
Appeal Decision

Site visit made on 10 September 2025

by **C Rose BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 September 2025

Appeal Ref: APP/D1265/W/25/3365845

Land at E 374230 N 117990, Station Road, Stalbridge DT10 2RJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval to details required by a condition of a planning permission.
 - The appeal is made by Ms Amy Nash on behalf of Hampshire Homes Limited against the decision of Dorset Council.
 - The application Ref P/RES/2023/05768 sought approval of details pursuant to condition No 1 of outline planning permission Ref 2/2019/1799/OUT, granted on 20 June 2022.
 - The application was refused by notice dated 20 March 2025.
 - The development proposed is erect 130 No. dwelling, form public open space, landscaping and sustainable drainage system (SuDS). Reserved matters application to determine appearance, landscaping, layout and scale following the grant of Outline Planning Permission No. APP/D1265/W/21/3284485 (LPA Ref. 2/2019/1799/OUT).
 - The details for which approval is sought are: appearance, landscaping, layout and scale.
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Decision

1. The appeal is allowed and the reserved matters are approved, namely appearance, landscaping, layout and scale submitted in pursuance of condition No 1 attached to planning permission Ref 2/2019/1799/OUT dated 20 June 2022, subject to the conditions set out in the schedule below.

Application for costs

2. An application for costs was made by Hampshire Homes Limited against the decision of Dorset Council. This application is the subject of a separate Decision.

Preliminary Matters

3. On 20 June 2022 outline planning permission was granted for the erection of up to 130 dwellings including affordable housing with public open space, structural planting and landscaping and sustainable drainage system (SuDS) with vehicular access point from Station Road. All matters were reserved except for means of vehicular access that was found to be acceptable and with the permission subject to a related legal agreement to secure necessary mitigation. Condition 1 of that planning permission required that details were subsequently submitted for matters of layout, appearance, scale, and landscaping. The appellant made an application to the Council for approval of those reserved matters in September 2023, and the refusal of that application is the subject of this appeal.

Main Issues

4. The main issues are the effects of the proposal on:

- the character and appearance of the area, with particular regard to the scale of development including two and a half storey dwellings; and,
- the character and appearance of the area and surveillance of the Local Equipped Area for Play (LEAP) with particular regard to the layout of development and provision of street trees.

Reasons

Scale of development

5. The appeal site comprises an area of agricultural land at the edge of Stalbridge. It is relatively flat and there are commercial buildings close to its western boundary.
6. There is a boundary hedge to the road frontage with hedges and trees to the remaining boundaries. Access to the site, which formed part of the outline permission, is off Station Road.
7. The proposed dwellings would be set back from Station Road behind planting, a grass verge and their access roads. Behind this, the dwellings are generally set in from landscaped site boundaries. Parking spaces would be located between and to the front of dwellings that do not have unusually excessive footprints or massing, with dwellings served by private rear garden areas commensurate with the size of the dwelling. This would create legible streets of a suitable scale.
8. The proposed 2 storey terraced, semi-detached and detached dwellings would reflect the overall height, scale and external materials of residential properties nearby. I have had regard to the concerns raised by the Council and the Town Council regarding the provision of 23% of the dwellings at 2.5 storey height. While I note the lack of 2.5 storey buildings nearby and in other recent housing developments, with buildings in the centre of Stalbridge not viewed in association with the proposed dwellings, the site is viewed in association with some of the nearby commercial units that are of a greater scale and height. Furthermore, the 2.5 storey dwellings are generally located towards the centre of the site such that when viewed from outside of the site their additional height would not be highly perceptible. Moreover, the ridge heights of the 2.5 storey dwellings are not significantly above that of the 2-storey dwellings and provide variety. As such they would not be overbearing in their related street scenes or to neighbouring properties.
9. Although not directly referenced in the reasons for refusal, the Council raise additional concerns in their evidence regarding staggered building lines, particularly to unit numbers 109-112 and to the position of unit 58. However, I find no harm from the staggered and varied building lines, that are limited in number and extent and provide visual interest and variety to the streets.
10. I have had regard to the comments from the Town Council related to the need for chimneys. However, given that the development is not closely viewed in association with other large areas of housing, I do not find the lack of chimneys harmful in the wider landscape or to the design of the dwellings themselves.
11. In conclusion, having regard to the scale of development including two and a half storey dwellings, the proposal would successfully integrate with its surroundings and would not harm the character and appearance of the area. As such, the development would accord with Policy 24 of the North Dorset District Local Plan

Part 1 January 2016 (LP). Amongst other things, this seeks to ensure that development is designed to improve the character and quality of the area within which it is located with the scale, massing and height related to any adjoining buildings, the general pattern of heights in the area, views, vistas and landmarks.

Layout

12. The dwellings are proposed to be set in from landscaped boundaries to provide a buffer to the commercial units, retention of boundary planting and ecological corridors. A number of dwellings face these boundaries that also comprise the SuDS basin and LEAP. Other dwellings are proposed to face the main internal roads in a perimeter block style. This would create a suitable and legible layout appropriate to the site whilst retaining existing landscape and ecological features. It would also provide a verdant edge to the settlement adjacent to the commercial units.
13. While I note that not every proposed street is tree-lined, the layout incorporates a number of street trees with each street benefitting from additional landscaping and a landscaped vista creating a semi-rural setting. Furthermore, the proposal includes considerable tree planting and retention to its boundaries resulting in a verdant setting to the site at this edge of settlement location. I note the comments from the appellant with regard to the introduction of further street trees resulting in a loss of dwellings at a time when dwellings are needed. As a result, and given that a number of streets benefit from trees to both sides, I find the streets, including the centre of the development, to be adequately tree-lined given the site-specific circumstances and the layout is appropriate for its location.
14. With regard to the location of the LEAP, this would be provided within the landscape buffer around the built form, in a location that helps to off-set the dwellings from any noise associated with the nearby commercial units. While I note that access to the LEAP requires the crossing of the internal access roads with associated risks to child safety, traffic on these roads would be relatively light given the number of dwellings they serve and generally used by people aware of the presence of the LEAP.
15. Furthermore, access to, and the location of the LEAP within open space at the edge of developments accessed across minor roads is not unusual and I have not been provided with substantive evidence that the location, layout and access across a bridge, with access/egress by foot also available further to the north and via the public bridleway/trailway to the west of the site, would be harmful to child safety.
16. Although I acknowledge that proposed planting would restrict views of the LEAP, particularly from proposed unit numbers 77 and 93-96, reducing levels of natural surveillance, the layout would still allow some views around the planting and past the pump house from these properties that are located at a similar, albeit slightly higher level. Furthermore, the LEAP would be overlooked from a number of windows to other properties at suitably close distances, and from users of the road and adjacent open space. As such, I find that the LEAP would benefit from suitable levels of surveillance.
17. I have had regard to the comments from the Town Council stating that the centre of the development should be designed with the LEAP incorporated into a village

green. Whilst this may be appropriate, it does not form part of the plans before me and for the reasons outlined above, I find the proposed layout acceptable.

18. I have addressed matters in relation to building lines and positions above and have no substantive evidence before me that the site would have insufficient space to cater for visitor parking.
19. It follows from the above that, with particular regard to the character and appearance of the area and surveillance of the Local Equipped Area for Play (LEAP) with particular regard to the layout of development and provision of street trees, the proposal would be acceptable and would successfully integrate with its surroundings. As such, the development would accord with LP Policy 24. Amongst other things, this seeks to ensure that development is designed to improve the character and quality of the area within which it is located, incorporate existing trees and hedgerows into the public realm and provide sufficient additional landscape planting to integrate the development into its surroundings, and incorporate features to minimise opportunities for crime and reduce people's perception of their vulnerability. For the same reasons, the proposal complies with paragraph 136 of the National Planning Policy Framework that ensures that new streets are tree-lined unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate.

Other Considerations

20. I have had regard to the comments from Stalbridge Town Council (STC) made during the course of the application and in relation to this appeal. I have addressed the points raised with regard to the reasons for refusal in the main issues above.
21. With regard to visitor spaces, road lining, width of roads, footpaths, CEMP and bin collection, I note that Dorset Council raise no concerns in these regards, and I have no reason to disagree.
22. The mix of materials proposed includes the use of some stone and a condition can be imposed should I allow the appeal to ensure the submission and approval of appropriate facing materials. Affordable Housing provision was secured through the legal agreement accompanying the outline planning application and this is not a matter for reconsideration as part of this appeal.
23. I have not been provided with substantive evidence to demonstrate that improved sustainability measures are necessary with the Council's Committee Report finding the proposal to be acceptable in all other respects. Based on the evidence before me I have no strong reason to doubt those conclusions or to reach a different view.
24. Finally, I note the comments from STC regarding the appellants decision to appeal rather than to engage in further negotiation, however, this is not a matter before me for consideration, and I am required to consider the appeal on its merits.

Conditions

25. Planning Practice Guidance advises that the only conditions which can be imposed when reserved matters are approved are conditions which relate directly to those reserved matters. It is relevant that there are existing conditions on the outline permission which would be applicable to the development, including timescales for implementation. I have had regard to the conditions suggested by the Council and sought the views of the appellant in relation to them. I have

amended the suggested wording slightly for reasons of clarity and reasonableness.

26. To provide certainty, the development is conditioned to be carried out in accordance with the approved plans. In order to protect the character and appearance of the area, details securing the submission and approval of facing materials, hard and soft landscaping and means of enclosure are necessary. To protect existing trees, a condition is necessary to ensure that tree protection is provided and managed in accordance with the submitted details. To protect and provide mitigation for effects upon ecology and biodiversity, a condition is necessary to ensure that the development is carried out in accordance with the recommendations and requirements of the Landscape Ecological Management Plan and Technical Note: Updated Walkover.

Conclusion

27. For the reasons given above the appeal should be allowed.

C Rose

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with drawing nos:

22085-PL-2-01 - Location Plan
22085-PL-2-02 F Site Layout
22085-PL-HT-2A_S-01 B House Type 2 Bed A - Semi - Brick
22085-PL-HT-2A_S-02 B House Type 2 Bed A - Semi - Flint
22085-PL-HT-2A_S-03 House Type 2 Bed A - Semi - Render
22085-PL-HT-2A_S-05 B House Type 2 Bed A - Semi - Half Render
22085-PL-HT-2A_T-01 B House Type 2 Bed A - Terrace - Brick
22085-PL-HT-2A_T-02 B House Type 2 Bed A - Terrace - Flint
22085-PL-HT-2B_S-01 B House Type 2 Bed B - Semi - Brick
22085-PL-HT-2C_S-01 B House Type 2 Bed C - Semi - Brick
22085-PL-HT-2C_S-02 B House Type 2 Bed C - Semi - Render
22085-PL-HT-2C_S-03 A House Type 2 Bed C - Semi - Render & Detailing
22085-PL-HT-3A_D-01 B House Type 3 Bed A - Detached - Brick
22085-PL-HT-3A_S-01 B House Type 3 Bed A - Semi - Brick
22085-PL-HT-3A_S-02 B House Type 3 Bed A - Semi - Flint
22085-PL-HT-3B_S-01 B House Type 3 Bed B - Semi - Brick
22085-PL-HT-3B_S-02 B House Type 3 Bed B - Semi - Render
22085-PL-HT-3B_S-03 B House Type 3 Bed B - Render & Detailing
22085-PL-HT-3B_S-04 B House Type 3 Bed B - Semi - Half Render
22085-PL-HT-3C_D-01 A House Type 3 Bed C V1 - Detached - Brick
22085-PL-HT-3C_D-02 B House Type 3 Bed C V1 - Detached - Flint
22085-PL-HT-3C_D-03 B House Type 3 Bed C V1 - Detached - Brick & Porch
22085-PL-HT-3C_D-04 B House Type 3 Bed C V2 - Detached - Brick
22085-PL-HT-3C_D-05 A House Type 2 Bed C V2 - Detached - Flint

22085-PL-HT-3C_D-06 A House Type 3 Bed C V1 - Detached - Flint & Porch
22085-PL-HT-3C_S-01 B House Type 3 Bed C V3 - House - Brick
22085-PL-HT-3C_S-02 B House Type 3 Bed C V3 - House - Render & Detailing
22085-PL-HT-4_D-01 B House Type 4 Bed - House - Brick
22085-PL-HT-4_D-02 B House Type 4 Bed - House - Flint
22085-PL-HT-CP-01 - Car Port A
22085-PL-2-03 G Site Layout - Tenure
22085-PL-2-04 E Site Layout - Bedrooms
22085-PL-2-05 H Site Layout - Building Materials
22085-PL-2-06 F Site Layout - Boundary Materials
22085-PL-2-07 F Site Layout - Parking & Bins
22085-PL-2-08 E Site Layout - Building Heights
22085-PL-2-09 Site Layout - LEAP Surveillance
23-024-002 E Refuse Vehicle Tracking
23-024-003 E Fire Tender Tracking
23-024-004 E Passenger Vehicle Tracking
23-024-005 H Highways General Arrangement
23-024-006 D Highway Contours & Geometry
23-024-007 A Highway Longitudinal Sections Sheet 1
23-024-008 A Highway Longitudinal Section Sheet 2
23-024-016 A Home Delivery Tracking
23-024-017 A Tanker Tracking
23-024-018 Highway General Arrangement & Highway Boundary
700 A Tree Constraints Plan
710 Tree Protection & Removal Plan
DD635L05 F Hard Landscaping Plan 1 of 4
DD635L06 E Hard Landscaping Plan 2 of 4
DD635L07 B Hard Landscaping Plan 3 of 4
DD635L07 B Hard Landscaping Plan 4 of 4
DD635D09 A Typical Tree Pit Details & Planting Bed Matrix Detail
DD636L10 A LEAP Play Scheme
DD635L01 F Planting Plan 1 of 4
DD635L02 E Planting Plan 2 of 4
DD635L03 C Planting Plan 3 of 4
DD635L04 D Planting Plan 4 of 4
SHD1056-SHD-HLG-STAT-DR-EO-Lighting Layout 6 Street Lighting Design (S38)

- 2) Prior to the commencement of the development above damp proof course level, details of all external facing materials for the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.
- 3) Prior to any planting taking place, a soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 10 years.
- 4) Prior to the construction of any hard surfaces, full details of hard landscape proposals shall be submitted to and approved in writing by the Local Planning

Authority. These details shall include where appropriate: proposed finished levels or contours, means of enclosure, car parking layout, other vehicular and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (eg; furniture, play equipment, signs, lighting, refuse or other storage units, proposed and existing functional services above and below ground (eg; drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc), retained historic landscape features and proposals for their restoration where relevant. The development shall be carried out in accordance with the approved details.

- 5) The development hereby approved shall proceed only in accordance with the details set out in the Tree Survey Report and Arboricultural Impact Assessment dated October 2023 setting out how the existing trees are to be protected and managed before, during and after development.
- 6) Prior to their installation, details of all proposed means of enclosure, boundary walls and fences to the site, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.
- 7) The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements in the Landscape Management Plan Dated October 2023 and Technical Note: Updated Walkover dated March 2025.
The development hereby approved must not be first brought into use unless and until:
 - i) the recommendations detailed in the approved ecology report have been completed in full, in accordance with any specified timetable, unless otherwise agreed in writing with the Local Planning Authority, and
 - ii) evidence of compliance has been supplied to the Local Planning Authority prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved ecology report and thereafter the approved mitigation, compensation and enhancement measures must be permanently maintained and retained in accordance with the approved details.

END OF SCHEDULE