seeding and planting so the landscape, visual and ecological impacts of the southern edge of the scheme can be fully understood and assessed.
- **Proposals for the Ferry Road frontage are different on the Landscape Strategy to the Ground floor Site Layout Plan** (drawing 20002 revP011). On the Landscape Strategy plan, proposals for the eastern (Ferry Road) edge of the Site broadly comprise retaining the existing layout but with the introduction of some additional tree planting. In contrast, on the Site Layout plan a large new terrace area is proposed in front of the hotel. (Much of this lies within the root protection area of mature pine trees which are covered by a tree preservation order so would be difficult to construct without damaging the trees) The question is, which drawing(s) are being presented for approval at this planning appeal and which show the correct intended design for this area?
- **Insufficient information is provided in relation to proposed tree planting**. For a scheme of this scale on a site of this sensitivity I would have expected to have seen full details of proposed tree planting in terms of location, species, girth and height, planting method, irrigation system, typical tree pit design (for podium and open ground situations), staking and guying systems etc. This is needed to demonstrate that an acceptable and appropriate tree strategy can be delivered for the scheme. In its current format tree planting indicated on the strategy appears in places to be too close to proposed buildings and retaining walls and/or on podiums where insufficient depth

¹² Natural England Consultation Response 22 December 2023, p2, last sentence

is allowed to accommodate a tree pit. I accept that details of shrub and herbaceous planting could be covered by a planning condition. However, full details of proposed tree planting are needed at the planning application stage so the deliverability of the tree strategy can be demonstrated and to give sufficient information on which the LVIA can be based

- **Insufficient information is provided in relation to proposed green walls and green roofs.** These are important components of the scheme which will affect the appearance of the scheme and its landscape and visual impacts. They also require very careful design, specification, installation and maintenance to ensure their successful establishment and permanence. However, no information is provided in the Landscape Strategy regarding these elements, demonstrating that these features can be successfully delivered and what they would look like. Again, for a scheme of this scale on a site of this sensitivity I would have expected much more information to have been provided with the planning application.

6.22 *Implications* – As noted above, for straightforward schemes in areas of low sensitivity, landscape proposals can be controlled by a planning condition. However, that is not the case in this instance. Due to the Site’s very high landscape and ecological importance and sensitivity, it is critical to have a clear understanding of the landscape proposals for the scheme before determining the planning application. The landscape proposals are an essential component of the scheme which will inform an understanding about how well the scheme will integrate with its surroundings and judgements on the landscape and visual impact of the proposals. As a consequence, in my view, landscape proposals are not something that can be safely left to conditions.

Comments on the LVIA

6.23 Dorset Council Landscape Officer and the Dorset AONB Partnership both raised a number of concerns and shortcomings in their consultation responses regarding the LVIA submitted with the application. I have similar concerns including the following:

- a) The LVIA provides an **unbalanced assessment** and has under reported the negative landscape and visual aspects of the proposals;
- b) The baseline assessment of landscape character **incorrectly draws on the 2008 Dorset Landscape Character Assessment** rather than the current 2019 assessment;
- c) The baseline assessment **does not acknowledge the European Diploma** awarded to the Purbeck Heritage Coast and thus the international significance of the landscape;
- d) The **visualisations informing the LVIA are not Type 4 - survey-verified** (as requested by the landscape officer), they do not comply with LITGN06/19 (for example through the absence of a supporting Technical Methodology and the inaccurate representation of the proposals and vegetation in the images) and **do not provide a reliable representation** of how the proposed development would appear in the landscape;
- e) The assessment has **not considered potential effects of the lighting** associated with the scheme (both internal and external);

- f) The assessment **narrative is unclear** in places e.g. posing questions about the scheme but then not answering them and is inconsistent in its use of terminology e.g. Significance of effect is described in some places (e.g. Table 6.6) as Very Large/Large/Moderate/Slight/Neutral and in other places (e.g. Table 6.8 as Major/Moderate/Minor/Negligible)

6.24 Overall, I do not consider that the LVIA provides an adequate or reliable assessment of the likely landscape and visual effects that would arise with the proposals.

7. Landscape and Visual Effects of the Proposed Scheme

Introduction

- 7.1 The applicant's assessment of likely landscape and visual effects of the development proposals is set out within the LVIA and a summary of the identified effects is provided in Table 6.8 of the LVIA. In general, the magnitude of change identified in the LVIA for each receptor is not disputed, but rather, it is the completeness of the identified effects and whether they represent an overall beneficial effect (the appellant's position) or overall adverse effect (the council's position) that is disputed.
- 7.2 It is my opinion (and also that of the council's landscape officer, Natural England and Dorset National Landscape) that the adverse effects of the proposed development have been under-reported. I consider that the proposals would result in significant adverse landscape and visual effects during both the construction and operational phase. My reasons for this are principally due to the following:
- Inappropriate height, scale and massing of the development
 - Inappropriate urban character of the development
 - Poor integration of the proposals with its surroundings
 - Loss of trees which contribute to local character and visual amenity
 - Loss of buildings which contribute to local character and visual amenity
 - Adverse effects on tranquillity
- 7.3 I consider each of these matters in detail below, illustrating my points with extracts from the scheme proposals. Following this I provide a summary assessment of the key landscape and visual effects of the proposals, comparing my own conclusions with those of the submitted LVIA.

Inappropriate height, scale and massing of the development

- 7.4 In my opinion, the proposed increase in height, scale and massing of development on the Site is too great and is inappropriate to the Site's location in open countryside in a landscape of national and international importance, special qualities of which are its rural undeveloped character and undeveloped coastline.
- 7.5 The proposals constitute a major increase in development on the site. This is demonstrated with the following metrics¹³:

¹³ Number and areas taken from Areas Plan CD 10.1 – 10.2 and Officer's report

- Floor space increases from 6,050 (GIA)sq m to 15,813 (GEA) sq m - this equates to an **increase in floor space of more than two and a half times** the existing amount)
- Increase in volume of development on the Site of c. 29,000m³ (based on an assumed average floor to ceiling height of 3m)
- Increase in number of guests from 273 to 280
- Increase in number of staff from 66 to 116 FTE
- Increase in max height of development (located on the highest part of the Site) from 33m to 38.6m AOD
- Introduction of large basement areas and extensive lengths of retaining walls

7.6 As noted in Section 2 the existing Site already contains a substantial amount of built form and represents a significant area of development in the National Landscape. However, the impact of the existing buildings on the landscape is relatively low due to their low and/or stepped heights and location in the lower parts of the Site. In contrast, the Proposed Development is significantly larger and will have a significantly greater impact on the surrounding landscape. I say this for four reasons:

7.7 Firstly, the **floor area and volume of development is substantially greater** than the existing situation (c. two and a half times greater). Even with a proportion of this being below ground, the increased amount of development on the Site will have a much greater influence on the character and appearance of the surrounding area than the existing development. This increased presence of built form will have a harmful effect on the character of the area and the coastline; this is particularly important as the landscape around the Site is an area characterised by its low level of built development and ‘undeveloped rural character’ and ‘exceptional undeveloped coastline’ are both identified as Special Qualities of the National Landscape.

7.8 Secondly, the **positioning of the large crescent of three storey villas on the highest part of the Site exacerbates its prominence** in the surrounding area (in contrast with the existing situation in which the highest part of the site is largely undeveloped or has single storey buildings)



Figure 7.1: View across western part of the Site - illustrating current low form of building on highest part of the Site (the proposed scheme introduces three storey development in this location)

- 7.9 Thirdly, the development proposal introduces a **greater height and volume of development along the frontage to Ferry Road**. Currently, the Ferry Road frontage is varied, stepping back in places and with some single storey parts; this reduces its presence and prominence along the road and allows views through to open sky and the tree line behind.



Figure 7.2 - View of southern end of existing hotel from Ferry Road – illustrating lower height of existing buildings at the southern edge allowing views of open sky and trees beyond (this is replaced with a two storey building in the proposals)



Figure 7.3 View of northern end of existing hotel from Ferry Road – illustrating lower height of existing buildings at the northern edge (this is replaced with a three storey building in the proposals)

- 7.10 In contrast, the proposed development introduces a continuous two and three storey frontage of development to the road which will be overly dominant and have a more urban character than the existing frontage. I note that the LVIA made similar comments on this point stating at para 6.125 that the proposed buildings on Ferry Road *‘are a significant departure from the baseline condition and will appear large within the host landscape and exhibit a strong influence upon Ferry Road’*.



Figure 7.4: Section AA from DAS Addendum (CD 2.014) – blue lines indicate length of existing frontage which is currently single storey or undeveloped (see photos above). This illustrates the increased prominence that built form will have along Ferry Road. Section also illustrates that the spa buildings is the same height as the two storey hotel building – ie it is not single storey building (as stated in the DAS)

7.11 Fourthly, the development introduces a much **greater scale of built form in the southern part of the Site**. This is a sensitive edge which is open to view from the public rights of way network. The existing buildings, whilst of no architectural merit, are dispersed and low lying and their consequent influence on views and local character is relatively limited. In contrast, the proposals include a substantial increase in footprint and volume of development, particularly in the southern part of the Site. This includes a large Spa building, a terrace of two storey villas and two- level car park. (The spa building is described in the DAS as a 'single storey' building but in reality is the same height as two storey parts of the development (see section AA above which illustrates this). The buildings will be larger and more urban in character than the existing buildings and will erode the undeveloped rural character of the landscape.



Figure 7.5: Existing footprint of development (Extract from DAS (CD1.040) p10) - illustrating low level of existing development in central and southern part of the Site NB building 5 is flat roofed and lower than building 4 (not higher, as shown) and building 2 is set into the landform and in effect is single storey (not two storey, as shown – see photo in Figure 7.1 above).



Figure 7.6: Proposed footprint of development (Extract from DAS addendum (CD2.014) p3, with car park footprint added in purple) - illustrating larger extent of building footprint, particularly in western and southern parts of the Site NB spa building is the equivalent of two storeys (not one storey as shown – see section in Figure 7.4 above)

Inappropriate urban character of the development

7.12 The existing development on the Site is relatively low key and is not intrusive in the rural landscape. Much of it is rural in character due to its pitched tile roofs, traditional fenestration, informal car park, scattered low buildings and integration with the trees and landform of the site. Consequently it 'touches' the landscape relatively lightly and its impact on the rural character of the wider landscape is limited.

7.13 In contrast, the Proposed Development is much more urban in character than the existing development. I say this for the following reasons.

- the **increased height, scale and massing** of the proposed buildings are urban in character; the scale and form of the crescent terrace of 20 villas and the large spa building are particularly incongruous to the rural context.
- the **high density of development** on site is much greater than existing and includes little separation between some of the buildings; the density and separation distances are more suitable for an urban context than the rural context of the Site.

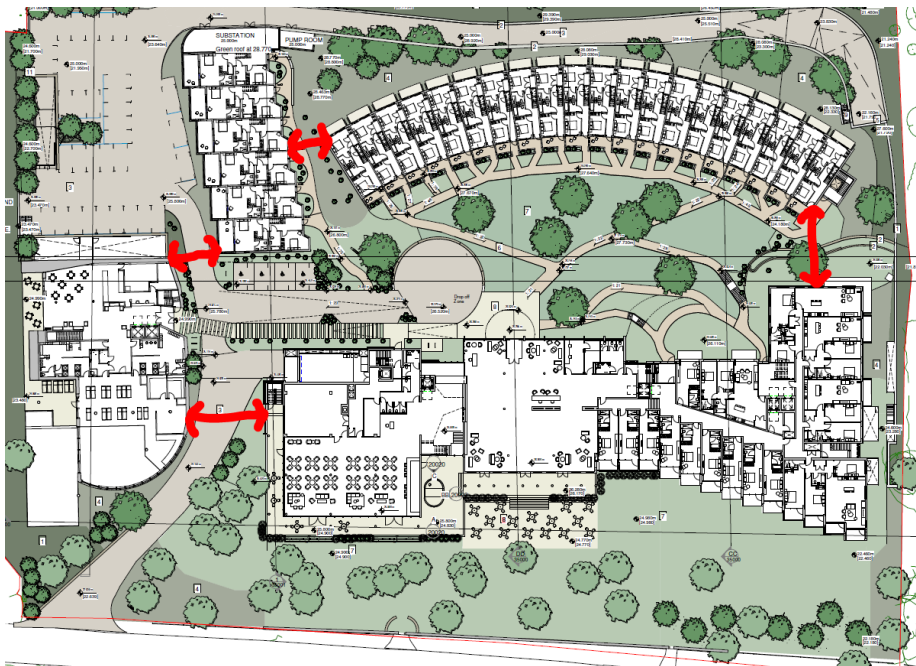


Figure 7.6 Site plan (CD2.003) illustrating 'pinch points' where building separation distances are small (as little as 8m in places) – this kind of tight layout is more typically found in built up areas and is urban in character

- the **high proportion of glazing** in the building facades is a prominent feature of the scheme and is far greater than the existing buildings. This will result in more light emissions and greater prominence of the development at night than the existing building.
- the **extensive use of retaining structures (up to 6m tall), sunken road and basements**, all of which are more typical of a tight urban site than a site in the middle of the countryside;

- the introduction of a **decked car park** replacing informal parking on gravel amongst trees; again this is more typical of parking in urban areas than in the countryside

Poor integration of the proposals with its surroundings

7.14 *Northern boundary* – The northern edge of the proposals is particularly poor; the development platform for the villas is set at 28m AOD but existing levels in the north -western part of the site are c. 21.8m AOD. As a consequence, a **6m high retaining wall** is proposed along the northern edge of the Site. This is illustrated in sections GG from the DAS and extended site section AA (see Figure 7.7 below)

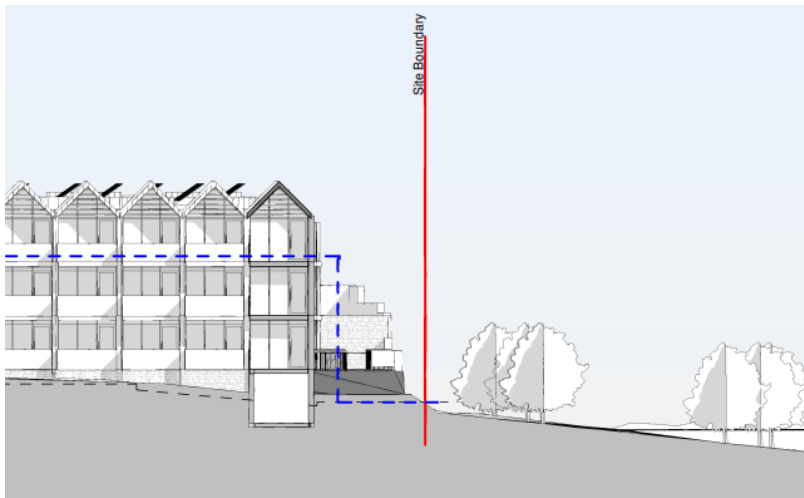


Figure 7.7: Extended cross section AA (CD2.005) through northern site boundary – illustrating 6m high retaining wall containing northern edge of hotel service area (equivalent height of two storeys)



Figure 7.8: Cross section through villas and northern site boundary (section GG from DAS) - illustrating height of retaining structures and lack of integration with existing adjacent landform

- 7.15 *Western boundary* – The western edge of the scheme is, in effect, defined by the sunken access road to the hotel basement. The narrow route is sunken by 4m at its southern end (see section below), increasing to 6m as its northern end (no section provided). Its narrow 3m width and high walls either side will form a canyon-like approach to the service area.

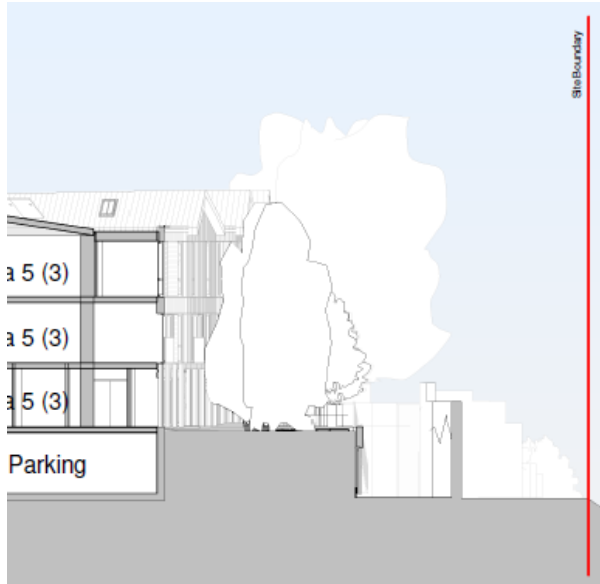


Figure 7.9: Extended Site Section CC (CD2.005) (southern end of western boundary) – proposed access road is sunken by 4m and enclosed by high walls forming an inappropriate and poorly integrated edge to the woodland.

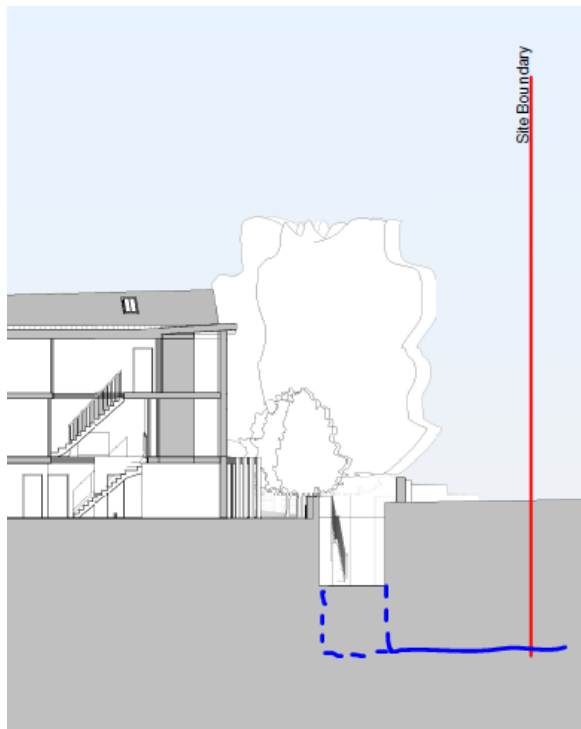


Figure 7.10: Extended Site Section DD (CD2.005) (northern end of western boundary) -blue line indicates approximate depth of access route as it enters service area - a 6m sunken road will create a poor edge to the development which fails to integrate the development with the surrounding area

- 7.16 Furthermore, as has already been noted (and demonstrated in Figures 6.3) the western boundary of the scheme does not align with the existing boundary of the hotel grounds. Substantial areas of the existing car park extend beyond the site boundary and there are no proposals for their removal and creation of a new woodland edge. Instead, the western edge of the scheme stops abruptly, and is defined primarily by the sunken access road to the hotel basement and service area. A narrow strip of planting is proposed beyond but this does not integrate with the existing woodland edge.
- 7.17 *Southern boundary* - the application drawings do not give a clear indication of proposals for the southern boundary. Site sections for the car park indicate that an earth mound will be introduced to partially bury the southern car park but no levels information or contours are provided to demonstrate the scale of mound that is proposed. Earth mounding rarely looks natural and I am concerned that the proposed landform will not integrate successfully with the landform of the meadow area to the south. In addition, information on neither the boundary treatment to the spa area nor landscape proposals for the southern edge is provided; I have concerns that the southern edge of the scheme will be urban in character and will form an inappropriate edge to the open meadow.

Loss of trees which contribute to local character and visual amenity

- 7.18 As noted in Section 2, the mature trees on site make a valuable contribution to the character and appearance of the local landscape, often forming landmark and/or skyline features in the landscape. However, the proposals will result in the loss of a significant number of trees and significant reduction in the tree cover on the site.
- 7.19 The AIA (CD1.054) identifies that the proposed development necessitates the removal of 28 individual trees and a further c. 54 within tree groups. A total of at least 82 trees would therefore need to be removed to accommodate the proposed development. Of these, 16 are grade B trees, two of which are covered by a Tree Preservation Orders. Many of the trees identified for removal form important landscape features and/or make a significant contribution to the tree canopy which encloses the site and forms a skyline feature. For example, at least 16 of the trees to be removed are pine trees.
- 7.20 In addition to the trees identified in the AIA for removal, there is also a significant risk of additional tree loss and/or crown reduction, due to the proximity of proposed buildings, retaining structures and earthworks to existing trees. I acknowledge that this is essentially a question of arboricultural expert opinion and I defer to the evidence of Mr Douglas on this issue, but based on his evidence, I understand there are additional trees at risk of removal or death/severe damage. I have indicated these below on Figure 11 below; this includes a further five trees at least which are covered by a tree preservation order (T40, T36, T75, T21 and T81).

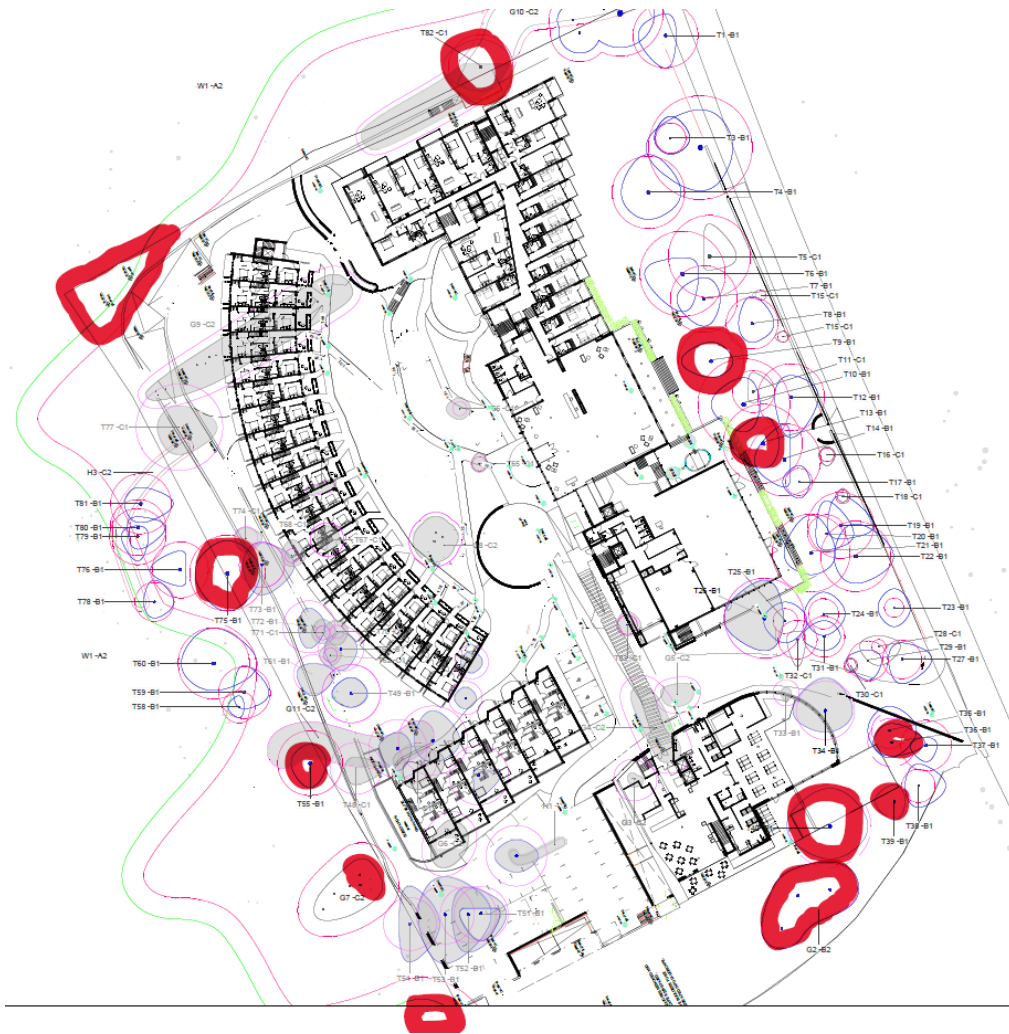


Figure 7.11: Tree removal plan with additional trees at risk of removal or death/severe decline due to proximity to proposed buildings, structures or significant level changes – illustrating significant additional loss or reduction of tree cover is likely over and above that identified in the AIA

7.21 My assessment of the impact of the proposal has been carried out on the assumption that these trees will also either die, be diminished in terms of the extent of their crowns, or removed. However, even if the AIA represents a realistic and accurate reflection of the loss of trees on site, the removal of those trees on the Site will have an adverse effect on the local landscape character and visual amenity both directly, due to the loss of the trees and indirectly, due to the reduced enclosure of the site, the increased visibility of built development and the more urban character of the Site which would arise. Whilst new planting is proposed as part of the Landscape Strategy for the site, it will take many years for it to reach the same scale and landmark qualities as the existing vegetation on Site. My understanding from Mr Douglas' evidence is that there are also questions as to the appropriateness of the planting scheme.

Loss of buildings which contribute to local character and visual amenity

7.22 All existing buildings on Site are to be demolished other than the retention of small parts of the façade of the original house. Existing buildings in the western and southern parts of the Site are of no particular merit and are in poor condition. Their removal is not disputed.

7.23 In contrast, I consider that the existing hotel building presents a positive and distinctive frontage to Ferry Road and makes a positive contribution to the local character. Its historic use as a hotel, famous historic guests and role during world war II also provides some time-depth and contributes to its interest and contribution to local character.



Figure 7.12: Comparison of existing hotel elevation with proposed elevation – illustrating the substantial change in character and appearance. Key differences include loss of the watch tower/glass lantern, changed materials, increased glazing, changed roof and extended balcony across full elevation

- 7.24 The loss of the original hotel and replacement with a luxury holiday resort will change the character and appearance of the Site; the resort complex will appear much larger and urban in character, forming a bland and monotonous frontage to Ferry Road and losing the character which the current hotel provides.
- 7.25 I acknowledge that some attempt has been made to provide continuity with the original hotel building by retaining parts of it in the new façade. However, in reality very little of the existing façade would be retained other than its general form and the stone pillars (see Figure 7.12); the general character and appearance of the façade would be lost through the introduction of extensive glazing, glass balustrades and new cladding and in my opinion the new buildings either side do not integrate successfully with it.

Adverse effects on tranquillity

- 7.26 The term tranquillity includes aural, visual and sensory matters and includes such things as noise from traffic, visual intrusion from built development and disturbance from human activities. Low levels of noise, visual intrusion and human activity contribute to feelings of tranquillity in an area. Tranquillity is identified as one of the Special Qualities of the Dorset National Landscape.
- 7.27 The proposals would adversely impact the tranquillity of the area. Initially, during the demolition and construction phase there would be substantial increases in noise and activity levels arising from the combined effects of: demolition operations, major excavations and earth-moving operations, tree removals, piling, movement of construction plant and construction vehicles, material stockpiles, construction compound etc. Most effects would be on the local area around the site but some would affect a wider area. In particular, the movement of HGV vehicles removing demolition and excavated material and delivering imported materials would impact the tranquillity of a wider area including Studland Village.
- 7.28 Once the development is operational there would continue to be an increased disturbance to the tranquillity of the area compared with the existing situation. The principal impacts on tranquillity would be from: increased activity levels on site due to the increased number of guests and increased numbers of staff; increased light emissions; increased traffic flows¹⁴ and increased visual intrusion from built development (caused by the increase in volume, height and scale of development on the Site).

Conclusions on landscape and visual effects of the proposals

- 7.29 The LVIA includes an assessment of the landscape effects of the proposed development. The results of this are summarised in tabular form in Table 6.8 of the LVIA I have undertaken a review of this assessment and my comments are summarised below. To allow comparison and provide consistency of approach, I have used the same criteria for sensitivity of receptor, magnitude of change and overall effect that were used in the LVIA.

Construction phase

- 7.30 The LVIA concludes that during the construction phase, before mitigation, there would be mainly Adverse effects on landscape receptors (ranging between Major to Negligible significance). Following implementation of mitigation/enhancement measures the LVIA

¹⁴ The HA consultation response identifies that the proposals would result in increased traffic flows.

concludes that these would change to significant Beneficial effects (ranging between Major and Minor to Moderate significance).

- 7.31 When considered against the criteria in the LVIA methodology, I do not dispute the magnitude of change that the LVIA identifies for construction effects or the level of significance but I strongly dispute that the residual effects (ie after mitigation) would become beneficial in nature. Indeed, it is highly unusual that construction phase landscape and visual effects would ever be considered as being beneficial in nature.
- 7.32 It is clear to me that during the construction phase there would be significant adverse effects on both landscape character and visual amenity arising from the activities, noise, and plant and traffic movements associated with: demolition works, tree felling, excavations, earthmoving, piling, construction operations etc. These effects would affect both the site and the wider surrounding National Landscape and some of its special qualities including its tranquillity, sense of remoteness and undeveloped rural character. These would be large scale adverse impacts and I do not consider it possible that any potential package of mitigation measures could change this to residual beneficial effects of Minor to Moderate and Major levels of significance (as reported in the LVIA – Table 6.8).

Operation Phase Effects

- 7.33 For the operation phase, before mitigation, at para 6.287, the LVIA concludes the proposals would have '*No adverse effects upon landscape character*'¹⁵ This contradicts Table 6.8 which identifies 'Slightly adverse' effects of Minor to moderate significance for the Purbeck Hills (Heaths) and Purbeck Ridge LCAs.
- 7.34 Following implementation of mitigation measures¹⁶ the LVIA identifies¹⁷ residual beneficial effects on landscape receptors of Major Significance for the Site and Special Qualities of the AONB and Minor to Moderate Significance for the Purbeck Heaths¹⁸ and Purbeck Ridge LCAs.
- 7.35 Similarly, the LVIA (and LVIA Addendum) identifies residual beneficial effects on visual receptors of Major significance for visual receptors immediately south of the site, Moderate or Large¹⁹ significance for visual receptors on Ferry Road and Minor to Moderate significance for visual receptors on the Purbeck Hills and higher ground on Godlingston Heath and Black Down.
- 7.36 Again, I do not generally dispute the magnitude of change that the LVIA identifies for residual effects or the level of significance (although in my opinion the impact on the Purbeck Heaths LCA would be of Small to Medium magnitude and therefore of Moderate significance, and not Minor to Moderate as concluded in the LVIA) . However, it is the supporting commentary and conclusion of an overall Beneficial nature of the effects that I particularly dispute.
- 7.37 In my opinion, the LVIA does not provide a balanced assessment of the likely effects of the proposals. It has focussed on perceived positive aspects of the proposals and the negative

¹⁵ LVIA para 6.287

¹⁶ Mitigation measures comprising tree planting to the southern and eastern boundaries is proposed.

¹⁷ LVIA Table 6.8

¹⁸ LVIA Table 6.8 refers to the Purbeck Hills LCA but Table 6.7 refers to the Purbeck Heaths LCA so I have assumed that Purbecks Heaths is intended

¹⁹ The July 2023 LVIA Addendum uses different terminology for describing levels of significance

aspects have not been properly considered or reported. As a consequence, the LVIA has understated the adverse effects of the proposals.

7.38 I consider that the Proposed Development would result in some significant adverse landscape and visual effects including the following:

- a substantial increase of built form on the Site which is of inappropriate scale and density in a National Landscape a key characteristic and Special Quality of which is its 'rural, undeveloped character' and its 'undeveloped coastline'
- a development which is too urban in character which would be incongruent with the character and appearance of the surrounding landscape and adversely affect the Special Qualities of 'tranquillity and remoteness', 'undeveloped rural character' and 'undeveloped coastline'
- Loss of buildings which currently contribute to local character through their appearance and historical associations
- Loss of trees which contribute to a skyline feature and local character
- Increase in activity levels (due to increases in: guest numbers, staff numbers, deliveries and traffic movements²⁰) and resultant adverse effects on the Special Quality of 'tranquillity and remoteness'
- Increase in light emissions (due to increased quantum of development and increased amount of glazing in elevations) and resultant adverse effect on the special qualities of 'dark night skies' 'undeveloped character' and 'tranquillity and remoteness'
- Adverse impacts on views including from Ferry Road, PRoW to south of the Site, the sea (Studland Bay) and longer distance views from Ballard Down. The proposals will be larger, more intrusive and have an urbanising effect on the character and appearance of views and will adversely affect the Special Quality of 'uninterrupted panoramic views'
- Adverse effects on wildlife²¹ and the Special Quality of 'wildlife of national and international significance'.

7.39 I agree and acknowledge that there are potentially some positive aspects of the proposals in relation to removing buildings in poor condition, rationalising development on the site and introducing new planting. However, in my opinion, the negative effects of the proposals would substantially outweigh the positive effects. The resultant residual effects on all the landscape receptors would therefore be Adverse.

7.40 When the magnitude of change of the proposals is considered alongside the high and very high sensitivity of the landscape receptors, the overall level/significance of effect would be Major

²⁰ Increased traffic flows on local roads (acknowledged by HA – not enough for a traffic objection but will influence character)

²¹ I defer to others on the ecological impacts of the proposals but note that adverse impacts have been identified by Natural England

Adverse for the Site and AONB Special Qualities, Moderate Adverse for the Purbeck Heaths LCA and Minor to Moderate Adverse for the Purbeck Ridge LCA. **This represent a significant level of landscape harm which needs to be considered as part of the planning balance exercise.**

8. Consideration of the Development in relation to Planning Policy and Reasons for Refusal 1 and 5

National Planning Policy Framework (NPPF) (December 2023)

- 8.1 Through my review of the proposals and assessment of the likely landscape and visual effects of the scheme, it is clear to me that the scheme fails to meet the overarching environmental objective of achieving sustainable development - *'to protect and enhance our natural environment'*. In my opinion the scale of development is too large and the character is too urban; as a result, the development would have a harmful effect on the character and appearance of the National Landscape and the Heritage Coast.
- 8.2 In relation to paragraph 182 of the framework, I have demonstrated that the proposals would result in adverse effects on landscape character and views and therefore that the proposals fail to *'conserve and enhance'* the landscape and scenic beauty of the National Landscape. Furthermore, I consider that the proposals represent a substantial scale and extent of development which is significantly more than *'limited development'* which paragraph 182 restricts development to in National Landscapes. It is clear to me that the development of a luxury resort comprising hotel, holiday villas and leisure facilities is a large development which constitutes Major development in the context of paragraph 182.
- 8.3 Paragraph 183 of the framework relates to Major development in the landscape and states that *'permission should be refused for major development other than in exceptional circumstances'*. The policy requires an assessment of a number of things including: c) *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated*. In my evidence I have demonstrated that the proposals would result in significant adverse effects on the landscape and that, due to the very sensitive location of the Site and the scale of the proposals, these effects can not be sufficiently mitigated.
- 8.4 In relation to design matters which are set out in chapter 13 of the framework and also in the National Design Guide (NDG), I consider that the proposals fail to meet the requirements for good design. My reasons for this are set out in the preceding sections of this proof; in summary they are:
- Poor relationship of the proposals with the surrounding landscape (contrary to NDG objective C1)
 - Poor response to local character and identity of the National Landscape (contrary to NDG objective I1)
 - Poor design solutions reliant on excessive use of tall retaining structures resulting in poor integration with the surrounding woodland and unattractive edges and spaces (contrary to NDG objective I2)
 - Erosion of the existing character and identity of the site (NDG objective I3)
 - Inappropriate scale of buildings (contrary to NDG objective B2)

Purbeck Local Plan

- 8.5 The Council's statement of case refers to a number of Local Plan policies, of which policy E1 and E12 are of most relevance to my evidence. I consider each of these below.
- 8.6 In relation to Policy E1: Landscape, I have concluded that the proposals fail to comply with the requirements of this policy. Firstly, the scale and extent of development is considerably more than the 'limited' level of development which this policy would allow in the National Landscape. Secondly, I have demonstrated that the proposals would result in significant adverse landscape and visual effects in the National Landscape.
- 8.7 In relation to Policy E12: Design, I consider that the proposals fail to meet the criteria for good design including in particular its: failure to integrate positively with its surroundings and with the area's prevailing character.

Dorset AONB Management Plan 2019 - 2024

- 8.8 In relation to the policies for conserving and enhancing landscape quality set out within the Management Plan, I consider that the proposals:
- a) fail to conserve and enhance the AONB and respect local character (conflicting with policy C1a);
 - b) fail to demonstrate high quality design (conflicting with policy C1c);
 - c) fail to maintain the undeveloped and tranquil nature of the AONB (conflicting with policy C1f);
 - d) that the proposals would be detrimental to landscape character, tranquillity and the AONB's special qualities (conflicting with policy C4a); and,
 - e) would be an intrusive feature in views within the AONB and towards the AONB from the sea.

Reason for Refusal 1

- 8.9 The first Reason for Refusal states that the proposal *'by reason of its scale, form and massing fails to ensure that there would be no detrimental effect upon the environment and natural landscape and fails to be compatible to the special character of the Heritage Coast'*. In my opinion it is clear that this reason for refusal is fully justifiable. I have demonstrated that the substantial increase in scale of development on the Site (c. two and a half times the existing area of development) and the urban character of the proposals would have a harmful effect on the surrounding landscape and on the Special Qualities of the National Landscape. The impacts on landscape character and views would be Adverse (not Beneficial as suggested by the Appellant) and could not be satisfactorily mitigated.

Reason for Refusal 5

- 8.1 The fifth reason for refusal has two parts to it. The first relates to potential damage/premature decline to retained trees caused by the development. This matter is covered in detail in the evidence of Mr Andrew Douglas but I have noted in Section 7 and Figure 7.11 the principal

trees where I consider there to be a risk associated with their proximity to proposed buildings, structures and/or earthworks. Whilst I am not an arboriculturist, I am an experienced landscape architect and I understand the potential impacts on trees that arise when earthworks and construction operations take place close to existing trees. I am also aware that pine trees in particular are very sensitive to root disturbance. In my opinion the proposed development presents a high risk that trees will be damaged and /or suffer premature decline and that therefore this part of the reason for refusal is fully justified.

- 8.2 The second part of the reason for refusal relates to the scheme's landscape proposals and the absence of sufficient information to demonstrate that these will form attractive, appropriate and effective landscaping of the development. I have covered this in Section 7 of this proof and concluded that the Landscape Strategy would not provide appropriate or effective landscaping for the scheme and therefore that this part of the reason for refusal is also fully justified.

9. Conclusion

- 9.1 In conclusion, the Site is located in a landscape which is of national and international significance and is a landscape of very high sensitivity. Key characteristics of the area include its tranquil and remote character, open heathland and an absence of development.
- 9.2 In my opinion, the demolition of the existing hotel and replacement with a new luxury resort comprising hotel, 26 villas, 18 apartments, large spa and associated parking and landscaping represents an inappropriate scale of development which would be harmful to the rural character and appearance of the landscape and Heritage Coast.
- 9.3 I consider that the adverse impacts of the proposals have been under-stated in the LVIA and the perceived beneficial impacts have been over-stated. With a proposed floor area that is two and a half times that of the existing development on the Site, the proposal would form a substantial area of new development in the landscape which would appear too large, too prominent and too urban in character. A development of the scale and type proposed would not integrate well with its surroundings and would adversely affect the character of the Dorset National Landscape and Purbeck Heritage Coast. It would result in harm to the special qualities of the National Landscape and would fail to conserve and enhance its landscape and scenic qualities.
- 9.4 Planting is proposed around the proposed development and, over time this would filter views of the development to some extent. However, in my opinion, this would not mitigate the effects of such a substantial increase in development on the Site and the change in the character and appearance of the views that would arise from the development.
- 9.5 I conclude that the Site forms part of a very important and very sensitive area of landscape and that the proposals would have a *'detrimental effect upon the environment and natural landscape and fails to be compatible to the special character of the Heritage Coast'*. In addition, I consider that the landscape proposals would not *'result in visually attractive, appropriate and effective landscaping of the development'*. I consider it would result in significant landscape harm and therefore fully concur with the first and fifth reasons for refusal which were set out in the Decision Notice.

