



**Dorset
Council**

**Statement of Case of Dorset Council as the
Local Planning Authority
Statement Submitted on 7 March 2024**

**Appeal Reference APP/D1265/W/23/3336518
LPA reference P/OUT/2023/01166**

**Inquiry to be held 25 June 2024 in relation to:
Land To The South Of Ringwood Road
Alderholt**

Description of Development:

Mixed use development of up to 1,700 dwellings including affordable housing and care provision; 10,000sqm of employment space in the form of a business park; village centre with associated retail, commercial, community and health facilities; open space including the provision of suitable alternative natural green space (SANG); biodiversity enhancements; solar array, and new roads, access arrangements and associated infrastructure (Outline Application with all matters reserved apart from access off Hillbury Road)

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1. INTRODUCTION

- 1.1. The appeal is made under Section 78 of the Town and Country Planning Act 1990 (as amended) (the TCPA) by Dudson Homes (Southern) Ltd (the Appellant) against Dorset Council's (the Council) refusal of planning application P/OUT/2023/01166 (the Application) for:

Mixed use development of up to 1,700 dwellings including affordable housing and care provision; 10,000sqm of employment space in the form of a business park; village centre with associated retail, commercial, community and health facilities; open space including the provision of suitable alternative natural green space (SANG); biodiversity enhancements; solar array, and new roads, access arrangements and associated infrastructure (Outline Application with all matters reserved apart from access off Hillbury Road)

- 1.2. The Application was validated by the Council in March 2023, with amendments submitted in May 2023.

- 1.3. Amendments made to the Application involved:

- i. The submission of revised location plan to remove approx. 70sqm of land located within the jurisdiction of New Forest District Council (NFDC) and to identify land outside of the site within the control of the Appellant.
- ii. The submission of revised plans
- iii. The submission of revised and additional supporting information, including the following documents which have been submitted with the Appeal:
 - a. Additional Information Request (May 2023)
 - b. Sustainable Alternative Natural Greenspace (SANG) Response Note
 - c. Site Wide Viability Report (SWVR)
 - d. Education Impact Assessment (May 2023)
 - e. Alderholt Park and its context – illustrative layout
 - f. Response to Dorset Council Highways
 - g. Updated Infrastructure Delivery Plan (IDP)
 - h. Response to Hampshire County Council (HCC)
 - i. Response to Lead Local Flood Authority (LLFA)
 - j. Updated Section 106 (S106) Heads of Terms (HOT)
 - k. Map 6: International Sites within 200m of ARN Subject to Detailed Air Quality
 - l. Updated Written Scheme of Investigation for Archaeological Programme (May 2023)
 - m. Review of Commercial Property Allocation within Outline Planning Application (May 2023)

- iv. Also accepted were the following additional supporting information, which do not appear to have been submitted to the LPA with the Appeal:
 - a. Appendix X Drawing 132.0001.013 - Harbridge Drove Swept Path Analysis Drawing (missing page from Transport Assessment)
 - b. Illustrative Local Centre
 - c. East Dorset Office Submarket Report (May 2023)
 - d. East Dorset Industrial Submarket Report (May 2023)
 - v. In June 2023 the following additional information was submitted, which was not accepted by the Council due to insufficient time remaining to consult with third parties prior to consideration of the application by the Council's Eastern Area Planning Committee (EAPC):
 - a. Letter from Campbell Reith to the LLFA 13577-CRH-Alderholt-20230622 (June 2023) (submitted with the Appeal)
 - b. Response to Natural England objection (June 2023)
 - vi. The Appeal was also accompanied by the following additional information, which had not been submitted with the Application:
 - a. Retail Impact and Sequential Test Assessment (RISTA) November 2023
 - b. Planning Energy Strategy (PES) November 2023
 - c. Supplementary Environmental Statement (ES) November 2023
 - vii. A letter to the Planning Inspectorate regarding the submission of additional information, along with a table setting out additional evidence submitted or referenced by the Appellant during the Appeal process, is appended.
- 1.4. The Application was considered by the EAPC on 5 July 2023 with the decision issued on 7 July 2023. The Council refused planning permission for the following reasons:
1. The proposal would have adverse impacts on the Dorset Heathlands Special Protection Area (SPA), Dorset Heaths Special Area of Conservation (SAC), New Forest SPA/SAC and River Avon SAC and it has not been demonstrated that appropriate mitigation can or will be provided, contrary to Policy ME2 of the adopted Christchurch and East Dorset Local Plan – part 1 2014, the Dorset Heathlands Planning Framework 2020-2025 SPD, and paragraphs 180-182 of the National Planning Policy Framework (NPPF). This forms a clear reason for refusal of the proposal in accordance with NPPF para 11 d) i.
 2. The proposed development would represent significant development contrary to the settlement hierarchy, which is intended to direct development to the most sustainable locations. While facilities and transport options are proposed, it has not been demonstrated that these would be successful and viable in the long-term. It has therefore not been demonstrated that the proposal would limit the need to travel and offer a genuine choice of transport modes. Contrary to Policy KS2 of the

Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraphs 73 and 105 of the NPPF.

3. The submitted masterplan does not demonstrate how the proposed uses will function well in terms of their relationship to each other and to the existing settlement of Alderholt. In particular, the positioning of the local centre is not considered to be optimised to accommodate and sustain an appropriate mix of development. Contrary to paragraph 130 of the NPPF.

4. The proposed development fails to make an appropriate contribution to affordable housing, contrary to Policy LN3 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014. The submitted viability assessment relies upon inputs and assumptions which have not been accepted by the Local Planning Authority and statutory consultees and has not been subject to independent scrutiny. As such, it has not been demonstrated that a policy-compliant level of affordable housing cannot be viably accommodated on the site, contrary to policy LN3 of the Christchurch and East Dorset Local Plan – Part 1, 2014

5. The proposal includes uses defined in Annex 2 of the NPPF as ‘main town centre uses’ expected to total 2,958sqm and include 1,259sqm of retail. The application is not accompanied by a sequential test or retail impact assessment, contrary to Policy KS7 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraphs 87 and 90 of the NPPF.

6. The proposal does not include the on-site education infrastructure necessary to meet the needs of the development, and it is not possible to accommodate the projected increase in first-school age children within the existing St James First School. The development would not ensure a sufficient choice of school places is available to meet the needs of existing and new communities, contrary to paragraph 96 of the NPPF.

7. The submitted Transport Assessment fails through the use of an unacceptable methodology and the inclusion of insufficient information to correctly identify the highways impacts arising from the proposal and how these could be mitigated. It has not been demonstrated that there would not be an unacceptable impact on highways safety, nor that residual cumulative impacts on the road network would not be severe. Contrary to Policy KS11 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraph 111 of the NPPF.

8. The proposal, by bringing additional traffic and recreational activity into the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB), would result in environmental impacts and a loss of tranquillity the extent of which has not been adequately identified and mitigated within the application. Contrary to Policy HE3 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraphs 174 and 176 of the NPPF.

9. Insufficient information has been provided regarding surface water management from the development. It has not been demonstrated that the proposed surface water drainage scheme can be viably achieved on the site. Contrary to Policy ME6 of the adopted Christchurch and East Dorset Local Plan – part 1, 2014, and paragraphs 167 and 169 of the National Planning Policy Framework.

- 1.5. The Council will produce evidence to the inquiry in support of the first to the eighth reason for refusal.
- 1.6. Regarding reason for refusal 9, the Council is satisfied that the submitted updates to the Flood Risk Assessment (FRA) and the amended Proposed Surface Water Drainage Strategy set out in the Letter from Campbell Reith to the Local Lead Flood Authority (LLFA) 13577-CRH-Alderholt-20230622 are sufficient to address the concerns of the LLFA. The Council is now satisfied that surface water drainage can be addressed via condition however notes that the Letter has not been subject to consultation.

2. SITE LOCATION & DESCRIPTION

- 2.1. The site is located to the south and west of the village of Alderholt, and is 122ha in size. The majority of the site is in agricultural use, with fields separated by mature hedgerows and/or trees. To the north the site adjoins the existing settlement of Alderholt, with Ringwood Road adjoining the site to the north-east, then cutting through the site further south, creating two parcels. The eastern edge adjoins Hillbury Road. To the south and west lie agricultural land.
- 2.2. The parcel to the north-east of Ringwood Road includes three large agricultural fields to the north, and three smaller fields to the south. All fields are currently used for crops. Within these is a poultry house and some silos. The site has a gradual slope from north to south. The parcel abuts existing residential properties to the north at Hillbury Park, Saxon Way and Hazel Close. To the west and south-west of this parcel is the Alderholt Recreation Ground and play area. To the south-east the site is bounded to Foxhill Farm and Ringwood Road. A dwelling at Oak Tree Farm is excluded from the site area.
- 2.3. The majority of the parcel to the south-west of Ringwood Road is in agricultural use, and predominantly used for crops. The site includes Sleepbrook Farmhouse and some associated farm buildings. This parcel also slopes gradually from north to south.
- 2.4. The parcel is generally bounded to the north-east by Ringwood Road but extends to the south to exclude the Alderholt Riding & Livery Stables and some individual dwellings on Ringwood Road. The far east of this parcel includes an area of woodland extending to the west of Hillbury Road, where it adjoins a scouts' centre. To the south of the parcel is Warren Park Farm, and the related fishing lake. The southernmost boundary adjoins Plumley Forest. To the west the boundary adjoins further agricultural fields.
- 2.5. To the northwest corner the site includes land forming part of Cross Roads plantation, beyond which is further agricultural and wooded land. A public right of way (PRoW) ref. E34/10 cuts through the corner of the site here. Excluded from the site, positioned towards the north-west, is an existing solar farm. To the north of this parcel, the site adjoins a field with some existing properties along Ringwood Road.
- 2.6. A substantial number of trees are included within the site boundary, and a Tree Protection Plan has been submitted showing these. Of particular note are bands of protected trees forming field boundaries within the eastern parcel, and individually protected trees along Ringwood Road.
- 2.7. The prevailing pattern of development in the existing village of Alderholt is predominantly detached and semi-detached dwellings, with some small terraces. Dwellings are generally two-storey houses, with some groups of bungalows. These are arranged informally within a mixture of perimeter blocks and cul-de-sacs. Newer development tends to be on smaller plots however in general the density is relatively low.

- 2.8. Key facilities in Alderholt include:
- i. St James First School
 - ii. Co-op / post office and adjacent retail unit
 - iii. Community hall
 - iv. Recreation ground and play area
 - v. Churchill Arms pub
 - vi. Various places of worship
- 2.9. Further facilities are available in the town of Fordingbridge (New Forest District), approx. 3km from Alderholt; Verwood, approx. 6km and Ringwood approx. 7km. It is 18km to Salisbury, 20km to Wimborne and 23km to Totton. (all distances travel by road)
- 2.10. A designated National Landscape, the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB), is located approx. 2km to the north-west. The New Forest National Park (NFNP) is approx. 4km to the east

3. PROPOSED DEVELOPMENT

3.1. The proposal is in outline with all matters except access off Hillbury Road reserved. Parameter plans and an indicative masterplan have been submitted. Vehicular access to the site would be from a new roundabout on Hillbury Road, and from a new junction where Ringwood Road enters the site to the north. Ringwood Road would be closed to the majority of traffic and a new primary route created looping through the development, crossing Ringwood Road to the south.

3.2. The proposed development would include:

i. Up to 1,700 homes

These would be concentrated within fields to the north-east and south-west of Ringwood Road.

ii. 10,000sqm of employment space in the form of a business park

This would be located to the east of the site, adjoining Hillbury Road, to the south of the site access. The employment would fall within use class E (Commercial, Business & Service).

iii. Village centre with associated retail, commercial, community and health facilities. This would be located to the south of the site, just to the east of Ringwood Road, to be accessible from the new primary route. The village centre would include 4,000 sqm of Class E (Commercial, Business & Service) uses.

iv. Open space and Suitable Alternative Natural Greenspace (SANG)

a. An extension to the Alderholt Recreation Ground is proposed. This would be located to the north of the existing ground.

b. Areas of space for children/young people's play, natural and semi-natural greenspace are incorporated into the residential areas.

c. Two areas for allotments are proposed, a strip at the north of the site and at the centre to the north-west of the residential areas.

d. Three areas of SANG would be provided, 'Cross Roads Plantation SANG' to the north-west of the site would wrap around the existing solar array. This would include existing parts of the plantation.

'Alderholt Common SANG' would be provided to the south-west in existing agricultural fields. Connections are shown between this SANG and 'Cross Roads Plantation SANG'.

'Harbridge Drove' would be provided to the south-east of the site, to the north and south of Ringwood Road, adjacent to the scouts' centre.

v. Biodiversity enhancements

Biodiversity enhancements are proposed to deliver a 10% biodiversity net gain.

vi. Solar Array

A 6.4ha solar array is proposed, to be situated to the west of the site.

4. DEVELOPMENT PLAN

4.1. The Application Site is situated within the former East Dorset administrative area, in the Parish of Alderholt.

4.2. The development plan includes:

- i. the Christchurch and East Dorset Local Plan Part 1 – Core Strategy (CEDLP) adopted by the former East Dorset District Council (EDDC) in April 2014 ('the Adopted Core Strategy') which sets out a strategy and policies for the delivery of development and supporting infrastructure in the plan area for the period to 2028. The following policies are considered to be relevant to this proposal:

KS1 - Presumption in favour of sustainable development
KS2- Settlement hierarchy
KS4 – Housing Provision in Christchurch and East Dorset
KS5 – Provision of Employment Land
KS6 – Town Centre Hierarchy
KS7 – Role of Town and District Centres
KS8 – Future Retail Provision
KS9 – Transport Strategy and Prime Transport Corridors
KS11 - Transport and Development
KS12- Parking Provision
ME1- Safeguarding biodiversity and geodiversity
ME2- Protection of the Dorset Heathlands
ME3 - Sustainable Development Standards for New Development
ME4 – Renewable Energy Provision for Residential and Non-residential Developments
ME5 – Sources of Renewable Energy
ME6- Flood Management, Mitigation and Defence
ME7 – Protection of Groundwater
HE1 - Valuing and Conserving our Historic Environment
HE2 - Design of New Development
HE3 - Landscape Quality
HE4 - Open Space Provision
LN1 - Size and Type of New Dwellings
LN2 – Design, Layout and Density of New Development
LN3 - Provision of Affordable Housing
LN6 - Housing and Accommodation for Vulnerable People
LN7 - Community Facilities and Services
PC4 – The Rural Economy
PC5 – Shops and Community Facilities in Local Centres and Villages

- ii. the saved policies of the East Dorset Local Plan of January 2002 ('the 2002 East Dorset Local Plan') which are legacy policies that have saved development plan status. The following policies are considered to be relevant to this proposal:

HODEV2 – Criteria for new housing developments in urban areas and village envelopes
HODEV3 - Criteria for development of elderly person's accommodation
DES2 - Criteria for development to avoid unacceptable impacts from types of pollution
DES6 – Landscaping scheme in rural areas and on the edge of settlements should be comprised of indigenous species

DES7 – Criteria controlling the loss of trees

A1 – Housing development will be permitted in Alderholt within the village envelope

- iii. the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019 adopted by Dorset Council in December 2019 ('the Adopted Waste Plan') which addresses the period to the end of 2033 and promotes sustainable waste management through policies that may apply to waste and nonwaste development. The most relevant policy is:
 - a. Policy 22 – Waste from new developments
- iv. the Bournemouth, Dorset and Poole Minerals Strategy adopted by the former Dorset County Council in May 2014 ('the Adopted Minerals Core Strategy. The most relevant policies are:
 - a. DM8 – Transport and minerals development
 - b. SS1 – Presumption in favour of sustainable development
 - c. SG1 – Mineral safeguarding area

5. OTHER MATERIAL CONSIDERATIONS

- 5.1. A range of “any other material considerations” as per section 70(2) of the TCPA was considered within the Council’s decision making process and is addressed further below (see Main Planning Issues).
- 5.2. Government planning policy set out in the National Planning Policy Framework (‘the NPPF’) is material to all planning decisions in England and is supplemented by other statements of government policy and by the government’s online planning practice guidance (‘NPPG’), such policy and guidance falling to be read together with the NPPF.
- 5.3. Also material to the determination of Application P/OUT/2021/04412 are:
 - i. Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document
 - ii. Dorset Heathlands Interim Air Quality Strategy 2020-2025
 - iii. Affordable and Special Needs Housing and the Provision of Small Dwellings SPD
 - iv. River Avon Advice Note for Developers: *‘the Hampshire Avon, essential Habitats Directive advice note for developers’*
 - v. Area of Outstanding Natural Beauty Cranborne Chase Landscape assessment
 - vi. East Dorset Landscape Character Assessment 2008
 - vii. Cranborne Chase AONB Management Plan 2019-2024
- 5.4. Relevant plans and policies from nearby authorities are also material considerations:
 - i. Hampshire Minerals and Waste Plan 2013. The most relevant policy is:
 - a. Policy 20 Local land-won aggregates, which provides for the extraction of remaining reserves at Bleak Hill Quarry and Bleak Hill Quarry Extension
 - ii. New Forest District Council Local Plan 2016-2036 Part 1: Planning Strategy (NFDCLP). The most relevant policies are:
 - a. Strategic site allocations in Fordingbridge: 16 (Land to the north of Station Road, Ashford), 17 (Land at Whitsbury Road) and 18 (Land at Burgate)
 - iii. New Forest National Park Local Plan 2016-2036. The most relevant policy is:
 - a. SP5 Nature conservation sites of international importance
 - iv. Mitigation Recreation Impacts on New Forest Designated Sites SPD
- 5.5. Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:
 - i. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

- ii. the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - iii. the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).
- 5.6. The Draft Dorset Council Local Plan (DDCLP) Options Consultation (Regulation 18) took place between January and March 2021. Being at a very early stage of preparation, the DDCLP should be accorded very limited weight in decision making. The Council's evidence will explain why very limited, if any, weight should be attributed to it, bearing in mind its status, the relationship between it and national policy; and bearing in mind the objections to it.
- 5.7. The Alderholt Neighbourhood Plan (ANP) pre-submission (Regulation 14) consultation took place between December 2023 and January 2024. Being at an early stage of preparation the ANP should be afforded limited weight in decision making. However, this position may change during the Appeal should additional progress be made on the plan.
- 5.8. The Hampshire Minerals and Waste Plan – Partial Update (HMWP-PU) Regulation 19 consultation is ended on 5 March 2024. This proposes the allocation of 89.7ha of land at Midgham Farm (located on the east side of Hillbury Road) for the extraction of sharp sand and gravel. This plan has progressed from Regulation 18 to Regulation 19 since the refusal of the Application. As such, it is now considered that the HMWP-PU should be accorded limited weight in decision making. However, this position may change during the Appeal should additional progress be made on the plan.
- 5.9. None of the emerging plans have yet been submitted for examination and consequently under paragraphs 48-49 of the NPPF it is not considered that a consent for this development would prejudice the plan-making process.
- 5.10. Relevant National Policy documents and guidance include:
- i. The National Planning Policy Framework (NPPF)
 - ii. Planning Policy Guidance (PPG)
 - iii. National Design Guide
 - iv. Building for a Healthy Life
 - v. Manual for Streets

6. RELEVANT PLANNING HISTORY

- 6.1. The submitted application forms state that pre-application advice was sought from the Council in advance of the submission of the application. However, the contact and advice referenced was provided by the Council in its function as Highways Authority (HA).
- 6.2. Dorset Council in its function as Local Planning Authority (LPA) offers a paid pre-application advice service. The Appellant did not take advantage of this service and pre-application planning advice was not sought from the Council as the LPA in advance of the submission of the Application. The Appellant also declined to take up the Council's paid advice service in the period between determination of the Application and submission of the Appeal.
- 6.3. A request for a Scoping Opinion (SO) under the Environmental Impact Assessment Regulations was submitted on 17 November 2022, with the SO provided on 21 December 2022. There is no other relevant planning history for the site itself.
- 6.4. Relevant planning history on adjacent/nearby sites include the following, which are considered to be relevant to the Application:
 - i. 3/13/1146/OUT: Land Adjacent Blackwater Close. Residential development of 25 dwellings. Refused by EDDC on 24 February 2014. This site of this proposal is a field situated to the north of the application site.
 - ii. 3/16/1446/OUT: Hawthorns Nursery. Development of 60 dwellings, reduced to 45 dwellings at appeal. Allowed at appeal on 6 November 2017. This site is situated to the north of Ringwood Road, south of Broomfield Drive / Fern Close, and west of the recreational ground's play area.
 - iii. 3/14/0774/FUL: Solar farm. Granted by EDDC on 4 November 2014. This solar farm is situated within a field which is excluded from the application site to the north. The access is via the PRoW from Blackwater Grove.
 - iv. 3/15/1020/FUL: Solar Farm. Granted by EDDC on 17 December 2015. This solar farm site is to the south-west of the site, with access via a track through Warren Park Farm. Change of use was granted however the development was not implemented and has now lapsed.
 - v. 3/16/2370/FUL: Alderholt Sports and Social Club. Granted by EDDC on 6 September 2017. Demolition of existing social club and erection of new, in connection with the refurbishment and extension of existing changing rooms building to join the proposed new social club.
 - vi. 3/18/0568/FUL: Rifle range. Granted by EDDC on 10 October 2018. Change of Use of land from Rifle Range to general Scouting activities (camping). Recontour land, modify existing access and form car park. The site for Scouting activities is located to the south-east of the application site boundary.
 - vii. 3/19/0827/FUL: Rifle Range. Granted by Dorset Council on 8 July 2019. Proposal for single storey Scout Group HQ building (Storage container and flagpole)

- viii. 19/11326: Hamer Warren Quarry. Granted by Hampshire County Council (HCC) on 1 December 2021. Planning permission for an extension of mineral working at Hamer Warren Quarry, to extract some 600,000 tonnes of sand and gravel from Bleak Hill III, including works to create an extended haul road and back filling with inert material and progressive restoration to agriculture with increased nature. Hammer Warren Quarry is situated to the south of the Application site.
 - ix. 19/11325: Hamer Warren Quarry. Granted by HCC on 1 December 2021. Variation of Condition 1 of Planning Permission 19/10014 to allow an extension of time for the working of minerals and the tipping of materials at Bleak Hill I and II until 31 December 2025
- 6.5. The Statement of Community Involvement February 2023 (SCI) submitted with the Application explains that, prior to the submission of the application, the Appellant:
- i. Sent an information leaflet to Alderholt residents
 - ii. Set up a consultation website
 - iii. Held a public exhibition
 - iv. Held a meeting with the Parish Council
 - v. Held meetings with key community stakeholder

7. MAIN PLANNING ISSUES

7.1. The Council identifies that the main issues raised by the Appeal are as follows:

- i. The impacts on Habitats Sites, in particular:
 - a. the Dorset Heathlands Special Protection Area (SPA)
 - b. the Dorset Heaths Special Area of Conservation (SAC)
 - c. the New Forest SPA/SAC
 - d. the River Avon SAC
- ii. The principle of development, in particular:
 - a. whether the proposal would represent significant development contrary to the settlement hierarchy.
 - b. whether proposed facilities and transport options would be successful and viable in the long term.
 - c. whether the proposal would limit the need to travel and offer a genuine choice of transport modes.
 - d. whether the proposal would represent sustainable development
 - e. whether the adverse impacts granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- iii. The masterplanning of the proposal and in particular:
 - a. whether the positioning of the local centre is acceptable.
- iv. The adequacy of the submitted SWVR, in particular:
 - a. whether the inputs and assumptions are substantiated
 - b. whether a policy compliant contribution to affordable housing can be accommodated on the site
- v. The adequacy of the Retail Impact and Sequential Test Assessment (RISTA) that has been submitted with the Appeal (noting that this did not form part of the application). In particular:
 - a. whether the extent of main town centre uses proposed on the site has been adequately defined and assessed
 - b. whether the proposal has been adequately tested against the relevant local plan and national policies including the sequential and impact tests
 - c. whether the viability and deliverability of the local centre has been adequately demonstrated
- vi. Whether the proposed contributions to education would be adequate to meet the needs of the development. In particular:

- a. the suitability of the proposed expansion of St James First School
 - b. the acceptability and deliverability of proposed expansion of the Burgate School in Fordingbridge, should the Appellant continue to make a case for this
- vii. Whether the Transport Assessment (TA) correctly identifies the highways impacts arising from the proposal, and whether these would be adequately mitigated. In particular:
- a. the impacts on highways safety
 - b. the residual cumulative impacts on the road network
- viii. The impacts of the proposal on the Cranborne Chase and West Wiltshire Downs National Landscape / Area of Outstanding Natural Beauty (the National Landscape), and whether these would be acceptable. In particular:
- a. environmental impacts
 - b. impacts on tranquillity
 - c. recreational pressures on the National Landscape
- ix. The PES and its proposal for a net-zero development, noting that this did not form part of the initial application. In particular:
- a. Whether the submission of the PES attempts to evolve the scheme through the appeal process
 - b. The impacts and benefits of the PES and the weight that can be attributed to these
 - c. The deliverability of the PES
- x. The benefits which weight in favour of the proposal. In particular:
- a. Housing including affordable housing
 - b. Extra-care housing
 - c. Housing Mix
 - d. Economic benefits
 - e. Biodiversity Net Gain (10%)
 - f. Green Infrastructure and landscape-led design strategy
 - g. Wider benefits arising from development infrastructure
 - h. Solar array

8. IMPACTS ON HABITATS SITES

- 8.1. The scheme is contrary to paragraphs 186-188 of the NPPF. The Council believes common ground can be reached which concludes that the proposal, in the absence of mitigation, would have adverse impacts on the Dorset Heathlands Special Protection Area (SPA), Dorset Heaths Special Area of Conservation (SAC), New Forest SPA/SAC and River Avon SAC. The Council's evidence will address the extent of these impacts, however it is hoped that differences of opinion could be narrowed through a topic-specific statement of common ground.
- 8.2. The Council has engaged an ecological consultant to review and advise regarding the submitted ES and impacts on Habitats Sites. The Appellant has stated that they have entered into discussions with Natural England regarding the Appeal, to date no evidence has been submitted regarding these discussions. The Council has concerns about the case being evolved through the appeal process. Nonetheless, the Council reserves its position regarding impacts on Habitats Sites and the suitability of mitigation.

Dorset Heathlands SPA – recreational impacts

- 8.3. Regarding adverse impacts on the Dorset Heathlands SPA, the Council will make a case that the mitigation proposed in the form of Sustainable Alternative Natural Greenspace (SANG) is not accompanied with sufficient information to ascertain that adequate mitigation would be secured. A SANG of 53ha is of a sufficient size to mitigate the potential recreational impacts of the proposed development upon the Dorset Heathlands. However, the Council's evidence will explain how there are insufficient details regarding the SANG to provide certainty regarding its delivery.
- 8.4. Concerns also arise from the risk of public access arising from the close proximity of the site to Cranborne Common and Ringwood Forest, and that these could be accessed through travel westwards from the site. It is hoped that common ground can be reached regarding the need to mitigate for this impact, given discussions which took place at the application stage which identified land on which additional mitigation could be delivered. The Council's case will be that insufficient details have been provided regarding how this mitigation would be delivered.
- 8.5. Further concerns arise from the submitted Transport Assessment (TA) and Travel Plan (TP), which identify the use of a bridleway which crosses Cranborne Common, as well as tracks within Ringwood Forest, to access Verwood by cycle. The Council's case is that this would represent an unacceptable increase in recreational impacts through access through these designated sites.
- 8.6. Despite taking the position during the application that these elements of the TA /TP could be amended, the Appellant has not taken the opportunity to update these, and documents submitted with the Appeal continue to refer to use of these routes. The Council's case will be that it cannot be concluded with certainty that impacts will not arise in relation to travel between the site and Verwood. Again, concern arises about some aspects of the appeal proposals evolving rather than having been fixed at the point at which the appeal was brought.

New Forest SPA/SAC – recreational impacts

- 8.7. In relation to recreational impacts arising on the New Forest SPA/SAC, the Council's position is that additional mitigation measures are required given the sites location within a 13.8km 'zone of influence'. The Appellant has now indicated willingness to make a financial contribution towards mitigation however the ES has not been updated to reflect this position and it is unknown whether this is satisfactory pending further assessment.

Dorset Heaths SAC and New Forest SAC – air quality

- 8.8. The Council will make a case that the impacts arising from air quality on the Dorset Heaths SAC and New Forest SAC have not been adequately identified and mitigated for. The Council will make a case that impacts arising from planned development should be considered in-combination with the impacts of this proposal. The Council will submit evidence to demonstrate the impacts that will arise in relation to air quality and on designated sites.
- 8.9. The Council's case in this regard is linked to the case relating to highways impacts, as the Council will be making a case that these impacts have not been adequately identified.

River Avon SAC

- 8.10. In relation to impacts arising from water pollution by phosphorus loading, there is common ground that these impacts will occur, in the absence of mitigation. Although it has now been demonstrated that drainage of the site can be achieved (subject to conditions and amendment of the masterplan), the Council will make a case that it has not been demonstrated that the proposed mitigation through the on-site use of surface water drainage has been adequately detailed. Therefore, there is insufficient evidence to be certain that this mitigation can deliver the assumed reduction in phosphorus.
- 8.11. Further, the Council will make a case that the assumed purchase of credits to offset 50kg/year is not supported by evidence that this will be adequate to mitigate the impacts of the development. Nor is there evidence that these credits have been secured. The Council's case is that credits would need to be secured to provide certainty that effects would be mitigated.
- 8.12. Further, this is likely to impact upon evidence regarding viability and/or deliverability of the scheme and the stated benefits, in terms of uses/infrastructure and in the contribution that the proposal will make to the deliverable housing land supply. The Council's case is that adequate mitigation needs to be identified and secured.

9. PRINCIPLE OF DEVELOPMENT

- 9.1. The Council's case is that the development is contrary to the policies set out in the development plan, and that the principle of development therefore hinges on the presumption in favour of sustainable development as set out in para. 11 of the NPPF. As set out above, the Council's case is that impacts on Habitats sites have been identified and that there is a lack of confidence regarding mitigation such that there is no certainty these impacts will be mitigated. The Council will make a case

that, in accordance with para. 188 of the NPPF, in these circumstances the presumption in favour of sustainable development does not apply.

- 9.2. The responsibility for assessment of the proposal under the Habitats Regulations now rests with the Planning Inspectorate as the decision maker. However, should impacts on Habitats Sites be adequately resolved or the Inspector be otherwise satisfied in this regard, the Council's position is that the presumption in favour of sustainable development at para. 11 would apply to the proposal.
- 9.3. The Council will make a case that the location, scale and distribution of the proposed development is wholly out of alignment with the settlement hierarchy set out in Policy KS2 of the CEDLP. The Council will make a case that adverse impacts arising from the proposal would significantly and demonstrably outweigh the benefits.
- 9.4. Benefits have been identified which would weigh in favour of the proposal, with very significant weight attributed to the delivery of housing including affordable housing, and significant weight attached to specialist housing, the housing mix, economic benefits and delivery of 10% biodiversity net gain (BNG). These are set out in Tbl1 in section 20 – planning balance. The Council concludes that the very significant benefits of the scheme are not outweighed by the very significant adverse impacts, including the unsustainable location and nature of the proposal.
- 9.5. In relation to this, the Council will link to other areas of evidence both submitted by the Appellant and the Council to demonstrate a lack of certainty regarding the benefits that would be delivered by the proposal. In particular, but not limited to, a lack of evidence that the proposed local centre will provide facilities that will reduce the need to travel or promote sustainable travel choices, a lack of confidence over the speed at which development could take place, and a lack of confidence over development viability and deliverability.
- 9.6. The Council's position is that type and level of facilities proposed in the local centre has not been clearly defined and there is no information provided on operator interest. It is therefore not possible to determine the extent to which the proposed centre will cater for the retail and service needs of the community. However, the limited information provided suggests that the convenience provision will be restricted to a single, small convenience store, providing a similar offer to that of the existing Co-op. If so, then the ability to limit the need to travel for food shopping will be restricted, with main foodstore provision located outside of Alderholt. The Council will make a case that the extent to which any comparison retail and the retail service offer will limit the need to travel is not demonstrated.
- 9.7. The Council also puts forward the case that there is limited information regarding proposed employment uses in the local centre and 'business park' and that the Appellant's proposed conditions could lead to uses which are in principle unacceptable in this location, for example offices or leisure uses.
- 9.8. It may be possible to agree alternative conditions with the Appellant to further restrict the local centre and business park. However the impacts of doing so on other assumptions such as the transport implications and sustainability of Alderholt have not been adequately assessed or demonstrated.

- 9.9. The Council will also demonstrate there is considerable doubt over whether and in what form proposed facilities and transport options would be delivered, and/or be successful and viable in the long term. The Council will make a case that the proposal would not limit the need to travel when compared to the settlement hierarchy set out in Policy KS2 of the CEDLP, and that a genuine choice of transport modes would not arise.
10. HOUSING LAND SUPPLY
- 10.1. The East Dorset Area can demonstrate a housing supply of 1,876.3 dwellings between 2023-2028, which is equivalent to a supply of 3.9 years against the five-year housing land supply (5YHLS) requirement. It is worthwhile mentioning that this figure is based on using the Government's most recent Housing Delivery Test Results dated 2022 to calculate the housing target.
- 10.2. The revised NPPF was published on 19 December 2023. It sets out within paragraph 77 that "local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply". Paragraph 226 states that "certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing", where they "...have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need".
- 10.3. The Council's position regarding paragraphs 77 and 226 of the revised NPPF is that having reached Regulation 18 stage with the emerging Dorset Council Local Plan (through public consultation that included a policies map and housing allocations), it is required only to demonstrate a minimum of four years' supply of housing instead of a minimum of five years.
- 10.4. It is also the Council's position that, although an additional 1,700 dwellings may represent a significant contribution to the East Dorset Land Supply in the long term, only a proportion of these dwellings would potentially be completed within the 5YHLS requirement period. The Council does not currently have clear evidence before it, as set out in the NPPF and PPG, which shows that housing completions will begin within the 5YHLS period, and so any proportion is uncertain.
11. MASTERPLAN
- 11.1. The Council's case is that the proposed masterplan and parameter plans would not result in a development which functions well either for new residents or existing residents in Alderholt. The location of the local centre is included on the Parameter Plan and is shown to be in the south of the appeal site. This is expected to impact on the use of the proposed centre by existing Alderholt residents and their mode of travel to it. It is also likely to impact on the ability to attract occupiers and the viability of the proposed uses. This is contrary to Policy KS11 of the Local Plan and para. 135 of the NPPF.

11.2. The Council will evidence that the proposed local centre would not be positioned in the location to sustainably meet the needs of Alderholt. The Council's case is that other locations exist within the site which would be closer to a greater number of Alderholt residents, thereby promoting walking and cycling as the preferred mode of travel. The Transport Assessment shows 15-minute walking distance from the local centre but this is 'as the crow flies' rather than existing or proposed walking distances. This information is considered insufficient.

11.3. The Appellant references the submission of additional evidence along with this appeal regarding walking distances from existing properties in Alderholt to the local centre, however this has not yet been submitted. The Council therefore reserves its position pending submission of further evidence.

12. VIABILITY AND AFFORDABLE HOUSING

12.1. It is common ground that 50% affordable housing is required to be provided unless evidence is provided which demonstrates that this would not be viable. Policy LN3 requires that any planning application which on financial viability grounds proposes a lower level of housing than is required, must be accompanied by clear and robust evidence that will be subject to verification. The Appellant did not submit adequate information up-front and the Site Wide Viability Report (SWVR) was submitted at a late stage in the application such that there was insufficient time to review it within the life of the application.

12.2. The Council has appointed a viability consultant to assess the SWVR, and advise whether the Appellant has provided a compelling case with supporting evidence to demonstrate why planning policy cannot be met. The Council will make the case that the Appellant has not done so and that there is a lack of supporting evidence to substantiate a number of the Appellant's appraisal inputs.

12.3. The Council's case is that there is a noticeable lack of supporting evidence to substantiate several of the SWVR's appraisal inputs. The case will highlight the key inputs of the SWVR which are not substantiated by sufficient evidence. An initial concern is the identification within the SWVR of a surplus c£3,500,000. Even prior to considering the inputs and assumptions within the SWVR, this demonstrates a lack of justification for the offered 35%.

12.4. The Council will focus its case on the assessment of Existing Use Value (EUV) and the assessment of the premium applied. The Council will demonstrate that the Appellant has not provided relevant EUV evidence, and has not provided evidence and analysis to support their assessment of the premium.

12.5. The Council is not satisfied that an appropriate benchmark land value has been used. To the extent that figure is too high, the practical implication is that more affordable housing can be provided, as the Council's evidence will illustrate

12.6. It is hoped that a topic-specific Viability Statement of Common Ground can be prepared.

13. RETAIL AND MAIN TOWN CENTRE USES

- 13.1. Since the determination of the application the RISTA prepared by DPDS Consulting has been submitted. The document is currently being reviewed by an external consultant, but the submission does not address all the points raised by the Council during pre-submission (of the Appeal) discussions. We are also advised that the report as submitted, does not demonstrate full compliance with sequential and impacts tests and as such the Council will make a case that the Appeal should be dismissed on those grounds.
- 13.2. The additional information submitted has also identified that as Alderholt is not a defined town centre in retail policy, the proposed local centre development needs to be considered in terms of its compliance with Policies KS2, KS11, PC4 and PC5 of the Local Plan. At present the Council considers that the proposal is contrary to or has the potential to be contrary to these policies and should be refused on that basis.
- 13.3. The Council also considers that, whilst conditions could be imposed to control the form of development at the local centre and 'business park' should the appeal be allowed, the lack of clarity on the form of development proposed, means conditions alone cannot make the development acceptable. Further, the submitted RISTA has not considered all the main town centres proposed, or robustly tested provision that could be delivered on the site within the context of the proposed conditions.
- 13.4. The Council's case regarding main town centre uses is linked to cases regarding highways and sustainable travel. The TA and ES made assumptions regarding the uses that would be accommodated on the site. If assumed provision within the local centre and business park is contrary to policy, or conditions must be considerably expanded, this could reduce the sustainability of the scheme. The reliability of other supporting documents, in particular the TA and SWVR would be called into question.
- 13.5. Regarding the viability of the proposed local centre, assuming delivery as such, the Council's position is that there is insufficient evidence to demonstrate that this would be deliverable and viable in the SWVR submitted with the Application, and that the RISTA submitted at Appeal has also failed to include sufficient evidence to demonstrate this.
- 13.6. It is intended that a formal response on the submitted assessment will be provided to the Appellant and a topic-specific Retail Statement of Common Ground will then be prepared.

14. EDUCATION

- 14.1. The Council's position is that the proposal cannot deliver the school places needed for the increase in children that would arise from the development. The East Dorset area operates a three-tier education system. Concerns directly related to education provision primarily relate to the provision of spaces in the First tier (Nursery – Year 4). The Council's position is that this should be delivered through provision of a new First School on the development site. The Council will evidence that the existing

1FE St James First School cannot accommodate the expansion to a 2FE Primary School as suggested by the Appellant, nor to a 2FE First School.

- 14.2. The Appellant's Statement of Case concedes that it may not be possible to make the proposed changes to the school system in Alderholt (to move from a three-tier to a two-tier system). Such changes would require the consent of the Department for Education and the Regional Schools Commissioner, and there is no evidence that they would consider the proposal acceptable.
- 14.3. The Council will put forward a case regarding the most appropriate way in which schooling for Middle and Upper age children should be provided. Analysis has taken place following the refusal of this Application, and it is anticipated that these age groups can be accommodated within existing Dorset schools at Cranborne Middle School and QE Upper School. The Council considers there is no evidence that the Appellant's proposal to accommodate children at The Burgate School in Hampshire is deliverable, given that this school is at capacity.
- 14.4. There are links between the approach to education and impacts on highways and sustainable travel. The Appellant's TA relies upon the reorganisation of the education system in Alderholt, however the Appellant now concedes that this may not be possible. The Appellant has not assessed the transport impacts of the position set out at para. 2.29 of their Statement of Case, which would see Alderholt continue in the three-tier system.

15. TRANSPORT

- 15.1. The Council's position is that the rural location of the proposed development would be less able to reduce the need to travel and promote sustainable travel choices than a similar form of development located close to an existing major settlement, in accordance with the settlement hierarchy.
- 15.2. The mode share assumptions in the TA rely on a significant level of internalised trips, a change in the local education policy and the delivery of a wide range of transport improvements. The Council's case is that if uses in the proposed local centre are not viable or deliverable then the internalisation assumptions will be incorrect. Similarly, if the Appellant's proposal to accommodate children at The Burgate School in Hampshire is not deliverable, then the education mode share assumptions will be incorrect. The Appellant has not provided adequate information to demonstrate that the proposed improvements for pedestrians and cyclists can be delivered or that the proposed bus improvements would be viable in the long term. There are also objections to the intensification of use of a bridleway which crosses Cranborne Common, as well as tracks within Ringwood Forest, to access Verwood by cycle due to potential impacts on wildlife habitat. In the absence of these improvements, the predicted level of sustainable travel as stated in the TA would be incorrect.
- 15.3. The combination of these uncertainties means that the proposed development is likely to be more reliant on the private car than has been stated in the application and assessed in the TA.

- 15.4. Notwithstanding the above, the Appellant did not agree critical input data to the TA with either Dorset Council or Hampshire County Council as local highway authorities, including but not limited to Personal Injury Accident (PIA) data, multi-modal trips rates, TEMPRO traffic growth factors and traffic distribution justification. The absence of such agreed input data may lead to underreporting of the development impact in some locations. The Council's position is that the TA includes insufficient information to correctly identify the highways impacts arising from the proposed development.
16. NATIONAL LANDSCAPE - CRANBORNE CHASE AND WEST WILTSHIRE DOWNS AONB
- 16.1. Concerns were raised during the application regarding potential impacts on the National Landscape arising from loss of tranquillity and recreation impacts. The Council has considered the additional information submitted with the appeal as an update to the ES, which primarily assesses impacts arising from loss of tranquillity arising from additional car movements.
- 16.2. However, the tranquillity assessment is informed by vehicle movement assumptions as set out in the submitted TA. As stated above the Council does not accept the findings of this document. As such, the data on which the tranquillity assessment is based is not accepted by the Council. The impacts identified in relation to tranquillity using this data cannot be relied upon.
- 16.3. Regarding recreational impacts on the National Landscape, the Council's position is that the ES Update does not address this reason for refusal. The ES states that recreational impacts can be mitigated through the proposed SANG. However, no assessment to establish a baseline for current recreational activity within the National Landscape or what additional recreational activity would arise as a consequence of the proposed development has been submitted. Nor has it been demonstrated that a SANG (intended to divert people from the Dorset Heathlands) would also provide appropriate mitigation for any increase in recreational activity within the National Landscape. The Council therefore maintains its position that the application should have been accompanied by this information.
17. SURFACE WATER MANAGEMENT
- 17.1. The Council confirms it is satisfied with the additional drainage information submitted, subject to appropriate conditions, and does not wish to continue to defend this reason for refusal.
- 17.2. It is noted that the masterplan and parameter plans have not been updated to reflect changes to the surface water drainage strategy. The changes are relatively minor however do result in a reduction in the land available for housing. As such the quantum of housing delivered on the site may need to be reduced. A further assessment of capacity is needed to demonstrate that these can be accommodated alongside the updated drainage scheme.

18. ENERGY STRATEGY

- 18.1. Since the determination of the application a Planning Energy Strategy (PES) has been submitted. This strategy does not appear to address any specific reason for refusal of the application, but rather represents a new area for consideration. The Council considers that this represents an attempt to progress the application at appeal.
- 18.2. The PES sets out a strategy for delivery of a net-zero development. It states that this will improve the overall viability of the development, but has not updated the SWVR to take account of this. For example, the PES would see houses built to higher energy standards than that required by building regulations, but the SWVR does not include any allowance for this.
- 18.3. The PES appears to propose that one of two strategies be used to deliver a micro-grid energy network to serve the development. Both strategies require the installation of a Battery Energy Storage System (BESS). The Application did not seek approval for a BESS and relevant bodies have not been consulted. The parameter plans do not identify the location of the BESS and this is not referenced in the ES.
- 18.4. One strategy would include the use of the on-site proposed solar array, along with a solar array in an adjoining field, to power the micro-grid. However, this strategy is reliant upon an adjacent site, for which the planning permission has lapsed.
- 18.5. The other strategy would include roof-mounted solar PV which would contribute to the network 'with a fair distribution system ensuring equitable energy sharing, regardless of individual properties' solar potential'. No details have been submitted regarding how such a system could be managed and legally enforced.
- 18.6. The Council's position is that the PES should not be accepted as it represents a material change to the proposal, and does not directly address any reason for refusal of the Application. If it is accepted the Council reserves its position pending appointment of consultants and will make a claim for costs arising from the introduction of this new evidence.

19. BENEFITS

- 19.1. The proposal would bring about public benefits, assuming the proposal can be delivered in its entirety, and subject to obligations being secured within a S106. These would include the delivery of a large amount of housing, including affordable housing and specialist housing, with that housing providing a mix which is in accordance with the Strategic Housing Market Assessment (in terms of the numbers of bedrooms). While the percentage of affordable housing is not agreed, the delivery of affordable rented units as houses is considered a particular benefit of the scheme.
- 19.2. Economic benefits would arise in the form of long-term employment opportunities at the business park and local centre, along with short-term creation of construction jobs, and longer-term benefits in terms of additional expenditure and use of services in the local area.

- 19.3. The substantial contributions to infrastructure, including the on-site SANG, open space, sports facilities, play areas, GP surgery and community sports hall would primarily mitigate impacts of the development but would also have some wider social benefits.
- 19.4. The proposal's approach to masterplanning in terms of the landscape-led design strategy and green infrastructure proposals are positive. The scheme would also provide 10% BNG, in advance of this requirement being enacted through the Environment Act.
20. PLANNING BALANCE
- 20.1. The Council's evidence will address the planning balance, bearing in mind all the factors considered above. The assessment of the planning balance is set out in full within the committee report (paras. 16.343 – 16.356). This is summarised within the table below.
- 20.2. Since the committee the Council has considered the additional information provided within the letter from Campbell Reith to the LLFA 13577-CRH-Alderholt-20230622 (June 2023). This has demonstrated that surface water drainage can be achieved for the site. Failure to demonstrate surface water management is no longer an adverse impact. As a benefit this is considered to carry only very limited weight.
- 20.3. The delivery of a net-zero development, as proposed in the PES, could carry significant weight in favour of a proposal. However, for the reasons set out above, the Council's position is that the PES should not be accepted. In any event, the addition of this element would not affect the overall outcome of the planning balance.
- 20.4. It will be understood that there are various issues outstanding, including in relation to habitats. Those matters will affect the framework for analysis, but since the balance is not a fine one, this will not affect the overall outcome. In this case, the harms clearly and demonstrably outweigh the benefits and so on either policy basis, the Council's evidence will demonstrate that planning permission should be refused.

Tbl 1: Summary of Planning Balance

Weight	Benefits	Adverse Impacts
Decisive Issue		Habitats Sites
Very significant weight	Housing inc. affordable housing	Unsustainable location
Significant weight	Specialist housing Housing mix Economic benefits Biodiversity Net Gain (10%)	Deliverability Masterplanning (unsustainable positioning of local centre) Lack of education provision Impacts on highway network Affordable housing viability not demonstrated
Moderate weight	Landscape-led design strategy Green infrastructure	Impacts arising from proposed main town centre uses Impacts on the National Landscape
Modest weight	Wider benefits arising from development infrastructure	
Limited weight	Solar array	Landscape, archaeology, trees, mineral safeguarding, public rights of way, air quality
Negligible weight		Residential amenity (can be conditioned)
Very limited or neutral weight	Foul water strategy Surface water strategy Green belt impacts	issuing arising from prematurity in relation to emerging plans
Conclusion	Very significant benefits of the scheme are not outbalanced by the very significant adverse impacts, including the unsustainable location and nature of the proposal.	

21. FURTHER CONSULTATION

- 21.1. The Council believes that further consultation should be undertaken in relation to the revised Environmental Statement, Retail Impact Sequential Test Assessment, Drainage Letter (from Campbell Reith dated 22 June 2023) and the Planning Energy Strategy. There is significant community interest in all aspects of the Appeal proposal, including interest in technical documents.

22. CONDITIONS

- 22.1. The Council will prepare a draft list of conditions and seek to agree these with the Appellant.

APPENDIX – Email and table sent to PINS regarding additional evidence submitted or referenced by the Appellant

From: Philip Crowther

Sent: Thursday, March 7, 2024 6:33 PM

To: holly.dutton@planninginspectorate.gov.uk

Cc: nj@intel-land.com

Subject: Appeal Reference APP/D1265/W/23/3336518 - Land to the South of Ringwood Rd, Alterholt

Dear Holly,

I write to express the Council's concern at the volume of and means by which additional information has been provided and appears is intended to be submitted during the course of the appeal process on behalf of the Appellant. As the Planning Inspectorate has made clear in its procedural guidance, the appeal process should not be used to evolve a scheme. The Council is concerned that is exactly what is happening here. It is difficult to deal with, in terms of creating uncertainty and giving rise to additional work.

I attach a schedule identifying the information in question, where it is provided/reference made to it and making comment upon it. The schedule should be self-explanatory, but I would make particular reference to the following concerns.

- Regarding phosphates, at para. 2.4 the Appellant states they can produce evidence to the effect that credits are available to them but have not submitted this. Neither has it submitted any evidence regarding the referenced discussions with Natural England.
- Regarding the Dorset Heathlands, at para. 2.7 the Appellant says that the Environmental Statement can be updated to remove reference to the use of a bridleway as access to Verwood, but the relevant chapters and appendixes (7 – Transportation and 9 – Ecology) have not been updated.
- Regarding the masterplanning, at para. 2.17 the Appellant states it will submit additional evidence regarding walking distances from its proposed local centre, but does not appear to have done so.
- Regarding education, at para. 2.28 the Appellant says that it will expand upon their Education Strategy and accommodation needs. If it has further evidence in this regard it should be submitted up-front through the appeal process, to be considered by the Local Education Authority.
- Regarding highways, at para. 2.31 the Appellant states its belief that technical details can be satisfied however these are not submitted with the Appeal. At para. 3.1 the Appellant references additional modelling work on the A31 Verwood junction has been completed but this has not been submitted.
- The Council is aware that the applicant has sent responses directly to Dorset Highways and Hampshire Highways, attempting to resolve issues, but that these have not been submitted as part of the appeal.

- Regarding flooding and drainage, it is acknowledged (as referenced at para. 2.36) that the Appellant sought to submit amendments to the Flood Risk Assessment to the Local Planning Authority at a late stage in the application process, which may alleviate the concerns of the Lead Local Flood Authority. However, there was significant local community interest in the application, with individuals and community groups making detailed comments on submitted technical documentation. We could not accept additional information as there was insufficient time to carry out a consultation. While it is possible matters can be resolved, the revised Environmental Statement and relevant parameter plans submitted as part of the appeal have not been updated to include the discussed amendments.

Further, the Appellant has today informed us that the Infrastructure Delivery Plan will need to be updated for the Inquiry but has not provided any such update.

It is not reasonable, nor in accordance with the relevant procedural guidance, for the Appellant to submit an appeal without including all of the documents relied upon. The Council has instructed a range of external consultants and as such is incurring costs from the very start of the appeal process. The Council's Statement of Case will address the issues arising as best it can, but it seems likely that these matters will need to be considered at the forthcoming Case Management Conference.

I have copied in the Appellant's agent so that he and the Appellant are aware of our concerns.

Yours sincerely

Phil

Philip Crowther

**Legal Business Partner/Senior Solicitor -
Regulatory**

Legal Services

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Alderholt Meadows Appeal – New evidence submitted / proposed for submission

Issue	New evidence available / referenced	Status	Submission route / Amendments made	Likely acceptability	Implications
Habitats/nutrient neutrality. Impacts arising from phosphates in River Avon	Confirmation from Natural England regarding phosphate credits (referenced at SoC para 2.4)	Referenced in SoC but not submitted. Unknown what if anything has been submitted to Natural England. Appellant says they can evidence 'the certainty [NE] requires is not that phosphate credits have been purchased, rather that they are available to the appellant should the appeal succeed.'	No evidence or amendments submitted at appeal	LPA would place significant weight on NE's opinion regarding acceptability of mitigation. However, the stated position agreed with NE would not depart from the approach taken elsewhere and found acceptable. While credits do not need to have been purchase it is expected they would have been secured and that this can be evidenced. The Appellant has yet to provide this evidence.	Were the Appellant to provide evidence that credits have been secured, the details of this and the impacts on site viability, phasing and delivery would need to be understood.
Habitats/ recreational access. Recreational impacts on Dorset Heathlands	Updates to ES/HRA to remove reference to use of bridleway across Cranborne Common (referenced at SoC para. 2.7)	Offered at application stage and referenced in SoC. However, documents not amended/reassessed for implications.	No amendments submitted at appeal	Submitted Shadow HRA had not considered the impacts of the proposed cycle route across Cranbourne Common. This was raised as a concern. If this is no longer proposed then the cycle route would not have an impact, but other implications unknown.	The TA would need to be updated to consider the impacts of removal of this cycle option as one promoted as part of the development. Impacts on sustainability/internalisation.
Local centre walking distances	Evidence regarding walking distances for local centre (referenced at SoC para. 2.17)	Referenced in SoC but not submitted. Appellant says they will demonstrate 'The local centre is within a 15 minute walk of the majority of the properties in the existing settlement of Alderholt'.	No evidence submitted at appeal, but appears to be in production.	The LPA reserves position on whether the evidence demonstrates the local centre is within a 15 min walk of the majority of properties. Regardless, it is considered unlikely this evidence would demonstrate the applicant has proposed the local centre is in the position which would provide optimal access for Alderholt residents to this facility through walking and cycling.	Possible implications unknown at this point.
Sequential Test Retail Impact Assessment	Retail Impact and Sequential Test Assessment November 2023	New evidence submitted with appeal. Previously no Sequential Test or Retail Impact Assessment had been submitted.	Evidence submitted at appeal.	It is likely that the case put forward re. sequential test could be acceptable for uses considered part of a local centre. However there is still a lack of clarity around what is proposed and whether this would be a local centre. Uses such as offices or indoor sports have not been considered or tested although the draft conditions do not exclude these. The implications of the proposed retail on the existing co-op store e.g. closure, relocation and the impacts of this on existing residents need to be considered.	Implications for viability as it is unclear what the viability assessment assumed in terms of mix at the local centre and employment land. Also implications for TA as this has used assumed delivery of facilities in local centre / employment land to reduce assumed trip rates out of Alderholt – i- it is not clear whether the proposal is in line with that.
First/Primary Education strategy/accommodation	Education strategy (referenced at SoC para. 2.28)	Appellant continues to promote St James First School as a site for a primary school expansion. Appellant's education consultants have agreed to provide any evidence they have re. tree survey and highways assessment for existing St James site. The Council have provided an explanation regarding land area requirements for both a 2FE First and Primary School. Appellant may be willing to amend the proposal and include land for first/primary school on-site.	No evidence or amendments submitted at appeal	Principle of 2-storey school building and intensified land use at St James is not likely to be acceptable. Likely that tree survey would demonstrate site constraints – e.g. cut down TPO trees to build 3G pitch. Unknown what highways impacts of primary school would be. Council's position remains that the Appellant should demonstrate their proposal works as they have decided not to take the advice of the LEA and place the school on-site. If Appellant moves school onto site this would resolve RfR 5. At present much work is likely to have to follow from submission of information re feasibility/practicality of proposal at St James.	Adding school onto site would be a material change to the proposal. Like other on-site infrastructure, the Council's position is that this should be directly delivered, which would have implications for the S106. Identification of the school site on the masterplan would be needed and this would be expected to sit on a suitable site alongside the local centre.

Issue	New evidence available / referenced	Status	Submission route / Amendments made	Likely acceptability	Implications
Middle/Upper/Secondary Education	N/A	Through Education negotiations the Appellant has been made aware that there is spare capacity within Cranbourne Middle School and QE Upper School (Wimborne). Using these schools would reduce the required financial contribution towards education.	No amendments submitted at appeal	If the Appellant wishes to make use of spare capacity this would be acceptable. From a planning point of view there is a question over whether a contribution to fund delivery of school places in Hampshire would pass the Reg 122 tests given existing capacity at catchment schools within Dorset.	Using these school places would have impacts on the TA and assumed internalisation. Staying connected to the 3 tier system would mean additional trips outside of the village for schooling. It would also mean upper children would be bused to Wimborne which may affect the viability of the proposed bus route.
Bus service	Notes submitted to DC Highways and HCC Highways	Notes submitted to DC Highways and Hampshire Highways – however not submitted as part of appeal. LPA were not copied into either however DC Highways have forwarded their note on.	No amendments submitted at appeal	An improved bus offer had been made, this would take the contributions up to £1.8mil and provide a half-hourly bus at peak times (funded for 7 years). The bus service could be secured in perpetuity through a service charge on the development.	It is unclear how this links to bus provision for school children (to Fordingbridge). As it has been previously stated this element is key to viability of the bus service more info on this is needed. It is unclear whether the suggested obligation to impose a service charge to pay for the bus in perpetuity would be reasonable.
Junctions and road widening				Various items of additional evidence submitted re. widening and junction designs. As yet unknown how acceptable these might be to the 2 HAs. However, highways is a key issue for Alderholt PC (rule 6) so they will expect to see any amendments.	Implications for viability / contributions where offsite? Scheme amendments? Consultation?
A31 Junction Modelling	Additional modelling on the A31 Verwood junction completed and being discussed with National Highways (referenced at SoC para. 3.1)	We have not had sight of the technical modelling itself however have seen NH's response (still a lot outstanding).	No amendments made to appeal	Acceptability of A31 impacts / junction design subject to assessment by NH, we would be guided by their response.	Implications for TA as likely re-modelling will be required for local roads.
AONB Tranquillity	Tranquillity mapping (submitted within updated ES)	Forwarded to AONB Team who continue to raise concerns.	Amendments submitted at appeal through update to Environmental Statement	Under consideration	Limited wider implications
Drainage Strategy	Flood Assessment / Drainage Strategy (referenced at SoC para. 2.36)	Further info shared with the LLFA at a late stage in planning process – letter dated 22 June 2023. This has now been submitted as part of the appeal (submitted to the Council 29/02/2024 – assume it has been submitted to PINS as well). As well as providing technical info, the changes ought to result in a small update to the parameter plans however this has not happened.	Referenced letter submitted at appeal. No amendments to parameter plans/indicative masterplan submitted.	The updated technical info is acceptable to DC, we would normally as for parameter plans to be updated however I don't think the issue is so fundamental as to continue to uphold the RfR. Parish Council (now rule 6) continue to have concerns around drainage and would expect to see amendments.	Possible minor scheme changes? Consultation?
Energy Strategy	Planning Energy Strategy November 2023	Wholly new element to the proposal. Energy Strategy submitted includes possible solar farm outside of site boundary – previously consented but has now lapsed. An alternative is placing solar panels on all dwellings and requiring them to join a scheme to sell and purchase energy from these. Also includes a BESS which was not part of the proposal.	Amendment submitted at appeal. However the ES has not been updated.	There is no in-principle policy objection to a net-zero development. However, concerns around impacts on other topics and the deliverability of the proposal. Weight should not be attached to a strategy that is not deliverable. Concern that this is not seeking to resolve a reason for refusal but rather is developing the scheme at appeal Concerns around idea that all dwellings will be required to join grid and share energy from their PV panels in order to deliver the strategy.	The proposal relies upon a micro-grid which would require installation of a BESS and potential extension of the red line for solar farms. A BESS is not part of the application and would be a material change. A suitable location would need to be identified on the masterplan. Additional consultation would be needed. The ES would need to be updated along with the IDP. Delivery would need to be secured through S106 to carry any weight in the planning balance – how would an obligation be placed to enforce membership of the grid and would it meet the R122 tests in terms of being fair and reasonable? What are the implications (positive and negative) for viability?