



Planning Services

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Ms Clare Spiller
Chapman Lily Planning Ltd
Unit 5 Designer House
Sandford Lane
Wareham
BH20 4DY

Date: 16 December 2024

Ref: P/OUT/2023/02644

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

Team: Northern

Case Officer: Robert Lennis

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Dear Ms Spiller

Planning Application No:	P/OUT/2023/02644
Appeal ref:	APP/D1265/W/24/3353912
Location:	Land west of Church Hill, and Land off Butts Close and Schoolhouse Lane, Marnhull
Proposal:	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.

Re: Invitation to withdraw appeal before either party incurs any more costs

Respectfully, the Council is requesting that you present these facts to your client and invite them to withdraw this appeal before either party incurs any further costs.

In light of the revised National Planning Policy Framework published last week, the Council's Annual Position Statement will stand until 1 November 2025 as per Annex 1, paragraph 233 of the NPPF. The effect of this is that Dorset Council has a five year housing land supply upon which it can rely. There is no longer a need to speculate or explore how the government will address the Written Ministerial Statement (July 2024). The policies of our development plan most important to this case are up to date. This takes away one of the critical pillars of your case. That is, 'boosting' housing land supply in a location contrary to the core spatial strategy of our development plan should be given sufficient weight to outweigh this principal objection.

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www.dorsetcouncil.gov.uk/your-council/about-your-council/data-protection/service-privacy-notice/planning.aspx

With reference to the proposed mixed-use retail/commercial development, the position is as follows:

- it is contrary to the development plan being situated in the countryside;
- it is not needed (whether in Marnhull or any local area defined by reference to Marnhull);
- there is no evidence as to the benefits that it would bring (e.g. there is no evidence of who would operate the unit) whether to Marnhull, an area local to Marnhull or any other area; and
- your client has (unreasonably) refused to provide evidence to quantify the harm that it would have on other town centres in the district, such that the Council is having to obtain this evidence from a specialist retail consultant itself.

Your description of this aspect of the proposed development as a 'small-scale' rural development belies the Town and Country Planning (Development Management Procedure) (England) Order 2015. In fact, a development measuring 2,356 sqm, as proposed, is major development. This scale of development in the countryside is also contrary to the core spatial strategy of our development plan as Marnhull is not one of the four main service centres.

I note the submission of your sequential test. However, this document does not address impact of your proposal as set out in LP Policy 12 (i) and (j). The Council will have to commission a retail impact assessment of your proposal to inform our case and the Inspector. The Council will be seeking an award of costs on this work. Note, the outcome of this assessment will not change the fact that the location is out of town contrary to our core strategy with no connections to support the vitality and viability of the main centres.

Considering heritage impact, such a contrary proposal is not likely to be ascribed much public benefit if any at all. Therefore, when moving to the first test of your case, it is agreed that your proposal will result in less than substantial harm to nearby heritage assets. When we go to weigh this harm in a 'heritage balance', the Inspector will be required to take full account of para 212 and 215 of the Framework and the 'desirability of preserving' the setting as set out in The Act. He will be giving the greatest weight to the conservation of the setting of St Gregory the Great Church (grade I), greater weight to the setting of Senior's Farmhouse and Attached Barn (grade *II), and great weight to the setting of Marnhull Conservation Area and weighing these against what public benefits of a proposal which is contrary to the core spatial strategy in every aspect.

This case now stands with no merit whatsoever. It is a proposal for development that is (a) not needed and (b) harmful in terms of retail, heritage and on the character and appearance of the countryside. The development plan with which it conflicts is up to date. We also note the fact that Marnhull, as part of Stalbridge and the larger villages, has a healthy supply of housing and Dorset has a current score of 106% (2023) on housing delivery.

We respectfully suggest that the appeal is withdrawn to save both parties costs and time.

Yours sincerely

Robert Lennis
Lead Project Officer - Northern Team

Cc: John Legg, case officer PINs
G. Mackenzie, FTB Chambers
Hannah Smith, Dorset Council