## REPORT SUMMARY

<table>
<thead>
<tr>
<th>REFERENCE NO.</th>
<th>3/17/3610/COU</th>
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<tbody>
<tr>
<td>APPLICATION PROPOSAL</td>
<td>Change of use of land to a suitable alternative natural greenspace (SANG) and associated works.</td>
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<tr>
<td>ADDRESS</td>
<td>Land East of Church Lane, West Parley (SANG for Core Strategy Policy Site FWP6)</td>
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**RECOMMENDATION** - Grant, subject to conditions:
(see Section 9 of the report for the full recommendation)

### REASON FOR REFERRAL TO COMMITTEE
At the request of the Development Manager: significant major application recommended for approval

### SUMMARY OF REASONS FOR RECOMMENDATION
- The provision of SANG to support the delivery of housing on an allocated site to meet the Local Plan area’s needs
- The development is located within the Green Belt and is appropriate development within this designation
- It is considered that the proposal would not give rise to any significant adverse impacts in any respect, and that the proposal accords with the Development Plan as a whole, and is acceptable in all material respects

### INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL
Not applicable.

<table>
<thead>
<tr>
<th>APPLICANT</th>
<th>LEWIS WYATT (Construction) Ltd</th>
</tr>
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<tbody>
<tr>
<td>AGENT</td>
<td>Mr Ryan Johnson</td>
</tr>
<tr>
<td>WARD</td>
<td>West Parley</td>
</tr>
<tr>
<td>PARISH/TOWN COUNCIL</td>
<td>West Parley</td>
</tr>
<tr>
<td>PUBLICITY EXPIRY DATE</td>
<td>27 June 2019</td>
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<tr>
<td>OFFICER SITE VISIT DATE</td>
<td>15 April 2019</td>
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<tr>
<td>DECISION DUE DATE</td>
<td>6 March 2018</td>
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<td>EXT. OF TIME</td>
<td>31 July 2019</td>
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### RELEVANT PLANNING HISTORY

<table>
<thead>
<tr>
<th>App No</th>
<th>Proposal</th>
<th>Decision</th>
<th>Date</th>
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<tbody>
<tr>
<td>3/17/3609/OUT</td>
<td>Outline application (All matters reserved except for access and associated link road); with up to 386 dwellings (Class C3); upto 1000sqm of retail units (Classes A1-A5); upto 900sqm of offices (Class B1) and upto</td>
<td>Under consideration (see elsewhere on this</td>
<td>N/A</td>
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</table>
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| 2200sqm of foodstore (Class A1); together with accesses, a link road and associated highway works, public open space including SANG, allotments, landscaping and associated works. | agenda |

MAIN REPORT

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

1.1 The application site comprises 16ha of greenfield land and is located to the east of Church Lane, West Parley. It is a relatively flat site, within the Green Belt, comprising a large modern barn and a pond located centrally.

1.2 It is bordered by undeveloped land on the north, east and south boundaries and Church Lane forms the western boundary. Many of the existing boundary treatments are formed by hedgerows, with only some trees to the southern boundary. There are no protected trees on the site.

1.3 Public Rights of Way are located to the northern and southern boundaries.

1.4 The site is on land allocated within the Christchurch and East Dorset Adopted Core Strategy (April 2014) under Policy FWP6, where it is designated as potential Suitable Alternative Natural Greenspace (SANG) land.

2.0 PROPOSAL

2.1 The application seeks planning permission for the change of use of land east of Church Lane for use as a Suitable Alternative Natural Greenspace (SANG) for the residential element of the development proposed under PA 3/17/3609/OUT. This approx. 16ha site will provide part of the SANG serving this proposed development, and will be located to its immediate east.

2.2 The existing agricultural buildings and associated hardstanding will be removed, and meadow grassland, scattered tree planting, a pond, hedgerow and scrub habitats will be provided.

2.3 A network of informal footpaths, including a 2.3-2.5km circular walking route, with signage and way markers will be designed to link to the proposed development to the west, and existing Public Rights of Way (PRoW) including PRoW E56/7 to the west and PRoW E56/4 to the south which form part of the Stour Valley Way long distance walking route, and PRoW 56/3 to the north. Gated access points will be provided.

2.4 The landscape scheme for the proposed SANG includes the retention of the majority of woodland and hedgerow habitats.
2.5 Opportunities for foraging bats will be maintained through a sensitive lighting scheme and enhancement of foraging habitat around the application site margins and within the SANG.

2.6 It is expected that opportunities for reptiles will be enhanced through scrub and hedgerow planting and creation of rough grassland habitats, particularly within the SANG, in addition to provision of new opportunities for hibernation and refuge.

2.7 Where badger setts are present around the boundaries of the proposed SANG, these will be retained within undisturbed areas through scrub planting and sensitive positioning of the proposed paths.

3.0 RELEVANT PLANNING CONSTRAINTS

- Agricultural Land Classification – grade 2
- EDDC Historic Contaminated Land
- Green Belt
- Heathland 5km Consultation Area
- Rights of Way - 7.56m
- Airport Safeguarding
- BIA Public Safety Zone
- Tree Preservation Order ref: WP/75 - 1.02m

4.0 POLICY AND OTHER CONSIDERATIONS

- KS1 Presumption in favour of sustainable development
- KS3 Green Belt
- KS12 Parking Provision
- KS11 Transport and Development
- FWP6 East of New Road New Neighbourhood, West Parley
- ME1 Safeguarding biodiversity and geodiversity
- ME2 Protection of the Dorset Heathlands
- HE2 Design of New Development
- HE3 Landscape Quality
- DES2 Criteria for development to avoid unacceptable impacts from types of pollution

5.0 LOCAL REPRESENTATIONS

5.1 The application was advertised by means of neighbour notification letters, a site notice displayed on 25 January 2018, and press advertisement on 2 February 2018.

5.2 127 letters of representation (112 letters of objection, 0 letter of support, and 15 neutral comments) have been received from neighbouring occupiers and interested groups who are not statutory consultees. A number of comments were received in relation to the adjacent application for residential and
commercial development at Land East of New Road (3/17/3609/OUT). These comments will be considered in the report for this application.

5.3 A summary of the comments received are as follows.

- Proposed SANG area is not appropriate or suitable
- Too far from adjacent new neighbourhood development
- SANG should be relocated to adjacent new neighbourhood site
- SANG needs to have adequate parking for visitors
- SANG needs safe access for pedestrians
- Vehicular access to SANG should not be from Church Lane
- SANG should supply a choice of circular walking route of 2.3-2.5km in length.
- SANG should have an all-weather route and sufficient drainage due to flooding
- Attracting visitors to drive to SANG will create more traffic
- Concerns regarding impacts of proposal on wildlife
- Pylons will detract from attractiveness of SANG
- Pylons make the site dangerous
- SANG needs to be made accessible to all including the disabled
- Risk of anti-social behaviour and fly tipping
- Surfacing should be safe and appropriate for horse riders
- Risk of dogs attacking or disturbing animals on adjacent farmland

7.0 CONSULTATIONS

**Bournemouth Airport** – No objection subject to conditions
- Content that birdstrike will not be an issue subject to details of Management Plan

**Bournemouth Borough Council** – No response received

**CPRE** – Comments
- Approve of proposal to provide SANG
- Concerns regarding lack of parking proposed

**Dorset Police Crime Prevention Design Advisor** – No response received

**Dorset Wildlife Trust** - Comments
- Biodiversity Mitigation Plan submitted and should be conditioned
- Concern re. proposals to pile of grass cuttings within the SANG, these should be removed

**East Dorset Environment Partnership** – Comments
- Entrance gates should be DDA compliant and accessible for maintenance machinery
- Concern re. proposals to pile of grass cuttings within the SANG, these should be removed
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- Car parking should be included

**Environment Agency** – No response received

**Environmental Health** – No response received in relation to proposed SANG

**Highways** – Comments
- Traffic assessment will be required in order to assess the implications of the additional traffic generated on the highway network.

**Hurn Parish Council** – Object
- The SANG is detached from the development site East of New Road.
- There is no parking. Vehicles will therefore park in Church Lane which is unsuitable and unacceptable.
- No pavement on Church Lane for pedestrians walking to the SANG.
- The lack of parking or a pavement makes it unsuitable for disabled access.

**Minerals and Waste** – No response received

**Natural England** – No objection subject to conditions
- no objection subject to commitments proposed by the applicant being secured as follows:
  - Appointment of a Management Company to manage the SANG and other public open space
  - Provision of the SANG prior to occupation of the first dwelling
  - Detailed costings for SANG set up to be added as an appendix to the detailed SANG Management Plan
  - Management of the SANG in perpetuity
  - SANG management to be financed by service charges attached to the properties of the new development

**Natural Environment Team** – No response received

**Open Spaces Society** – No response received

**Ramblers Association** – No response received

**Rights Of Way Officer** – No response received

**West Parley Parish Council** – Objection
- Provision of a SANG is welcomed in principle
- Church Lane is narrow and busy, it is not suitable for additional traffic or parking
- A car park should be provided
- Pylons and power cables make the site unsuitable
- Gates for SANG access need to be “horse friendly”
- Signage should be installed to indicate links from the SANG to RoW
- Lease or freehold of SANG should be passed to the parish council
- Anti-social behaviour may occur
• Measures are needed to prevent commuter and airport parking
• Concerns regarding air pollution and noise pollution from airport

7.0 APPRAISAL

7.1 Policy FWP6 establishes the principle of the development of a new neighbourhood at East of New Road, West Parley. The allocated area includes the area identified for a potential SANG to which this application relates. This area is located within the Green Belt but still forms part of the site allocated for development.

7.2 It is considered that the creation of a SANG in this area would result in a material change of use. Paragraph 146 of the NPPF includes material changes of use in its definitions of appropriate Green Belt development.

(e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)

7.3 The proposed SANG would involve a material change of use to land in the Green Belt provide recreational facilities, and the land has been allocated for this use in the Local Plan. This proposed SANG is therefore considered to be appropriate development in the Green Belt.

LAYOUT AND APPEARANCE

7.4 Policy HE2 of the Core Strategy states that new development must be of a high quality stating that in various respects, including its visual impact, it must be compatible with or improve its surroundings. Saved Policy DES11 of the East Dorset Local Plan states that development will only be allowed where, in terms of its form and materials amongst other things, it would respect or enhance its surroundings.

7.5 Given the nature of the proposal, which would continue to have a mainly open, undeveloped appearance, in addition to the proposed landscaping, which would complement the existing vegetation at the site, in addition to the proposal’s siting, it is considered that it would not result in any significant harm to the character of the area.

7.6 The submitted information provides an indication of the proposed layout and design, which Natural England and the Council’s Countryside Officers are satisfied with, however, further details in relation to the design of the proposal have been requested, to be secured by a planning condition. This will include the detailed designs of boundary treatments, gates and any security proposed in relation to preventing anti-social behaviour, containing dogs or safeguarding visitors from access to the pylons, should these be considered necessary in consultation with Natural England. The details will also ensure the proposed SANG does not include any features that might increase the risk of birdstrike to over-flying aircraft.
7.7 Subject to the use of the afore mentioned condition, in terms of the proposal’s appearance and impact on the character of the area, the proposal is considered to be in accordance with Policy HE2 of the Core Strategy and saved policy DES11 of the East Dorset Local Plan.

ACCESS AND HIGHWAYS

7.8 The proposed SANG will be accessible on foot from Church Lane and from public PRoW E56/4 which joins Church Lane to the south of the Osborne Day Centre and travels east from the SANG to Parley Court Barn. Pedestrian access into the SANG will be provided from two points on Church Lane as well as to PRoW E56/4 at the south-east of the SANG.

7.9 It is anticipated that users originating from the proposed residential development would access the SANG on foot. However, a small SANG car park will be provided within the proposed residential development to attract any visitors arriving by car to limit vehicular access or parking on Church Lane. It is not anticipated that the SANG would attract visitors from a large catchment area, it is anticipated the car park would be for those relatively local visitors that choose to drive.

7.10 The Highway Authority has raised no objections to this proposal and Natural England are satisfied that adequate vehicle parking and general access arrangements would be provided, in accordance with the guidance contained in the SPD. A Legal Agreement will secure the provision of the car park on the adjacent site).

LOCAL AMENITY

7.11 Policy HE2 of the Core Strategy states that new development should be compatible with or improve its surroundings in relation to nearby properties and general disturbance to amenity. Policy DES2 of the Local Plan states that development will not be permitted where it would give rise to significant noise, traffic, and other disturbances.

7.12 One of the proposal’s pedestrian access points would be taken from PRoW E56/7 which joins Church Lane to the south of the Osborne Day Centre. It is likely that the proposed SANG, in conjunction with the associated residential development, will lead to an increase in the numbers of pedestrians using the public right of way. It is accepted that visitors to the Centre have a requirement for peace and quiet. However, given the frequency and nature of this use, it is considered unlikely to result in significant harm to the amenities of the centre, over and above the existing situation.

7.13 Concerns were raised by residents within Church Lane, Natural England and the Highways Authority regarding the impacts of vehicular access and parking in association with the SANG on Church Lane. Following negotiations with the applicant agreement has been reached to provide a car park in a suitable location adjacent to that part of the SANG that will be provided on the
adjoining residential site. This will attract the majority of vehicular traffic using the SANG, and can be secured by condition.

7.14 Concerns have been raised regarding the potential risks to users of the SANG from air and noise pollution arising from air traffic. However, there is no evidence that aircraft causes pollution significant enough to warrant concern at the distances involved, and Environmental Health have raised no objection to the proposal.

7.15 In relation to its impact on residential amenity, the proposal is considered to be in accordance with Policy HE2 of the Core Strategy and Policy DES2 of the Local Plan.

TREES

7.16 Policy HE2 of the Core Strategy states that development will only be permitted if it is compatible with or improved its surroundings in terms of its relationship, amongst other things, to mature trees.

7.17 The Council’s Tree officers are satisfied that, given the nature of the proposal, significant harm to mature trees is unlikely to arise. In this regard, the proposal is considered to be in accordance with Policy HE2 of the Core Strategy.

NATURE CONSERVATION

7.18 Policy ME2 of the Core Strategy states that mitigation measures will be required where residential development is located between 400m and 5km of protected heathland. The Dorset Heathlands Planning Framework SPD provides detailed guidance in relation to the provision of mitigation measures. Policy FWP6 states that a Suitable Alternative Natural Greenspace (SANG) strategy is to be implemented as part of the provision of new housing at this site.

7.19 Appendix E of the Dorset Heathlands SPD contains guidelines for the quality of SANGs and includes a checklist of requirements, such as the provision of vehicle parking arrangements; pedestrian access; the design and length of walking routes; the provision of signage; advertising of the SANG to ensure members of the public are aware of it; inclusion of habitats; ensuring sites have a semi-natural character; connections to the public right of way network; and the provision of adequate space for the exercise of dogs.

7.20 The proposed SANG is required, as an extension of the proposed on-site SANG forming part of planning application 3/17/3609/OUT, to compensate for the impact of a proposed residential development on internationally protected heathland. Subject to compliance with a planning condition that will seek the approval of a detailed design specification, Natural England are satisfied that the proposal’s design would sufficiently meet the design requirements of the Dorset Heathlands SPD.
7.21 Natural England have agree that the long term management and maintenance of the SANG can remain the obligation of the applicant (or its suitable nominee). A S106 legal agreement will secure the long term management of this SANG in perpetuity through a Management Company, with management financed by service charges attached to the properties of the new development.

BIODIVERSITY

7.22 Policy ME1 of the Core Strategy states that the Core Strategy aims to protect, maintain, and enhance the condition of nature conservation sites, habitats and species. The application includes an Ecological Appraisal dated February 2017 and Biodiversity Mitigation Plan (BMP) dated 29/03/2018 endorsed by DC’s Natural Environment Team in a certificate of approval dated 03/04/2018.

7.23 Mitigation/compensation/enhancement for the development is set out in the BMP, which is endorsed by DC’s Natural Environment Team and therefore complies with the Dorset Biodiversity Protocol, demonstrating the application is acceptable in respect of its impact on biodiversity. The application thereby accords with Policy ME1 of the Local Plan, subject to a condition requiring the implementation of the BMP, as it demonstrates the proposal will provide mitigation for the impact on local biodiversity from the proposed development (Condition 3).

FLOODING

7.24 The proposed SANG is located within fluvial flood zone 1, the zone with the least risk of flooding. There may be some risks of pluvial flooding however the site is not identified as at risk of pluvial flooding with the Strategic Flood Risk Assessment. It is considered that the proposed use of the site as a site for natural recreation will not increase the vulnerability of the public to flood events. There is not considered to be any need to take measures to address any surface water flooding that may occur given the proposed use of the site.

CONCLUSION

7.25 Having had regard to the representations of objection and support and the advice of the various consulted parties, Officers consider that the benefits of the scheme significantly outweigh the impacts.

7.26 Overall the proposal represents sustainable development, which accords with current National Planning Policy Guidance and the Local Development Plan, and as such approval is recommended subject to conditions.

9.0 HUMAN RIGHTS

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.
The first protocol of Article 1 Protection of property

9.1 This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

10.0 PUBLIC SECTOR EQUALITIES DUTY

10.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

10.2 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to" and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

9.0 RECOMMENDATION - Grant, subject to the following:

A) GRANT, SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IN A FORM TO BE AGREED BY THE LEGAL SERVICES MANAGER TO SECURE THE FOLLOWING:

1. SANG to be created including on the this site, and land East of New Road approved pursuant to application 3/17/3609/OUT in accordance with a SANG Management Plan. SANG to include a LEAP in the form of a natural children’s play area (within the boundary of application 3/17/3609/OUT) and a car park serving both SANG areas to be accessed from the new link road. Monitoring of SANG to take place in accordance with a Visitor Monitoring Strategy.

2. On-going management and maintenance of the SANG in the form of the appointment of a Management Company by Lewis Wyatt (Construction) Ltd to manage the SANG or transfer to another suitable organisation e.g. The Land Trust, Dorset Wildlife Trust approved by Natural England. SANG to be managed in perpetuity.

Conditions (NB: The applicant has agreed to all pre-commencement conditions):
1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

SANG Location Plan SGLP-01 RevB

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby approved shall be undertaken in accordance with the biodiversity mitigation plan dated 29 March 2018 approved by Certificate of Approval dated 3 April 2018, unless otherwise agreed in writing by the Local Planning Authority in conjunction with Dorset Council’s Natural Environment Team. Thereafter approved mitigation measures shall be permanently maintained and retained in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the protection and enhancement of biodiversity on the site in accordance with policy ME1 of the Christchurch and East Dorset Core Strategy.

4. No development shall take place until details of the proposed SANG have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the proposed layout; infrastructure specification; vehicular (for maintenance) and pedestrian accesses; hard and soft landscaping; along with any proposed structures and equipment. The development shall be undertaken in accordance with the approved details and the timescales set out within the SANG Management Plan to be approved pursuant to outline planning permission 3/17/3609/OUT, and shall be retained as such for the life of the development.

Reason: To provide adequate heathland mitigation in accordance with Policy ME2 of the Christchurch and East Dorset Core Strategy.

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

i. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
ii. wheel washing facilities
iii. measures to control the emission of dust and dirt during construction
vi. a scheme for recycling/disposing of waste resulting from demolition and construction works
v. Details of the proposed access arrangements during construction.

Reason: This information is required prior to commencement to safeguard the amenity of the locality in accordance with Policy DES2 of the East Dorset Local Plan.

Informatives:

1. Legal Agreement

B) REFUSE PERMISSION FOR THE REASONS SET OUT BELOW IF THE AGREEMENT IS NOT COMPLETED BY 31 January 2020 OR SUCH EXTENDED TIME AS AGREED BY THE HEAD OF PLANNING SERVICES OR RELEVANT LEAD OFFICER:

1. The proposal fails to secure appropriate SANG management and maintenance measures, contrary to Policy ME2 of the Christchurch and East Dorset Core Strategy.

Background Documents:

Case Officer: Elizabeth Fay

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council’s website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability and amendments resulting from S106 negotiations.