



Appeal Decision

Site visit made on 30 October 2024

by **E Pickernell BSc MSC MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 December 2024

Appeal Ref: APP/D1265/W/24/3339809

Land north of Bottom Road, Stourpaine DT11 8TF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr M Parsons of Parsons and Joyce Contractors Ltd against Dorset Council.
 - The application Ref is P/FUL/2022/06325.
 - The development proposed is the construction of fourteen affordable homes with associated parking, access and landscaping.
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Decision

1. The appeal is dismissed and planning permission for the construction of fourteen affordable homes with associated parking, access and landscaping at Land north of Bottom Road, Stourpaine, DT11 8TF is refused.

Preliminary Matters

2. The appeal relates to a planning application that was not determined by the Council within the prescribed period. I note that the Council would have refused planning permission should it have made a decision on the proposal. I have had regard to the parties' submissions in establishing the main issues which I set out below.
3. A signed planning obligation made under section 106 of the Town and Country Planning Act 1990 was submitted as part of the appeal. This has obligations related to the delivery of affordable housing comprising 10 no. affordable rented units and 4 no. shared ownership units and a suite of financial contributions.

Main Issues

4. The Council failed to determine the application within the prescribed period, however the Council has indicated in its statement that it would have refused planning permission, had it retained the jurisdiction to do so. Based on the evidence before me, the main issues are:
 - whether the proposed dwellings would be in a suitable location for housing having particular regard to local planning policies and the accessibility of services and facilities; and
 - the effect of the proposed development on the significance of archaeological remains in the area, as a non-designated heritage asset.

Reasons

Whether suitable location

5. The appeal site comprises an irregular shaped parcel of land located on the eastern side of Stourpaine. The appeal site is outside of the defined boundary of the village and therefore, for the purposes of Policy 2 of The North Dorset Local Plan Part 1 2011-2031 (Adopted January 2016) (LP) is in the countryside. In such locations Policies 2 and 6 of the LP state that development will be strictly controlled and limited to that required to enable local and essential rural needs to be met.
6. Policy 20 of the LP states that development in the countryside outside defined settlement boundaries will only be permitted if it is of a type appropriate in the countryside, or for any other type of development, it can be demonstrated that there is an 'overriding need' for it to be located in the countryside. Rural exception sites for affordable housing can be considered appropriate in the countryside. Whilst the scheme was not explicitly referred to as a rural exception site at the time of the application, the appellant contends that the proposal would accord with Policy 9 which states that in the larger villages (including Stourpaine) rural exception sites will be permitted adjoining the settlement boundaries if a local need can be demonstrated in an appropriate up-to-date local needs survey.
7. The evidence suggests that there is a general need for affordable housing in the local authority area. However, In March 2023 only two households on the housing waiting list register had a local connection with Stourpaine. The supporting text of Policy 9 states that a household will only be considered to have a local need for rural exception affordable housing if it has a local connection to the parish or parishes to which the local affordable housing needs survey relates. The definition of rural exception sites in the National Planning Policy Framework (the Framework) also refers to addressing the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.
8. Grouping several parishes together yields a higher figure, however the supporting text advises that surveys should usually be undertaken at the parish level. In any event the figures I have been provided with have not been derived from an up-to-date local needs survey.
9. Overall, I find that insufficient evidence has been provided to demonstrate local need based on an appropriate up-to-date local needs survey. I therefore am not persuaded that the quantum of development proposed is justified in this location.
10. The appeal site is located in relatively close proximity to the facilities and services in Stourpaine including a shop and public house, many of which would be within comfortable walking distance. Accessing these services and facilities by means other than the private car would require future residents to walk or cycle along Bottom Road, which is an unlit, narrow rural lane which does not benefit from pavements. However, after a relatively short distance Bottom Road joins onto Orchard Road which in turn joins the A350. Both roads provide safe pedestrian access. Accessing the facilities and services on the western side of the A350 would require residents to cross this road, however there is a section of dropped kerb on both sides of the road at a point where vehicle

speeds are relatively low and there is good visibility. As such, whilst some future residents may find it challenging to access the services and facilities of Stourpaine, I am satisfied that the majority would be able to access them safely by bicycle or foot.

11. A bus stop providing access to higher order settlements is located relatively near to the site on the A350 which would provide access to a wider range of services and facilities. The service operating from this stop is relatively limited however it does provide some alternative to using a private motor vehicle.
12. Consequently, I am satisfied that the site is a suitable location for housing having regard to the accessibility of services and facilities. However overall, I conclude that the appeal site is not a suitable location for housing, having particular regard to local planning policies. As such the proposal would conflict with Policies 2, 6, 9 and 20 of the LP as referred to above.

Non-designated heritage asset

13. The appeal site is situated within a landscape which is in part characterised by the remains of ancient field systems associated with historic agricultural practices in the area. The northern part of the appeal site includes a lynchet which was part of a medieval field system. According to the appellant's Archaeological Desk-Based Assessment this likely developed from an earlier Iron Age division of the landscape and could be associated with the Hillforts of Hod Hill and Hambledon Hill. The significance of the lynchet is therefore derived from its archaeological and historic interest.
14. Whilst the proposed works would not affect the Lynchet, it would result in the disturbance of the adjacent land which is likely to be covered by deposits of colluvium which has washed down from higher ground. This may contain evidence which would add to the understanding of changes in agriculture through time in the area. The Desk-Based Assessment suggests that any such evidence could be comparable with the important evidence recovered from the nearby Hillfort of Hambledon Hill.
15. The parties agree that it would be necessary to carry out archaeological fieldwork in order to understand the archaeological evidence and assess the impact of the proposed development thereon, prior to the commencement of any works. I have given careful consideration as to whether it would be appropriate to require this by means of an appropriately worded condition. However, in the absence of the results of a field evaluation and given the potential importance of the archaeology on the site, I cannot be certain that the proposed mitigation would be sufficient to avoid harm to the significance of archaeological remains in the area.
16. I therefore conclude that the proposal would have a harmful effect on the significance of archaeological remains in the area, as a non-designated heritage asset. It would therefore conflict with Policy 5 of the LP and the Framework which require the effect on a non-designated heritage asset to be taken into account, having regard to the scale of any harm or loss and the significance of the heritage asset.

Other Matters

17. The appeal site is located within the Cranborne Chase and West Wiltshire National Landscape (NL). Although the Council considered that the proposals

would not cause harm to the special landscape qualities of the NL, I have a duty under Section 245 of the Levelling-up and Regeneration Act 2023 to seek to further the purpose of conserving and enhancing the natural beauty of the area.

18. Although adjacent to development, the appeal site is located in an area which is characterised by open fields and areas of woodland. The appeal site is on lower ground than the open countryside beyond and therefore the proposed development would not be readily apparent in wider views towards the site. In closer views the proposal would be seen against a backdrop of higher ground or development and landscaping would assist in assimilating it into its context. Consequently, the proposal would conserve and enhance the natural beauty of the area.

Other Considerations

19. During the course of the appeal a Report on the Council's 5 Year Housing Land Supply Annual Position Statement 2024 was issued. In this the Inspector concluded that there is a housing land supply of 5.02 years. Consequently, the provisions of paragraph 11d of the Framework do not apply.
20. The above-mentioned report post-dates the appeal I have been referred to by the appellant at Land to the south of Alderholt¹ and therefore represents a more up-to-date position.
21. I note that the intention of the Government, as expressed in a written Ministerial Statement made on 30 July 2024 is to raise housing targets across the country. The Government has published a draft revised Framework which proposes revisions to the method for calculating housing supply requirements. However, given that this is currently in draft form, it is of limited weight in my determination of this appeal.
22. Nevertheless, the current Framework seeks to significantly boost the supply of homes. The proposal would result in the provision of 14 affordable new dwellings in a district with high demand for affordable housing in a location with reasonable access to facilities and services is a benefit of the scheme to which I ascribe moderate weight.
23. Set against the benefits I ascribe significant weight to the harms which would arise as a result of conflict with the development plan policies in respect of the spatial strategy for the area and to the harm to non-designated heritage assets.

Conclusion

24. The proposal conflicts with the development plan when read as a whole and the material considerations, including the Framework do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed, and planning permission is refused.

E Pickernell

INSPECTOR

¹ APP/D1265/W/23/3336518