

1.0 Application Number: 6/2019/0530
Webpage: <https://planningsearch.purbeck-dc.gov.uk/Planning/Display/6/2019/0530>
Site address: Land off Flowers Drove, Lytchett Matravers
Proposal: Change of use of land to Suitable Alternative Natural Greenspace (SANG) & associated car park
Applicant name: Lewis Wyatt (Construction) Limited
Case Officer: Andrew Collins
Ward Member(s): Cllr Bill Pipe, Cllr Andrew Starr and Cllr Alex Brenton

The application is being considered by the Planning Committee at the request of the Service Manager for Development Management and Enforcement ('The Nominated officer') in light of the comments received from Cllr Starr and Cllr Brenton, and Lytchett Matravers Parish Council.

2.0 Summary of recommendation:

GRANT subject to conditions and completion of Section 106 Agreement

3.0 Reason for the recommendation: as set out in paras 15 and 16 at end

- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The provision of the SANG is vital for the strategic allocation within Lytchett Matravers of the 150 dwellings proposed to be allocated under the emerging Purbeck Local Plan under Policy H6 and would enable the contribution of housing which would significantly add to the Council's housing land supply.
- The use is appropriate in the Green Belt.
- The proposals could effectively address recreational impact upon the nearby heathlands.
- The location is considered to be sustainable and the proposal is acceptable in its layout and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable. The proposals allow the facilitation of new dwellings in Lytchett

	Matravers. The location is appropriate.
Impact on Green Belt	Acceptable. The proposal is not inappropriate and meets the overall aims of preserving the Green Belt.
Scale, layout, impact on character and appearance of landscape	Acceptable
Biodiversity	Acceptable.
Impact on amenity	Acceptable. No adverse impact upon nearby properties
Access and Parking	Acceptable.

5.0 Description of Site

The proposed site is a single field with a total area of approximately 7.6 ha, located to the north-east of the settlement of Lytchett Matravers and accessed off Flowers Drove, which abuts its north-western corner. The site is bound to the north-west by Flowers Drove; to the north, south and west by mixed arable and grassland agricultural fields; and to the east by a gravel farm track with grassland fields beyond.

The site is currently dominated by agriculturally improved species-poor grassland with scattered Oak trees bordered by a mix of stock fence, hedgerows, scattered scrub and frequent mature trees. In the east of the proposed SANG is a fenced area with a pond, scrub and trees, and in the north is a small seasonal waterbody.

The proposed SANG will retain the grassland and wood pasture whilst enhancing it with wildflower meadow (the sward would be over-sown with wildflower mixes) and rough grassland.

The site slopes up (steeply in places) from the north to the south. This is a maximum of 20 metres from road level to the highest point of the site.

The site is located within the Dorset Green Belt.

An existing public footpath (SE17/3) runs along the western boundary of the site.

6.0 Description of Development

Full planning permission is sought to change the use of agricultural land to a Suitable Alternative Natural Greenspace (SANG) and a car park for 8 cars. The proposal will include mown paths, benches, signs, a new pond and hedgerow and planting enhancements. Existing ponds will be fenced and retained and mature trees on the site will be retained. The intention is that the SANG will provide mitigation for future residential development elsewhere within Lytchett Matravers. Sites have been identified under the emerging Purbeck Local Plan Policy H6 for 150 homes within 3 sites known as land east of Wareham Road, Land at Blaneys Corner and Land East of Flowers Drove. This proposed SANG

offers the capacity to mitigate the impact of the net increase in residential units on the heathlands from these developments.

7.0 Relevant Planning History

No planning history.

Chapter 4 of the merging Purbeck Local Plan (LP) identifies the release of three suitable sites from the Green Belt surrounding Lytchett Matravers to accommodate up to 150 homes (in total) and a SANG. The applicant is proposing to develop all the sites identified in policy H6 of the emerging Local Plan and Officers at the Council have engaged in pre application discussions with the applicant. As a pre-cursor to the residential sites being brought forward, this application for the Suitable Alternative Natural Greenspace (SANG) has been submitted.

8.0 List of Constraints

The site is in the parish of Lytchett Matravers

The site is within 5km of a European Habitat (SSSI)

This site is in the Statutory Green Belt

The site is in a River Catchment - Stour (Dorset. Middle)

This site is within a water source protection zone.

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

Natural England (NE)

(27/11/19)

NE has no objection to the proposed change of use. They also have no comments on the proposed management strategy at this time as the management details will need to be reviewed and resolved in relation to the proposed housing allocations in Lytchett Matravers. This will secure the land and its management in perpetuity as mitigation for adverse effects on Dorset Heathlands European and internationally designated sites.

(10/02/20)

NE has no additional comment on the principle of the application.

There are some points which will need to be addressed in relation to the associated housing developments which will be secured through suitable planning conditions.

Comments made over boundary treatment, location of dog bins and ensure that there is space in the car park for cycle loops.

Environment Agency (EA)

No objection to the proposed development. Make comments on the ponds and that these must be offline of any local surface watercourses, as if it connected to or interfere with flows then it may need an Environmental Permit from the Environment Agency and / or the Lead Local Flood Authority.

Dorset Council – Planning Policy

No objection in relation to principle of the scheme or its impact upon the Green Belt.

In relation to the amended plans no objection.

Following submission of the planning application has noted responses relating to the:

1. position/accessibility of the proposed SANGs;
2. length of the circular walk within the proposed SANGs; and
3. detailed design of the proposed SANGs.

After reviewing the further information notes that the applicants have attempted to address some of the design related issues, and that management agreements can be finalised through the planning obligations for the housing sites identified in policy H6 of the emerging Purbeck Local Plan.

Positive detailed comments were made over the location of the SANG, length of the circular walk and detailed design.

Dorset Council – Lead Local Flood Authority

No objection to the proposed scheme and creation of a SANG area, with a limited area of permeable car parking. We see no value in requesting a planning condition in this instance, provided that compliance with the supporting Flood Risk Assessment (FRA) is ensured.

Dorset Council – Tree Officer

Has no objection.

The proposed management plans comply with good custom and practice. There are no trees down for removal although some maintenance based upon safety will be required before it is open for public access. Plenty of new planting is planned which will help to increase tree cover and be of benefit to wildlife.

Dorset Council – Public Rights of Way

The path width has been increased.

The public right of way SE17/3 which runs alongside it and is mentioned as a major access route for which I requested additional maintenance and surfacing to

take place through the development, has been suggested that this could be financially contributed to within the section 106 agreements.

Regarding future maintenance the applicant states that an agreement with Dorset Council will be entered into, as manager of many Greenspace sites within Purbeck area I would be interested to be involved in any future maintenance plans to ensure they are sustainable and funded.

Dorset Council – Highways

Has no objection subject to a condition regrading vehicle access and an informative regarding a new access.

Urban Heath Partnership

It is still not explicitly stated how fly-tipping will be dealt with. Rubbish bins will not address fly tipping due to the types of material that tend to be fly-tipped e.g. white goods, building materials etc. The management plan should clearly state how fly-tipping will be dealt with and within what timescale to ensure the site remains accessible and attractive.

The covering letter states that the dog accessible pond will be lined but this is not stated in the revised management plan.

Dorset Dogs

Raise various detailed comments in regard to the proposed layout and furniture including that there should be safe access to the site, access infrastructure should be suitable for use by diverse people including those using pushchairs, wheelchairs and mobility vehicles, fencing of the site, visitor monitoring, bins for dogs, use of pond for dogs, different habitat areas, link to their website encouraged, further enhancements of the site suggested.

Lytchett Matravers Parish Council

Objection received (09/10/2019)

Raise an objection on the following grounds;

- (i) Given that the majority of the new dwellings proposed to be built in Lytchett Matravers by this developer are located at a site on the southern boundary of the settlement the location of the proposed SANG is too far away to be effective.
- (ii) The total area is believed to be too small for it to be an attractive alternative to current practice, so it is anticipated that it will be little used and not achieve the purpose for which it is intended.
- (iii) The length of the path / walk within it is too short to satisfy the requirements of a SANG.

They also wished to challenge the logic of including a car park on such a small site. This seems to cater for users anticipated to travel from further afield to a facility which is smaller and with less interest than more attractive alternatives which could also be reached by car. Concern was expressed about the environmental impacts of encouraging further car use.

Representations received

Council for the Protection of Rural England (CPRE)

Objects. Considers that the proposal is premature without the allocations in the Emerging Purbeck Local Plan and that if granted under delegated powers any decision would be unsound and illegal.

Considers that Flowers Drove should not be made more popular for motorists and a car park should not be provided.

Any new houses needs appropriate infrastructure not just a SANG. Considers that Green Belt protection should be maintained.

Third Party Representations

The Council received 25 comments from neighbours and residents about this planning application. The representations are all available in full on the Council's website and this report addresses the key planning points raised.

Summary of concerns;

Principle

- No value added to the land, there is already a footpath through the land which is used regularly by local people;
- This SANG is only being provided to develop housing nearby;
- Housing would result in further development pressures –schools doctors, parking and traffic congestion;
- Proposal would have an adverse impact upon the Green Belt;
- A sculptured environment would be an eyesore;
- If a SANG is demonstrated to be needed it should be located more centrally within the village;
- The submitted ecology report requires further work to be done to assess potential on the site;
- This is the wrong location for a SANG.

Traffic / Highways

- There is no need for car park;
- Increase in traffic along Flowers Drove, which is already used by speeding vehicles as a ratrun;
- Location is away from most of village with most people having to drive with increased carbon emissions;
- Proposed access is located on an unsafe corner;
- Flowers Drove has no footpath, streetlights and is derestricted to 60mph;
- Any increase in traffic would affect fauna;
- Residents have asked for traffic calming in Flowers Drove prior to this application being submitted;
- Getting to the site from other parts of the village via public footpaths could be dangerous; especially the crossing of Wimborne Road;
- Flowers Drove is considered to suffer with winter flooding and subsidence. Any additional traffic will add to this;
- Traffic speeds along Flowers Drove raised with Council and local MP;
- Access to the site would mean going round 2 blind bends.

Community Issues

- This isolated location would attract vandalism and anti-social behaviour;
- There is already a circular route of public footpaths within the area and this is not needed;
- Fly tipping is an issue in the area and the car park would provide a spot for it.

Maintaining SANG / Specifics of Proposals

- Deer regularly pass through the site and allowing dogs off the lead could result in clashes;
- Deer proof fencing needed?;
- The circular walk is too short and therefore does not meet the requirements for the SANG;
- Due to gradient the site would be unsuitable for disabled users;
- The ponds would need to be fenced to avoid danger to children;

- Unlikely to attract residents from the heaths as too small a walk;
- Providing a car park will dissuade people from using it as if in a car will go further.

10.0 Planning Policy and other considerations

Purbeck Local Plan Part 1:

Policy SD: Presumption in favour of sustainable development,

Policy LD: General location of development,

Policy HS: Housing Supply,

Policy BIO: Biodiversity and Geodiversity

Policy DH: Dorset Heaths International Designations

Emerging Purbeck Local Plan 2018-2034.

Regard has been had to the policies of the emerging Local Plan as a relevant consideration and where its policies are considered to have some weight they have been identified in the relevant section of the report.

Policy H6 – Lytchett Matravers

“Land as shown on the policies map will help to meet the District’s housing needs by providing up to 95 new homes on Land to the East of Wareham Road, 25 homes on Land at Blaney’s Corner and 30 homes on Land to the East of Flowers Drove as well as supporting infrastructure and community facilities. Along with the requirements relating to all development on the sites allocated for new homes in this plan, housing development on all the allocated sites in Lytchett Matravers will be expected to:

- a. improve accessibility between Lytchett Matravers and Lytchett Minster by forming or improving defined walking and cycling routes between the villages; and*
- b. provide financial contributions for local health infrastructure and education (as required by Policy I1)....”*

Policy V2 – Green belt

“Greenbelt boundaries have been amended at Lytchett Matravers, Upton and Wareham to support sustainable development. The impact of removing land from the green belt should be offset with the creation of suitable alternative natural greenspace (SANG) at Lytchett Matravers and at Wareham. The Council will protect the green belt, as designated on the policies map, to:

- a. prevent the spread of the Poole, Bournemouth and Christchurch conurbation;*
- b. safeguard the countryside from encroachment;*
- c. preserve the setting and special character of Wareham;*

d. prevent neighbouring settlements of Holton Heath, Lytchett Matravers, Lytchett Minster, Morden(East and West), Organford, Sandford, Upton and Wareham merging.”

Policy E7 – Conservation of protected sites

Policy E8 – Dorset Heathlands

Lytchett Matravers Neighbourhood Plan adopted 2017

Policy 2 – Local Design Principles

National Planning Policy Framework (NPPF) (2019)

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

48. Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

91. c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, ... and layouts that encourage walking and cycling.

96. Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.

Chapter 9 – Promoting sustainable transport

Chapter 13 – Protecting Green Belt land

134. Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

146. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) ensure that substantial weight is given to any harm to the Green Belt.

Chapter 15 – Conserving and enhancing the natural environment

170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air

and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Other material considerations

National planning practice guidance

Purbeck District design guide supplementary planning document adopted January 2014.

The Dorset heathlands planning framework 2020 - 2025 supplementary planning document adopted 1 April 2020.

Dorset biodiversity appraisal and mitigation plan.

Landscape Character Assessment (Non AONB)

11.0 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.

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.

12.0 Public Sector Equalities Duty

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.

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 Public Sector Equalities Duty.

The lower (Northern) part of the site is level and mowed paths are provided and is accessible to all.

Due to the contours elsewhere on site, the provision of level, hard standing areas throughout is not possible as these would erode the openness and the ecological value of the site.

13.0 Financial benefits

What	Amount / value
Material Considerations	
None	N/A
Non Material Considerations	
None	N/A

14.0 Climate Implications

The proposed development will bring benefits from a climate perspective by providing a suitable recreation area that minimises impacts upon protected heathlands accessed by bicycle or on foot by nearby residents.

15.0 Planning Assessment

Principle

The provision of the SANG is vital for the strategic allocation within Lytchett Matravers of the 150 dwellings proposed to be allocated under the emerging Purbeck Local Plan under Policy H6 and would enable the contribution of housing which would significantly add to the Council's housing land supply.

It is the view of Natural England that the cumulative effect of a net increase of dwellings up to 5km from protected heathland would have a significant effect on Dorset's lowland heathlands (that are covered by international designations) from occupants of these new developments living in close proximity. Mitigation is required, encompassing measures to divert recreational pressure away from heathland, otherwise there is the prospect that local authorities will not be able to grant permission for residential development within 5km of these designated sites.

The guiding principle of The Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) is that there should be no net increase in urban pressures on internationally important heathland as a result of additional development. The SPD facilitates the delivery of mitigation measures for the heathlands in ways consistent with national and local planning policy for local authorities in South East Dorset. These measures have been identified jointly by local authorities in Dorset and Natural England. For large greenfield sites and

urban extensions, the expectation is that SANGs will be provided as part of the avoidance and mitigation strategy.

Provision of SANGs is proposed as one of the key tools in mitigating the adverse impacts on Dorset Heaths.

The proposed SANG would also provide access to a new public open space to residents and visitors.

The NPPF also sets out that the planning system should 'contribute to and enhance the natural and local environment'. Paragraph 170 sets out that local authorities should set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. Paragraph 170 also details that local authorities should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value.

Under emerging Policy H6 there have been 19 representations to this policy in the Local Plan examination in relation to this policy. Of these the majority of the concerns surround the principle of allocating sites within Lytchett Matravers with associated concerns about impact upon infrastructure and services, impacts upon nearby protected areas and the deliverability of the SANG and which sites require the SANG and timescales for developing these sites. Also Wessex Water require coordination regarding sewage in bringing forward the sites.

The emerging Purbeck Local Plan is at an advanced stage and on 18 March 2020 the Planning Inspector for the Emerging Local Plan reported back stating that at this stage that with Main Modifications the Plan is 'likely to be capable of being found legally compliant and sound'.

Looking at the weight that can be given to the emerging Local Plan paragraph 48 of the NPPF advises that; "Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);

and

- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

The Inspector's letter explains that she will make a final decision on whether the plan is legally compliant and sound after she has considered: responses on Main

Modifications following public consultation and an updated Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA). The Inspector indicates that the strategy for meeting the area's needs is sound. An update will be required to both HRA and SA to take into account any changes made through the main modifications. Planning Policy colleagues are confident that these matters can be addressed and the plan be found sound.

The Planning Inspector specifically looked into and commented on the allocations in the Green Belt.

In this regard she said;

“Housing Allocations (Moreton Station (policy H4), Wool (policy H5), Lytchett Matravers (policy H6) and Upton (policy H7))

43. There are a number of suggested Main Modifications to the housing allocation policies as a result of the discussions at the hearing sessions. As referred to above, the Council has prepared a revised trajectory which, amongst other things, seeks to take account of the discussions at the hearing sessions regarding the deliverability of the sites and the timing of their delivery. ... In relation to this matter the Council should also consider whether this is likely to have any implications for the timing of the delivery of the sites in Lytchett Matravers (policy H6) which also require Green Belt release.”

In having regard to the Inspector's comments, there were no principle objections in releasing the Green Belt land for development. The only specific considerations in relation to the allocation was whether there would be any issues in terms of timing of delivery of the site. Therefore there is a greater degree of certainty that the applications for the new dwellings will be appropriate and need for the SANG will be required.

Policy CO: Countryside in the Purbeck Local Plan Part 1 (2012) allows new development in the countryside providing that the development does not have significant adverse impacts, a) visually; b) ecologically; or c) from traffic movements.

In relation to visual impacts, the engineering operations are limited to a small area in the north eastern corner of the SANG for a small parking area. Detailed comments are made by others in relation to the details of the fencing, which can be conditioned and as such the proposal would not result in significant adverse impact visually.

In relation to ecology, the applicant has carried out an ecological survey of the site and that the SANG has been designed and will be managed to preserve or enhance biodiversity. As such the proposal would not cause a significant adverse impact in this regard.

A total of 8 car parking spaces in the car parking area which suggests a modest number of vehicular trips to and from the SANG, and limited impact on the site's rural character and setting. The Highways Officer does not raise an objection in relation to traffic movements.

On the basis of the above, the proposal accords with Policy CO of the Purbeck Local Plan Part 1.

The SANG will deliver publicly accessible open green space. The lower (Northern) part of the site is level and mowed paths are provided to facilitate access to the open space. Due to the contours elsewhere on the site, the provision of level, hard standing areas throughout is not possible as these would erode the openness and ecological value of the site. This will be consistent in principle with Policy 2, and the 'Local Design Principles', of the Lytchett Matravers Neighbourhood Plan.

During the course of the application comments were received that raised concerns over whether this was a suitable location for the SANG.

The proposed Lytchett Matravers SANG is suitably located for access by both pedestrians (from the residents living within 400 metres of its boundaries – including Blaney's Corner and Flowers Drove housing sites and Huntick Road) via existing public footpath SE17/3 and for some people accessing the site in motorised vehicles (for the residents of the homes planned for Wareham Road site - the proposed SANG is closer than either existing Upton Heath or Morden Bog SANG's that served development). The SANG includes car parking and is well related to the existing public rights of way. It will be necessary to consider whether rights of way need to be improved, or created, for pedestrian access from the Blaney's Corner/Flowers Drove housing sites during the assessment of these anticipated future planning applications.

Concerns were also expressed that the length of the walk offered by the SANG was not long enough. While the circular walk provided in the SANGs is not 2.3 to 2.5kmlong as suggested in site quality checklist of the SPD, the council (following discussions with Natural England) is satisfied that the proposed SANG will deliver effective mitigation because of: a) its shape/size/characteristics (it provides larger areas of open space/sloping site and good views over the nearby open countryside), and b) the opportunity to link the SANG's circular walks with the public rights of way in the near vicinity including the footpath which runs through the site along the Eastern boundary.

Some responses have raised detailed comments over the detailed design. The proposed SANG has been designed to provide alternative green space in order to address the effects from the 150 homes identified in the emerging Purbeck Local Plan. While there may be some opportunity to improve its function as a public open space, all of the improvements suggested by respondents are not

justified in relation to land use planning terms as they are related to a specific end user. Some of the comments relate to matters which do not serve a function that is related to the SANG essential purpose (of mitigating visitor impacts on Dorset heaths) or where they could undermine the SANG natural characteristics and its function. In assessing all the comments raised, the amended plans have gone far enough to address concerns in relation to the use's essential purpose.

The Planning Inspector's letter in relation to the soundness of the Emerging Purbeck Local Plan was received and published on the Council's website on 20 March 2020. This letter confirms that the inspector is 'reasonably satisfied at this stage that with Main Modifications the Plan is likely to be capable of being found legally compliant and sound'.

The Inspector's letter explains that she will make a final decision on whether the plan is legally compliant and sound after she has considered: responses on Main Modifications following public consultation and an updated Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA).

Appendix E of The Dorset Heathlands Planning Framework 2020 – 2025 SPD Appendix E advises that when the Council considers the application for the development that the SANG is designed to mitigate it will need to be certain that the SANG:

- meets the SANG criteria;
- is deliverable, i.e. ownership and appropriate management is secured;
- can be managed in a suitable condition in perpetuity; and
- will be monitored for the first 5 years.

This typically involves a draft Section 106 Agreement, an implementation plan, long-term management plan and monitoring arrangements being submitted for agreement with Natural England and the Council.

In this case the SANG application has been submitted for consideration prior to the application for the housing that it is proposed to mitigate against. It is known through the proposed emerging Purbeck Local Plan that the applicant is proposing to develop all the sites proposed to be allocated within Lytchett Matravers. On this basis it is considered necessary for the applicant to enter into a Section 106 that links this SANG to the land at Wareham Road, land at Blaneys Corner and Land East of Flowers Drove and that these applications would have the relevant section 106 agreements that, together with the Section 106 agreement for the SANG site, contain the appropriate ownership and management. The section 106 agreement associated with this application would ensure that the SANG mitigates against the proposed allocated sites and not any

other piecemeal development in the future. But also ensuring the management, monitoring and mitigation is appropriately addressed.

It is noted that Dorset Dogs have raised comments over the proposed SANG. However, it must be remembered that SANG's are not solely for dog walking and other users are encouraged to use the land. However subject to the detailed section 106 agreement and management plan some of these matters could be addressed such as dog pond, location of waste bins and details of site boundary treatment.

The emerging Purbeck Local Plan is sufficiently advanced that the need for the SANG to mitigate up to 150 dwellings is demonstrated. The SANG is appropriately located to serve the allocated sites and due to the characteristics of the land Natural England has confirmed that it is possible for the proposed SANG to provide mitigation for up to 150 dwellings subject to conditions to secure the necessary enhancements. The proposal therefore complies with Policy DH (Dorset Heaths) of the Purbeck Local Plan Part 1 and the SPD.

Green Belt

This planning application proposes a 'SANG' area to be associated with future residential development identified in the emerging Purbeck Local Plan.

The proposed SANG would be located on land designated as Green Belt.

The National Planning Policy Framework (NPPF) advises that local authorities should plan positively to enhance the beneficial use of the Green Belt.

The proposed SANG will provide opportunities for further access into the Green Belt and opportunities for outdoor recreation. The proposed use will encourage activities that are consistent, and beneficial, to its purpose (safeguarding the countryside from encroachment) and essential characteristics (its openness).

The Planning Practice Guidance, published in July 2019 advises the factors to be taken into account when assessing the potential impact of development on the openness of the Green Belt. This advice considers that both spatial and visual aspects can be considered.

Paragraph 146 of the NPPF states that building operations need not constitute inappropriate development where they involve the provision of appropriate facilities for outdoor recreation as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The proposed building operations are not considered to constitute inappropriate development.

Engineering and operations do not constitute inappropriate development providing they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Given the scale and nature of the proposed works, and the extent of the site area, it is concluded that the proposal would not result in any significant loss of openness in this case, or conflict with

the purposes of including land within the Green Belt, and therefore that these aspects of the proposal would not constitute inappropriate development in the Green Belt.

Operational development associated with the creation of the SANG includes the formation of an access track and car parking area. The proposed works are necessary for use of the SANG, and therefore should be treated as 'appropriate facilities' for the purposes of paragraph 145 of the NPPF.

The degree of activity likely to be generated including traffic generation should be considered. The proposed activity on the parking area is limited with only a maximum of 8 vehicles using the parking area at any time. The parking area and access track is approximately 210m². As aforementioned, the carrying out of engineering operations in the NPPF is not considered to be inappropriate, providing it preserves openness and meets the requirements for the land to be included in the Green Belt. The formation of a hardstanding is for use associated with the SANG and is a small area associated with the overall SANG.

The access track and car park is a permanent feature and does result in the loss of openness of the Green Belt.

In conclusion the proposals do not adversely affect the purposes of the Green Belt as detailed in paragraph 134 of the NPPF '

Scale, layout, impact on character and appearance of landscape

The Countryside and Tourism Officer suggested the use of some hoggan paths for better access in all conditions. The agent has considered this and confirm that they have not provided hoggan paths, as they are aiming for a more natural approach with grassed mown paths. This would give visitors a more rural and natural feel as they walk around the SANG. It also encourages biodiversity and is more environmentally friendly.

A local resident has suggested that the site should have deer proofing fencing surrounding it. However, Natural England have confirmed that this is unnecessary as it is unsightly in open countryside and costly to maintain in perpetuity. Increased robust landscaping around the site is suggested instead along with clipex fencing. These can be secured by condition (number 04).

Biodiversity

The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and geological conservation interests, minimising impacts on biodiversity and providing net gains in biodiversity by establishing coherent ecological networks that are more resilient to current and future pressures.

The provision of SANG is an established way to mitigate the impact of new residential development upon protected areas.

The SANG will increase connectivity of green infrastructure and natural habitats within Purbeck. It will expand the Council's Green Infrastructure by accessing areas of land which were previously restricted by agricultural use and provide greater provision and choice of types of open space including accessible and semi-natural spaces.

Measures may need to be taken to enhance the site to be used as a SANG and to replicate the natural qualities and features of the heathland that draw visitors including access routes, footpaths, walking tracks, hard/soft landscape, trees, streams/ponds, dog bins and fencing. The submission of details of such measures, and their implementation, can be secured by planning condition for agreement. Guidelines for the quality of SANGs is detailed in Appendix E of the Dorset Heathlands Planning Framework 2020 - 2025 SPD. Details of the management plan for the SANG to be agreed can also be secured by condition.

Once applications for dwellings are ready for consideration, a Section 106 legal agreement can be secured to detail the ongoing maintenance of the SANG land and to make sure that the SANG land is secured prior to the occupation of any homes.

Impact on amenity

There are no residential properties in such close proximity to the application site that will be affected by this relatively 'low key' use.

Concerns have been raised regarding that the site could promote fly tipping. Fly tipping is a criminal offence for which you can be prosecuted. Thereby it is outside the remit of the planning authority. However a parking barrier has been proposed and this will restrict access to the site to smaller vehicles and other such SANGs within the former Purbeck area, have not resulted in increased fly tipping.

Access and Parking

The proposal is primarily intended to serve the local community. An existing public Right of Way (footpath SE17/3) runs through the site. The rights of way officer considers that this may need additional maintenance and resurfacing and has suggested possible inclusion within the legal agreement. This matter can be addressed through the management plan condition (05). A small parking area is proposed to enable increased access and useability of the site. Other sites within Purbeck have provided a small parking area and this has resulted in no significant increase in traffic movements. The Highways Officer has raised no objection to the proposals. Also on discussion with the local highways officer, there are no projects or proposals for traffic calming measures and this has been discussed locally with local residents. The access requirements of the highway authority can be secured by planning condition.

16.0 Conclusion

The proposals allow the facilitation of new dwellings in Lytchett Matravers in a location accessible from all proposed sites and as such is an appropriate location.

The proposal is not inappropriate and meets the overall aims of preserving the Green Belt.

17.0 Recommendation

Grant

A) Delegate to the Head of Planning to grant permission 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:

To secure in perpetuity management of the land as a SANG and tie the use of the land as SANG as mitigation to the sites at Land East of Wareham Road, Land at Blaneys Corner and land east of Flowers Drove as identified in the emerging Purbeck Local Plan.

And the following conditions (and their reasons).

1. The development must start within three years of the date of this permission.

Reason: This is a mandatory condition imposed by Section 91 of the Town and Country Planning Act 1990 to encourage development to take place at an early stage.

2. The development permitted must be carried out in accordance with the following approved plans: Location Plan, 813.11/29G - Illustrative SANG Masterplan, AWP drawing 0902/PHL-101A Access and Car Park Arrangements and submitted Flood Risk Assessment AWP – 0902 Rev A.

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

3. The land shall only be used for informal public recreation purposes only and for no other purposes, including any other purpose within Class D2 (Assembly and leisure) of the Town and County Planning (Use Classes) Order 1987 (as amended or replaced).

Reason: To define this permission and in the interests of the proper planning of the locality

4. Prior to the first use of the site, a detailed SANG design and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The submitted design shall include details of the hard and soft landscaping and proposed equipment. All proposed and existing trees and shrubs shall be correctly described and their positions accurately shown on a planting plan. The approved landscaping shall be undertaken in accordance with the agreed timetable unless otherwise approved in writing by the Local Planning Authority.

Reason: To secure features necessary to ensure that the SANG operates effectively in accordance with the Dorset Heathlands SPD 2020-2025

5. Prior to the first use of the site, a management plan relating to the proposed SANG shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall set out specific habitat management and enhancement measures; frequency and nature of SANG maintenance measures; clear functional objectives for the SANG; site leaflet production and publication; and the means by which the SANG management strategies can be adapted over time. The approved scheme shall be implemented in accordance with the timetable(s) established within the approved details.

Reason: To secure features necessary to ensure that the SANG operates effectively in accordance with the Dorset Heathlands SPD 2020-2025

6. Before the car park is opened and made available to the public the first 10 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

7. Informative Note - Dorset Council Highways.

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with

Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at on 01305 222120, or on line at [www.dorsetcouncil/roads,highways and maintenance](http://www.dorsetcouncil/roads,highways%20and%20maintenance), or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

B) Refuse permission for the reasons set out below if the legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) is not completed by (6 months from the date of committee) or such extended time as agreed by the Head of Planning.