

## **Proof of evidence – Planning matters for the Council**

Section 78, Town and Country Planning Act 1990 (as amended)

Appeal by: Paul Crocker

Site Address: Land West of Church Hill and Land Off Butts Close and Schoolhouse Lane, Marnhull

Description of development:

Hybrid planning application consisting of:

- Full planning permission for a mixed-use development to erect a food store with cafe, plus office space and 2 No. flats above. Erect building for mixed commercial, business and service uses (Class E), (e.g. estate agents, hairdresser, funeral care, dentist, vet). Form vehicular and pedestrian accesses and parking. Form parking area for St. Gregory's Church and St Gregory's Primary School. Carry out landscaping works and associated engineering operations. (Demolish redundant agricultural buildings). Land west of Church Hill.
- Outline planning permission (to determine access) to erect up to 120 dwellings. Land off Butts Close and Schoolhouse Lane.

PINS appeal ref: APP/D1265/W/24/3353912

Dorset Council planning application ref: P/OUT/2023/02644

On behalf of Dorset Council

March 2025

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Lead Project Officer

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## 1.0 Summary

- 1.1 The appeal must be determined on the situation as it stands today.
- 1.2 The Council has an Annual Position Statement (APS) demonstrating a five-year housing land supply confirmed by PINS that they can “rely on”.  
Transitional arrangements have been put in the Framework (paragraph 233) to allow this to stand until it expires (31 October 2025).
- 1.3 The Council recognises that there will be a significant increase in local housing need (LHN) and its potential implications are set out in the Housing Land Supply topic paper.
- 1.4 The strategic policies related to housing are consistent with the Framework but need to be updated. Other relevant LPP1 policies pertaining to heritage assets and retail/commercial development are highly consistent with the Framework.
- 1.5 The Inspector has set out three issues to be discussed:
  - *Issue 1: The effect of the development on the character and appearance of Marnhull and on the setting (and significance) of its heritage assets.*
  - *Issue 2: The effect of the scheme on highway safety (including pedestrian safety) and congestion in Marnhull.*
  - *Issue 3: Whether Marnhull is an appropriate location for housing, retail and commercial development of this scale*
- 1.6 On issue 1, there is common ground that the proposed development would result in less than substantial harm to the heritage assets listed in the reason for refusal. Two of these assets are of more importance being grade I and grade II\* listed and attract greater weight.

- 1.7 The conservation interest of these heritage assets provides a strong reason for refusing the development proposal.
- 1.8 On issue 2, the Council has said in its statement of case that (subject to securing off-site contributions) it will not defend its highways reason for refusal. In which case, the Council has no comment to make on *Issue 2*.
- 1.9 On issue 3, the Council's evidence shows that the Retail Technical Note that accompanied the application is flawed because it relies on drawing a considerable amount of trade from outside the Marnhull catchment. As such, the proposal is considered to be too large for the local needs of village.
- 1.10 This judgement is also backed by comparison to other villages and town centres. The scale of development proposed is not consistent with that provided in other larger villages in the District, or in Stalbridge or the defined town centre in Sturminster Newton. This would cause harm through trade diversion harming the other town centres vitality contrary to section 7 of the Framework.
- 1.11 In the titled balance, it is considered that to the harm to heritage asset plus the adverse impacts of the retail/commercial proposal would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework.

## **2.0 Experience and qualifications**

- 2.1 My name is Robert John Lennis Jr. I hold a BSc degree in Geography and Earth Science from the Central Michigan University, and a master's degree in Urban and Regional Planning from the University of Colorado Denver.
- 2.2 I am a member of the Royal Town Planning Institute with more than twenty-four years of professional experience in town and country planning. Currently, I fill the role of Lead Project Officer for major applications and in the recent past I was the Team Leader for major projects in Dorset Council Partnership (northern area).
- 2.3 The evidence which I have prepared and provide for this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

### 3.0 Introduction

3.1 This Planning proof of evidence has been prepared for Dorset Council (LPA) and relates to a planning appeal submitted pursuant to Section 78 of the Town and Country Planning Act 1990 (as amended).

3.2 This appeal follows the decision of the LPA to refuse the planning application ref: P/FUL/2023/02644. The proposed development was described as:

*“Hybrid planning application consisting of:*

*Full planning permission for a mixed-use development to erect a food store with cafe, plus office space and 2 No. flats above. Erect building for mixed commercial, business and service uses (Class E), (e.g. estate agents, hairdresser, funeral care, dentist, vet). Form vehicular and pedestrian accesses and parking. Form parking area for St. Gregory’s Church and St Gregory’s Primary School. Carry out landscaping works and associated engineering operations. (Demolish redundant agricultural buildings). Land west of Church Hill.*

*Outline planning permission (to determine access) to erect up to 120 dwellings. Land off Butts Close and Schoolhouse Lane.”*

3.3 The term ‘hybrid’ was used to denote that there are two separate sites proposed for development; one site seeking full planning permission, and the other site seeking outline planning permission.

3.4 The appellant is Mr Paul Crocker.

3.5 Pre-application advice was not sought for this development. There is relevant planning history for the site off Butts Close and Schoolhouse Lane.

3.6 The Council has sought to work positively with the applicant by allowing extensions of time to address consultee responses during the application process.

3.7 The application was recommended for refusal under the Council's scheme of delegation and the decision notice was issued 16 July 2024. This decision pre-dates the government consultation on revising NPPF and LHN (30 July), as well as the revised NPPF and new local housing need (12 December). While these changes have happened since the original decision, we still believe that the decision was correct, albeit, greater weight is now given to housing.

3.8 The reasons for refusal are set out in the Council's Statement of Case. Subject to securing planning obligations in a Section 106 legal agreement and appropriate conditions, the Council would not seek to defend reasons for refusal 3 (CD4.010a LHA comments 12/24) and 5 listed in the decision notice. This leaves RfR 1, 2, and 4 as follows:

*1. The proposed development by reason of its location outside of the settlement boundary of Marnhull would be contrary to Policies 2, 6, and 20 of the adopted North Dorset Local Plan Part 1 (January 2016).*

*2. The proposed development includes main town centre uses (use class E) measuring 2,356 sqm which is not considered to be small scale rural development contrary to Policies 2, 11 and 12 of the adopted North Dorset Local Plan Part 1, and paragraphs 90 and 91 of the National Planning Policy Framework.*

*4. The proposed development by reason of its siting, scale (in terms of mass and quantum), and appearance would have a less than substantial harm on grade I listed Church of St Gregory, grade II\* listed Senior's Farmhouse and Attached Barn, and Marnhull Conservation Area. It is considered that the harm identified would not be outweighed by the public benefits of the proposal contrary to Policies 2 and 5 of the adopted North Dorset Local Plan Part 1, and paragraphs 199, 200, and 202 of the National Planning Policy Framework.*

(Note: paragraphs 199, 200, and 202 of the Framework are now 212, 213, and 215)

3.9 A Statement of Common Ground is being produced by the appellant and the Council (CD4.019 SoCG)

3.10 Following the case management conference, Inspector J. Bore has set out the main issues to be considered as:

- *Issue 1: The effect of the development on the character and appearance of Marnhull and on the setting (and significance) of its heritage assets.*
- *Issue 2: The effect of the scheme on highway safety (including pedestrian safety) and congestion in Marnhull.*
- *Issue 3: Whether Marnhull is an appropriate location for housing, retail and commercial development of this scale*

#### *Scope of evidence*

3.11 My proof of evidence addresses the planning policy matters raised in the reasons for refusal. In preparing my evidence I have also relied on the evidence presented by the Council's other witnesses: Tobias Carleton-Prangnell, Senior Conservation Officer Spatial Planning and Majors Dorset Council, and our retail consultant Christine Reeves of Lambert Smith Hampton.



#### **4.0 The appeal site(s) and surroundings**

- 4.1 An agreed description of the appeal sites and their surroundings is set out in the SoCG (CD4.019 SoCG).

#### **5.0 The appeal proposals**

- 5.1 A detailed description of the proposed development and confirmation of the plans and documents the appellant would like the Inspector to consider are contained in the SoCG (CD4.019 SoCG).

## **6.0 Relevant Planning history**

- 6.1 The northern parcel of land, where full planning permission is sought for a retail development, does not have any relevant planning history.
- 6.2 The southern parcel of land, part thereof, has planning permission for 39no. dwellings:
- P/OUT/2021/03030 – (Approved 02/03/2023) Develop land by the erection of up to 39 No. dwellings, form vehicular and pedestrian access, and public open space. (Outline application to determine access).
- 6.3 Prior to this approval the appellant had sought permission for 74no. dwellings on part of this site. This was then reduced to 58no. following the first round of consultations and then subsequently withdrawn.
- 2/2018/0448/OUT - (WITHDRAWN 08/09/2021) Develop land by the erection of up to 58 No. dwellings. Form vehicular and pedestrian access, central parkland and open space, play area and attenuation basin. (Outline application to determine access).

## 7.0 Planning policy matters

7.1 It is well understood that Planning law requires that application of planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise<sup>1</sup>. The National Planning Policy Framework is a material consideration which states at paragraph 11 that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (fn8), granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance(fn7) provides a strong reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination(fn9).

### *Is the local plan up-to-date*

7.2 In light of paragraph 11 c) the relevance of an up-to-date development plan is for approving development proposals that accord with it. While paragraph 34 of the Framework sets out that plans should be reviewed every five years, we, Dorset Council, cannot say there has been a completed review of the development plan for North Dorset DC (as was) for various reasons.

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<sup>1</sup> National Planning Policy Framework, paragraph 2

- 7.3 In November 2017 – January 2018 the Council (North Dorset DC as was) sought to review the local plan and went out to consultation on an issues and options paper. In April 2019 Dorset Council formed and North Dorset DC was dissolved. The decision was taken to start work on producing a single Dorset Council Local Plan in 2019, shortly after its formation. A consultation on a draft Local Plan went out in January 2021, but the DCLP was later delayed due to nutrient neutrality and coastal flooding issues. The Council Cabinet has recently reaffirmed their intentions stating *“Having an up-to-date local plan is crucial to ensure Dorset is able to set out a clear vision and strategy for sustainable development, taking into consideration the national drive for housing delivery, economic growth and securing comprehensive coverage of development plan policies across the country. Therefore, progressing the local plan to adoption via the quickest route is recommended.”* Hence, it has been agreed to proceed under the current plan-making arrangement and the updated Local Development Scheme sets out a timetable to meet the December 2026 deadline for submission (CD7.007 Cabinet report 25 Feb 2025 LDS update)
- 7.4 Until the adoption of a new development plan for Dorset, the Council will continue to use the former district local plans. With exception to the policies that directly impact housing supply and delivery, the policies of LPP1 are considered to be broadly consistent with the Framework (as set out below) as they were adopted in 2016 under the auspices of an earlier version of the Framework.

#### *Current position on housing land supply*

- 7.5 With regard to housing supply and delivery policies, Dorset Council submitted an Annual Position Statement in July 2024 to the Planning Inspectorate. The local housing need was calculated using the standard method, in line with paragraph 77 of the NPPF (2023).
- 7.6 Inspector K. Ford’s report of 26 September 2024 found, subject to his recommendations, that the Council could demonstrate a housing land supply

of 5.02 years and stated, *“The Council is now entitled to rely on the supply as shown in the draft APS and subject to the above revisions until 31 October 2025.”* (CD5.001 Annual APS paragraph 3)

- 7.7 The words “...entitled to rely on...” are clear and deliberate. This is a statement of entitlement made by the current Government and given to Dorset Council. It should therefore be of no surprise that in the amended National Planning Policy Framework (December 2024) there are transitional arrangements set out at paragraph 233 which allow a local planning authority to rely on the housing land supply position in a published APS until it expires. In our case, the APS expiry date is 31 October 2025.
- 7.8 Government guidance on Housing Land Supply Annual Position Statements states “The concept of an Annual Position Statement (APS) was removed from the National Planning Policy Framework in December 2024. However, transitional arrangements apply where a local planning authority has already confirmed its housing land supply position for a year through a published Annual Position Statement that was examined by the Planning Inspectorate (paragraph 233).” (CD 5.022 PPG Housing Land Supply Annual Position Statements)
- 7.9 Therefore, the requirement of paragraph 78 that the local housing need (LHN) is calculated using the new standard method takes full effect on 1 November 2025 in light of the Government's transitional arrangements.
- 7.10 In my opinion paragraph 233 has the effect of suspending the new housing land supply position until 1 November 2025, the day after the expiration of the APS. That’s not to say that the Council is waiting for that day, as we are taking a pragmatic approach to approving sustainable development. At the same time, progress is being made on a new local plan as stated above, which will look to allocate additional sites in order to meet the new LHN. We are aware that the LHN has increased by approximately 80%. In this context, the Council accepts that significant weight should be given to schemes that deliver more housing in sustainable locations.

- 7.11 In terms of delivery rates over the last three years, it is common ground that Dorset Council's latest housing delivery test (HDT) score is 106%, well above the minimum threshold of 75% as set out in footnote 8 of the Framework. When applying the criteria of footnote 8 one should also have regard to paragraphs 232 and 233, in which case the Council's housing supply and delivery policies should not be deemed out-to-date as it stands today.
- 7.12 The Council recognises that there will be a significant increase in LHN and its potential implications are set out in the Housing Land Supply topic paper. Paragraph 78 of the Framework sets out that "...Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old..." However, in light of the Council's APS and the transitional arrangements in para 233 of the Framework, the implications of this new figure should not take effect until 1 November 2025 . (CD5.022 PPG: Housing Land Supply Annual Position Statements)

#### *Degree of consistency with the Framework*

- 7.13 The existing policies of the development plan are not out-of-date simply because they were adopted prior to the publication of this most recent Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). (CD5.023 NPPF para 232). This is common ground between the parties.
- 7.14 Broadly speaking, paragraph 232 of the Framework addresses two categories of 'existing policies'. The first two sentences of the paragraph are pointed toward all policies generally setting out "the closer the policies in the plan to

policies in the Framework, the greater the weight that may be given” to them in the decision-making process.

7.15 My understanding of the third and final sentence of para 232 is that it affords additional protection for local plans that are less than 5 years from adoption, provided certain criteria are met. As the North Dorset Local Plan is now more than 5 years from adoption, this sentence and the provisions within it do not apply in this case.

7.16 It is a fact, and common ground, that the Council has confirmed its housing land supply position through a published Annual Position Statement (until 1 November 2025), and a Housing Delivery Test score that is greater than 75% of the housing requirement over the previous three years. It follows that the North Dorset Local Plan Part 1 (January 2016) (LPP1) policies relating to housing supply and delivery should not be regarded as out-of-date on the application of footnote 8.

7.17 Inspector B. Plenty recently opined on the Council’s APS in his appeal decision dated 17<sup>th</sup> January of this year. He noted at paragraphs 7, 43, and 56:

“The Secretary of State has recently agreed the Council’s 5-year HLS position through an Annual Position Statement (APS), with a base date of April 2024. The Inspector’s report, published in October, has confirmed that the Council can demonstrate a 5.02 year Housing Land Supply (HLS) position. This is the most up to date, independent confirmation of the housing land supply and carries substantial weight. Although the new version of the National Planning Policy Framework (the Framework) has removed the ability of Councils to seek an APS, an existing APS will remain in full force until it expires. Furthermore, the Council has a Housing Delivery Test (HDT), published December 2024, resulting in a healthy delivery of 106%....  
...paragraph 233 of the Framework is clear that where a local planning authority has confirmed its housing land supply position through an Annual Position Statement, the position will stand until the statement expires...

...It may be that upon expiration of the APS, a very substantial shortfall in housing supply measured against the latest requirement may arise. It may not be possible to meet the requirement at that time within the policy Framework of the LP, and the Council may need to look to locations such as Sturminster Newton to assist in meeting housing needs in the most sustainable way. However, I am unable to reliably forecast the Council's land supply position upon expiry of the APS and, the appeal must be determined on the situation as it stands today." (CD13.005 appeal Land off Manston Road, Sturminster Newton, Dorset)

- 7.18 The core spatial strategy for the plan area is contained in Policies 2 and 20 of the LPP1. These seek to direct growth to the four main towns of the District: Blandford, Shaftesbury, Gillingham, and Sturminster Newton. Stalbridge and eighteen larger villages (of which Marnhull is one) are identified as the focus for growth to meet local needs outside of these towns. Settlement boundaries around the larger villages are retained while settlement boundaries around the District's smaller villages are removed.
- 7.19 Outside of the settlement boundaries, policies strictly control development unless it is required to enable essential rural needs to be met. Policy 20 further sets out that in the countryside, development will only be permitted if it is a type appropriate in the countryside, as set out in the relevant policies of the plan; or, for any other type of development, if it can be demonstrated that there is an 'overriding need' for it to be in the countryside.
- 7.20 Policy 6, which guides housing distribution, indicates that during the plan period at least 825 dwellings will be provided in the countryside including in Stalbridge and the 18 larger villages. The supporting text to Policy 6 confirms that the overall level of housing in Stalbridge, the 18 larger villages and the countryside will be the cumulative number of new homes that have been delivered to meet local and essential rural needs as defined by neighbourhood plans, rural exception sites and the functional need for rural workers' dwellings. The Council's monitoring of completions between 2011 and 2024 has recorded 1,010 net additional dwellings at Stalbridge, the 18



larger villages and the countryside. The supply at these settlements on 1<sup>st</sup> April 2024, taking into account consents and neighbourhood plan allocations, suggests that a further 1,158 dwellings could be delivered by 2031, the end of the plan period. This includes 664 which were confirmed as being part of the 5-year supply in the APS. Therefore, during the plan period 2011 to 2031 there is potential for c.2,168 additional dwellings to be delivered at Stalbridge, the 18 larger villages (330 or 15% for Marnhull) and the countryside, exceeding the minimum target of 825. (CD5.024 North Dorset completions and consents chart)

7.21 The policies above and the policies considered to be most important for determining the application, as set out in the Policy topic paper, are considered for their consistency with the Framework below. In order to take full account of the new LHN figure these considerations do not have regard to paragraph 233:

LPP1 - Policy	Comments on NPPF comparison	Degree of consistency (high medium or low)
Policy 1- Presumption in Favour of Sustainable Development [CD3.001]	The emphasis of approving applications that accord with the development plan remains. The exercise of a 'tilted balance' also remains i.e. weighing the benefits of a scheme to any significant and demonstratable adverse impacts.	High
Policy 2 – Core spatial strategy [CD3.001]	Broadly consistent with the provisions of the Framework which seek to promote sustainable development, locate housing where it will enhance or maintain the vitality town centres and of rural communities, and which seek to ensure that developments create places that are inclusive	Medium

	and accessible. There needs to be more recognition of sites that are physically well-related to existing settlements.	
Policy 5 – The historic environment [CD3.001]	The aims and objectives of the current NPPF remain largely the same. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The more important the asset, the greater the weight should be given to its conservation.	High
Policy 6 – Housing distribution [CD3.001]	This policy looks at net additional homes over the plan period with an average annual rate of delivery. The overarching spatial strategy of directing growth to the most sustainable locations is consistent with the Framework. The housing figures need to be updated in line with current Framework.	Medium
Policy 8 – Affordable housing [CD3.001]	The is broadly consistent with the Framework which states that where there is an identified need, a requirement should be set in policy, and an expectation that the requirement should be met on-site.	High
Policy 11- The Economy [CD3.1],	The spatial approach to economic development in the LPP1 still aligns with the aims and objectives of the current NPPF. That planning policies and decisions should support	High

	the role that town centres play at the heart of local communities, by taking a positive approach to their management and adaption. The policy also allows for some economic development in the countryside.	
Policy 12 – Retail, Leisure and Other Commercial Developments [CD3.001]	This policy is still broadly consistent with the aims and objective of section 7 Ensuring the vitality of town centres. Defines a network and hierarchy of town centres (which is a requirement of the Framework) and promote their long-term vitality and viability. Supporting town centres, edge of centre, and out of centre locations that are well connected to the town centre.	High
Policy 20 – The countryside [CD3.001]	This policy is still broadly consistent with the Framework recognising the intrinsic character and beauty of the countryside, the need to support rural economy, ensuring development is sensitive to its surroundings, and to recognise there may be an over-riding need to find sites to meet local business and community needs adjacent to or beyond existing settlements.	Medium

7.22 Policies 2, 6, and 20 are consistent with the aims and objectives of the Framework in terms of housing development. However, the figures are of

policy 6 are out of date, and the settlement boundaries need to be review to allow for more growth.

## 8.0 Planning issues to be considered

### ***Issue 1: The effect of the development on the character and appearance of Marnhull and on the setting (and significance) of its heritage assets.***

- 8.1 It is common ground that the proposed development would result in less than substantial harm to the heritage assets listed in the reason for refusal.

I refer to the Council's Heritage Proof of Evidence prepared by Mr Carleton-Prangnell which covers the issue(s) in great detail. In summarising his evidence at paragraph 4. And 4.1 he states:

*"Harm is mutually identified to multiple aspects of each heritage asset's significance arising from the proposed development. Harm consists principally of impacts to an identified asset's evidential, historical, aesthetic and communal values resulting in a conclusion of less than substantial harm.*

*Based on the proposed intent of the scheme and relational proximity to the Conservation Area, overall, impact is considered likely by way of negative challenge (harm) to unique attributes which positively contribute to the setting and, therefore the significance of encompassing designated assets. Subsequently, para. 215 of the NPPF is engaged in address of less than substantial harm."*

- 8.2 I agree with Mr Carleton-Prangnell's Proof and rely upon this evidence.

- 8.3 I have had cause to consider the heritage assets of Marnhull on more than one occasion and I have walked the footpaths in and around the village for both pleasure and work. As such, I have a few thoughts I would like to express about these assets.

- 8.4 The Church tower was not built solely to be a landmark feature. It is a part of the Church, and in my opinion represents a destination. If we consider the history of this Church in this agrarian setting, then we can imagine how

pilgrims or parishioners would have seen this tower change in their view from a speck on the horizon to a towering feature of their destination. This sense of growing expectation embodied in travelling through the countryside can still be obtained, to some degree, and for me is best experience on foot.

- 8.4 Approaching from the south there are exceptional views of St Gregory The Great, Marnhull CA, and proposed housing development site starting at the junction of Walton Elm Hill and Eastwell Lane. Then heading northward via footpath N47/25 or N47/117 you will have (unless there's a fog) views of The Church framed by hedgerows with emerging trees and fields. There are other exceptional views obtain on this journey from footpath N47/27 and N47/28, and N47/36 and N47/40. (Appendix A footpaths to the south of St Gregory's)
- 8.5 It is my opinion that the development of the southern site would urbanise these views to the detriment of Marnhull's character and the heritage assets listed in the reason for refusal, and I don't believe there is any form of mitigation that would lessen the harm.
- 8.6 Approaching the Church from the north the only distant exceptional view I would recommend is atop the stile at Love Lane footpath N47/92 and N47/93. This view takes in the proposed retail site and all the heritage assets with the beacon Church tower. Footpaths through the field to the north of the Church, N47/30, 31, 32, and 33 are all capable of providing lovely views of the Church and many of these views take in the proposed retail site. The slow erosion and cumulative sense of loss to the setting can best be appreciated from where fp N47/30 enters the field by the pharmacy and Church Hill road. (Appendix B footpaths to the north of St Gregory's)
- 8.7 It is my opinion that the development of the northern site represents further harmful erosion to the agrarian setting of the heritage asset listed in the reason for refusal, and I don't believe there is any form of mitigation that would lessen the harm.

- 8.8 The identified less than substantial harm to these assets should be weighed against the public benefits of the proposal.
- 8.10 The public benefits of the scheme are considered to be market housing, affordable housing, jobs from construction, and retail/commercial services and jobs.
- 8.11 The evidence behind the Marnhull Neighbourhood Development Plan Pre-Submission Draft (Regulation 14) (MNP) on housing land supply indicates there is a sufficient supply (256no dwellings with extant planning permissions) to address the local housing needs requirement for fifteen years (using the new standard method, NPPF (2024)). If affordable housing is provided at a 40% rate of this total (on schemes of 10 or more), then we can expect 94no. AH to be delivered which is in excess of the total number expressing a preference to live here. (CD6.001 Marnhull Neighbourhood Plan pages 102-104)
- 8.12 For those unable to access or afford market housing, the provision of additional AH should always attract substantial weight. However, what is on offer from the appellant is simply a policy compliant 40% affordable homes based on the total number of dwellings they could achieve on a speculative site. In light of the Government's objectives to significantly boost the supply of houses, the provision of housing should attract substantial weight.
- 8.13 The aim of retail development in the countryside should be to meet local needs and the scale of this proposal seems to exceed those needs. Therefore, it is possible that if there is not enough trade then the shops would close, and vacant retail space could be seen as a disbenefit. Further uncertainty arises without any known retailers signed up to fill these shop units. However, there would be construction jobs and other jobs associated with the new shops and additional expenditure. As such the economic benefits associated with this aspect of the proposal could range from limited positive weight to limited negative weight.

- 8.14 With regard to the heritage assets, great weight should be given to their conservation (and the more important the asset, the greater the weight should be). Less than substantial harm has been identified to the significance of their designations. Great weight should be applied to the conservation interests of the Marnhull Conservation Area, greater weight should be applied to the conservation interest of the grade II\* listed Senior's Farmhouse and Attached Barn, and even greater weight should be applied to the grade I listed Church of St Gregory.
- 8.15 It should be noted that the harm is coming from two different sites so whatever initial weighting score we come up with for the heritage assets we should multiply that by two. Also note the harm is permanent.
- 8.16 This identified harm should be weighed against the public benefits of the proposal.

***Issue 2: The effect of the scheme on highway safety (including pedestrian safety) and congestion in Marnhull.***

- 8.18 The Council has said in its statement of case that (subject to securing off-site contributions) it will not defend its highways reason for refusal. In which case, the Council has no comment to make on *Issue 2* at this time.

***Issue 3: Whether Marnhull is an appropriate location for housing, retail and commercial development of this scale***

- 8.19 With regard to the proposed scale of housing, the evidence behind the MNP would suggest there is no local need for this scale of housing. This evidence also takes account of the latest 'standard method' housing calculation. While the Council recognises the need to deliver more houses, the proposed quantum of housing is not aiming to meet local needs. Furthermore, the



proposed housing site and quantum of housing would have a less than substantial harm to heritage assets and thereby adversely impact on the character of Marnhull. (CD6.001 Marnhull NP page 102)

8.20 With regard to the proposed retail and commercial development, the Council's evidence was gathered by Ms Christine Reeves of Lambert Smith Hampton. She has considered whether the proposed scale of development is appropriate for Marnhull in two different ways and concluded that it is not.

8.21 In summary, the Retail Technical Note that accompanied the application is considered to be flawed and relies on drawing a considerable amount of trade from outside the Marnhull catchment. Secondly, the scale of development proposed is not consistent with that provided in other larger villages in the District, or in Stalbridge or the defined town centre in Sturminster Newton. (Appendix C Retail Assessment by Christine Reeves LSH)

8.22 I agree with Ms Reeves and rely upon this evidence.

8.23 The conclusions of Ms Reeves findings are not surprising as the applicant tried to claim the proposal was for 'small scale' rural development when it plainly was major development as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015. Proposed to be located in a village remote from any of the town centres in North Dorset.

8.24 I have judiciously selected the following paragraphs from Ms Reeves' Proof to demonstrate our position. Her appended Proof should be read in full.

*"Conclusions on Retail Technical Note*

*5.37 The fact that my capacity assessment for Marnhull does not demonstrate the necessary need for the proposed convenience floorspace, is not a surprise. As Lichfields note, the expected growth in convenience spend is likely to be slow going forward and most will be taken up by non-store sales (RTN, para 2.15). As a result capacity for new development is only likely to arise in areas of very high population growth or in areas where there is currently a qualitative deficiency (RTN, para 2.13).*

*5.38 The development of 275 housing commitments (RTN, para 2.8) and the 124 residential units that form part of the appeal proposal, represent a significant increase in terms of the existing population of Marnhull. However, the settlement will remain a village with a local population of under 3,000 (RTN, Table 1). As such the village residents will only be able to support a limited range of retail and town centre uses. Further, the village is already served by two convenience stores, a pharmacy, a hairdressers and two public houses.*

*5.39 The RTN seeks to argue that there is sufficient available expenditure to support the convenience, comparison and F&B uses proposed, but my review has shown that this analysis is flawed, in that supporting this level of development relies on drawing trade from an extensive area, considerably greater than Marnhull's natural hinterland. It also assumes an unrealistic level of trade retention..."*

#### **Comparative Analysis Conclusion**

*"5.71 Based on our review of the RTN and our assessment of retail and service provision in Sturminster Newton, a designated town centre, the town of Stalbridge and other larger villages in the area (Child Okeford and Shillingstone), it is clear that the overall level of provision proposed by the Appellant, is excessive for the village of Marnhull. This is especially so, given the proximity of Sturminster Newton and Stalbridge, which means residents of Marnhull already have good access to a range of goods and services.*

*5.72 The proposed foodstore is of a size that would significantly exceed that of the anchor foodstore in Sturminster Newton and would be more than 6 times the combined size of the existing provision in the village.*

*5.73 This scale of development is neither appropriate for a village location, nor can it be supported by available expenditure in the area. Whilst large for the area, it would not be of sufficient size to provide a full main food shop offer and I therefore disagree with Lichfields that around 630 sqm net of*

*additional convenience floorspace can be supported (RTN, Table 7A). My own analysis suggests the figure is closer to 260 sqm net.*

*5.74 Similarly the ability to support additional comparison and F&B floorspace is significantly overstated in the Lichfields analysis and cannot be justified when compared with existing provision in similar villages the town of Stalbridge or Sturminster Newton town centre.*

*5.75 I therefore conclude that the proposed development is not of an appropriate scale for Marnhull village.”*

- 8.25 On the matter of issue three, I believe the scale of the proposed retail/commercial development is not appropriate for this village, and the location of the housing is problematic.

## **9.0 Planning balance**

- 9.1 The appeal must be determined on the situation as it stands today.
- 9.2 The proposal is in conflict with the development plan with regard to the core spatial strategy, retail matters, and the effects on heritage assets. This results in conflict with the development plan when read as a whole.
- 9.3 Paragraph 233 of the Framework acknowledges that the Council's APS will stand until it expires, 31 October 2025. Therefore, the Council has a five year housing land supply it can "rely on" today, and it also has a housing delivery test score of 106%.
- 9.4 It is arguable that, despite the direction of paragraph 233, some of the local plan policies are out-of-date due to the significant rise in local housing need and how that growth is going to be accommodated.
- 9.5 Following the presumption in favour of sustainable development where the policies most important to determining the application are out-of-date, we first need to consider the less than substantial harm to the heritage assets in light of the Framework policies (paragraphs 212, 213, and 215) that protect these assets and provide a strong reason for refusing the development.
- 9.6 As set out above and in Mr Carleton-Prangell's proof of evidence, there is identified less than substantial harm to the significance of three heritage asset's designations. Great weight should be applied to the conservation interests of the Marnhull Conservation Area, greater weight should be applied to the conservation interest of the grade II\* listed Senior's Farmhouse and Attached Barn, and even greater weight should be applied to the grade I listed Church of St Gregory, in any balancing exercise.
- 9.7 The benefits of the scheme should be weighed as set above, as follows: the provision of housing (market and affordable) would attract substantial weight; economic benefits from construction jobs and additional expenditure from new

residents moderate weight; and, due to details of the retail operators being unknown, the benefits regarding retail jobs is too uncertain and as such I cannot afford them any weight at this stage.

- 9.8 I am of the opinion that the balance tips to the conservation interest of the heritage assets and provides a strong reason for refusing the development proposed.
- 9.9 If it is necessary to carry out an assessment under paragraph 11 d) ii), then I would start by saying the identified harm of the heritage assets should not be dismissed. Rather this adverse harm is compounded by the proposed outsized retail/commercial development proposed.
- 9.10 The scale of the retail/commercial proposal aims to address the more than just local needs contrary to paragraphs 88 and 89 of the Framework. Furthermore, local plan Policies 11 and 12 are consistent with the aims and objectives of the Framework's section 7 which seeks to locate new town centre uses in the established hierarchy and in either a: town centre, edge of centre, or out of centre location as defined in Appendix 2 of the Framework. Logic should prevail that if it is not located in this hierarchy supporting it, then it is detracting from it.
- 9.11 Adding this detrimental aspect of the proposal to the heritage harm would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework.
- 9.12 Respectfully, the Council asks that the Inspector dismiss the appeal for the reasons above.



APPENDIX A

footpaths to the south of St Gregory The Great Church  
setting considerations  
Date: 10/03/2025



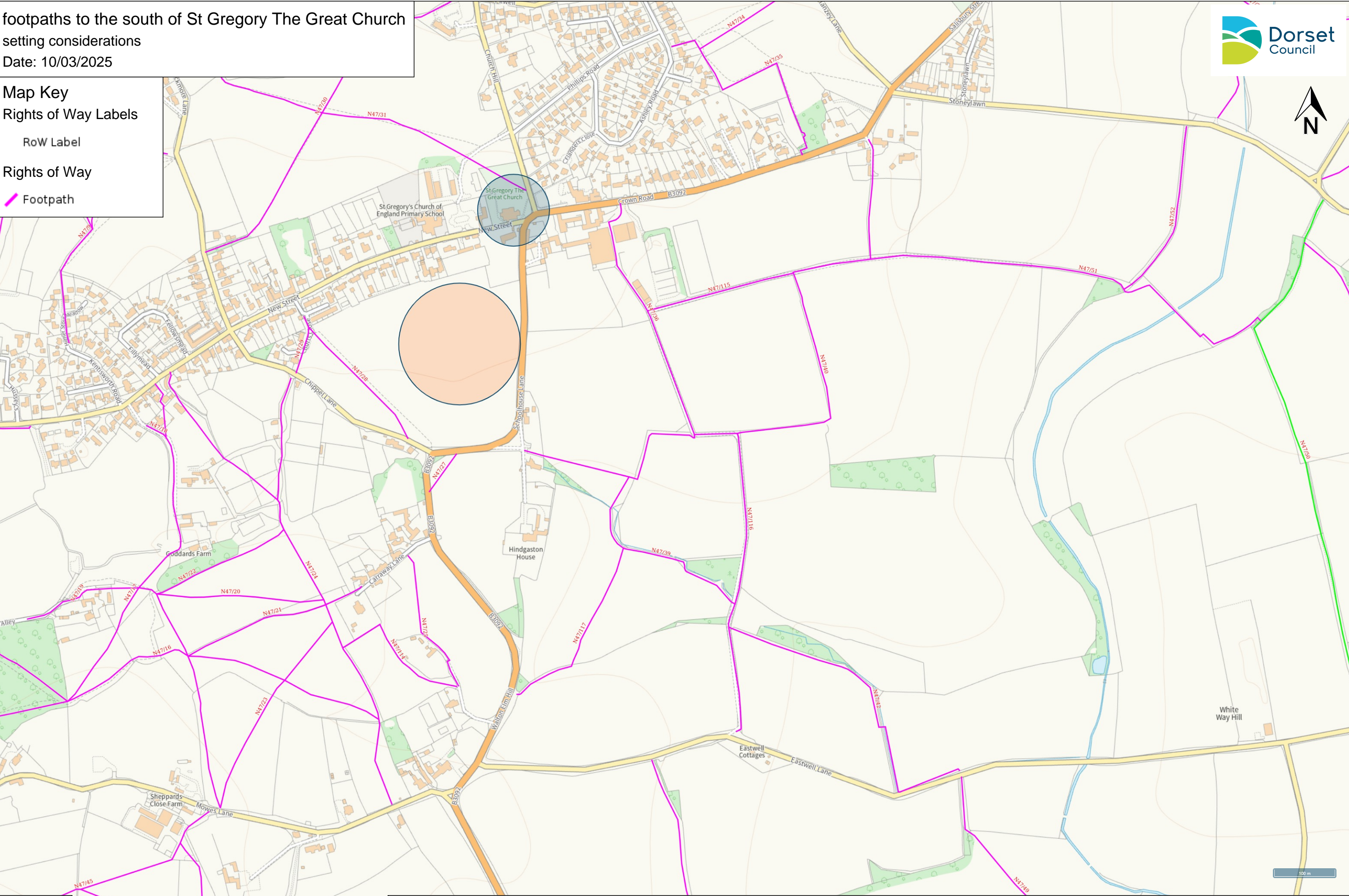
Map Key

Rights of Way Labels

RoW Label

Rights of Way

Footpath



X: 378419  
Y: 118295

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APPENDIX B

footpaths to the north of St Gregory The Great Church  
setting considerations  
Date: 10/03/2025

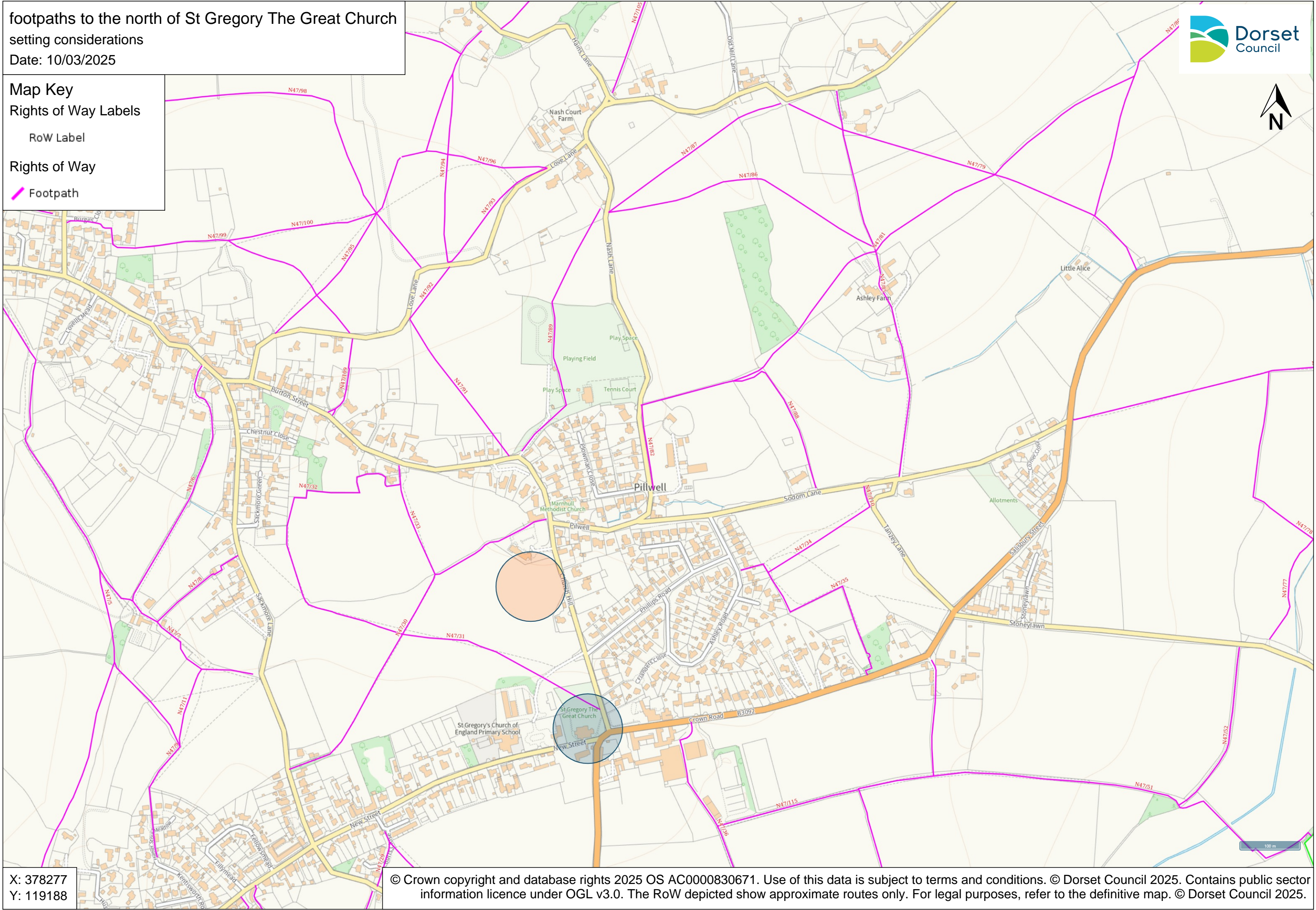
Map Key

Rights of Way Labels

RoW Label

Rights of Way

Footpath



X: 378277  
Y: 119188

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# PROOF OF EVIDENCE OF CHRISTINE REEVES

BSC (HONS), DIP TP, MRTPI

Section 78 Appeal by Mr Paul  
Crocker

Appeal Ref:  
APP/D1265/W/24/3353912

LPA Ref: P/OUT/2023/02644

MARCH 2025



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## APPENDICES

APPENDIX CR/1	EXTRACTS FROM EXPERIAN RETAIL PLANNER BRIEFING NOTE 21 (FEBRUARY 2025)
APPENDIX CR/2	EXTRACTS FROM DORSET LOCAL PLAN - SETTLEMENT HIERARCHY BACKGROUND PAPER

## DECLARATION

This evidence which I have prepared and provide for the Appeal reference **APP/D1265/W/24/3353912** in this Proof of Evidence is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

## 1. EXPERIENCE AND QUALIFICATIONS

- 1.1 My full name is Christine Margaret Reeves.
- 1.2 I am a specialist retail planning consultant with nearly 40 years experience in retail and town planning.
- 1.3 I started my career at Tesco Stores Ltd (Tesco), where I spent nearly 20 years. I was initially employed within the Site Research department and was responsible for the assessment of sites for new store developments. I then joined the New Stores team in the Property Department as the company's Planning Researcher. This role included responsibility for reviewing and commissioning research relating to food shopping behaviour and the effects of new store development.
- 1.4 Since leaving Tesco I have worked for several planning consultancies specialising in retail and town centre development. I have considerable experience of preparing and critiquing sequential and retail impact assessments and have prepared a number of retail studies for local planning authorities.
- 1.5 I am currently employed by Lambert Smith Hampton (LSH) as a Senior Consultant and continue to specialise in retail and town centre development and policy advice.
- 1.6 I am a member of the Royal Town Planning Institute and hold an Honours degree and Diploma in Town Planning from UWIST (now Cardiff University).
- 1.7 I first became involved in this project in December 2024 when LSH was approached by Dorset Council to provide retail advice and evidence in relation to this appeal.
- 1.8 I provided an initial view to the Council on Reason for Refusal 2 (RfR2), the subsequently submitted Retail Sequential Test Statement (RSTS) and Appellant's Statement of Case (ASoC) provided by the Appellant as part of the Appeal submission. This advice is reflected in the Council's Statement of Case (CSoC). I have subsequently provided more detailed advice on the RSTS (LSH letter dated 3 February 2025) (LSH2/25). I have also reviewed the Retail Impact Assessment (RIA) prepared in January 2025 by Lichfields.

## 2. SCOPE OF EVIDENCE

- 2.1 I am instructed to appear at this Planning Inquiry by Dorset Council to provide evidence in relation to Reason 2 of the reasons for the refusal of Application Ref: P/OUT/2023/02644.

### BACKGROUND

- 2.2 The inquiry is considering an appeal by Mr P Crocker relating to two parcels of land in Marnhull, one being west of Church Hill and the second being off Butts Close and Schoolhouse Lane. The application was submitted as a hybrid, with full planning permission sought for a mixed use development comprising a food store, office space, café, and mixed-use space for E class uses and 2 x 2-bed flats plus a new parking area with 30 parking spaces for St Gregory's Church and St Gregory's Primary School, on the Church Hill site, with outline permission sought for residential development at Butts Close/Schoolhouse Lane.

- 2.3 The application was refused planning permission on 16 July 2024. The reason for refusal (RfR) relevant to my Proof is RfR2 which states:

*The proposed development includes main town centre uses (use class E) measuring 2,356 sqm which is not considered to be small scale rural development contrary to Policies 2, 11 and 12 of the adopted North Dorset Local Plan Part 1, and paragraphs 90 and 91 of the National Planning Policy Framework.*

- 2.4 Following the submission of the appeal, additional material has been submitted by the Appellant, seeking to demonstrate that the proposed retail and town centre uses are in accordance with local and national planning policy, namely the sequential and impact tests.

- 2.5 These documents comprise:

- Retail Sequential Test Statement (RSTS) prepared by Chapman Lily Planning (CLP); and
- Retail Impact Assessment (RIA) prepared by Lichfields.

- 2.6 These documents were not available to the Council when the application was determined.

### STRUCTURE OF PROOF

- 2.7 The primary purpose of this Proof is to provide my thoughts with respect to RfR2 which links to Issue 3 as set out by the Inspector in the Case Management Conference Note (CMC) which asks '**Whether Marnhull is an appropriate location for housing, retail and commercial development of this scale**'.

- 2.8 I note that the Inspector has instructed that:

*The parties will refrain from going any further on the specific matters of retail impact assessment and the sequential approach. Any material already produced on these topics, such as the notes from Lichfields and Lambert Smith Hampton, will be included as appendices to the proofs of evidence.*

- 2.9 My Evidence therefore seeks to address the following matters as set out in the CSOC:

- Why the development proposed cannot be considered to be 'small scale rural development'. This will include indicating why the Retail Technical Note prepared by Lichfields and submitted with the application is flawed and as such cannot be relied upon to determine the scale of retail floorspace that can be supported by the local population (existing and proposed) at Marnhull. It also considers how the existing and proposed offer in Marnhull compares with that provided in other settlements nearby and their position in the retail hierarchy;

- Why the use of conditions in this case cannot reduce the scale of development to a level that would be acceptable;
- The relevance of Policy 11, as, although it is referred to the reasons for refusal, it is not considered in the ASoC. I consider it is relevant when assessing whether Marnhull is an appropriate location for retail development of the scale proposed;
- Whether facilities in Marnhull have declined over time (ASoC, para 8.19) as no evidence of this is currently before the Inspector; and
- Whether conditions would be required to control the retail and town centre uses proposed as part of the development if the appeal is allowed.

2.10 I also briefly summarise my thoughts on the documents submitted to date relating to the sequential and retail impact assessments. It is my view that, if it is agreed that the proposed development is not 'small scale rural development' compliance with these policies would need to be demonstrated for the main town centre uses proposed.

2.11 My Proof is therefore structured as follows:

- Section 3 provides a summary of the retail and town centre policies and material considerations I consider relevant to RfR2;
- Section 4 considers the development proposal and specifically the retail and town centre uses proposed. It considers the flexibility of use and the extent to which planning conditions may be able to limit the retail uses to an appropriate level, given that some additional provision may be suitable in a village location;
- Section 5 considers why the scale of development proposed is not appropriate and includes a review of the Retail Technical Note (RTN) that accompanied the application. It also provides a comparative review of the relevant retail facilities in other settlements in the retail hierarchy and in Marnhull over time; and
- Section 7 provides a summary of my evidence and my conclusions.

2.12 Brief comments on the RSTS and RIA are provided in Section 6.

## KEY DOCUMENTS

2.13 In preparing this Proof I make reference to a number of documents submitted by the Applicant/Appellant and other parties which have particularly informed my view on the retail and town centre planning issues raised by the development proposal.

2.14 For ease of reference these documents are as follows:

Document	Author	Date	Reference (Core Docs refs to replace)
Planning and Retail Statement	Chapman Lily Planning (CLP)	October 2023	PRS [CD1.044]
Retail Technical Note	Lichfields	24 October 2023	RTN [CD1.045]
Retail Sequential Test Statement	CLP	September 2024	RSTS [CD4.006i]

Retail Impact Assessment	RIA	28 January 2025	RIA [CD4.014]
Officer Report for Application P/OUT/2023/02644	Robert Lennis, Dorset Council	9 January 2024	OR [CD1.050]
Appellant's Statement of Case	CLP	October 2024	ASoC [CD4.005]
Council's Statement of Case	Robert Lennis, Dorset Council	February 2025	CSoC [CD4.010]
Lambert Smith Hampton (LSH) letter dated 3 February 2025	LSH	3 February 2025	LSH2/25 [CD4.015]
Retail Planner Briefing Note 21	Experian	February 2024	ERPBN21 (Extracts appended to this Proof at Appendix CR/1)
National Planning Policy Framework	MHCLG	December 2024	NPPF
Planning Practice Guidance (Town Centres and Retail)	MHCLG	September 2020	PPG
Statement of Common Ground	Dorset Council and Appellant		SoCG [CD4.019]
Case Management Conference Summary	J Bore (Inspector)	6 February 2025	CMC [CD4.016]
Dorset Retail and Leisure Study - 2022 Update	LSH	January 2023	RLSU [CD5.012]
Joint Retail And Commercial Leisure Study – 2018	Carter Jonas	March 2018	JRCLS [CD5.011]
Dorset Local Plan - Settlement Hierarchy Background Paper	Dorset Council		SHBP (Extracts appended to this Proof at Appendix CR/2)
North Dorset Local Plan	Dorset Council	2016	LPP1 [CD3.001]

### 3. PLANNING POLICY

- 3.1 There is a statutory obligation when determining any planning application to make that determination in accordance with the development plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF) and the associated Planning Practice Guidance (PPG).
- 3.2 For Marnhull the development plan comprises the North Dorset Local Plan Part 1 (LPP1) and the saved policies of the North Dorset District-wide Local Plan 1st Revision (DWLP). The made Neighbourhood Plans (NP) for Blandford, Gillingham, Shaftesbury and Sturminster Newton also form part of the development plan and may also be relevant although not directly applying to the appeal site.
- 3.3 Material considerations include:
  - NPPF
  - PPG
  - Emerging Marnhull Neighbourhood Plan
- 3.4 The key policy relevant to determining any application for retail and other main town centre uses is LPP1 Policy 12 (Retail, Leisure and Other Commercial Developments) (RSTS, paras 2.22 – 2.24). This policy includes a requirement that any such proposals that are not in an existing centre or in accordance with the development plan demonstrate compliance with the ‘sequential test’ set out in national policy. The same policy defines the existing town centres in North Dorset as being Blandford Forum, Gillingham, Shaftesbury and Sturminster Newton.
- 3.5 The requirements for undertaking a sequential test are set out in the NPPF, with the most recent version being the December 2024 version. This represents an update on that referred to in the RSTS (paras 2.1 – 2.15) but there has been no change to the policy wording within Section 7 ‘Ensuring the vitality of town centres’. Therefore the summary of the sequential test provided in the RSTS (paras 2.7 – 2.9) remains valid.
- 3.6 However, the application submission did not include any sequential assessment, it being claimed by the Appellant that it was not required as the development constituted small scale rural development (NPPF, para 93). The Council did not agree and this is reflected in RfR2.
- 3.7 Having reviewed the original application documentation I agree with the Council that the proposed retail development cannot be considered to represent ‘small scale rural development’ (NPPF, para 93).
- 3.8 Whilst the term ‘small scale rural development’ is not defined in the NPPF, the Glossary (Annex 2) does provide a definition of ‘major development’ which for non-residential development is a proposal providing over 1,000 sqm of more of additional floorspace, or a site area of 1 hectare or above. The appeal proposal exceeds both these thresholds.
- 3.9 As such policy support for the proposal would only be appropriate if it is intended to enable rural communities to meet their own local needs (Policy 11). If not, the proposal needs to be considered as ‘major development’ and assessed accordingly, ie as an out of centre retail proposal. This means demonstrating compliance with the sequential test.
- 3.10 Policy 12 also requires a Retail Impact Assessment (RIA) for development proposals for retail and main town centre uses outside of defined centres but does not set a local floorspace threshold. As a

result the NPPF threshold of 2,500 sqm gross applies, in terms of whether an RIA can be required from the Appellant.

3.11 Other relevant policies cited in RfR2 are Policies 2 and 11:

- Policy 2: Core Spatial Strategy sets out the spatial strategy for North Dorset and identifies the four towns of Blandford, Gillingham, Shaftesbury and Sturminster Newton as the main service centres for the District and the main focus for growth. Marnhull is identified as one of eighteen larger villages and nearby Stalbridge is defined as a town where the focus for growth is to meet local, rather than strategic needs; and
- Policy 11: The Economy sets out how the economic development of the four main towns will be supported by, inter alia, the continued improvement of town centres (in accordance with Policy 12) as the main focus for retail, leisure and other commercial activities. Economic development in the countryside including in Stalbridge, Marnhull and the other villages will be supported by enabling rural communities to plan to meet their own local needs. Sites for mixed-use regeneration adjacent or close to town centres are identified.

3.12 I therefore consider that to secure planning permission for the proposed development, it either has to be shown that the scale of retail and town centre uses are appropriate for the Marnhull setting and are serving local needs only (PPG, para 12), or compliance with the sequential test should be demonstrated.

3.13 The impact of the proposal on town centres will also be a planning consideration, given adverse impacts from trade diversion would be expected and this would be contrary to local and national planning policies and objectives that seek to support and enhance town centres.

3.14 My assessment of the proposed development against these policies is set out in the following sections.



## 4. THE DEVELOPMENT PROPOSAL

- 4.1 In order to assess whether the proposed development complies with the relevant policy tests, it is first necessary to understand the nature of the proposed development. In this case it has been submitted as a hybrid application but is seeking full planning permission for the retail and main town centre uses element of the proposal. This has implications when assessing the proposal against policy and considering the degree to which conditions might be able to make an otherwise unacceptable form of development acceptable.
- 4.2 As the requirement is for full planning permission, the building sizes and scheme design for the retail and town centre uses are shown in the drawings that form part of the application. This limits the potential for changes to the scheme, which is described as including the following in the description of development:
- A foodstore – Plans show this as having a gross area of 1,455 sqm including a Post Office and café. The RTN indicates the foodstore will have a net sales area of 814 sqm with 638 sqm used for convenience sales, 113 sqm for comparison sales and 63 sqm will be occupied by the café;
  - Café – Plans show this as having a gross floorspace of 222 sqm;
  - Mixed-use space for Class E uses (eg estate agents, hairdresser, funeral care, dentist, vet) – Plans show 5 separate units for these uses with each unit indicated as being 99 or 100 sqm gross (RTN, para 1.3). Uses are shown on the plan, but if permission were granted in the absence of any conditions, the units could be occupied by any Class E business; and
  - Office space – Plans show 166sqm of space at first floor level above the foodstore (although the RTN refers to 181 sqm of office space).
- 4.3 For the purposes of this Proof I have assumed that the development will proceed in accordance with these details.

## 5. SCALE OF DEVELOPMENT

- 5.1 The appropriateness of the scale of retail and town centre uses proposed relates directly to RfR2 and has been specifically identified as a matter that the Inspector wishes to consider further at the forthcoming Inquiry.
- 5.2 The Appellant has sought to argue that the proposed commercial development represents 'small scale rural development' (PRS, para 5.19 for example), and suggests that this is supported by the information contained in the RTN.
- 5.3 LSH has previously advised the Council that there are some obvious flaws in the assumptions made in the RTN, noting:
- The use of a primary catchment area that extends to the outskirts of Sturminster Newton and Stalbridge (RTN, Figure 2.1);
  - The assumption that the proposed development will be able to retain 60% of convenience expenditure within 0-2kms (RTN, para 2.35) and 45% of food & beverage expenditure (RTN, para 2.37); and
  - The assumption that all the new housing will be occupied by incomers to the area (RTN, para 2.9) (LSH2/25).
- 5.4 LSH also noted that there was no information within the RTN as to whether there was any retailer interest in occupying the size of convenience store proposed (around 814 sqm net) (RTN, para 1.3).
- 5.5 My thoughts on these matters are set out below. Given, I do not think the scale of development is justified by this approach, I then consider whether an alternative approach looking at provision in the village historically and comparing it with provision in other villages and towns in the area can justify this scale of development in a village setting.

### REVIEW OF THE RETAIL TECHNICAL NOTE

- 5.6 The appeal proposal is seeking permission for an 814 sqm net foodstore of which 638 sqm net would be used for the sale of convenience goods, 113 sqm for comparison goods and 63 sqm would be occupied by an instore café.

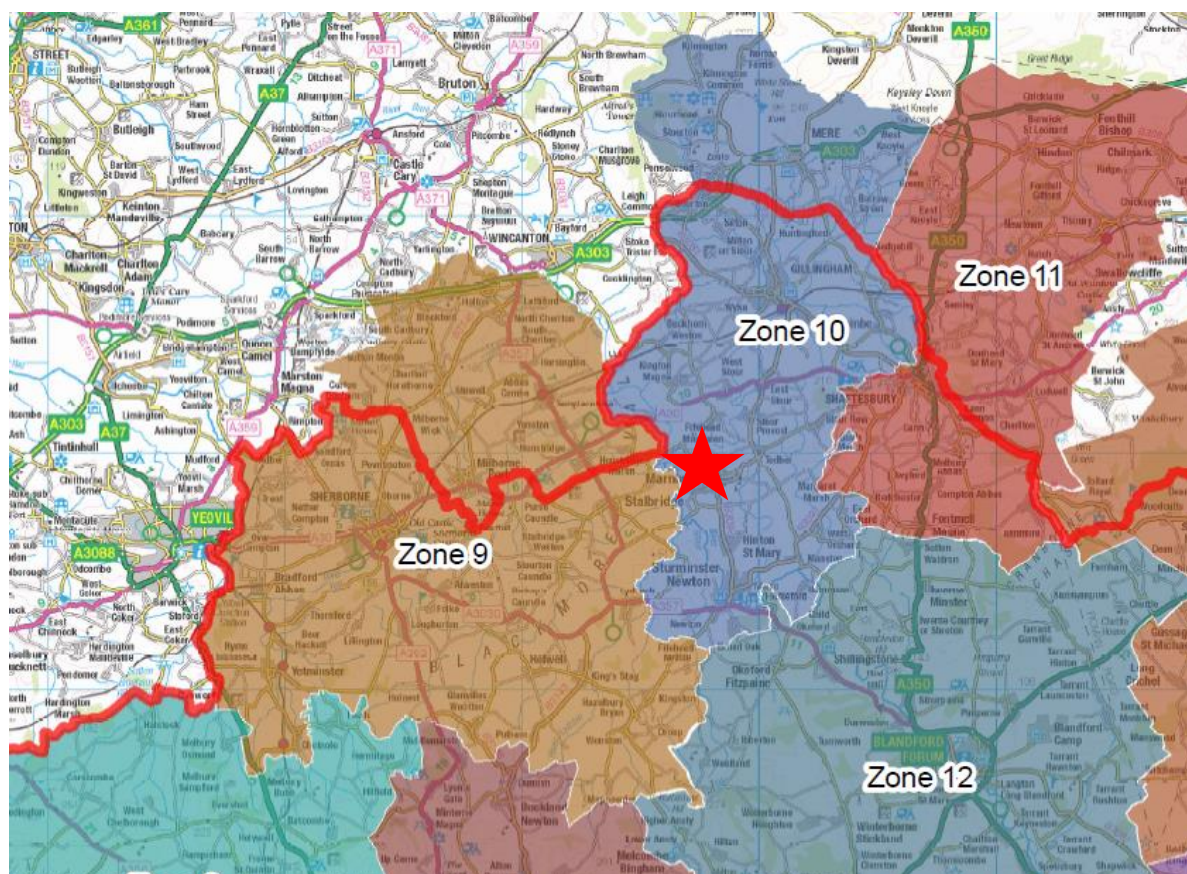
#### *Catchment Area*

- 5.7 The Lichfields assessment is intended to show the scope for new retail and food/beverage (F&B) floorspace that arises from the proposed residential development in Marnhull (RTN, para 2.1). It is based on looking at the trade generated from a primary catchment area equating to a 4kms radius from the village centre (RTN, Figure 2.1) but also assumes some trade will come from areas beyond 4kms, namely the rest of Zones 9 and 10 as defined in the RLSU.
- 5.8 I consider that this is unrealistic. Any trade inflows from beyond the 2kms radius negates the suggestion that the proposed development is small scale development aimed at meeting the day-to-day local needs of Marnhull residents. The main population in the 2-3kms band are the residents in Hinton St Mary approximately 3kms south of Marnhull and 2kms north of the higher order centre of Sturminster Newton. For these residents Sturminster Newton would be the closer and more convenient option for shopping and would provide a greater choice of retail shops and services.
- 5.9 The 3-4kms area brings in an additional 735 people (RTN, Table 1). This includes people living in north Sturminster Newton and an extensive rural area, but with many of the latter being closer to Stalbridge,

and Henstridge. Both of these settlements have their own convenience offer and there is no reason why these residents should be looking to Marnhull for their day-to-day shopping and service requirements.

- 5.10 Lichfields also expect some inflows from the Rest of the RLSU Zones 9 and 10. These zones include both Sherborne (Zone 9) and Gillingham (zone 10), as well as most of Sturminster Newton. They also border Yeovil, Wincanton and Shaftesbury.

**Figure 1: RLSU Study Area Extract showing location of Marnhull**



Source: RLSU, Appendix 1

- 5.11 Given that much of the catchment area defined by Lichfields is served by alternative, more accessible retail provision, I consider that expecting any trade inflows from beyond 2kms to Marnhull is unlikely. It would also not be appropriate to meet any need arising from expenditure in those areas in Marnhull, given its position in the retail hierarchy.
- 5.12 I have therefore reassessed the need for the proposed uses using the Lichfields data but based on the smaller expected catchment area.

### ***Convenience Floorspace***

- 5.13 In terms of the convenience store the Lichfields analysis is based on the assumption that it would be possible to increase convenience goods retention across their catchment from their 2023 Retention Rate 'guesses' to the considerably higher levels shown in Table 4 and set out below:

**Table 1: Lichfields' Assumed Convenience Retention Rates**

Retention Rate (Lichfields, RTN, Table 4)	0 – 2kms	2 -3kms	3-4kms	Rest of Zones 9/10
2023 Retention Rate (assumed)	10.0%	2.0%	0.5%	0.1%
Predicted 2030/35 Retention Rate	60.0%	50.0%	30.0%	1.0%

Source: RTN, Table 4

- 5.14 This results in total convenience spend retention of £7.81m in 2030 and £7.89m in 2025 (RTN, Table 5A), assuming all the housing development planned in the area comes forward and that the assumed 2.5 residents per household (RTN, paras 2.7 – 2.9) are all in addition to the existing forecast population growth (RTN, Table 1).
- 5.15 I note that in the subsequent RIA prepared by Lichfields, a lower increase in population is assumed (RIA, para 3.10) based on 2 persons per dwelling. However, even using the higher population increase and assumed retention, Lichfields concludes that the identified capacity would be just sufficient to support 624 sqm net of convenience floorspace in 2030 rising to 631 sqm net in 2035 (RTN, Table 7a). The appeal proposal is for 638 sqm.
- 5.16 However, as Lichfields notes, main food shopping accounts for around 70% of all convenience expenditure (RTN, para 2.35) and therefore to achieve these levels of market penetration would require the unnamed operator to:
- Attract nearly half of all main food spend ( $50\% \times 70\% = 35\%$ ) and all top-up spend (30%) from Marnhull (0-2kms);
  - Attract all the top-up spend (30%) and nearly a third of all main food spend ( $30\% \times 70\% = 21\%$ ) in the 2-3kms area;
  - Attract all top-up spend (30%) from the 3-4kms area; and
  - Attract 1.0% of all spend across the rest of the extensive Zones 9 and 10 areas.
- 5.17 This seems extremely unlikely given:
- the proposed foodstore is not of a size that would normally be expected to attract a significant proportion of main food shopping trips;
  - there are a number of larger foodstores in the area which people are already using; and
  - top-up shopping is unlikely to be restricted to a single location.
- 5.18 My alternative assessment of the convenience capacity is therefore as follows:

**Table 2: CR's Assumed Convenience Retention Rates**

Retention Rate (Christine Reeves)	0 – 2kms	2 -3kms	3-4kms	Rest of Zones 9/10
2023 Retention Rate (assumed)	10.00%	2.00%	0.50%	0.10%
Predicted 2030/35 Retention Rate	41.50%	22.00%	1.00%	0.10%

- 5.19 This takes the optimistic view that the new store could increase top-up shopping retention to 80% in Marnhull (0-2kms) ( $80\% \times 30\% = 24\%$ ) and also attract a quarter of all main food expenditure ( $25\% \times 70\% = 17.5\%$ ) in that zone. At 2-3kms it assumes 50% of top-up spend is directed to Marnhull (15%) and 10% of main food expenditure (7%). Beyond that trade inflows are expected to continue to remain very low.
- 5.20 Applying these market shares to the available spend forecast by Lichfields (RTN, Table 3A) results a total convenience capacity of around £3.00m once the turnover of existing stores is allowed for, rather than the £7.09/£7.17m forecast by Lichfields (RTN, Table 7A). This is sufficient to support around 260 sqm net of convenience floorspace based on the average sales density assumed by Lichfields, as shown below.

**Table 3: CR's Estimate of Convenience Capacity in Marnhull**

Available Convenience Spend (£m)	0 -2 kms	2 - 3kms	3- 4kms	Rest of Zones 9 & 10	Total	Turnover Existing Stores	Convenience Capacity
2023	£0.55	£0.04	£0.01	£0.16	£0.75	£0.70	£0.05
2030	£3.28	£0.39	£0.02	£0.16	£3.85	£0.72	£3.13
2035	£3.31	£0.39	£0.02	£0.16	£3.89	£0.72	£3.17

- 5.21 This would suggest that, if all the new housing including the appeal proposal were to come forward, there may be sufficient convenience capacity in the Marnhull area to support a new convenience store of a size that would allow unrestricted Sunday trading, such as a Tesco Express or Sainsbury's Local. Anything larger however relies on attracting trade from beyond the natural Marnhull hinterland and would have to come from areas which have access to their own convenience provision.

### **Comparison Floorspace**

- 5.22 The proposed foodstore is indicated as including 113 sqm net of floorspace for the sale of comparison goods, with Lichfields identifying capacity for around 160 sqm (RTN, Table 7B). This is based on the proposed store attracting 15% of all comparison spend in Marnhull and 6% and 2% from the outer zones of the catchment. It also assumes 0.2% of spend is drawn from the Rest of Zones 9 and 10 to the village.
- 5.23 I agree that some comparison sales would be expected in a foodstore and, with purchases generally ancillary to food purchases, I would expect the trade draw to be similar. However, with comparison sales, the ability to attract sales also depends on the types of goods being sold.
- 5.24 At the proposed 113 sqm of sales area, I would expect the main non-food goods to be sold would be non-durable household goods, health and beauty products and pet related goods, with potentially a small element of cards and stationary and flowers. However, with a pharmacy already in the village



and existing convenience stores selling the same type of non-food goods, the potential for further uplift of expenditure is limited.

- 5.25 Also, the types of non-food goods sold in smaller foodstores represent just a small proportion of overall comparison sales. This limits the market shares that can be achieved. To look at this in more detail I have used information from the most recent Experian Retail Planner Briefing Note 21 [Appendix CR/1] to look at how comparison spend is split between different types of non-food goods and this is set out below.

**Table 4: Comparison Spend by Goods Category (UK average)**

Category	UK Spend per Head (£)	% Comparison Spend
Available Comparison Spend (£m)		
Clothing materials & garments	782	20.9%
Shoes & other footwear	142	3.8%
Materials for maintenance & repair of dwellings	18	0.5%
Furniture & furnishings / Carpets & other floor coverings	457	12.2%
Household textiles	107	2.9%
Major household appliances	142	3.8%
Small electric household appliances	20	0.5%
Tools & misc accessories	110	2.9%
Glassware, tableware and household utensils	109	2.9%
Non-durable household goods	10	0.3%
Medical goods & other pharmaceutical products	127	3.4%
Therapeutic appliances & equipment	50	1.3%
Bicycles	27	0.7%
Recording media	84	2.2%
Games, toys, sports & camping & musical instruments	346	9.3%
Gardens, plants & flowers	96	2.6%
Pets & related products	145	3.9%
Books & stationary	172	4.6%
Audio-visual, photographic & information processing equipment	245	6.6%
Appliances for personal care	363	9.7%
Jewellery, clocks & watches	148	4.0%
Other personal effects	34	0.9%
<b>Total Comparison</b>	<b>3734</b>	<b>100.0%</b>

Source: ERPBN21 (Appendix CR/1)

- 5.26 This shows that the majority of comparison spend is on goods such as clothing, furniture and other larger/more expensive items that would not be sold in a convenience store. This will limit the proportion of comparison spend that can be attracted to support new floorspace and, even if the shop were to attract all the spend for the types of goods highlighted above, it would still only amount to 13.1% of all comparison spend.
- 5.27 To achieve the 15% market share within Marnhull as Lichfields suggests (RTN, Table 4), would require attracting **all** resident spend on these product groups, plus some other spend. It would also mean no residents purchasing any of these items from another source including online.

- 5.28 This is clearly not realistic and as such the capacity for comparison floorspace in Marnhull will be significantly less than the 161/162 sqm suggested by Lichfields (RTN, Table 7B).

### ***Food and Beverage (F&B)***

- 5.29 The appeal proposal includes both a café in the food store (63 sqm net) and a separate café unit of 222 sqm gross (RTN, pars 1.3 – 1.4) which are intended to complement the existing public houses in the village (Blackamore Vale Inn and the Crown) (RTN, Table 6).
- 5.30 The Lichfields' analysis is based on the two cafes attracting an additional 5% of the available food & beverage (F&B) spending across the whole of the catchment area ie up to 4kms from the site (RTN, Table 4), based on their 'hypothetical' estimate of current market shares.
- 5.31 Within Marnhull, this is the equivalent of everyone spending an additional £92.05 per annum in the new outlets in 2030, rising to £96.30 per annum in 2035 (based on 5% of the available spend per person (RTN, Table 2)). This would equate to around £5 per person once every 3 weeks. This is high but may be achievable if the offer is sufficiently attractive and operates reasonable hours.
- 5.32 However, expecting the same level of uplift from residents living more than 2kms away is not reasonable, given the added distances involved and competition from the local provision and stronger centres in the vicinity.
- 5.33 On this basis we consider that Lichfields' estimate of £1.52m residual expenditure to support new F&B businesses (RTN, Table 7C) is too high. In practice little trade is likely to come from beyond 2kms and thus available expenditure is likely to be closer to £2.54m than the £3.19m /£3.36m suggested (RTN, Table 5C). Once allowance is made for the existing provision this reduces capacity to £0.59m in 2030 and £0.69m in 2035 (RTN, Table 7C). This would support around 112 sqm net of F&B floorspace by 2035 rather than the 246 sqm suggested by Lichfields (RTN, Table 7C).

### ***Other Main Town Centre Uses***

- 5.34 The appeal proposal also proposes 499 sqm of other retail/town centre uses and 181 sqm of offices (RTN, para 1.3), none of which is justified in the RTN.
- 5.35 The description of development suggests the proposed floorspace will be used for mixed commercial, business and service uses within Class E but the RTN and application drawings provide specific reference to an estate agent, hairdresser, funeral care, dentist, vet and offices (RTN, para 1.3).
- 5.36 My view is that individually the proposed uses are all ones that could be found in a smaller town or village, but that it would be very unusual to see all present in a village setting, as would this quantum of floorspace. This is considered further below.

### ***Conclusions on Retail Technical Note***

- 5.37 The fact that my capacity assessment for Marnhull does not demonstrate the necessary need for the proposed convenience floorspace, is not a surprise. As Lichfields note, the expected growth in convenience spend is likely to be slow going forward and most will be taken up by non-store sales (RTN, para 2.15). As a result capacity for new development is only likely to arise in areas of very high population growth or in areas where there is currently a qualitative deficiency (RTN, para 2.13).
- 5.38 The development of 275 housing commitments (RTN, para 2.8) and the 124 residential units that form part of the appeal proposal, represent a significant increase in terms of the existing population of Marnhull. However, the settlement will remain a village with a local population of under 3,000 (RTN, Table 1). As such the village residents will only be able to support a limited range of retail and town

centre uses. Further, the village is already served by two convenience stores, a pharmacy, a hairdressers and two public houses.

- 5.39 The RTN seeks to argue that there is sufficient available expenditure to support the convenience, comparison and F&B uses proposed, but my review has shown that this analysis is flawed, in that supporting this level of development relies on drawing trade from an extensive area, considerably greater than Marnhull's natural hinterland. It also assumes an unrealistic level of trade retention.
- 5.40 This is confirmed by the impact assessment provided in the RIA where Lichfields is explicit that they only expect 63% of the foodstore's trade to come from the 0-4kms area, with a further 16% coming from Zone 9 (primarily Henstridge and Stalbridge), 11% from the rest of Zone 10, 5% from Zone 11 and 5% from outside the Retail Study area (RIA, para 3.61 & Table 7B).
- 5.41 Such an extensive trade draw (see RIA, Appendix A) confirms my view that the appeal proposal is not intended to meet the local shopping needs of Marnhull, but instead will rely on trade from a considerable distance to support it. As a result, the need for the retail floorspace is based, not on the Marnhull population of around 2,000 (RTU, Table 1 and RIA, Table 1) but on a catchment with in excess of 50,000 residents (RTU, Table 1 & RIA, Table 1).
- 5.42 Further, with an impact of over 20% forecast on the existing Marnhull shops (RIA, para 3.64), it would seem that the needs of the local residents are already being well met by existing provision. There is therefore a serious risk that the proposed foodstore will simply replace the existing shops.
- 5.43 Some small scale provision, appropriate to the location could be justified in capacity terms, such as a further small convenience store with a small amount of comparison floorspace. There may also be potential for a small café, either as a standalone business or linked to the foodstore and one or two additional retail service or similar units, although the RTN does not consider the quantitative need for retail service provision. However, development of the scale proposed is not appropriate to the village location and instead needs to be seen as inappropriately located out-of-centre development.

## **COMPARATIVE ANALYSIS OF RETAIL AND TOWN CENTRE USES PROVISION**

- 5.44 Based on the above, I do not consider that the size and mix of uses proposed in Marnhull is 'small scale rural development', nor can it be considered of a scale that would meet locally generated needs. Instead it can only be supported by drawing trade from an extensive area that includes similar villages and a higher order town centre.
- 5.45 I have therefore considered an alternative approach to see whether the scale of development proposed could be justified through a comparison with provision elsewhere.
- 5.46 The starting point for this is to consider the defined retail hierarchy in North Dorset and then to consider how the existing and proposed offer in Marnhull compares with that provided in similar locations and higher order centres.
- 5.47 As noted above, Policy 12 of the LPP1 defines the hierarchy and network of centres in the District (LPP1, paras 6.42, 6.44 - 6.46), although this is limited to the identification of four town centres in the four main towns, namely Blandford Forum, Gillingham, Shaftesbury and Sturminster Newton.
- 5.48 The LPP1 also makes a number of references to 'Stalbridge and the larger villages' with the former described as a town in the LPP1 Glossary (LPP1, Appendix D, page 412). Marnhull is identified as one of the eighteen villages and the largest of them (LPP1, para 2.25 & Policy 2). These are listed as:
- Bourton
  - Charlton Marshall



- Child Okeford
- East Stour
- Fontmell Magna
- Hazelbury Bryan
- Iwerne Minster
- Marnhull
- Milborne St Andrew
- Milton Abbas
- Motcombe
- Okeford Fitzpaine
- Pimperne
- Shillingstone
- Stourpaine
- Winterborne Kingston
- Winterborne Stickland
- Winterborne Whitechurch

5.49 In terms of population, the SHBP indicates relevant levels for the largest settlements in the area to be as follows (SHBP, Figure 4.2):

- Sturminster Newton – 4,495
- Stalbridge – 2,492
- Marnhull – 1,889
- Shillingstone – 1,186
- Child Okeford – 1,119

5.50 These figures may be slightly out of date now but comparative levels are unlikely to have changed significantly given new housing is being brought forward across the area, not just in Marnhull.

5.51 I have included the villages of Shillingstone and Child Oxeford in the current review, given they are within the same category as Marnhull and are in the same area, with similar accessibility to Sturminster Newton. They would therefore be expected to have a similar offer to Marnhull.

5.52 It is also important to recognise that settlements in this part of Dorset are located very close to each other. As a result, the rural hinterlands of the settlements are relatively small and, as the Local Plan notes 'Stalbridge and the villages collectively function as a dense network of small rural communities where day-to-day needs can be met locally through relatively short trips' (LPP1, para 2.29).

5.53 As such I would expect the following provision in terms of retail and town centre uses in the Marnhull area:

- **Sturminster Newton**, as the only defined town centre in the area, would provide the most extensive range of retail goods and services. It would have the function of meeting the day-to-day convenience and service needs of its immediate population, whilst also acting as a service centre for the rural hinterland in the western part of the District, providing a range of shops, jobs and community facilities (LPP1, paras 2.27 – 2.28). it would be expected to have the greatest number of retail and town centre uses and the greatest floorspace;
- **Stalbridge** is not differentiated in the retail hierarchy from Marnhull, but, as a town rather than a village, it would be expected to provide a wider range of goods and services for its occupants and rural hinterland. This would be complementary to the offer in Sturminster Newton; and

- **Marnhull, Child Okeford and Shillingstone** would be expected to meet the day-to-day needs of their local residents and serve their rural hinterlands. In the case of Marnhull this should be largely separate to that of Stalbridge and should not overlap in terms of lower order retail and service provision. Like Stalbridge the higher order and less frequently used services would be provided in nearby Sturminster Newton.

### *Scale of Development*

- 5.54 The appeal proposal is seeking permission for a 2,357 sqm gross of Class E uses, which represents a significant increase on current provision which Lichfields estimate at approximately 802 sqm gross (RTN, Table 6). In addition to this we note there is the hairdressers at Burton Street (71 sqm gross<sup>1</sup>) and at least two other local businesses in the village at 3 New Street – a beautician and dog groomers.
- 5.55 This level of provision within the village does not appear to have changed significantly in recent years and I have seen no evidence that there has been any noticeable closures in the village in the last 5 – 10 years to suggest that local facilities and services have been lost (ASoC, para 8.19). Some changes in local provision did occur when the doctor's surgery opened in the early 2000's, with the pharmacy relocating from Burton Street. That unit was reoccupied and now trades as a hairdressers. The next door unit has also changed hands and the butchers that operated there until the mid 2010's has been replaced by an office for Fabulous Farm Shops. Otherwise provision appears to have been relatively constant, despite the many challenges facing the retail sector over the last 10+ years.
- 5.56 I therefore question why it is now suggested that there is a need to increase local provision by more than 2.5 times existing provision when the population is expected to increase by less than half.
- 5.57 I also consider that the size of the units being proposed as part of the appeal is excessive for a village setting. The foodstore would provide more than 6 times the floorspace presently provided in the existing village shops combined and would be nearly double the size of the anchor foodstore in Sturminster Newton. It would be smaller than the shop in Stalbridge (814 sqm net rather than 1,175 sqm or 70%) but the former has previously been recognised as unusual for its location. Similarly the proposed café at 222 sqm is larger than the Blackmore Vale public house (RTN, Table 6), whilst the other units would be larger than all the existing shops except the pharmacy.

### *Convenience Provision*

- 5.58 The convenience offer in **Sturminster Newton** is relatively limited with 6 stores identified in the RIA (RIA, para 3.45). This includes two convenience stores operated by national multiples, with Co-op occupying the largest unit (851.2 sqm gross<sup>2</sup>, 481 sqm net (RIA, para 3.45)). The other main retail offer is a One Stop (175.3 sqm gross; 153 sqm net (RIA, para 3.45 and VOA)).
- 5.59 **Stalbridge** has a more limited convenience offer in terms of the number of outlets with the just 2 units identified (RIA, para 3.43). However, the main Dike & Son supermarket (a member of Nisa) provides around 1,175 sqm of net retail floorspace (RIA, para 3.43) and has an attraction and role above considerably greater than would be normally expected for a store in a small town. It is therefore an important anchor to the town's retail and service offer (JRCLS, paras 10.4 – 10.5).

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<sup>1</sup> VOA

<sup>2</sup> VOA

- 5.60 The provision in Marnhull currently comprises two convenience stores (Spar and Robin Hill stores), both of which are small. Shillingstone, has a Co-op (208 sqm net<sup>3</sup>) and a small convenience store as part of the petrol station. Nearby Child Okeford has a Spar and Post Office at The Cross (113.7 sqm<sup>4</sup>)
- 5.61 This would suggest that some additional convenience provision in Marnhull would be appropriate but such provision should be in the form of a small scale convenience store. The quantum of floorspace and format proposed in the appeal scheme is not appropriate, as the foodstore would be considerably larger than the main foodstore in the higher order town centre of Sturminster Newton. It is also not consistent with what is provided in the other villages.
- 5.62 The proposed offer would extend the catchment of Marnhull to an extent that is likely to compete with that of Stalbridge and Sturminster Newton, which will remain the larger settlements and with the latter defined as a town centre at the top of the local retail hierarchy.

### *Comparison Offer*

- 5.63 The provision of comparison retail is usually limited in lower order centres and as such, I consider the quantum of floorspace proposed to be high, even if all of the 113 sqm net of comparison floorspace is intended to be provided within the proposed foodstore.
- 5.64 This is partly a reflection of the size of the proposed foodstore itself, but it also seems high, given the village already has a Post office, pharmacy and curtain shop.
- 5.65 Based on my analysis above and provision elsewhere, I consider that a small element of comparison floorspace within a smaller convenience store would be appropriate, but there is unlikely to be sufficient capacity to support any separate non-food offer.

### *Food & Beverage*

- 5.66 Marnhull is currently served by two public houses, both of which have a restaurant/dining offer, but there is no café offer within the village. This compares with Stalbridge which has a total of three cafes, one within the Dike & Sons supermarket and one within the florist/garden centre.
- 5.67 Neither Shillingstone nor Child Okeford have a café offer.
- 5.68 This would suggest that a café within the proposed foodstore, or a standalone café may be appropriate in Marnhull, but it is unlikely that there would be sufficient local trade to support two. I also consider that the proposed size of the free-standing café (222 sqm gross – RTN, para 1.3) is considerably larger than would be expected for a village setting. By way of comparison VOA data suggests that the Thyme after Time café in Stalbridge occupies around 90 sqm of space at The Sidings.

### *Other Town Centre Uses*

- 5.69 The appeal proposal also includes proposals for 499 sqm of other retail/service uses within Class E and 181 sqm of offices (RTN, para 1.3), with specified uses being an estate agent, hairdresser, funeral care, dentist and vet.
- 5.70 Individually, these uses would not be unusual within a larger village setting but the amount of floorspace and duplication of existing services in the form of a proposed hairdressers, does raise concerns. It would also significantly increase the offer in Marnhull relative to Stalbridge and very considerably exceed that provided in the other larger villages in the area as shown below. It would

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<sup>3</sup> VOA

<sup>4</sup> VOA

also result in Marnhull providing many of the same services as Sturminster Newton town centre, despite the latter being intended as the service centre for wider area.

**Table 5: Proposed Service and Other Class E uses in Marnhull - a Comparison**

Existing and Proposed Offer (Number of units)	Marnhull (Existing)	Marnhull (Proposed)	Sturminster Newton	Stalbridge	Child Okeford	Shillingstone
Hairdresser	1	2	3	1	0	0
Estate Agent	0	1	3	0	0	0
Funeral Care	0	1	1	0	0	0
Dentist	0	1	2	1	0	0
Vet*	0	1	2	0	0	0
Total	1	6	11	2	0	0

\* There is a veterinary practice serving Stalbridge and Marnhull located outside of both settlements at Gibbs Marsh Farm

## CONCLUSIONS

- 5.71 Based on our review of the RTN and our assessment of retail and service provision in Sturminster Newton, a designated town centre, the town of Stalbridge and other larger villages in the area (Child Okeford and Shillingstone), it is clear that the overall level of provision proposed by the Appellant, is excessive for the village of Marnhull. This is especially so, given the proximity of Sturminster Newton and Stalbridge, which means residents of Marnhull already have good access to a range of goods and services.
- 5.72 The proposed foodstore is of a size that would significantly exceed that of the anchor foodstore in Sturminster Newton and would be more than 6 times the combined size of the existing provision in the village.
- 5.73 This scale of development is neither appropriate for a village location, nor can it be supported by available expenditure in the area. Whilst large for the area, it would not be of sufficient size to provide a full main food shop offer and I therefore disagree with Lichfields that around 630 sqm net of additional convenience floorspace can be supported (RTN, Table 7A). My own analysis suggests the figure is closer to 260 sqm net.
- 5.74 Similarly the ability to support additional comparison and F&B floorspace is significantly overstated in the Lichfields analysis and cannot be justified when compared with existing provision in similar villages the town of Stalbridge or Sturminster Newton town centre.
- 5.75 I therefore conclude that the proposed development is not of an appropriate scale for Marnhull village.

## 6. RETAIL POLICY TESTS – SEQUENTIAL AND IMPACT

- 6.1 If the appeal proposal is not small scale rural development then, as a development proposing retail and town centre uses on a site outside of a defined retail centre, LPP1 Policy 12 and the NPPF indicates that planning permission will only be granted where it is shown that the proposal satisfies the 'sequential test' set out in national policy and it would not have a significant adverse impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.
- 6.2 Further, the PPG makes it clear that it is for the applicant to demonstrate compliance with the tests and failure to undertake the necessary assessments could in themselves constitute a reason for refusing permission (PPG, paras 11 & 17).
- 6.3 In the absence of this information at the time the application was determined, I consider RfR2 to be valid.
- 6.4 Since lodging the appeal however, the Appellant has submitted both a sequential assessment (RSTS) and impact assessment (RIA).
- 6.5 The first of these documents was reviewed by LSH and our views on the documents shortcomings were set out in LSH's letter of the 3 February 2025 (LSH2/25).
- 6.6 As required by the CMC I do not repeat the contents of this letter here but would note that I remain of the view that compliance with the sequential test has not been demonstrated.
- 6.7 In terms of the impact of the proposal, the RIA was submitted in February 2025 and as such has not been formally reviewed by LSH. However, I believe that should the appeal be allowed, then there proposed development will have an adverse impact on existing businesses, including those in Sturminster Newton town centre. As such it is necessary to consider whether the RIA provided can be considered robust.
- 6.8 Mindful of the CMC notes, I have not sought to provide a detailed review of the RIA here. However, I consider it important to note that, in my opinion, the assessment provided is flawed. Examples of this include:
- The RIA only assess the impact of the convenience floorspace in the proposed foodstore. No consideration is given to the impact of the comparison floorspace or the other Class E uses, although I note a smaller comparison floorspace is assumed (RIA, para 3.31). Lichfields suggests that the reason for not doing this is that the uplift in expenditure from the new residents will offset any trade diversion (RIA, paras 3.35 & 3.38). However, this will only be the case if the trade draw and uplift in sales are realised in the same locations. Given the different trading patterns for different types of comparison goods, this is unlikely to be the case. The phasing of the retail development and the housing is also an important consideration and I consider that further analysis is required;
  - The assessment is based on a 0-4kms catchment area, which, for the reasons set out above, I consider to be too large, given the proximity of Sturminster Newton and Stalbridge;
  - The use of the JRCLS survey as the basis for assessing impact is questionable given the study is based on a 2017 household survey, and was intended for a different purpose, namely forecasting retail capacity across the whole of the Dorset area. As a result the survey is not designed to accurately assess shopping patterns in the Marnhull area specifically and I

disagree that it is appropriate to use the survey-derived market shares for Zone 10 (RIA, para 3.29) for Marnhull residents.

The Lichfields assessment assumes that residents in Marnhull (0-2kms) shop in exactly the same way as those living 2-4kms from the village and all those living elsewhere in Zone 10 (RIA, Tables 4A – 4D), despite Zone 10 also including Sturminster Newton and Gillingham. This is not realistic and results in it being assumed that none of the residents in either the 0-2kms or 2-4kms zones will use the Dike & Sons store in Stalbridge for their main food shopping (RIA, Table 4A);

- The turnover of the proposed convenience store is under-estimated if it were to be occupied by a national multiple, as these retailers achieve sales densities considerably in excess of the £11,000 per sqm assumed (RIA, para 3.32);
  - The health of the town centres has not been properly assessed, with Lichfields relying on the 2017 study (RIA, paras 3.44, 3.46, 3.50, 3.53 & 3.55). This is not reliable given that significant changes have occurred in the retail sector in the period since 2017 and it cannot be assumed that a town centre that was healthy in 2017 is still healthy in 2025; and
  - No consideration is given to the investment proposals in the defined town centres.
- 6.9 My view is that the scale of the proposed development would be expected to draw trade from Sturminster Newton town centre and therefore that the proposal will have an adverse impact on it. It may also reduce the ability to attract future investment into the centre.
- 6.10 However, unless the scheme were to lead to the closure of the existing Co-op store or the Harts of Stur department store, I do not think the impact would be significantly adverse.
- 6.11 In reaching this conclusion I would note that the latter store is not within the primary or secondary frontages defined in the LPP1, but its proximity to the centre and unique offer means that it is likely to be an important draw. As such the loss of the store would be expected to significantly reduce the attraction of the centre and footfall.
- 6.12 This is unlikely to be an issue under the current scheme proposals, given the limited comparison floorspace proposed. However, it could be an issue in the future if the appeal were to be allowed and no controls are imposed over the future use of the floorspace.
- 6.13 The adverse impact on the Co-op would remain however and I would also expect there to be an adverse impact on the Dike & Sons supermarket in Stalbridge.

## 7. SUMMARY AND CONCLUSIONS

- 7.1 My name is Christine Reeves. I am a qualified town planner specialising in retail and town centre development and a member of the Royal Town Planning Institute.
- 7.2 I am instructed to appear at this Planning Inquiry by Dorset Council to provide evidence in relation to Reason for Refusal No. 2 relating to Application Ref: P/OUT/2023/02644. My evidence is also relevant to Issue 3 as set out in the Case Management Conference Note which asks '*Whether Marnhull is an appropriate location for housing, retail and commercial development of this scale?*'

### PLANNING POLICY

- 7.3 The development plan and policies within it relevant to the determination of the appeal are the North Dorset Local Plan Part 1 and specifically Policies 2, 11 and 12 which are referenced in the Reason for Refusal.
- 7.4 Together these policies direct retail and main town centre uses to the defined town centres which are specified as Blandford Forum, Gillingham, Shaftesbury and Sturminster Newton. These are also identified as the four main towns in the District, with Stalbridge identified as a small town and Marnhull one of eighteen larger villages.
- 7.5 Where proposals for retail and other main town centre uses are located outside of an existing town centre, compliance with the sequential test as set out in national policy must be demonstrated. Only if the development is small scale rural development, is it not necessary to apply the sequential approach.
- 7.6 The Applicant also needs to demonstrate that the proposed development will not have a significant adverse impact on investment in town centres or on town centre vitality and viability, if the proposed floorspace exceeds the 2,500 sqm threshold set out in the NPPF. The adverse impacts of a development proposal will remain a policy consideration relevant to the determination of any application.
- 7.7 'Small scale rural development' is not defined in the NPPF but the scale of development proposed qualifies it as 'major development' under the NPPF Glossary. As such policy support for the proposal would only be appropriate if it is intended to enable rural communities to meet their own local needs.

### THE DEVELOPMENT PROPOSAL

- 7.8 In order to assess whether the proposed development complies with the relevant policy tests, it is first necessary to understand the nature of the development proposed.
- 7.9 In this case the proposal has been submitted as a hybrid application but is seeking full planning permission for the retail and main town centre uses element of the proposal namely:
- A foodstore – Plans show this as having a gross area of 1,455 sqm including a Post Office and café. The RTN indicates the foodstore will have a net sales area of 814 sqm with 638 sqm used for convenience sales, 113 sqm for comparison sales and 63 sqm will be occupied by the café;
  - Café – Plans show this as having a gross floorspace of 222 sqm;
  - Mixed-use space for Class E uses (eg estate agents, hairdresser, funeral care, dentist, vet) – Plans show 5 separate units for these uses with each unit indicated as being 99 or 100 sqm gross (RTN, para 1.3). Uses are shown on the plan, but if permission were granted in the absence of any conditions, the units could be occupied by any Class E business; and



- Office space – Plans show 166sqm of space at first floor level above the foodstore (although the RTN refers to 181 sqm of office space).

## SCALE OF DEVELOPMENT

- 7.10 I have considered whether the scale of development is appropriate for Marnhull in two different ways and have concluded that it is not.
- 7.11 The Retail Technical Note that accompanied the application and seeks to justify the scale of development, is flawed and relies on drawing a considerable amount of trade from outside the Marnhull catchment. As a result the capacity for the convenience, comparison and food & beverage floorspace is overstated. Instead the proposal would rely on drawing trade from the Stalbridge and Sturminster Newton catchments and on attracting trade from considerably further afield (beyond 4kms radius).
- 7.12 I have also shown that the scale of development proposed is not consistent with that provided in other larger villages in the District, or in Stalbridge or the defined town centre in Sturminster Newton.
- 7.13 I conclude that a small convenience store with a limited comparison offer, a single café and possibly 1 – 2 other main town centre uses may be appropriate in the village of Marnhull, but this is considerably less than is being proposed.

## ASSESSMENT AGAINST POLICY

- 7.14 The RfR2 refers to three development plan policies, namely Policies 2, 11 and 12 and to the NPPF. Based on my assessment of the proposal I agree that the main town centre uses proposed as part of the application are contrary to these policies:

- **Policy 2: Core Spatial Strategy** sets out the spatial strategy for North Dorset and identifies the four towns of Blandford, Gillingham, Shaftesbury and Sturminster Newton as the main service centres for the District and the main focus for growth. Marnhull is identified as one of eighteen larger villages and nearby Stalbridge is defined as a town where the focus for growth is to meet local, rather than strategic needs.

I consider that the scale of the proposed town centre uses in Marnhull exceeds what is required to meet local needs and the proposal is therefore contrary to this policy;

- **Policy 11: The Economy** sets out how the economic development of the four main towns will be supported by, inter alia, the continued improvement of town centres (in accordance with Policy 12) as the main focus for retail, leisure and other commercial activities. Economic development in the countryside including in Stalbridge, Marnhull and the other villages will be supported by enabling rural communities to plan to meet their own local needs. Sites for mixed-use regeneration adjacent or close to town centres are identified.

In seeking to provide a scale of development in Marnhull that exceeds what is required to meet local needs, I consider that the appeal proposal is contrary to this policy, in that it would detract from Sturminster Newton being the main focus for activities in this part of Dorset. It also has the potential to reduce the ability of the local community in Stalbridge to meet their needs locally, as trade from the town's natural hinterland is drawn to Marnhull village; and

- **Policy 12: Retail, Leisure And Other Commercial Developments** defines the hierarchy of centres in North Dorset, identifying the four town centres including Sturminster Newton. It indicates that proposals for retail and other main town centre uses that are not in an existing town centre and are not in accordance with the development plan will only be permitted if (i) they satisfy the 'sequential test' in national policy; and (ii) they will not have a significant



adverse impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and (iii) they will not have a significant adverse impact on town centre vitality and viability.

- 7.15 Despite the original application being for retail and other main town uses on a site outside of any town centre, no sequential or impact assessment was provided with the application. As a result I agree that the proposal was contrary to policy. As part of the appeal, the Appellant has now provided both a sequential assessment and a retail impact assessment. However, I do not consider that either document demonstrates the necessary compliance with policy for the reasons set out above and in LSH2/25.
- 7.16 I therefore conclude that Marnhull is not an appropriate location for the retail and commercial development being proposed and the appeal should be dismissed on that basis.

-----End-----

## **APPENDICES**

**APPENDIX CR/1:**      EXTRACTS FROM EXPERIAN RETAIL PLANNER BRIEFING NOTE 21  
(FEBRUARY 2024)

**APPENDIX CR/2:**      EXTRACTS FROM DORSET LOCAL PLAN - SETTLEMENT HIERARCHY  
BACKGROUND PAPER

**APPENDIX CR/1:       EXTRACTS FROM EXPERIAN RETAIL PLANNER  
BRIEFING NOTE 21 (FEBRUARY 2024)**



# Retail Planner

## Briefing Note 21

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February 2024

# Appendix 2

## Estimating consumer spending on retail goods and leisure

### Sources

Total household spending on goods and leisure is derived from the ONS' (Office for National Statistics) publication: Consumer Trends. We have used historic data to 2023Q3 taken from the issue published on 22nd of December 2023, which shows expenditure at 2019-based prices. Consumer Trends provides data breaking down total household spending according to the internationally recognised COICOP (Classification of Individual Consumption by Purpose) categories. This is consistent with the definitions used in the ONS' National Accounts (Blue Book) and therefore includes spending in the UK by foreign households. Leisure spending is aggregated from COICOP categories as shown below.

Consumer Trends data are based on surveys of consumers. There is a difference which is generally not significant from the figures reported monthly in the ONS' Retail Sales Statistical Bulletin which is based on surveys of shops and other businesses.

### Aggregations

Retail Planner contains a number of special aggregations of retail goods and services:

1. **Convenience goods** – low-cost, everyday items that consumers are unlikely to travel far to buy. Defined as food and non-alcoholic drinks, tobacco, alcohol, newspapers and 90% of non-durable household goods.\*

2. **Comparison goods** – all other retail goods.

**Bulky goods** – defined as:

- DIY goods
- Furniture and floor coverings
- Major household appliances whether electric or not.
- Audio-visual equipment
- Remaining 10% of non-durable household goods
- Bicycles.

**Non-bulky goods** – all other comparison goods

3. **Leisure**

Recreational and sporting services (COICOP 9.4.1)

Cultural services (COICOP 9.4.2)

Games of chance (COICOP 9.4.3)

Restaurants, cafes etc (COICOP 11.1.1)

Accommodation services (COICOP 11.2)

Hairdressing salons & personal grooming (COICOP

12.1.1)

\*Non-durable household goods comprise cleaning materials, kitchen disposables, household hardware and appliances, kitchen gloves, cloths etc and pins, needles, tape measures and nuts and bolts. We have assumed, based on Expenditure and Food Survey (EFS) data, that 10% of non-durable household goods are DIY-type goods and, therefore, are properly classified as comparison goods while the remaining 90% have the characteristics of convenience goods

Recent trends and  
near-term outlookMedium-  
term outlookLong-term  
outlookAlternative long-  
term scenariosImplications of the central  
case forecast for floorspaceRetail spending volumes  
in the central caseRetail sales density -  
constant floorspaceRetail sales density – including  
changes to floorspaceThe future for retail  
sales densities

Appendices

# Appendix 5

## Estimates of spending on retail goods in 2021 – coarse categories

2022 Household Spending (current prices £m)		Total spending	Spend by foreigners	UK residents spend in UK	UK spend per head
COICOP	Description				
1	Food and non-alcoholic beverages	124,039	2,349	121,690	1,796
2.2	Tobacco	19,745	301	19,444	287
2.1	Alcohol (off trade)	23,522	262	23,260	343
9.5.2	Newspapers and periodicals	3,526	90	3,436	51
3.1.1, 3.1.2, 3.1.3	Clothing materials & garments	59,518	6,548	52,970	782
3.2.1	Shoes and other footwear	10,467	871	9,596	142
4.3.1	Materials for maintenance & repair of the dwelling	1,277	71	1,206	18
5.1.1, 5.1.2	Furniture and furnishings; carpets & other floor coverings	31,203	226	30,977	457
5.2	Household textiles	7,324	71	7,253	107
5.3.1	Major household appliances whether electric or not	9,761	155	9,606	142
5.3.2	Small electric household appliances	1,467	126	1,341	20
5.5.1, 5.5.2	Tools and miscellaneous accessories	7,440	13	7,427	110
5.4	Glassware, tableware and household utensils	7,445	38	7,407	109
5.6.1	Non-durable household goods	7,434	289	7,145	105
6.1.1, 6.1.2	Medical goods & other pharmaceutical products	8,715	88	8,627	127
6.1.3	Therapeutic appliances and equipment	3,374	0	3,374	50
7.1.3	Bicycles	1,915	84	1,831	27
9.1.4	Recording media	5,738	45	5,693	84
9.2.2, 9.3.1, 9.3.2	Games, toys & hobbies; sport & camping equip.; musical instr.	23,551	126	23,425	346
9.3.3	Gardens, plants and flowers	6,517	0	6,517	96
9.3.4	Pets and related products	9,857	0	9,857	145
9.5.1, 9.5.3, 9.5.4	Books & stationary	11,730	45	11,685	172
8.2,9.1.1, 9.1.2, 9.1.3	Audio-visual, photographic & info processing equip.	16,765	184	16,581	245
12.1.2, 12.1.3	Appliances for personal care	24,774	172	24,602	363
12.3.1	Jewellery, clocks and watches	10,141	88	10,053	148
12.3.2	Other personal effects	2,340	13	2,327	34
	<b>Total convenience</b>	177,523	3,263	174,260	2,571
	<b>Total comparison</b>	262,062	8,991	253,071	3,734
	<b>Total retail</b>	439,585	12,254	427,331	6,305

Source: ONS



Recent trends and  
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in the central case

Retail sales density -  
constant floorspace

Retail sales density – including  
changes to floorspace

The future for retail  
sales densities

Appendices

# Appendix 6

## Classification of retail spending

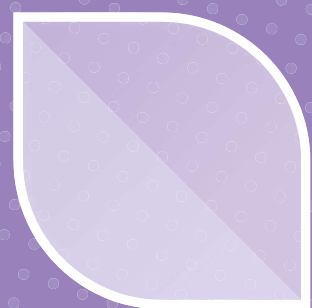
Convenience	Comparison	Bulky	Non-bulky C
COICOP			
02.2	Tobacco		
02.1.3	Beer		
01.1	Food & non-alcohol		
02.1.2	Wine		
02.1.1	Spirits		
09.5.2	Newspapers & mags		
05.6.1	Household cleaning materials and misc items		
05.5.1	Major tools		
09.1.1/3	Audio-visuals		
04.3.1	Materials for repair & maintenance of homes		
05.5.2	Small tools		
05.1.1;05.1.2	Furniture & floor coverings		
05.3.1	Major appliances		
07.1.3	Bicycles		
03.1.1/3	Clothing		
05.3.2	Small appliances		
09.5.1;09.5.3/4	Books, stationery etc		
05.4	Utensils		
03.2.1	Footwear		
06.1.3	Therapeutics		
12.3.1	Jewellery		
09.1.4	Recording media		
12.1.2/3	Personal care goods		
05.2	Textiles		
06.1	Medical goods		
12.3.2	Other personal effects		
09.3.1/4	Other recreational goods		

**APPENDIX CR/2:       EXTRACTS FROM DORSET LOCAL PLAN -  
SETTLEMENT HIERARCHY BACKGROUND PAPER**





# Dorset Council **Local Plan**



## **Settlement Hierarchy**

Background Paper



**Dorset**  
Council

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## 1. Introduction

- 1.1 The draft Dorset Council Local Plan includes a spatial strategy for the distribution of future growth, a key element of which is the distribution of housing development.
- 1.2 The spatial strategy has been developed having regard to a number of factors, one of which is the role played by existing settlements. The role of each settlement reflects:
  - its influence on housing and economic markets;
  - its place in the settlement hierarchy within each housing and economic market;
  - its function (for example, as a market town or a seaside resort); and
  - any associated economic / social issues, such as an imbalance between housing and jobs or a lack of affordable housing.
- 1.3 The settlement hierarchy for Dorset has been developed in the context of the four functional economic and housing market areas identified in the Background Paper: Functional Economic and Housing Market Areas in Dorset, which are:
  - South Eastern Dorset, which forms part of the wider functional area centred on the Bournemouth / Christchurch / Poole conurbation;
  - Central Dorset, centred on the towns of Dorchester and Weymouth;
  - Northern Dorset, which forms part of the wider A303 Corridor extending into Somerset and Wiltshire; and
  - Western Dorset, centred on the town of Bridport.
- 1.4 This background paper explains how the settlement hierarchy in the draft Dorset Council Local Plan has been developed. It sets out the hierarchy by defining the different 'tiers' of settlements in each of the four functional economic and housing market areas in Dorset.
- 1.5 In relation to the larger settlements, this paper looks at the settlement hierarchies in the currently adopted local plans for the former Boroughs and Districts and explains how these were reviewed and brought together to give a consistent approach across the Dorset Council area. In South Eastern Dorset, the analysis focused on settlements with a population of 2,000+. However, elsewhere in Dorset where some of the towns are very small the analysis focused on settlements with a population of 1,000+. Stalbridge (in the former North Dorset area) has a population of 2,492 within the main built-up area and Beaminster (in the former West Dorset area) has a population of 2,890).
- 1.6 In relation to the smaller settlements, this paper also explains the more detailed work undertaken, including consultation with local communities, to establish a consistent approach to villages and hamlets across the Dorset Council area.

## 4. Northern Dorset Functional Area: defining a settlement hierarchy

- 4.1.1. The Northern Dorset Functional Area looks towards Yeovil (in the west) and Salisbury (in the east). It also falls under the economic influence of the wider A303 Corridor. The functional area primarily covers the area to the north of the Dorset AONB in the former North Dorset and West Dorset districts. In addition to the A303, important east-west links include the A30 and the London to Exeter railway line, where there are stations at Gillingham and Sherborne.
- 4.1.2. The main settlements in this corridor, and their descriptions in settlement hierarchies in adopted local plans, are set out in Figure 4.1.

Figure 4.1: Larger settlements in Northern Dorset Functional Area as described in adopted local plans

Settlement	Former district	Status
Gillingham	North Dorset	Main town
Shaftesbury	North Dorset	Main town
Sherborne	West Dorset	Market town
Sturminster Newton	North Dorset	Main town
Stalbridge	North Dorset	Local service centre

- 4.1.3. None of these settlements is of sufficient size to be considered a 'main built-up area' in a settlement hierarchy for Dorset. However, they could all be regarded as 'towns' or 'other main settlements', as shown in Figure 4.2.

Figure 4.2: Larger Settlements in the Northern Dorset Functional Area – Simplified Settlement Hierarchy

Settlement	Former district	Population <sup>9</sup>
Towns and other main settlements		
Gillingham	North Dorset	11,875

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<sup>9</sup> Estimates of the population within currently defined settlements, unless stated

Sherborne	West Dorset	9,815
Shaftesbury	North Dorset	8,726
Sturminster Newton	North Dorset	4,495
Stalbridge	North Dorset	2,492
Larger villages (1,000+ population)		
Marnhull	North Dorset	1,889
Shillingstone	North Dorset	1,186
Child Okeford	North Dorset	1,119
Yetminster	West Dorset	1,093
Motcombe	North Dorset	1,077
Hazelbury Bryan	North Dorset	1,025

4.1.4. There are six other settlements in this functional area with a population of 1,000+, namely Child Okeford, Hazelbury Bryan, Marnhull, Motcombe, Shillingstone and Yetminster. These settlements are all considered to be villages.