

Application Number:	P/OUT/2021/05751		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land at Matchams Stadium Matchams Lane St Leonards BH24 2BU		
Proposal:	Demolition of existing buildings and structures and erection of a continuing care retirement community with up to 330 extra care units (Use Class C2) and up to 60 bed care home (Use Class C2), associated communal and care facilities, landscaping and open space, Alternative Natural Greenspace (ANG), parking and infrastructure, means of access and internal access roads. Use of land as nature conservation area, to include ecological enhancements and restoration (outline application to determine access only with all other matters reserved)		
Applicant name:	Senior Living (Matchams) Limited		
Case Officer:	Ursula Fay		
Ward Member(s):	Cllr Bryan, Cllr Goringe		
Publicity expiry date:	8 November 2022	Officer site visit date:	10 February 2022
Decision due date:	31 December 2022	Ext(s) of time:	4 May 2023

1.0 This application is taken to committee at the request of the Nominated Officer due to the scale of the proposal.

2.0 **Summary of recommendation:**
REFUSE permission for the reasons set out at the end of this report.

3.0 **Reason for the recommendation:**

- The proposal would result in adverse impacts to the Dorset Heathlands SPA and New Forest SPA
- The proposal fails to make a policy-compliant contribution to affordable housing
- The proposal is contrary to green belt policy
- It has not been satisfactorily demonstrated that the proposed surface water drainage scheme can be viably implemented
- It has not been satisfactorily demonstrated that the proposal will not have adverse effects on the dark skies of the New Forest National Park

4.0 **Key planning issues**

Issue	Conclusion
Principle of development	Contrary to settlement hierarchy. Council cannot demonstrate a 5 year housing land supply.

Issue	Conclusion
Loss of sports facility	Report has demonstrated facility is no longer viable. No objection to loss of sports facility from Sport England.
Housing for older people	Would provide specialist housing for older people, considered a significant benefit.
Site location and sustainability	Policy SL6 recognises that redevelopment proposals may be appropriate. Communal facilities and transport would be provided. Proposal is balanced against existing use. It is not considered a reason for refusal is warranted.
Economic benefits	Would create jobs, considered a moderate benefit
Affordable housing	Proposal considered to deliver extra-care units that fall within use class C3. Proposal is viable to make contribution to affordable housing. Applicant has confirmed they will not enter into a S106 to make this contribution. Afforded significant weight in the planning balance.
Biodiversity	Impacts of protected species and mitigation identified. Biodiversity Net Gain would be achieved.
Dorset Heathlands SPA and New Forest SPA	Proposal is contrary to Dorset Heathlands SPD. Insufficient evidence has been submitted to demonstrate that a case-by-case approach at this site could conclude no impacts on these designated sites. An Appropriate Assessment cannot conclude no adverse impacts. This is given weight of the highest significance which outweighs all other considerations.
Green belt	Contrary to green belt policy. Would have a greater impact on the openness of the green belt than the existing development. Impacts are afforded very significant weight in the planning balance.
Landscape and Visual Effects - daytime	Very limited daytime effects on views from public vantage points. Adverse impacts are afforded limited weight.
Landscape and Visual Effects - night-time	Impacts on dark skies of New Forest National Park have not been adequately considered. Not appropriate to condition. Afforded significant weight in planning balance.
Highways	Transport Assessment is acceptable and impacts on highways network are accepted. Afforded limited weight in planning balance.
Flooding / Drainage	Insufficient information submitted to demonstrate that the proposed sustainable drainage scheme is achievable. Afforded moderate weight in planning balance.
Contaminated land	Opportunity to remediate significantly contaminated site. Afforded significant weight in planning balance.
Heritage	No impacts subject to condition.
Trees	Strategy is acceptable subject to conditions.

Issue	Conclusion
Urban Design	Detailed layout considerations would be addressed at the reserved matters stage.
Residential amenity	Acceptable for both existing neighbours and proposed dwellings.
Renewable Energy	Condition could be placed requiring proposal to meet policy requirements.
Waste	Waste would be collected privately, this could be secured by condition.
Mineral safeguarding	Site is in area safeguarded for minerals. A condition could be placed requiring investigation of the site for mineral extraction.
Airport safeguarding	Site is located in Airport consultation zone. Conditions could be placed to ensure safeguarding criteria are taken into consideration.
Planning Balance	Significant benefits do not outweigh adverse impacts. An Appropriate Assessment has concluded that impacts on the Dorset Heathlands SPA and New Forest SPA cannot be avoided or mitigated, permission cannot be granted.

5.0 Description of Site

- 5.1 The site is located within the Bournemouth Green Belt, to the west of Hurn Road and the A338, approximately 1.4 south of the nearest settlement, St Ives. To the immediate north of the site is Avon Heath Country Park and dwellings at Matchams Close, to the south is Barnesfield Heath and to the west lies a small area of heath separating the site from properties along Foxbury Road.
- 5.2 The site is currently utilised as a motorsports facility and includes a stadium at it's centre, along with various other buildings, structures, portacabins, area of hard standing and tracks across the site. The facilities are in a varying state of repair, most are still in use, however some buildings are dilapidated, and tracks to the western part of the site are no longer in use and have overgrown. The site also has planning permission for car boot sales however it is understood the site is not being currently used for this purpose.
- 5.3 The site is contaminated due to the uses that have taken place there historically. Abandoned vehicles, significant amounts of rubbish, holes dug for disposal of waste, and burn marks from fires were all noted during the officer site visit.
- 5.4 The site is surrounded by St Leonards and St Ives Heaths, part of the Dorset Heathlands, designated as SSSI/SPA/Ramsar sites and protected as of international significance. In addition, areas of the site itself, to the north and south, fall within these designated sites.
- 5.5 The site contains significant areas of woodland and tree cover, which surround the motorsports facilities. There is also a pond at the eastern end of the site.

- 5.6 The site slopes fairly steeply from west to east, with a levels change of approximately 30m across the site. To the western extremity the land falls away steeply down to Barnesfield Heath.

6.0 Description of Development

- 6.1 The proposal is a 'Continuing Care Retirement Community' comprising up-to 330 extra-care units, an up-to 60 bed care home, and associated communal facilities, landscaping and green space. The application is in outline with all matters except access reserved, however a number of plans which provide further information on the proposed land use, areas of potential built development, site levels, building heights, and green infrastructure ('parameter plans') have been submitted in support of the application and which could be conditioned.
- 6.2 The parameter plans would concentrate development within the centre of the site, where existing development is located. Development would be up to 3 storeys in the 'village centre' to the eastern part of the developed area, with areas of 2 storey development to the west. Small areas of 1 storey development would be placed to the southern and northern extremities of the developed area.
- 6.3 Details of a minimum standard of communal facilities to be included at this site and to be secured via a legal obligation have been set out within a submitted Draft Heads of Terms. Minimum standards would include: a wellness suite, offering a mix of exercise, relaxation and therapeutic facilities, accommodating physiotherapy and rehabilitation activities and group exercise classes; a salon; a restaurant for communal dining and home delivery; and a social activity space.
- 6.4 At the eastern end of the site existing trees, vegetation and the pond would be retained providing a base for landscaping around the 'village centre'. Surrounding the western developed areas, and extending some distance to the west, would be a large area to include those areas of SSSI within the site boundary, this area would become a nature conservation area. Boundaries within this space would provide for a natural greenspace for recreational use by residents and visitors, with barriers preventing access to areas beyond this including SSSI designations on the site and at the adjacent Avon Valley Country Park.
- 6.5 The intention of the applicant is that residents meet a set of criteria as a 'Qualifying Person' including that all residents must be over 65 and receive care and support for at least 2 hours per week. Residents can arrange for their own personal care requirements in addition to this directly through a CQC registered care provider. Spouses of 'Qualified Persons' would only be eligible for residency if they also meet the 'Qualifying Person' criteria. Draft Heads of Terms for a s106 legal obligation has been submitted to this effect.
- 6.6 Although not provided for in the draft s106 Heads of Terms, the applicant has advised the intended visitor strategy would see most overnight visitors to the extra-care staying within the dwellings of those they are visiting. Guests would be permitted to stay for a maximum of 30 days per year. A guest suite would also be available for those visiting the extra-care units. Overnight facilities for guests may or may not be provided at the care home. No staff accommodation would be provided on-site, this is not currently included within the draft s106 so would need to be added were the scheme otherwise acceptable.

- 6.7 A village transport service is typically included within the residents' service charge, assisting residents in making trips around the local area for social outings, shopping trip and to access health services. The applicant has submitted Draft Heads of Terms which would secure a minimum of 2 vehicles being made available for private trips by residents by prior arrangement.

7.0 Relevant Planning History

03/01/1040/FUL - Decision: GRA - Decision Date: 14/11/2001
Renewal Of Temp Planning Permission 3/96/0553 To Continue Use Of Land For Car Boot Sales/markets On Wednesday's.

03/82/2093/HST - Decision: REF - Decision Date: 28/01/1983
Change Of Use For 52 Sundays Each Year For Stall Trading Market

03/87/0282/FUL - Decision: GRA - Decision Date: 07/04/1987
Demolish Existing And Erect Building To House Standby Generator, Store And Switchroom

03/87/1055/FUL - Decision: GRA - Decision Date: 16/11/1987
Erect Gate House

03/88/1426/FUL - Decision: GRA - Decision Date: 23/03/1990
Raising Level Of Land,

03/89/0044/FUL - Decision: REF - Decision Date: 07/04/1989
Extension And Change Of Use To Nursing Home

03/89/0103/FUL - Decision: GRA - Decision Date: 17/05/1989
Construction Of Dry Ski Slope, As amended by letter and plans received 30 March 1989 and 25 April 1989

03/91/0849/FUL - Decision: GRA - Decision Date: 22/04/1994
Formation Of New North Eastern Access, Alteration Of Existing Access/exit & Consequential Highway Widening,

03/92/0616/FUL - Decision: GRA - Decision Date: 07/01/1994
Erect Structure, Retention Of Structures & Consent For Use Of Car Parks, Use Of Land For Leisure Activities As Specified By Schedule & Letter Dated 3 August 92,

03/94/0203/FUL - Decision: GRA - Decision Date: 27/04/1994
Holding Of Car Boot Sales On Wednesday Of Each Week,

03/94/0419/FUL - Decision: GRA - Decision Date: 01/07/1994
Erection Of Two Storey Cafeteria / Corporate Facility With Realignment Of Part Scramble Circuit,

03/96/0282/FUL - Decision: REF - Decision Date: 18/09/1996

Widen Carriageway & Form New Event Access,

03/96/0553/FUL - Decision: GRA - Decision Date: 08/08/1996
Holding Of Car Boot Sales On Wednesdays Of Each Week

03/96/0282/FUL W 07/01/1998
Widen Carriageway & Form New Event Access,

03/96/0697/FUL - Decision: GRA - Decision Date: 18/09/1996
Erection Of Single Storey Cafeteria/ Corporate Facility With Realignment Of Part
Scramble Circuit,

03/97/0765/FUL - Decision: GRA - Decision Date: 20/02/1998
Retention Of Bank Works To Existing Ponds 1&2 And Footpaths, And Use Of
Land
Adjacent To Pond 2 For Seasonal Crazy Golf As Amended By Letter Of 16

03/97/0933/FUL - Decision: GRA - Decision Date: 22/12/1997
Widen carrigeway & form new event access

03/98/0512/FUL - Decision: GRA - Decision Date: 21/09/1998
Instal 2 Dual Antenna, 3 600mm Microwave
Dishes, 22.5m Monopole Tel Mast, Equip.
Cabin & Dev Ancillary Thereto.

03/98/0712/FUL - Decision: GRA - Decision Date: 08/10/1998
Continued Use Of Mobile Home For Security Night Watchman And Continued Use
Of Land For Paint Ball War Games

3/04/0388/FUL - Decision: WIT - Decision Date: 15/07/2004
Restoration and Future Management of 38 Hectares for Nature Conservation
Purposes; Redevelopment of Stadium Area for a Mixed use Scheme comprising
51 Residential Units, Business, Hotel and Restaurant Uses; the Provision of 8
Hectares of Recreation Space and the Creation of a New Access and Localised
Road Widening.

3/07/0995/OUT - Decision: WIT - Decision Date: 18/10/2007
Outline Planning Application for the Demolition of Matchams Stadium and
Ancillary Structures, and Redevelopment of the Whole Matchams Stadium Site for
40 Residential Units (Comprising 20 Detached Units and 4 Apartment Buildings
each Containing 5 Units), Restoration and Future Management of 38ha for Nature
Conservation Purposes, a B1 Office, a Biomass District Heating System, Areas of
Informal Open Space, a Pet Barrier and a New Access with Localised Road
Widening.

3/08/0493/CLU - Decision: GRA - Decision Date: 16/09/2008
Testing and Evaluation of Military and Commercial Vehicles and Engineer
Equipment Using Simulated Conditions and Courses (Sui Generis) and Ancillary
Use of Facilities for Commercial Vehicle Events and Sports (Including Press

Launches, Filming/Photography and Rallies). Use of Site Buildings for Trial/Test Observation. Use Ancillary to Use Carried Out at Hurn Main.

3/08/0606/OUT - Decision: REF - Decision Date: 27/03/2009
Outline Planning Application for the Demolition of Matchams Stadium and Ancillary Structures, and Redevelopment of the Whole of The Matchams Stadium site for 40 units (Comprising 20 Detached Units and 4 Apartment Buildings each Containing 5 Units), Restoration and Future Management of 38 Hectares for Nature Conservation Purposes ('The Reserve Area'), A B1 Office to be Possibly used by a Nature Reserve Manager, A Biomass District Heating System, 8 Hectares of Informal Open Space('The Recreation Area'), A Pet Barrier, and a New Access and Localised Road Widening. Revised Scheme, (Resubmission of PA 3/07/0995/OUT)

3/08/1133/COU - Decision: GRA - Decision Date: 30/10/2008
Erection of temporary buildings for the holding of a Christmas Fair (28th November -24th December 2008) - to include the Erection of 9 Log Cabins, an Ice Skating Rink, Ice Slide, Christmas Decorations and Installation of Sited Toilet Facilities. (As supplemented by information showing protective fencing submitted 23/10/08)

3/09/0079/FUL - Decision: GRA - Decision Date: 24/03/2009
Retention of Mast and Compound Not in Compliance with Condition 1 of Planning Permission 98/0512 (In which Permission was Limited to 15/09/2003), Replacement Antennae x 2 and New Equipment Cabinet.

3/21/0850/PAM - Decision: REF - Decision Date: 22/07/2021
A retirement community of approximately 316 extra care units (Use Class C2) and a 60-bed care home.

Penal Notice

In 2008 an Injunction and Penal Notice was served. This imposes several restrictions on the use of Matchams. The restrictions can be summarised as follows:

- Only 22 days for Banger Racing (18 days for Motorcross) (from an unencumbered agreement of 365 days per annum).
- Between May 31st and 31st of August only 3 Saturdays or Sundays

8.0 List of Constraints

- Within open countryside
- Article 4 Direction - Confirmed on 17 November 1954

The effect of the Direction, as approved by the Minister, is that planning permission will, in future, be required in respect of temporary uses (Class IV(2)) and agricultural buildings, works and uses (Class VI) on the Matchams Park Estate and a large part of the Avon Castle Estate. In addition, planning permission will be required in respect of development within the curtilage of a dwelling house (Class I) on a large part of the Avon Castle Estate.

- Risk of surface water flooding to parts of site
- Sites of Special Scientific Interest (SSSI)

- Adjacent Dorset Heathlands Special Protection Area (SPA)
- Partially within catchment for Avon Valley Special Area of Conservation (SAC)
- Within 5km from New Forest SPA
- Within Bournemouth Greenbelt
- Within Bournemouth International Airport (BIA) - Aerodrome safeguarding zone
- Within Minerals and Waste Safeguarding Area
- Listed on contaminated land register
- Archaeology : Four Bowl Barrows on Foxbury Hill (130m from site boundary and three Bowl Barrows in Avon Heath Country Park (950m from site boundary)

9.0 Consultations

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

Consultees

Natural England

- Proposal would have adverse impact on internationally and nationally designated sites Dorset Heathlands SPARamsar
- Proposal is not directly connected with or necessary for the management of the Dorset Heathlands
- An Appropriate Assessment under the Habitat Regulations is required
- The proposal is of a type that is not permitted within 400m of the Dorset Heathlands as set out in the Dorset Heathlands Planning SPD
- Urban development proposals that are not compliant with the avoidance and mitigation strategy of the SPD will breach the Habitats Regulations
- A general case by case approach is not supported by the SPD
- Adverse effects would need to be demonstrated to be zero to avoid an in-combination effect – this has not been demonstrated
- The proposed Nature Conservation Area (NCA) would have a positive impact as would management of designated areas within the site
- Proposed barriers may not be effective
- Approach to extrapolation of recreational impacts is flawed
- Large amounts of uncertainty around impacts however it is clear the proposal would result in a substantial increase in visitor numbers at nearby designated heathland sites
- Concerns around long-term effectiveness of pet covenant
- Over-65s may inadvertently cause fires through BBQs or dropping litter, not all fires are caused by arson
- Increased lighting and noise will harm wildlife. Insufficient information to demonstrate that a lighting scheme can be provided
- Dual purpose of NCA will reduce its ability to maintain ecological functions
- No assessment of edge effect from development so close to heathland sites
- Appropriate Assessment will not be able to conclude that there will be no adverse effect on the integrity of the Dorset Heaths SPA/SAC/Ramsar

Sport England

- No objection

- Sports Sequential Assessment conclusions appear sound and support the loss of motorsports from the site
- Venue has been losing money for some time and environmental issues have been raised
- Disappointing that no financial contributions to any other the other suitable sites identified are proposed

New Forest National Park Authority

- Agree that proposed development would be largely visually screened from the New Forest National Park (NFNP)
- Noise would not adversely affect levels of tranquillity within the NFNP
- Increased light pollution from occasional use of floodlights to streets lit all night. Potential to reflect light off hard surfaces back into the night sky which could be viewed from the NFNP
- Details of lighting need to be provided as part of the application given the likely pressure for high levels of lighting due to health and safety needs of future residents
- Application site is located within 5km of the New Forest SPA, well within the 13.8km 'zone of influence' identified and agreed with Natural England
- The National Park should be identified as a Sensitive Receptor within the Environmental Statement (ES) in relation to external lighting
- There is no reference to the NFNP in relation to the forthcoming detailed external lighting design
- The baseline light survey should have been carried out at a time where there was no event with floodlighting taking place. This is because the events are temporary and intermittent in nature. The comparison should be between an unlit site and a new residential site with external lighting.

New Forest District Council

- No objection

Wessex Water

- No existing Wessex Water Assets within the site
- Point of connection to the public network will need to be by agreement of developer with Wessex Water
- Offsite sewers will be required and the developer may require a sewer requisition to lay sewers across third party land
- A pumping station may also be needed
- Surface water run-off will need to be managed separately from foul drainage

Dorset & Wilts Fire & Rescue

- Comments provided on requirements to be met as part of buildings regulation

Bournemouth Airport

- No response received

St Leonards & St Ives Parish Council

- No response received

Dorset Council Landscape Officer

- Site is within the Green Belt
- Site is within the Avon Valley Area of Great Landscape Value (AGLV) and is therefore a Valued Landscape

Impacts on Landscape Character

- Impacts on landscape character will be negligible at national scale, minor beneficial – negligible at the country scale, and minor beneficial at the district scale. At the local scale the effects are predicted to be major adverse internally, and moderate beneficial for the woodland/tree belt adjoining the built area.
- There would be no change to the characteristics of the Dorset Heaths or New Forest National Character Areas (NCA).
- The majority of public viewpoints towards the site are obscured or the site is difficult to perceive.
- Impacts on the viewpoint with an unobscured view, into the entrance of the site, would be minor adverse to minor beneficial as the site entrance would be improved.
- Impacts on partial views from the southern portion of the Avon Heath Country Park would be at worst minor adverse.
- Visual effects from all the other viewpoints will be neutral due to the limited intervisibility
- None of the effects on views are significant in EIA terms

Impacts on the Green Belt

- The visual impact of the proposal is likely to be significantly greater than that of the existing uses

Dorset Council Highways Authority

- No objection subject to conditions

Dorset Council Local Lead Flood Authority (LLFA)

- Holding objection
- Surface water management scheme based solely on infiltration is not supported by the required level of detail from ground investigations
- Infiltration rates appear favourable, however it would also appear from some of the groundwater monitoring results, recorded in January 2020 that ground water levels may come up higher than the invert of some of the proposed soakaway features. If this is the case then infiltration may not be a viable means of surface water management
- Some soakaways shown would not meet SuDS Manual standards
- The applicant may need to look at an attenuated discharge to a nearby watercourse as a back-up plan
- It is not clear why open SuDS cannot be accommodated on the site given the rural location and illustrative layout which appears to show adequate space for these
- we are unable to ascertain, to our satisfaction, the appropriateness of any SW management in accordance with the Ministerial statement 'Sustainable Drainage System' 2014, chapter 14 of the NPPF and Planning Policy

Guidance (PPG). As relevant LLFA in this matter we are unable to confirm that the applicant has met DEFRA's technical guidance or relevant local and national policies concerning drainage.

- Our (Holding) Objection may be overcome via the submission of further or additional details outlining a site-specific surface water management scheme.

Dorset Council Environmental Health

- No adverse effects in regards to operation air quality, some aspects on ecological impact from construction phase.
- Potential impacts from construction noise & vibration
- A Construction Environmental Management Plan (CMEP) should be submitted outlining mitigation strategies for noise and vibration during construction
- A noise assessment should be submitted when details of the buildings and proposed plant area available

Dorset Council Trees

- Majority of trees proposed to be retained
- Conditions recommended

Contaminated Land – WPA consultants Ltd

- Documentation submitted is sufficient at this stage
- Further submission concerning land quality requiring technical review will be required
- Conditions recommended

Dorset Council Natural Environment Team (DNET)– Heathlands

- When assessed against the Dorset Heathlands SPD this application fails to meet the strategy for avoidance. The current proposed measures are insufficient to demonstrate they can mitigate against adverse impacts on the Dorset Heaths
- Risk is heightened due to the close proximity of the heaths
- Further evidence would be required to demonstrate that the residents of this proposal would have severely restricted mobility with advance dementia / physical nursing needs
- Many people aged 65 and over remain able-bodied, mobile and active
- The wide range of facilities proposed indicates residents will have a certain degree of mobility
- Proposal will attract the wider community to the site for recreational purposes as stated in Design & Access statement sections 5.2 and 6.1
- Accessible useable greenspace for residents needs to be provided, however spaces need to be carefully considered with the expectation that residents care needs will be high and physical ability restricted

Dorset Council Natural Environment Team – Biodiversity Net Gain

- Note advice from Natural England
- Proposed age restriction does not mean that residents will be severely restricted in mobility

- Unclear how a pet covenant would be enforced in the long term
- Proposed buffer between development and heathland raises concerns regarding risk from fire
- Impacts upon nocturnal wildlife and how effectively these can be mitigated is not known without a detailed internal and external lighting strategy. Mitigation measures e.g. larger buffering may constrain quantum of development. Constraints need to be known to allow outline to be safely determined without compromising any future reserved matters application
- Nature Conservation Area may not be able to provide both ecological mitigation and accommodate recreational activity
- Important to consider guidance requiring land to be managed effectively and appropriately when considering positives in management
- Biodiversity Metric calculation should be submitted for review
- Potential difficulty in creating/maintaining habitats of high/very high distinctiveness, particularly in areas subject to human disturbance, must be fully considered
- Loss of very high distinctiveness habitats must be considered against the Mitigation Hierarchy and the Biodiversity Metric rules and principles under which such losses are to be avoided
- Difficulties in assessing the need to address residual loss of habitat and the ability of the development to deliver Biodiversity Net Gain (BNG) as the application is in outline

Dorset Council Conservation

- Overall no harm to the significance of designated heritage assets
- No harm to the significance of Four Bowl Barrows on Foxbury Hill
- No harm to the significance of Three Bowl Barrows in Avon Valley Country Park
- Suggested conditions

Dorset Council Urban Design

- Location is unsustainable and limited on-site facilities are proposed
- No opportunities for integration with the wider community
- Indicative layout offers limited connectivity and permeability through the site
- Proposals do not comply with Dorset Council's Waste Collection guidelines
- Shared surfaces inadequate for more vulnerable road users

Dorset Council Building Control

- Insufficient information to check access for the fire brigade

Dorset Council Minerals & Waste

- Development could sterilise potential minerals resource
- Prior extraction of minerals should be sought
- Condition recommended

Dorset Council Adult social care

- Shortage of specialist accommodation across all tenures
- Proposal would go a long way to quantify the gap

- Assumption that tenure mix will not change over time may be flawed, concern that tenure mix will change as people age and there will be an increase in demand for affordable rented properties
- Report justifies affordable extra care as much if not more so than market
- Concerns around development of a mixed community, and access to facilities

Representations received

RSBP

- Object to application
- Insufficient certainty regarding impacts on Dorset Heathlands
- The only C2 uses permitted within 400m of the Dorset Heathlands are care homes for the frail elderly
- Minimum age threshold is fundamentally different from the restriction/mobility thresholds
- Facilities and parking would be likely to attract non-residents to the site
- Concerns regarding fire risk
- Concerns regarding effectiveness of internal and boundary fencing
- Concerns regarding effectiveness of site warden
- 20m heathland buffer is inadequate to prevent impacts such as noise and lighting
- No evidence that Accessible Natural Greenspace (ANG) will discourage residents from visiting other heathland sites
- Concern that use of ANG will have negative effects on protected species within this site
- Concerns regarding quantum of car parking
- Concerns regarding lighting strategy
- Conifers within National Site Network (NSN)/SSSI need to be removed and should not be used as screening
- Concerns over ability to enforce against pet covenants
- Biodiversity Net Gain (BNG) should be assessed against a baseline of SSSI habitats in favourable condition
- Concern regarding impacts on the Green Belt

Dorset Wildlife Trust

- Object to application
- Development proposed falls outside those C2 uses permitted within the 400m heathland buffer through the Dorset Heathlands Supplementary Planning Document (SPD)
- The application does not demonstrate exceptional circumstances that would make it allowable under the Dorset Heathlands SPD
- Does not provide confidence that the proposal will not affect the integrity of protected sites
- Minimum age does not equate to low mobility
- Level of Accessible Natural Greenspace (ANG) provision indicates active residents with good mobility
- Facilities open to the public may attract people with higher levels of mobility

- Resulting high levels of disturbance within the application site, including the ANG
- High risk residents and visitors will seek access to internal and surrounding designated heathland sites
- Effectiveness of boundary treatments and wardening unclear
- Conflicts between need for secure boundary fencing and need for permeable boundaries to allow for movement of wildlife
- No justification for 20m heathland buffer
- No justification for size and assumed effectiveness of ANG
- ANG land contains plant species of significance and protected species which may be impacted by use of the ANG
- Pet covenant unlikely to be effective
- Insufficient detail re. car park management strategy
- Unclear that lighting scheme that effectively avoids impacts is achievable
- Fire risk to occupants
- Uncertainty regarding long term management of Nature Conservation Area
- Biodiversity Net Gain (BNG) should be assessed against a baseline of SSSI habitats in favourable condition
- BNG assessment does not include impacts from useage of ANG and associated infrastructure
- Developable area of site includes area of habitat identified as being of 'Very High' distinctiveness – the loss of these is not permitted within the BNG metric and requires bespoke assessment and compensation. It is not clear how this has been dealt with

Amphibian and Reptile Conservation

- Object to application
- Potential inappropriate development within the Green Belt
- Potential of the proposal to undermine the Dorset Heathlands Planning SPD.
- Potential to adversely impact: National Site Network (NSN), the Dorset Heathlands SPA, Dorset Heaths SAC and their qualifying species, the St Leonards & St Ives Site of Special Scientific Interest (SSSI) and the Matchams Site of Nature Conservation Importance (SNCI).
- Narrow focus that the outline planning application proposes will not allow an adequate assessment of e.g. impacts
- Lack of detail and evidence of the effectiveness of the outline mitigation measures.

Representations received

All other representations

Total - Objections	Total - No Objections	Total - Comments
218	0	7

Summary of Issues Raised

Principle

- Impacts on the Green Belt

- Other locations would be more suitable for this development
- Location will be isolating for elderly

Loss of sports facility

- Loss of local facility, other venues are too far to travel to
- Impacts on children and younger generations
- Loss of racetrack will increase people racing on roads
- Loss of racetrack as a meeting / entertainment facility for young people will result in them engaging in anti-social behaviour elsewhere
- Motorsport should be given the same status as other sports

Economy

- Racetrack attracts visitors from across the county with benefits to the local economy

Housing

- Affordable housing needed rather than market housing
- Locals will be priced out of this development
- Housing needed for all ages not just retired
- 3 bed properties beyond what would be required for elderly residents

Transport impacts

- Increased traffic
- Lack of cycle and public transport infrastructure serving the site
- Gap in cycle path from Ringwood to Bournemouth/Christchurch means cycling is not possible and this should be resolved
- No footway or street lighting along Matchams Lane

Environmental Impacts

- Impacts on Dorset Heathlands
- Loss of trees

10.0 Relevant Policies

Adopted Christchurch and East Dorset Local Plan Core Strategy – Part 1 2014 (CED):

The following policies are considered to be relevant to this proposal:

KS1 - Presumption in favour of sustainable development

KS2- Settlement hierarchy

KS3 - Green Belt

KS4 – Housing Provision in Christchurch and East Dorset

KS11 - Transport and Development

KS12- Parking Provision

LN1- Size and Types of New Dwellings

LN2- Design, Layout and Density of New Housing Development

HE1- Valuing and Conserving our Historic Environment

HE2 - Design of new development

HE3 - Landscape Quality

ME1- Safeguarding biodiversity and geodiversity

ME2- Dorset Heathlands
ME3 - Sustainable Development Standards for New Development
ME4 – Renewable Energy Provision for Residential and Non-residential Developments
ME6- Flood Management, Mitigation and Defence
HE1 - Valuing and Conserving our Historic Environment
HE2 - Design of New Development
HE3 - Landscape Quality
HE4 - Open Space Provision
LN1 - Size and Type of New Dwellings
LN2 – Design, Layout and Density of New Development
LN3 - Provision of Affordable Housing
LN6 - Housing and Accommodation for Vulnerable People
LN6 - Community Facilities and Services

East Dorset Local Plan (EDLP)2002

HODEV3 - Criteria for development of elderly person's accommodation
DES2 - Criteria for development to avoid unacceptable impacts from types of pollution
DES6 – Landscaping scheme in rural areas and on the edge of settlements should be comprised of indigenous species
SL3 - Sites in St Leonards could be restored to or re-created as areas of heathland
SL6 - Criteria for the improvement of facilities at Matchams Stadium, St Leonards

Minerals Strategy 2014

Mineral Sites Plan 2019

Waste Plan 2019

Other Material Considerations

Emerging Local Plans:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

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

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

Supplementary Planning Document/Guidance

All of Dorset:

Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document

Affordable and Special Needs Housing and the Provision of Small Dwellings SPD
Areas of Great Landscape Value SPG
Countryside Design Summary SPG
River Avon Advice Note for Developers

National Planning Policy Framework:

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.

Other relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land.
- Section 6 'Building a strong, competitive economy', paragraphs 84 and 85 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 8 'Promoting healthy and safe communities' outlines approaches to deliver communities which promote social interaction, are safe and accessible, and enable and support healthy lifestyles. Paragraphs 98-103 set out measures in relation to open space and recreation.
- Section 9 'Promoting sustainable transport'
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 13: 'Protecting Green Belt Land' provides that the construction of new buildings is inappropriate in the Green Belt, except in very special circumstances. Paragraphs 149-150 set out exceptions where development within the Green Belt would not be inappropriate.
- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 176). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 173). Paragraphs 179-182 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 203).
- Section 17 'Facilitating the sustainable use of minerals' sets out the approach to ensuring there is a sufficient supply of minerals to provide for the country's needs.

National Planning Practice Guidance

- Green Belt – Advice on the role of the Green Belt in the planning system
- Viability – Sets out key principles in understanding viability in plan making and decision-taking
- Flood Risk and Coastal Change - Advises how to take account of and address the risks associated with flooding and coastal change in the planning process

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

- 12.1 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.

12.2 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 Public Sector Equalities Duty.

12.3 An Equalities Impact Assessment (Background Document 2) has been carried out in relation to the proposal. This found negative effects on young people, due to the loss of the motorsport’s facility, and as young people with care needs will be excluded from the accommodation. Negative effects were also found in relation to marriage and civil partnership, due to the residency limitations proposed.

12.4 Positive effects were found for disabled persons, due to the provision of accommodation which could suit their needs.

12.5 All the extra-care dwellings would be Lifetime Homes and would provide specialist accommodation for the elderly.

13.0 Financial benefits

What	Amount / value
Material Considerations	
Creation of jobs	Approx. 60
Non Material Considerations	
CIL contributions	£1,762,297

14.0 Environmental Implications

14.1 An Environmental Statement (ES) accompanies the application and includes the following chapters:

1. Introduction
2. The site and designations
3. Proposed development
4. Alternatives and consultation
5. EIA Approach
6. Planning policy context
7. Socio economics
8. Air quality
9. Archaeology and built heritage
10. Climate change
11. Ecology
12. Hydrology
13. Noise and vibration
14. Ground conditions
15. Landscape and visual
16. Transport and access

17. Assessment mitigation and implementation

Environmental Baseline

- 14.2 The ES includes assessment of the current state of the environment (the baseline scenario). It is noted that the baseline for some chapters, in particular noise and landscape (lighting), has been assessed only during periods where the site is operating at peak capacity.
- 14.3 While this may be part of the baseline scenario, it is not the whole nor the most frequent. Events take place on a sporadic basis and are indeed constrained by an Injunction with events prohibited during the summer months (22 days for Banger Racing (18 days for Motorcross). The banger racing evening events which were used as the baseline for light pollution take place a few times per month, so on the vast majority of days the flood lighting is not turned on and the baseline light pollution is likely to be much lower.
- 14.4 Regarding noise, the baseline has been taken from 2-8 September 2021. This was just following the summer period where events are restricted, and events took place on the site on 1 and 4 September. While only one event was included within the baseline period it can reasonably be expected that activity was taking place to set up/down the events. The baseline noise levels during the majority of the year may be lower. It could reasonably be expected that additional data from a week outside the peak period, where no events took place, would have been fed into the baseline data.
- 14.5 These baseline assumptions are particularly concerning as they feed into the Ecology Chapter and Shadow Habitats Regulations Assessment (HRA).
- 14.6 It is considered the general approach taken within the ES to defining the baseline is flawed in this regard, and insufficient information has been submitted regarding the baseline as it exists during the extensive off-peak and non-operational periods. These issues are discussed further in the assessment below, and in the Appropriate Assessment of this proposal.

15.0 Planning Assessment

Principle of Development

- 15.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 says planning applications shall be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF states that local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 15.2 The application is in Outline. A masterplan has been provided which demonstrates provision of the 330 extra-care units through a mix of 115 bungalows/lodges and 215 apartments. Several consultees have made detailed comments on the masterplan and mix shown thereon; however this provision is indicative only and a submission of reserved matters could take a different form,

within the confines of the submitted parameter plans. The weight placed upon the indicative masterplan reflects this position.

- 15.3 Greater weight is placed upon the submitted parameter plans relating to land use, access, levels, building heights, and green infrastructure. These parameter plans underpin the submitted Environmental Statement and as such would be conditioned as part of any consent. Weight is also placed upon the submitted draft Heads of Terms as these are proposed by the applicant as a list of minimum design features and service standards which would be secured through a S106 Legal Agreement.
- 15.4 Several documents submitted in support of the application provide details of the particular business model, examples of facilities, and typical demographics and other statistics relating to 'Inspired Villages' and its communities. This is helpful insofar as it provides context to aid in understanding the proposal. However, any consent would not be restricted to 'Inspired Villages', as this would sit with the land rather than the applicant. As such, only limited weight can be given to such supporting information.

Settlement Hierarchy

- 15.5 Policy KS2 of the Christchurch and East Dorset (CED) Local Plan 2014 sets the Settlement Hierarchy for the plan area. The site falls outside any of the defined settlement boundaries, with the nearest settlement boundary being St Leonards and St Ives located 1.4km from the site. Given the distance of the site from any settlement it is considered to be located within open countryside and so fall within the "Hamlet" settlement type. Within this category development is not allowed unless functionally required to be in the rural area. It is not considered that there is a functional requirement in this instance.

Development at Matchams

- 15.6 Saved policy SL6 from the East Dorset Local Plan 2002 provides a site-specific policy regarding Matchams Stadium, as follows:
- 15.7 *"The council will continue to support improvements to facilities at Matchams Stadium provided that they do not result in a marked increase in vehicular traffic attending the site, the heathlands are positively managed to prevent their deterioration and the openness of the green belt is not diminished. Any proposal for alternative use or redevelopment would be subject to green belt policy and the prior submission of plans for the restoration and management of the heathland, prepared in conjunction with English Nature and other interested bodies."*
- 15.8 Policy SL6 does not prevent an alternative use or redevelopment of Matchams Stadium. It does not support redevelopment of the site although it does acknowledge that proposals may be forthcoming and does not seek to prevent this. The policy does not include any provisions regarding residential redevelopment at the site. It is not considered that SL6 requires assessment of the proposed residential development otherwise than to the approach used generally across the plan area. Policy SL6 does not provide a basis to depart from the settlement hierarchy.

Conclusions in relation to the principle of development

- 15.9 The proposal is contrary to the development plan and the settlement hierarchy set out in Policy KS2. The development plan was found to be sound, and a logical approach to the delivery of housing in relation to employment, retail, services and facilities.
- 15.10 However, at present the East Dorset area cannot demonstrate a five-year supply of deliverable housing sites as required by the National Planning Policy Framework (NPPF), with the current supply position standing at 4.17 years. This means that for applications involving the provision of housing, the policies which are most important for determining the application are deemed to be out of date and the application should be considered favourably unless the proposal conflicts with specified NPPF policies or the adverse impacts would significantly and demonstrably outweigh the benefits (NPPF paragraph 11).
- 15.11 In relation to this particular proposal, paragraph 182 of the NPPF provides that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. As an Appropriate Assessment has concluded that the proposal would adversely affect the integrity of the Dorset Heathlands SPA (the Dorset Heathlands) and the New Forest SPA (the New Forest), and that the impacts cannot be satisfactorily mitigated, the presumption in favour of sustainable development does not apply to this proposal.
- 15.12 This position notwithstanding, an assessment of material considerations is provided in this report and summarised in a planning balance exercise.

Loss of sports facility

- 15.13 At the local level, the Matchams site is subject to saved East Dorset Local Plan policy SL6. The primary purpose of policy SL6 is to support proposals for improvements to the existing uses at Matchams. As explained above, while this policy in isolation does not prevent redevelopment of the site, neither does it support this.
- 15.14 Paragraph 99 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*
- 15.15 A Sports Sequential Assessment has been submitted by the applicant to demonstrate that the motorsports stadium is surplus to requirements. The

assessment follows Sport England's standard methodology for assessing needs and opportunities for indoor and outdoor sports facilities, which is used to assess a range of indoor and outdoor sports.

This puts forward a case that the use of the site for motorsports is no longer financially viable, and that alternative facilities within a 2-hour drive time have capacity to accommodate increased participation / events. It concludes that there could be scope to increase both participation and spectators at various raceways within a 2-hour catchment area.

- 15.16 Many interested parties have raised concerns regarding the loss of Matchams as a local facility, and the distances of other venues. Sport England have accepted an approach of identifying alternative venues for motorsports within a 1-2 hour drive time from Matchams. The assessment identifies 6 venues within this range, the closest being Aldershot Stadium.
- 15.17 Sport England have been consulted on the Sports Sequential Assessment and have made no objection to the loss of Matchams. While the alternative venues are some distance away the evidence suggests that these venues have a large catchment, and that the alternatives would be adequate to meet demands.
- 15.18 Concerns have also been raised regarding the impacts on children and younger generations. There are concerns the loss of the racetrack as a meeting / entertainment facility for young people will leave them without a safe place to meet and engage in legal activities. This could potentially result in them meeting in less appropriate places and engaging in anti-social behaviour.
- 15.19 There are also wider concerns regarding a more general risk of increased anti-social behaviour through an increase in people racing on roads.
- 15.20 There is no evidence that the removal of a venue for a legal activity would cause individuals to engage in illegal behaviour. Were any anti-social behaviour to result from the closure of the Matchams Stadium, there is no evidence regarding what the extent of this might be or where the behaviour might be focussed. Matchams Stadium has a large catchment area and so any issues are likely to be dispersed within this. In any case, other avenues exist to address issues with anti-social behaviour, through the Anti-social Behaviour, Crime and Policing Act 2014.
- 15.21 In conclusion, the applicant has demonstrated that Matchams Stadium is surplus to requirements, and Sport England have raised no objection to the loss of this facility. While the local racing community have expressed concerns, insufficient evidence has been submitted to demonstrate that the submitted Sports Sequential Impact Assessment is flawed. The proposal is therefore considered to be in accordance with NPPF paragraph 99 and so limited weight is attributed to the loss of this facility.

Housing for Older People

- 15.22 Policy LN6 of the CED Local Plan 2014 sets out the Council's strategy on housing for vulnerable people, which includes older people. The supporting text sets out the Council's intention that larger scale developments and new neighbourhoods make provision (market and affordable) for older people, to enable opportunities for older people to live securely, independently, and inclusively within

communities. Saved East Dorset Local Plan policy HODEV3 supports the delivery of specialist accommodation within settlements.

- 15.23 Policy LN6 of the CED Local Plan states that any care development proposals would need to demonstrate *'any impacts upon, or risks to, the strategic aims and objectives of Dorset County Council...are taken into account and mitigated against'*. The strategic aim of Dorset Council (which includes the functions of former Dorset County Council) is to focus on the provision of extra care accommodation, rather than care homes. The proposal would meet with this strategic aim.
- 15.24 The Bournemouth Christchurch and Poole (BCP) and Dorset Local Housing Needs Assessment, produced as part of the evidence base for the new Dorset Local Plan, identifies a clear need for provision of extra-care units, with 1,800 required across Dorset for the 2021-38 period, split roughly equally between market and affordable homes. The Dorset Council Adult Social Care Team have confirmed the large shortage in specialist accommodation for older people across all tenures. It is considered this is a material consideration in the decision-making process.
- 15.25 In the period 2017-2021, permission has been granted for 108 extra-care dwellings within the East Dorset area. All are market units although a contribution of £1,066,219 was secured towards affordable housing. Permission has also been granted for 387 care home bedrooms.
- 15.26 Taking into consideration the substantial contribution that this proposal could make to the identified need for specialist elderly accommodation, including extra-care housing and a care home, the provision of this accommodation to meet an identified need carries weight in the planning balance. Although the proposal does not make provision for the tenure most in need (affordable extra-care units), the contribution this proposal could make towards specialist accommodation for older people is nonetheless afforded significant weight.

Site location and sustainability

- 15.27 The site is in a location which is divorced from any settlement boundary, is contrary to the settlement hierarchy, and would generally be considered an unsustainable location for development. The adjacent roads are not suitable for walking or cycling.
- 15.28 However, the site is subject to Policy SL6 of the saved Local Plan which, while not supporting residential development of the site, does recognise that redevelopment proposals may be appropriate subject to green belt policy and consideration of heathlands impacts (which are considered separately below). Further, the site is previously-developed land (as considered at paras. 15.121-15.126) and its redevelopment would provide an opportunity for remediation of contaminated land as supported by paragraph 120 of the NPPF.
- 15.29 The proposal is for a new 'close care community' and the applicant advises that substantial communal facilities are proposed as part of the scheme, but the description of development only references 'associated communal facilities' and does not specify what these would include.

- 15.30 The application is in outline and the applicant has suggested that the exact facilities provided would be determined within a future reserved matters application. A reserved matters application would be limited to those matters which have been reserved, namely layout, scale, appearance and landscaping. The suitability of the type and quantum of communal facilities is outside of this scope and thus has to be considered as part of this outline application.
- 15.31 It is understood that facilities could include a wellbeing centre with gym, swimming pool and space for group exercise classes, a shop, restaurant, café, hair salon, library, laundry facilities and outdoor recreational facilities such as croquet or bowls. Such a range of on-site facilities could be considered akin to those provided in a typical village and thus compensate in part for the unsustainable location.
- 15.32 The submitted S106 Heads of terms affords that the Communal Facilities to be provided at the site *'could include:*
'the health and wellbeing facilities (which may include but are not restricted to hydrotherapy pool, sauna, steam room, gym, exercise rooms, and treatment rooms); and
the other communal facilities (which may include but are not restricted to restaurant, bistro and bar, meeting rooms, hobbies room, lounge and hair salon)'
- 15.33 It is noted that the shop and outdoor recreational facilities which the applicant has advised may be provided do not appear on the list within the draft S106. The draft s106 provides that the final provision of communal facilities would be agreed between the owner and the Council.
- 15.34 A private bus service would be made available, which is proposed to be secured as provided within the draft s106 with a timetable to be agreed between the Council and the site operator. This service would be available to both residents and employees. While the situation necessitating this mitigation is not ideal, this service would improve the sustainability of the site.
- 15.35 The location of the site is not supported by the settlement hierarchy, and the site is not allocated for residential development. However, the site is previously-developed land with contamination issues, and its potential for redevelopment has been acknowledged within planning policy. In relation to the proposal, the extent of on-site facilities and private transport services, both of which could be secured in perpetuity through a S106 agreement, would improve its sustainability. There would be some increases in the desire to travel by private car, however this is balanced against the current use of the site which generates significant private car trips.
- 15.36 On balance it is considered that the location, previously-developed nature, and current uses of the site, when balanced against the proposal including on-site facilities and private transport service (being satisfactorily secured by way of a planning obligation) , would not warrant a reason for refusal of the scheme on the basis that the location is unsustainable. This issue is therefore attributed limited weight in the planning balance.

Economic benefits

- 15.37 Policy KS1 of the CED Local Plan seeks to secure development that improves the economic conditions in the area.
- 15.38 The proposal is expected to provide employment opportunities and create approx. 60 jobs. Due to the nature of the development and site location these job opportunities would be necessarily taken up by people living some distance from the site. A shuttle bus is proposed which would provide transport for employees. Jobs would also be provided during the construction phase; these would be temporary in nature.
- 15.39 The location of these employment opportunities is not in accordance with the settlement hierarchy set out in Policy KS2. However, the potential concentration of those with care needs in a single location could reduce the need for staff to travel. Often care staff are required to drive between jobs across a wider area (and are not paid for this time). Consequently, some jobs created by the continuing care retirement community (CCRC) may require less use of private cars than similar roles in the wider community.
- 15.40 Further economic benefits will include additional expenditure and use of services in the local area.
- 15.41 Taking into consideration the magnitude and duration of these economic benefits, they are afforded moderate weight in the planning balance.

Affordable Housing

- 15.42 CED Policy LN3 sets out the Council's approach to the provision of affordable housing. This requires all residential developments to meet affordable housing requirements, with non-greenfield developments expected to provide up to 40% of residential units as affordable housing.
- 15.43 CED Policy LN6 states that certain new care developments within the C2 use classification will not be subject to Policy LN3. However, it specifically identifies sheltered housing, assisted-living and extra-care accommodation as expected to meet the requirements of Policy LN3, subject to viability. Open market development proposals to provide housing for older people can meet policy LN3 through a commuted sum contribution. The commuted sum is calculated on a floorspace basis and a policy-compliant scheme would provide a contribution of £4,012,938 (based on the submitted accommodation schedule).
- 15.44 While the description of development references extra care units falling within Use Class C2, it is for the Local Planning Authority to consider into which use class a particular development may fall. The application is in Outline and some (but not all) of the elements below relate to the detailed layout of accommodation which would be considered as part of a reserved matters application. It is considered appropriate to consider all evidence available as regards the use class classification of this development at the Outline stage, as this is the stage where the principle of the application is considered, and where any obligations towards affordable housing can be sought, with commensurate weight attached to those elements where details are indicative only.

Extra-care housing

- 15.45 The NPPG (paragraph: 010 Reference ID: 63-010-20190626, 2019) defines extra care housing as follows:
- 15.46 *'This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.'*
- 15.47 The proposal would include purpose-built accommodation, and a medium – high level of care would be available if required, albeit through a choice of offsite (rather than onsite) care agencies. However, a Wellbeing Manager would be available to assist residents with making these care arrangements. Residents would have access to 24-hour support services and staff, with meals available at the restaurant or by delivery. The Draft S106 anticipates the following communal areas would be provided within the 'Village Centre': Wellness suite; Restaurant; Studio rooms/library/meeting place. The ability to arrange increased levels of care, and the on-site care home, would provide for varying levels of care as time progresses. Overall, it is considered that the proposed dwellings meet this extra-care definition.

Personal care

- 15.48 Neither the NPPG nor the Use Classes Order 1987 (as amended) specify whether extra-care accommodation falls within Use Class C3 (Dwellinghouses) or C2 (Residential Institutions).
- 15.49 The Use Classes Order defines C2 class as:
'Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)).
Use as a hospital or nursing home.
Use as a residential school, college or training centre.'
- 15.50 Within the Use Classes Order, 'care' means personal care, and is defined as follows:
"care" means personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment.
- 15.51 The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 define personal care as follows:
'"personal care" means—
(a) physical assistance given to a person in connection with—
(i) eating or drinking (including the maintenance of established parenteral nutrition),

(ii) toileting (including in relation to the process of menstruation),

(iii) washing or bathing,

(iv) dressing,

(v) oral care, or

(vi) the care of skin, hair and nails (with the exception of nail care provided by a person registered with the Health and Care Professions Council as a chiropodist or podiatrist pursuant to article 5 of the 2001 Order), or

(b) the prompting, together with supervision, of a person, in relation to the performance of any of the activities listed in paragraph (a), where that person is unable to make a decision for themselves in relation to performing such an activity without such prompting and supervision;'

- 15.52 The draft S106 legal agreement provides additional information on the types of care that will be offered to residents of the retirement community. All residents will need to demonstrate that they are a 'Qualifying Person'. This will involve an assessment where a requirement for a 'Care and Wellbeing Package' will need to be demonstrated. The Care and Wellbeing Package will include the provision of at least 2 hours a week of 'Care Services'.
- 15.53 Care services include a range of services including provision and delivery of meals, advice on nutrition and menu planning, general health advice, welfare calls, collection of prescriptions and use of on-site transport services. They can also include assistance with personal hygiene, prompting to take medication and assistance with eating and drinking. Many of these services would not represent personal care as defined above.
- 15.54 The Draft S106 requires that delivery of on-site Personal Care by a CQC Registered Service Provider is available for those who need it, subject to a separate contract. On-site delivery of personal care can form part of the Care & Wellbeing Package however it is not necessarily part of the 2-hour minimum Care Services as many of the services described therein do not constitute personal care. There is therefore no requisite in the extra-care element of the proposal that personal care be provided to the residents.

Communal Facilities

- 15.55 NPPG (paragraph 014 Reference ID: 63-014-20190626, 2019) provides guidance to local authorities as follows: '*when determining whether a development for specialist housing for older people falls within C2 (Residential Institutions) or C3 (Dwellinghouse) of the Use Classes Order, consideration could, for example, be given to the level of care and scale of communal facilities provided.*'
- 15.56 The communal facilities would serve a considerable number of dwellings, of which many would be located a substantial distance away. The submitted application does not provide clarity on the likely size or capacity of communal facilities; further information in the form of illustrative floorplans was requested but not provided. However, based on the submission the communal facilities for extra-care residents are expected to focus on the provision of a central hub of more social activities such as the wellbeing centre, restaurant and café, with some care facilities such as on-site space for visiting medical professionals.

- 15.57 While details of the layout and scale of communal facilities would be submitted at the reserved matters stage, the parameter plans would constrict the options available. In particular, it is considered that the relationship between dwellings to be provided in the orange 'extra-care housing' zone on the Land Use Parameter Plan and communal facilities to be provided in the pink 'extra-care units, associated communal and care facilities' would not represent an arrangement that could be considered to fall within Use Class C2.

Summary

- 15.58 It is not considered there is sufficient evidence that the facility would provide a level of care or care facilities at or above those described in the first paragraph of Policy LN6. The units are not considered to meet the definition of a Residential Institution as defined in the Use Classes Order as personal care is not necessarily provided. The communal facilities would be separate from many of the extra-care dwellings. Taking all these elements into consideration it is concluded that the extra care dwellings fall within Use Class C3 and are subject to the requirements of Policy LN3 subject to viability..

Case for Viability Appraisal at application stage

- 15.59 Paragraph 58 of the NPPF states that *'Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.'*
- 15.60 National Planning Policy Guidance (PPG) Paragraph: 007 Reference ID: 10-007-20190509 explains with regard to changes in site circumstances that *'Such circumstances could include, for example where development is proposed on unallocated sites of a wholly different type to those used in viability assessment that informed the plan; where further information on infrastructure or site costs is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people); or where a recession or similar significant economic changes have occurred since the plan was brought into force.'*
- 15.61 While the applicant does not accept that the proposal triggers the requirement for a contribution towards affordable housing, a statement has been submitted to justify the need for a viability assessment at the application stage.
- 15.62 This states that *'The existence ... of policy LN6 clearly demonstrates that Dorset Council has not undertaken a viability assessment of residential care developments in the preparation of the Local Plan that would demonstrate that such developments are capable of making such a contribution.'*

- 15.63 Alongside the examination of the Local Plan: Part 1, Christchurch and East Dorset prepared a Community Infrastructure Levy (CIL) Charging Schedule. A series of viability reports by Peter Brett Associates was produced as part of the evidence base. The Community Infrastructure Levy Viability Testing Reports (January 2013 and June 2013) formed part of the evidence base for the Local Plan: Part 1 Examination.
- 15.64 This evidence base progressed to include assessment of the viability of extra-care dwellings, in Affordable Housing Viability Testing for CIL (35% & 40%) C2/C3 Uses December 2014. This provided evidence of the viability of extra-care/retirement flats (as a C3 use) to contribute to affordable housing. The assessment of this typology in terms of the scale of development ranged from 5-60 flats.
- 15.65 The applicant goes on to say that *'The proposal includes a large amount of communal space and community uses, including staff offices, a gym and wellbeing centre, treatment rooms, a bistro and a small retail provision. These uses will be provided early in the construction phasing to ensure that the first residents of the scheme are provided with all of the amenities required for day-to-day requirements. These facilities will incur costs which are required to be covered by the developer until such time as the development is fully sold and future residents will pay a proportionate management fee each.'*
- 15.66 The description of development submitted for this application refers to 'associated communal and care facilities' but does not specify what these will include. The applicant's draft S106 agreement identifies the communal facilities that may be provided as follows:
'the health and wellbeing facilities (which may include but are not restricted to hydrotherapy pool, sauna, steam room, gym, exercise rooms ,and treatment rooms); and the other communal facilities (which may include but are not restricted to restaurant, bistro and bar, meeting rooms, hobbies room, lounge and hair salon) to be provided in conjunction with the Extra Care Units as part of the Development to be made accessible to visiting members of the public in accordance with the provisions to be agreed between the Owner and the Council'.
- 15.67 The scale of this proposal at 330 extra-care units plus a care home, is significantly greater than that of the extra-care typologies assessed in the Local Plan evidence base.
- 15.68 While it has not been highlighted by the applicant, officers are aware that this site has significant abnormal costs arising from the location, current uses and existence of designated areas within the site. The proposal also includes significant areas of open space. All these factors combined, result in a development of a wholly different type to that used in the viability assessment that informed the plan. As such, it is considered that the case for a viability assessment at the application stage can be accepted.

Viability Appraisal

- 15.69 The applicant has submitted a Financial Viability Assessment (FVA), intended to demonstrate that a contribution towards affordable housing is not viable. This

evidence was independently reviewed on behalf of the Council by the District Valuers.

- 15.70 Paragraph 58 of the NPPF states that *'all viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available'*. The NPPG states that *'Where a viability assessment is submitted to accompany a planning application this should be based upon and refer back to the viability assessment that informed the plan; and the applicant should provide evidence of what has changed since then.'* The submitted FVA does not refer back to the Local Plan evidence base.
- 15.71 The FVA finds that the viability appraisal of a scheme without an affordable housing contribution generates a residual land value of £1,331,798, which is below the FVA Benchmark Land Value (BLV) of £10,260,000. This would give a shortfall of £8,928,202, however it is understood that the applicant nonetheless intends to continue with the proposal.
- 15.72 On this basis the FVA seeks to demonstrate that a contribution to affordable housing is not viable.
- 15.73 The District Valuer (DV) has reviewed the FVA and the assumptions within it. The following table provides a summary of the review and where assumptions were/were not agreed.

Policy Compliant Inputs	Agent	DVS Viability Review	Agreed (Y/N)
Assessment Date	January 2022	March 2023	
Scheme, Gross Internal Area, Site Area	GIA 30,919.46 m ² 51.69 hectare gross site area	GIA 31,863.84 m ² 51.69 hectare gross site area	N
Development Period	197 months	128 months	N
Gross Development Value	£184,016,635	£183,977,996	N
Planning Policy / S.106 Total	£0	£4,196,514	N
Construction Cost inc. Prelims, External Works Total	£106,412,284	£82,342,089	N
Empty property costs	£7,982,771	£8,505,000	N
Contingency	5%	5%	Y
Professional Fees	10%	10%	Y
Finance Interest	6.5%	6.5%	Y
Agency & Marketing Fees	4% residential, 1% commercial	4% residential, 1% commercial	Y
Legal Fees	0.5%	£650 per unit	N
Land Acquiring Costs	SDLT + 1.5%	SDLT + 1.5%	Y
Profit Target %	20%	20%	Y
EUV	£1,139,600	£1,992,000	N
EUV Premium to BLV	£9,123,400	£2,157,000	N
Benchmark Land Value	£10,260,000	£4,149,000	N
Alternative Use Value	N/a	N/a	

- 15.74 There most significant differences in opinion are in relation to build costs and the premium to the landowner.

Build Costs

- 15.75 Regarding build costs, the applicant has included bespoke costing for an assumed housing mix within the submitted appraisal. This includes a range of flats, bungalows and lodges and provides details of assumed build costs per sqm for each typology. Allowances are also made for communal facilities within the village centre.
- 15.76 The DV is of the opinion that standard build costs are a more appropriate way to input build cost assumptions to the viability exercise and has used BCIS Median figures for supported housing, adjusted for the Dorset area. This is in line with the approach taken to the assessment of viability of extra-care within the local plan evidence base.
- 15.77 The NPPG supports the use of build costs based on appropriate data, specially referencing the Building Costs Information Service (BCIS) (Paragraph: 012

Reference ID: 10-012-20180724). These standard assumptions have been used when assessing the viability of other extra-care proposals within the district.

- 15.78 The applicant has put forward a case that a bespoke approach is required as their product is different to that of other retirement developers, due to the specification and facilities provided at other CCRC operated by the applicant. However, the NPPG requires viability assessments to use standardised inputs, and there is no guarantee that the applicant would build out the site – it could be sold to another retirement developer. In conclusion, it is considered there is no policy basis for a departure from standard assumptions.

Premium to the Landowner

- 15.79 Regarding the premium to the landowners, the FVA uses the approach of applying multipliers (generally 10x) to the assumed Existing Use Value (EUV). The DV does not support this approach, considering that such multipliers should be applied to base agricultural land. Consideration should also be had to the net developable area given that a large part of the site is undeveloped heathland.
- 15.80 The applicant has responded to the effect that the site was purchased in 2003 for £3.75mil and the landowner will want to see a return on this investment. However, this amount is higher than EUV within both the FVA and DV reports. The NPPG is clear that *'where viability assessment is used to inform decision making under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan'* (Paragraph: 014 Reference ID: 10-014-20190509). There is therefore no policy basis to take account of the 2003 purchase price.
- 15.81 It is acknowledged by both valuers that the site is complex, and that determination of EUV and the premium to the landowner is not straightforward. However, when advising on how a premium to the landowner should be defined for viability assessment the NPPG requires that a premium *'should provide a reasonable incentive for a land owner to bring forward land for development while allowing a sufficient contribution to fully comply with policy requirements'* (Paragraph: 016 Reference ID: 10-016-20190509).
- 15.82 The NPPG further requires that *'Landowners and site purchasers should consider policy requirements when agreeing land transactions'* (Paragraph: 013 Reference ID: 10-013-20190509). There is no evidence within the FVA that policy requirements have been considered when proposing the premium for the landowner at this site.

District Valuer conclusions

- 15.83 The DV advises that his viability appraisal of a policy-compliant scheme generates a residual land value of £20,456,142, which is above the BLV of £4,149,000.
- 15.84 The DV concludes that *'The above scheme assessed with regards to full planning policy requirement (off-site Affordable housing contribution of £4,012,938, CIL contribution of £1,762,297, and s.106 contributions of £35,000) is financially viable.'*

- 15.85 Despite the findings of the DV, the applicant has advised that they are not willing to enter into an obligation to make a policy-compliant financial contribution to affordable housing. This carries significant weight against the proposal and forms a reason for refusal.

Biodiversity

- 15.86 Policy ME1 of the CED Core Strategy states that the Core Strategy aims to protect, maintain, and enhance the condition of nature conservation sites, habitats and species. Where development is considered likely to impact upon particular sites, habitats or species, it will need to be demonstrated that the development will not result in adverse impacts.

Protected Species

- 15.87 The Environmental Statement includes a comprehensive suite of surveys, identifying protected species that might be affected by the proposals and mitigation measures. This is considered acceptable subject to a condition requiring a Construction and Environmental Management Plan (CEMP) and securing the appropriate licenses from Natural England.

Biodiversity Net Gain

- 15.88 Paragraph 175 of the NPPF, supported by the NPPG (Paragraph: 019 Reference ID: 8-019-20190721) requires that proposals are based on the 'mitigation hierarchy'. This requires proposals to seek first to avoid, then mitigate, then compensate. Avoidance includes the location on an alternative site with less harmful impacts. Where a development cannot satisfy the requirements of the 'mitigation hierarchy', planning permission should be refused.
- 15.89 The NPPG states that biodiversity net gain complements and works with the biodiversity mitigation hierarchy. It does not override the protection for designated sites, protected or priority species and irreplaceable or priority habitats set out in the NPPF (Paragraph: 024 Reference ID: 8-024-20190721). When determining the existing biodiversity of a development site, it may be relevant to consider whether any deliberate harm to this biodiversity value has taken place in the recent past, and if so whether there are grounds for this to be discounted in assessing the underlying value of the site (Paragraph: 026 Reference ID: 8-026-20190721).
- 15.90 The submitted Environmental Statement sets out that assumptions of post development habitats within the Biodiversity Metric are based on outline plans. A precautionary approach has been taken as areas are not yet fixed. Broad estimates of general areas of habitats have been made. When assessing Biodiversity Net Gain (BNG) on the site, areas designated as SAC/SPA were excluded from the calculation as the Habitats Regulations in any case require that these designated sites be restored to favourable condition.
- 15.91 The Dorset NET Team have raised concerns regarding the proposal in particular the approach to the biodiversity mitigation hierarchy and calculation of net gain.

- 15.92 Table 3.1 of Technical Appendix 11.11 BNG describes the baseline habitat types and conditions currently existing within the Developable Area and Nature Conservation Area (NCA). These are also shown on Map 1. Several areas of high/very high habitat distinctiveness are proposed to be lost to facilitate the development, with new areas of high/very high distinctiveness to be created elsewhere to compensate.
- 15.93 The areas of high/very high distinctiveness to be lost include areas of open mosaic habitats that have established on some of the motorsports tracks and facilities that are no longer in use. The redevelopment of the motorsports facilities, and therefore these areas, is a fundamental part of the proposal and so the loss of these areas is considered justified.
- 15.94 Less clear is the loss of a field of lowland dry acid grassland, of very high distinctiveness, a small part of which is currently used to store derelict vehicles. The applicant has assumed that this area may be lost as part of the development of open space, perhaps to accommodate a bowls pitch. It is considered that such an approach would be contrary to the mitigation hierarchy. The applicant has advised that they would be happy for a condition to be placed to allow this to be addressed as part of any reserved matters submission, this would be acceptable.
- 15.95 There are concerns regarding the difficulty of creating areas of high distinctiveness, and the implications this might have for BNG. However, the applicant has allowed for a high level of difficulty in the creation of these areas within the BNG calculation and so the approach is not unreasonable.
- 15.96 The Environmental Statement concludes a BNG of 10.59% would be delivered for the proposed development.
- 15.97 Overall, it is considered the applicant has demonstrated that a net gain could be achieved on the site. While the approach currently proposed is not wholly in accordance with the biodiversity mitigation hierarchy this could be addressed via a condition.
- 15.98 The delivery of a BNG which only just exceeds the forthcoming minimum requirements (under the Environment Act 2021) demonstrates that much of the proposed benefits of heathland restoration and integrity of the heathland landscape within those areas outside the SPA, on which the applicant relies as justification within the submitted shadow HRA, would be at the expense of existing habitats at the site. This represents a form of 'double-counting', as the mitigation which is intended to counteract harm to the heathlands is additionally proposed as mitigation for the loss of existing habitats. This issue is discussed further in the section on Dorset Heathlands below.

Dorset Heathlands SPA and New Forest SPA

- 15.99 The site is located adjacent to, and contains areas designated as, the Dorset Heathlands. It is also situated within a less than 15 minute drive of the New Forest. The proposal is not directly connected with the management of these designated sites.
- 15.100 Policy ME2 of the CED Core Strategy 2014 states no residential development will be permitted within 400m of protected European and internationally protected heathlands. The Dorset Heathlands Planning Framework SPD advises that

additional residential development within 400 metres of the Dorset Heathlands is likely to have a significant effect upon the designated site, either alone or in combination with other developments and that this cannot be mitigated. The mitigation strategy within the SPD has been considered to demonstrate mitigation of impacts on New Forest sites also, due to the similarities in impact pathways with confidence (or lack thereof) in impacts of the Dorset Heathlands mirroring confidence for the New Forest.

- 15.101 The SPD clearly states in several places (Figure 3 page 11, Appendix B pages 21-22) that both residential dwellings and specialist housing such as extra-care, where the occupants are still active, are not permitted within the 400m heathland area. Extra-care housing is not permitted within the 400m area regardless of whether the units are classed as C3 or C2. The SPD is clear that such schemes are comparable in their impacts to residential flats.
- 15.102 Nursing homes are permitted in the 400m area where the residents are no longer active e.g. where nursing care is necessary such as for advanced dementia or physical nursing needs. Purpose-built schemes for the accommodation of disabled people are also permitted where, by purpose of the nature of the residents' disability, they are unlikely to have any impact on the adjacent protected heaths. Such proposals must be subject to conditions and legally binding agreements to ensure impacts can be avoided such as:
- 24-hour enforcement of no-pet conditions
 - no on-site parking for public use
 - restriction of open market sales
 - no on-site accommodation for staff/visitors
- 15.104 The care home element of the proposal is considered to meet the requirements of policy ME2 and the Dorset Heathlands SPD, subject to suitable obligations and conditions.
- 15.105 The proposed extra-care dwellings are contrary to these policies because they would introduce housing where occupants are active, within 400m of the Dorset Heathlands. In addition, it is not possible to place the conditions and legally-binding obligations suggested by the Dorset Heathlands SPD on these units for the following reasons:
- 24-hour enforcement of a no-pet condition would not be practicable due to the dispersed nature of the dwellings, which would make such a condition unenforceable
 - On-site parking is proposed for the health & wellbeing centre/cafe (although this could perhaps be conditioned to prevent extended stays)
 - The dwellings would be sold on the open market
 - The dwellings include accommodation for visitors who would be permitted to stay for up to 30 nights per year
- 15.106 The Dorset Heathlands SPD does provide some flexibility to enable the consideration of development proposals on a case-by-case basis. The wording of the SPD indicates that such considerations are expected to be carried out in relation to forms of development not specifically mentioned within the SPD. As such, a case-by-case assessment of a proposal for extra-care units would not

typically be required as the impacts arising from this development type are clearly covered in the SPD.

- 15.107 However, the proposal does include elements other than the delivery of extra-care units which warrant a case-by-case consideration of the impacts of the scheme. The adverse impacts of existing uses at the site, the existence of areas of the Dorset Heathlands within the site boundary, and the potential for restoration of designated areas and interconnected habitats currently in poor condition, are considerations which are unique to this proposal.
- 15.108 An Appropriate Assessment (Background Document 1) has been carried out assessing the impacts of the proposal on the Dorset Heathlands and New Forest. This finds that adverse effects on the integrity of the Dorset Heathlands and New Forest would arise from the proposal.
- 15.109 The applicant has not put forward a case for consideration of this site as an exception under the Habitats Regulations. Alternative solutions have not been submitted. It is not considered that the proposal is imperative or has overriding benefits for the public which would outweigh or justify the risk of harm to the Dorset Heathlands and New Forest.
- 15.110 The proposal is therefore contrary to Policy ME2 of the CED Core Strategy, and to the Habitats Regulations, forming a reason for refusal of the application. The adverse impacts upon these designated sites is given weight of the highest significance and provides a clear reason for refusing the development proposed .

Avon Valley SAC

- 15.111 The site lies partly within the River Avon catchment where, in the absence of mitigation, additional wastewater and urban run-off would contribute to nutrient loading. This would result in adverse impacts on riparian habitats and the River Avon SAC.
- 15.112 A Nutrient Assessment has been submitted which sets out the strategy for avoidance of impacts on the Avon Valley SAC. Foul sewage would be sent to the Palmerston Waste Water Treatment Works (WWTW) which drains into the River Stour catchment, and surface water would be infiltrated on site (a 100% infiltration scheme).
- 15.113 An Appropriate Assessment has been carried out which concludes that these measures would prevent adverse impacts in principle. However, the Local Lead Flood Authority have raised concerns that the 100% infiltration scheme may not be viable.
- 15.114 Alternative mitigation measures are available in the form of credits which can be purchased. Natural England have advised that in these circumstances they are willing for a Grampian condition to be placed to require mitigation to be agreed. Consequently, the Appropriate Assessment has concluded that mitigation of the effects on the River Avon SAC is possible.

St Leonards & St Ives SSSI

- 15.115 The applicant was asked to provide additional information regarding the proposed connection to the Palmerston Waste Water Treatment Works (WWTW). The applicant has shared a Foul Drainage Plan with Wessex Water but this has not been submitted as part of this application.
- 15.116 The applicant has advised that an application has been made to Wessex Water for a connection to be provided via a requisitioned route to Wayside Road, located northwest of the application site. Details e.g. of pump station and pump systems will not be known until the detailed design stage.
- 15.117 The area between the site and Wayside Road is designated as St Leonards & St Ives SSSI and the submitted ES confirms that the sewer would be expected to cross this designated site. Mitigation would be put in place to minimise impacts including route planning and a Working Method Statement. Natural England would need to consent to the strategy. It is therefore considered that the proposed mitigation strategy is adequate.

Green belt

- 15.118 The site is located within the Green Belt. A fundamental aim of Green Belt policy is to keep land permanently open.
- 15.119 CED Policy KS3 provides that development in East Dorset will be contained by the South East Dorset Green Belt, with the most important purposes of the Green Belt in the area to:
- Protect the separate physical identity of individual settlements in the area by maintaining wedges and corridors of open land between them.
 - Maintain an area of open land around the conurbation.
- 15.120 Paragraph 147-148 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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.
- 15.121 Paragraph 149 sets out that the construction of new buildings in the Green Belt is inappropriate, with specific exceptions. These exceptions include:
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
- *not have a greater impact on the openness of the Green Belt than the existing development; or*
 - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

Previously-developed land

- 15.122 The NPPF includes a definition of previously-developed land, as '*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.*'
- 15.123 A comprehensive Schedule of Buildings has been submitted as part of the application. This identifies 37 permanent structures at the site, comprising various small single-storey buildings such as offices, workshop, toilet blocks and kiosks, associated with the racing uses and still in use. The Schedule of Buildings identifies the total Gross Internal Area (GIA) of the structures as 1095sqm.
- 15.124 Fixed surface infrastructure present at the site includes the stadium itself, roadways, areas of hard standing, and tracks formerly used for sports such as go-karting and bike racing.
- 15.125 The curtilage of the site is well established, being that area subject to saved Local Plan policy SL6, and this matches the red line boundary submitted in this application. It is concluded that the site constitutes previously-developed land.
- 15.126 It is not assumed that the whole of the curtilage should be developed, and the applicant has restricted built form to those parts of the site where the majority of structure and fixed infrastructure are located. This approach is considered reasonable.

Existing impacts on the Green Belt

- 15.127 Considering the distribution of structures and associated fixed surface infrastructure within the site, the majority of structures are clustered centrally, around the stadium. The stadium is the dominant feature at the site measuring approx.215m by 145m, and including stepped terraces wrapping round the track south-east to south-west, set into the hillside with a height of approx. 7m.
- 15.128 A looped roadway and large car parking area are located to the south- between the stadium and Hurn Road. To the west of the stadium are areas of hardstanding as part of former racetracks and parking areas. There are also areas where earthworks have taken place and areas of gravel, which are no longer maintained.
- 15.129 Substantial parts of the site to the north and south do not contain structures or fixed surface infrastructure. These areas are predominantly woodland.
- 15.130 The proposal makes no contribution towards affordable housing, and consequently the test to be considered under NPPF paragraph 149 is whether the proposal would have a greater impact on the openness of the Green Belt than the existing development.

Impacts of the proposal on the Green Belt

- 15.131 It is proposed to contain development within the footprint of those areas which currently include built form and hardstanding. The proposal would see a substantial increase in the volume of built form on the site, with a particular intensification of built form at those parts of the site away from the stadium which are currently occupied by hard-standing.

- 15.132 The NPPG (Paragraph: 001 Reference ID: 64-001-20190722, 2019) sets out matters which may be relevant when making an assessment regarding the impacts of a proposal on green belt openness. These include (but are not limited to):
- Spatial aspects e.g. volume
 - Visual impacts
 - Degree of activity
- 15.133 With regard to the spatial aspects of openness, it is considered the increase in volume, along with the intensification of built form and its distribution across the site, would have a greater impact on openness than the existing development. Full details of the volume of proposed are not available however the building heights parameter plans would enable building heights of up to 13.5m (ridgelines up to 15.5m).
- 15.134 The proposal clusters development onto the footprint currently occupied by buildings and hard surfacing. However, in doing so it is likely to result in an intensive use of this area of the site.
- 15.135 Turning to the visual aspects of openness, the submitted LVIA has demonstrated that the site is visually well-contained. Visibility of the site from public vantage points would be limited, with most views completely or partially obscured by vegetation. Those partially screened are views from Avon Valley Country Park, and from Foxbury Road at Grange Estate. The degree of visual impacts on openness from these locations could be addressed at a detailed design stage through the careful positioning of buildings and choice of materials.
- 15.136 The unobscured view into the site is from the entrance at Hurn Road. At present the entrance is relatively unobtrusive, with the internal access roads gated shut when events are not in progress. With the exception of a small single-storey entrance kiosk, it is not possible to view the existing built form from the entrance point. The proposal would introduce buildings with a ridgeline of up to 15.5m within an area of hard standing currently used for car parking, approx. 130m from the entrance. The submitted LVIA concludes that these buildings would not be visible from the entrance as they would be obscured by boundary vegetation.
- 15.137 The Council's Landscape Officer has advised that the approach and conclusions within the Landscape Visual Impact Assessment (LVIA) (which provides a day time assessment) are satisfactory. The conclusions rely upon the retention of existing boundary vegetation, which could be conditioned.
- 15.138 The visual impacts at night-time must also be considered. As set out in the section below on impacts on the dark skies of the New Forest National Park, there is limited data available on the lighting baseline. However, it is noted that the present site is minimally lit, excepting on event days, while the proposal would be designed to achieve a level of lighting consistent with a suburban location (E3). In the absence of evidence to the contrary it is assumed the visual impacts of the site at night will be more urbanising than that of the site at present.
- 15.139 Regarding the degree of activity taking place at the site, the Transport Assessment identifies an 'optimum weekday operation' at the site as generating 1,007 12 hour total daily trips. This would assume a weekday car boot sale followed by an evening racing event. Events are subject to limitations resulting

from an Injunction , and are held infrequently. Trip generation on days when an event is not held is likely to be minimal. The average number of daily trips generated across a period in May 2021 including event and non-event days was 342 trips.

- 15.140 The Transport Assessment estimates that trip generation for the proposed development would be in the region of 808 trips per day. While on a per day basis this is less than the 'optimum weekday operation' of the existing use, the nature and level of traffic would change from infrequent but large traffic movements, to a frequent number of traffic movements, spaced out over a longer period. In addition, the average number of daily trips would increase.
- 15.141 It is considered that the increase in trip generation, combined with the regularity of traffic movements, would increase awareness of the site entrance. This would result in an urbanising effect and a greater impact on green belt openness.
- 15.142 In conclusion, the proposal would have a greater impact on the openness of the Green Belt than the existing development and is therefore contrary to Policy KS3 and paragraph 149 of the NPPF.

Very Special Circumstances

- 15.143 The applicant has submitted a case for 'very special circumstances' (VSC) making the case that harm to the green belt is clearly outweighed by other circumstances. The crux of the case presented rests upon the previously developed nature of the site, the limited visual impact, and the benefits arising from delivery of specialist housing for older people.
- 15.144 In light of the adverse impacts of this proposal on the Dorset Heathlands, it is considered that a case for VSC could not be accepted. Additionally, a case for VSC could not succeed where a viable development does not contribute to affordable housing. It is further noted that if the proposal was policy-compliant in relation to affordable housing, consideration would be required as to whether the proposal would cause substantial harm to the openness of the green belt. As it stands this assessment is not required.
- 15.145 The proposal falls to be considered as submitted. Regard is had to paragraph 11 of the NPPF which states that, where policies are out of date, the application of policies in the NPPF that protect land designated as green belt will provide a clear reason for refusing the development proposed. The impacts on the green belt are thus afforded very significant weight in the planning balance, forming a reason for refusal.

Landscape – Visual daytime impacts

- 15.146 A Landscape and Visual Impact Assessment (LVIA) has been submitted which provides an assessment of visual impacts during the day. This includes illustrations of the visibility of the site from 25 agreed viewpoints. Of these viewpoints, open views are only available from one location – the site entrance. Other views are obscured by vegetation or built form, or because of the distance of the viewpoint from the site.

- 15.147 Partial views of the site are available from Foxbury Road in the Grange Estate, and from the southern portion of Avon Heath Country Park.
- 15.148 Of these views, the LVIA finds visual effects will be observed from the site entrance and Avon Heath Country Park. At the entrance the view is expected to be improved with expected effects from minor adverse – minor beneficial. From the country park the effects will be minor adverse at worst, as none of the proposed built forms will be visible or break the skyline from this viewpoint.
- 15.149 The Council's Landscape Officer has reviewed the submitted LVIA and ES and accepted the findings in terms of the impacts on landscape character.
- 15.150 It is noted that the site is located adjacent to the Avon Valley Area of Great Landscape Value (AGLV) as identified the East Dorset District Council Areas of Great Landscape Value SPG. CED Policy HE3 states that *'within the Areas of Great Landscape Value development will be permitted where its siting, design, materials, scale and landscaping are sympathetic with the particular landscape quality and character of the Areas of Great Landscape Value.'*
- 15.151 The SPG states that *'the AGLV boundary has been drawn to avoid substantial areas of despoiled land in the area, notably to the north of Boundary Lane and to the west of Matchams House. A range of military and leisure activities respectively have left these areas badly scarred. Fortunately, both areas are well screened so their impact on the visual amenities of the surrounding landscape is minimal, even in winter.'*
- 15.152 The proposal would retain and enhance the vegetation which screens the existing motorsports facility as mentioned in the SPG. While the effects would not be beneficial, it would not be unsympathetic in its impact on the setting of the AGLV. Given the local status of this designation such impacts would not be unacceptable.
- 15.153 The daytime impacts on visual receptors are considered to be acceptable, taking into account the minimal visibility of the site from public viewpoints. These impacts are therefore afforded limited weight in the planning balance.

Landscape - Dark Skies of the New Forest National Park

- 15.154 CED Policy HE3 requires development proposals to demonstrate that the need to protect against intrusion from light pollution has been taken into account. Where relevant, development proposal should take account of relevant Management Plans (the reference is to the AONB however it is considered appropriate to apply to any nationally designated site).
- 15.155 Paragraph 176 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. Paragraph 185 requires planning decisions to limit the impact of light pollution from artificial light on intrinsically dark landscapes.
- 15.156 The site is within the setting of the New Forest National Park (NFNP). The NFNP Management Plan includes Objective 5 which aims to maintain and enhance the tranquillity of the National Park, including by improving the quality of its dark skies. Priority action TP6 will see the New Forest National Park Authority (NFNPA)

develop projects with local authorities to reduce the impacts of current artificial lighting in areas within and surrounding the National Park.

- 15.157 The submitted ES includes an External Lighting Assessment (ELA) & Outline Strategy rev P04 (Appendix 15.4) (ELA). This includes a baseline light survey and proposed external lighting strategy.
- 15.158 A desk survey was carried out which placed the existing site as falling within Environmental Lighting Category E2 (a rural surrounding).
- 15.159 The night-time survey was conducted for a period of 2 hours during an event where all lighting was operational. This finds that 'the site is mostly dark, with flood light luminaires provided sporadically throughout the site. Due to the nature and height of flood lighting, obstructive light spill occurs around the Raceway'. The survey conclusion accepts that lighting is only operational during an event, which only occur a few nights per month. No data has been provided for the baseline on non-event days (the vast majority of nights), when flood lighting is not operational.
- 15.160 The NFNPA have commented that this approach does not provide a fair comparison – 'to compare tall and bright floodlights saturating a site, for a two hour event, to external lighting for a residential development is not a fair comparison and could lead to over lighting of the proposals by dint of the fact that the external lighting is not as bright as the temporary floodlights that were on the site previously'. They comment that a comparison between an unlit site and a new residential site with external lighting would be more effective and respectful for protecting dark night skies and nocturnal wildlife.
- 15.161 The ELA makes no reference to the NFNP within the identified list of Sensitive Receptors, and no photographs or night-time LVIA have been provided to demonstrate the impacts from within the NFNP. The applicant did not undertake additional work to respond to the NFNPA's initial objection. The NFNPA have raised concerns that the NFNP has not been taken into consideration as a sensitive receptor to feed into the proposed External Lighting Strategy (ELS).
- 15.162 The ELS sets out that the external lighting for the proposal should be compliant to Environmental Zone E3 (Suburban). This would appear to represent an increase in lighting from the current assessment of the site as falling within E2.
- 15.163 Specific mitigation is identified for designated nature conservation sites. This focuses on the impacts of external lighting on the adjacent sites. No specific mitigation is identified for the NPNF as it is not identified as a sensitive receptor.
- 15.164 The applicant has responded to the comments from the NFNPA to advise that they 'do not agree that the site will need high levels of lighting'. The applicant places emphasis on the current effects when the site is operational, which are acknowledged as 'significant' and 'wide-ranging'.
- 15.165 The applicant has suggested that a lighting strategy could be conditioned. It is considered that insufficient information is available in terms of the baseline on non-match days and the impacts of the proposal on the NFNP to be satisfied a condition could adequately address these.
- 15.166 The ELS suggests that measures could be taken to reduce internal light spill such as using downlighters instead of pendants and fitting curtains and blinds. Once implemented the retention of such measures can only be advisory as the retention

of such measures are beyond the control of planning. For instance, many people choose to replace light fittings when moving into a new home.

- 15.167 In summary, it is considered that the impacts of lighting on the NFNP have not been adequately identified and assessed, nor has regard been had to the NFNP Management Plan. It is reasonable to assume that an increase in lighting at the site would take place (in comparison to a non-event day) and this is backed up by the submitted ELS. Given the potential effects are on a site of national significance the impacts are given significant weight in the planning balance.

Highways Impacts

- 15.168 An ES and Transport Assessment (TA) have been submitted, along with a Framework Travel Plan. These assess the impacts of the proposal on the highways network.
- 15.169 The site has a varied and ad hoc operational history including the motorsports racing use, and also car boot sales and seasonal events. Access is from Matchams Lane/Hurn Road, a 40mph local road. There is no footway or pavement along this road. There is no cycle infrastructure serving the site, and no facilities within a 10-minute cycle ride. There is currently no public transport serving the site.
- 15.170 The access proposed would move the existing access point slightly to the north, to be sited in a location with better visibility than the existing access. Vehicle tracking has been submitted to demonstrate that the access is suitable for servicing and refuse vehicles. The Highways Authority are satisfied with the access arrangements.
- 15.171 Daily traffic generation is expected to reduce in comparison to the existing use when operating at its maximum capacity, although the traffic would be more consistent with the peak periods associated with residential development.
- 15.172 A private transport service is proposed within the TA which would provide residents and staff with access to two vehicles. The TA says that this would facilitate social outings, shopping trips and access to hospital appointments and service networks. The transport service would also collect staff (at no cost) from centralised drop-off and pickup points to facilitate sustainable journeys to/from the development site.
- 15.173 The submitted draft S106 agreement provides for a Village Transport Service Scheme which would require agreement of the number of services, timetables and routes. This would secure the transport scheme in perpetuity. The transport scheme would go some way to mitigating the impacts of the location of the development, as discussed in the section on sustainability above.
- 15.174 The TA set out that parking for the care home will be provided in accordance with the adopted parking standards, with the extra-care parking informed by operator-specific evidence. As the application is in outline a high-level strategy has been provided within the TA. The Highways Authority has not objected to this approach, and the illustrative masterplan demonstrates that the parking spaces can be accommodated within the site. Further, should additional parking spaces be required there remains sufficient space to incorporate these.

- 15.175 Overall, the Highways Authority are satisfied with the Transport Assessment and make no objection to the impacts of the proposal on the highway network. While the development will alter the traffic profile with increased movements at certain times these would not be significant in the context of the existing and surrounding road network. Consequently, limited weight is applied to highways impacts in the planning balance.

Flooding / Drainage

- 15.176 Policy ME6 of the CED Local Plan sets out how flood management and mitigation proposals proposed as part of new development will be assessed. This includes a requirement that the design, construction, operation and maintenance of SuDS meets national standards. Paragraph 169 of the NPPF requires that major developments incorporate sustainable drainage systems and take account of advice from the Lead Local Flood Authority.
- 15.177 The NPPG provides additional guidance on what information on sustainable drainage needs to be submitted with a planning application (Paragraph: 059 Reference ID: 7-059-20220825). This advises that applicants need to submit a sustainable drainage strategy containing proportionate information on the proposed sustainable drainage systems as part of their planning application (including outline applications). This includes the proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. Major proposals are also required to identify multifunctional benefits and, if these are not proposed, evidence that such techniques are not possible.
- 15.178 The application site falls within Flood Zone 1 (low risk of fluvial flooding) as indicated by the Environment Agency's indicative mapping of fluvial flood risk. Part of the existing motocross stadium and pond are at risk of surface water flooding. There is also a ditch at risk of surface water flooding extending into the site to the north-west within the proposed ANG and green space. The Environment Agency have not commented on the proposals.

Flood Risk Assessment

- 15.179 In accordance with paragraph 167 of the NPPF, the application is accompanied by a Flood Risk Assessment (FRA) prepared by Patrick Parson dated November 2021. This identifies the site as having a low risk of flooding, and this is accepted as the small area at risk of flooding within the motocross stadium is considered to be related to that development form rather than inherent to the site. Consequently, a sequential test is not required.
- 15.180 The FRA proposes a surface water management scheme based solely on infiltration. Overflow would be to the existing pond on site.
- 15.181 The Local Lead Flood Authority (LLFA) reviewed the proposals and advised that the ground investigation results provided as part of the initial submission did not provide adequate evidence to demonstrate that soakaways will function at the proposed locations to the required standards. They advised that if infiltration is to be the only means of surface water management, then further infiltration testing should be carried out.

- 15.182 GIS mapping and local knowledge indicates that groundwater could be close to the surface in parts of this site which could reduce the functioning and/or capacity of any of the proposed soakaway features. Some groundwater levels were recorded as part of the submission, showing varying levels across the site, but the LLFA advised that results of groundwater monitoring over time (including a winter period) needed to be shown for each proposed soakaway location.
- 15.183 There were also concerns regarding the submitted 'Stormwater outline principle strategy'. This drawing did not show the proposed surface water drainage layout for the whole site.

Further information

- 15.184 The applicant responded as part of an amended plans submission. They did not provide the requested infiltration tests but stated that these would be carried out at the detailed design stage. The 'Stormwater outline principle strategy' was updated to show the whole site. The lack of information regarding the feasibility of infiltration is concerning, given that the applicant is relying upon the success of the drainage scheme to mitigate adverse impacts on the River Avon SAC.
- 15.185 The LLFA continue to express concerns regarding the level of information provided. While most groundwater results are favourable, some suggest that the proposed soakaways may not be feasible. Due to uncertainties the LLFA suggest an approach could include a fall-back position, where water is discharged to a sewer. If any water were to be discharged to a sewer within the River Avon catchment this would require mitigation for adverse impacts on the SAC.
- 15.186 The LLFA have also advised that some of the proposed design does not comply with national standards. A further query is why the applicant has not proposed SuDS which would provide multifunctional benefits.
- 15.187 A holding objection remains from the LLFA as insufficient evidence has been provided to demonstrate that a viable and deliverable surface water management scheme can be implemented for this site.
- 15.188 The applicant has responded to the effect they consider sufficient information has been submitted considering the Outline nature of the proposal. They state the application is supported by several Parameter Plans, however the detailed location of elements of the proposal will be subject to Reserved Matters consent at a later stage.
- 15.189 The applicant has advised that it is not possible to deliver SuDS with multifunctional benefits as there is insufficient space on the site.

Summary

- 15.190 It is considered that the level of information requested from the applicant is in line with policy requirements, and that it is reasonable to ask an applicant to demonstrate that a sustainable drainage strategy is achievable. Flooding and drainage issues are not Reserved Matters, so it is inappropriate to suggest that these considerations do not need to be addressed at the Outline stage.
- 15.191 It is accepted that the applicant has submitted data on groundwater testing, however some of the results indicate that follow-up testing is required. Some of the proposed soakaways may not be feasible, and a scheme which proposes 100% infiltration at the site may be unviable. It is accepted that the layout could

change at reserved matters however, just as there is insufficient evidence regarding the submitted drainage layout, there is no evidence that soakaways located in alternative positions would be feasible.

- 15.192 The provision of insufficient information forms a reason for refusal of the proposal. This reason may be overcome if, at a future date, the applicant provides further or additional details to address the concerns. Moderate weight is attached to these impacts in the planning balance.

Contaminated Land

- 15.193 Paragraph 120 c) of the NPPF provides that planning decisions should '*support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land*'. Paragraph 174 f) states that planning decisions should '*contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*'
- 15.194 A Contamination Report has been submitted which sets out existing contamination at the site. Boreholes and trial pits were dug to test for chemical contamination.
- 15.195 Significant quantities of car parts, plastic and other debris were encountered in some of the explanatory holes. Hot spots of hydrocarbon soil contamination were found in the vehicle maintenance and fuel storage area and in the north of the site. The reported fly tipping, the presence of Asbestos Contaminated Land (ACM) and the further need to delineate areas of contamination indicating that further risk assessment requirements are probable. Site clearance and remediation costs have been estimated at £1,740,000.
- 15.196 A remediation strategy has been developed in consultation with the Council's contaminated land consultants which would require the following:
- Removal of identified source of contamination, to sever potential pollutant linkages in the Developable Area, including excavation of hardstanding, demolition of structures, removal of foundations and localised removal of Made Ground
 - Removal of identified sources of contamination, to sever potential pollutant linkages in the Site, including excavation of hardstanding, demolition of structures, removal of foundations and localised removal of Made Ground
 - Reduction of contaminant concentrations in soils, to ensure retained soils are suitable for use, including through remediation of hydrocarbon-impacted soils
 - Delineation of potential sources, including around the aboveground fuel tanks in the scrapyards, areas of contamination in the car parks, and the area of elevated carbon dioxide ground gas
 - Construction phase mitigation measures including ground gas protection measures, protections for construction workers and the general public, hardcover or clean cover in landscaped areas, and management of any unexpected contamination encountered.
- 15.197 The documentation submitted that relates to land contamination is sufficient to generally acknowledge that the components of standard contaminated land planning conditions have been partially met with the requirement to finalise

investigation, the detail concerning remediation, its verification and the matter of unexpected finds. This is considered acceptable subject to conditions.

- 15.198 It is considered the site contains significant contamination which this proposal would provide the opportunity to remediate. Such remediation could be considered significant and is afforded commensurate weight in the planning balance.

Heritage

- 15.199 CED Policy HE1 provides that heritage assets will be conserved and where appropriate enhanced. The closest assets to the proposal are Four Bowl Barrows on Foxbury Hill (130m from site boundary), and Three Bowl Barrows in Avon Heath Country Park (950m from site boundary). The Council's Conservation Officer has advised that there will be no harm to these nor any other heritage assets.

Trees

- 15.200 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.
- 15.201 The Council's Tree Officer has advised that as this is a developed area, and the majority of the trees are on the border of the site and appear to be retained within the plans, he has no objections subject to conditions to ensure protection of the trees which are being retained and ensure the new plantings are established properly and maintained.

Urban Design

- 15.202 The Council's Urban Design Officer has raised concerns regarding the sustainability of the site, which has been considered above. Other concerns relate to the design indicated on the illustrative masterplan, including the use of the cul-de-sacs, waste collection facilities and shared surfaces.
- 15.203 The proposal is in outline and layout is a reserved matter, development could come forward in an alternative form to that shown on the illustrative masterplan. It is considered a successful design could be accommodated within the scope of the submitted parameter plans. As such while these concerns are understood and acknowledged these would be matters for determination at a later stage in the process.
- 15.204 Negligible weight can be applied in the planning balance at this stage given the outline nature of the proposal.

Residential Amenity – existing and proposed dwellings

- 15.205 The closest existing dwellings to the site are at Matchams Close and Foxbury Road. Given the distances involved the proposal would have a very limited (if any) impact upon these dwellings. The closure of the motorsports facilities could

have a positive effect in terms of reductions in noise and disturbance however given the number of properties affected this is considered of limited weight.

- 15.206 Residential amenity for the proposed dwellings is likely to be acceptable, with the illustrative masterplan showing that satisfactory relationships can be achieved.

Renewable Energy

- 15.207 Policy ME4 of the CED Local Plan requires larger developments to investigate the opportunity of options for district heating and and/or power facilities. This has been investigated in relation to several urban extensions and found to be unviable. However, given the nature of this development and the level of management that is proposed for other purposes, it is considered this typology may represent a more viable opportunity. A condition could require that this be investigated and implemented if appropriate.
- 15.208 There is also a requirement that 10% of the total regulated energy be provided from renewable sources. Should the development be found acceptable in other respects, this requirement could again be secured by condition.

Waste

- 15.209 The applicant has confirmed that waste will be collected privately rather than by Dorset Waste. As such it would not be necessary to demonstrate that access by Dorset Waste could be achieved. Should the development be found acceptable in other respects, a condition could be imposed to securing this.

Mineral Safeguarding

- 15.210 A significant part of the site is within a Minerals Safeguarding Area which is defined on the Adopted Policies Map and supported by a clear policy. The Mineral Planning Authority (MPA) note there is potentially sand and gravel under the majority of the proposed retirement community, landscaping, open space and ANG.
- 15.211 The proposed development is non-mineral development and could sterilise the potential mineral resource. For this reason, it would need to be considered against Policy SG1 – Minerals Safeguarding Area of the Bournemouth, Dorset and Poole Minerals Strategy 2014.
- 15.212 An assessment of the viability of the site for mineral extraction, and of the quality of sand and gravel underlying the site, has not been submitted. Aggregates may be suitable for extraction for use on or off site. Should the development be found acceptable in other respects, a condition could be placed requiring submission of a mineral resources method statement to investigate and set out amounts and timescales for any extraction.

Airport Safeguarding

- 15.213 The site is located within the Bournemouth Airport consultation zone. The Airport has not responded regarding the application. Should the development be found

acceptable in other respects, conditions could be placed requiring the Construction Environmental Management Plan (CEMP), lighting strategy and surface water drainage strategy to take account of Airport Safeguarding criteria.

Planning Balance

- 15.214 The proposal would bring about public benefits. The provision of new housing to meet the needs of older people and the opportunity to remediate contaminated land are considered significant benefits. There would be economic benefits in the form of a modest contribution to long-term employment opportunities, along with short-term creation of construction jobs, and longer-term benefits in terms of additional expenditure and use of services in the local area. These economic benefits are afforded moderate weight.
- 15.215 While the proposal could make contributions, including the on-site ANG, open space and communal facilities (some of which may be open to the wider community), such benefits are primarily to mitigate the impacts of the development however some modest weight is attached to the wider social benefits these could bring.
- 15.216 Against the proposal, the adverse impacts on the Dorset Heathlands SPA and New Forest SPA are afforded weight of the highest significance. An Appropriate Assessment has been carried out which cannot conclude that there will be no adverse effect on the integrity of these sites. The Habitat Regulations and NPPF are clear that permission cannot be granted where this is the case, except where this is in the national interest.
- 15.217 The lack of affordable housing is attributed significant weight due to the high need for affordable accommodation within East Dorset, and evidence that this proposal could viably make a policy-compliant contribution. Very significant weight is attributed to the impacts of the proposal on the green belt, as the proposal is contrary to green belt policy and it is not considered a case for Very Special Circumstances can be accepted. Significant weight is attached to impacts on the dark skies of the New Forest National Park. Moderate weight is attached to the failure to demonstrate a viable SuDS scheme can be accommodated on the site.
- 15.218 The impacts on sustainable locations for development, other landscape considerations, transport impacts, the loss of the motorsport's facility, and all other considerations are afforded limited weight in light of the assessments carried out above.
- 15.219 Notwithstanding the individual weight attributed to the above benefits, their collective weight would be significant. However, as the benefits are not of national significance there is no mechanism for these to be balanced against the harm to the Dorset Heathlands and New Forest.
- 15.220 In addition, the benefits are not collectively sufficient to outbalance the significant adverse effects.
- 15.221 The proposal would have an adverse impact on the Dorset Heathlands SPA and the New Forest SPA which could not be mitigated. This forms a clear reason for refusal of the proposal in accordance with NPPF para 11 d) i.

15.222 The proposal would be contrary to green belt policy as set out at paragraphs 147-151 of the NPPF. This forms a clear reason for refusal of the proposal in accordance with NPPF para 11 d) i.

16.0 Conclusion

16.1 The proposal would have unacceptable impacts on designated sites. It fails to make the required contributions to affordable housing and represents inappropriate development in the green belt. Insufficient information has been submitted to enable a full assessment of the impacts on dark skies, and insufficient data has been submitted in support of the surface water drainage strategy. The proposal is contrary to planning policy and is recommended for refusal.

17.0 Recommendation

REFUSE permission for the reasons set out below.

1. The proposal would have adverse impacts on the Dorset Heathlands SPA and New Forest SPA which cannot be mitigated, contrary to Policy ME2 of the adopted Christchurch and East Dorset Local Plan – part 1 2014, the Dorset Heathlands Planning Framework 2020-2025 SPD, and paragraphs 180-182 of the National Planning Policy Framework. This forms a clear reason for refusal of the proposal in accordance with NPPF para 11 d) i.
2. The proposed development fails to make an appropriate contribution to affordable housing, contrary to Policy LN3 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014.
3. The proposal, by way of the parameters proposed for scale and massing, along with the urbanising effects of more regular traffic movements, represents inappropriate development in the Green Belt. Contrary to Policy KS3 of the adopted Christchurch and East Dorset Local Plan – Part 1, 2014, and paragraphs 147-151 of the National Planning Policy Framework. This forms a clear reason for refusal of the proposal in accordance with NPPF para 11 d) i.
4. Insufficient information has been provided regarding surface water management from the development. It has not been demonstrated that the proposed surface water drainage scheme can be viably achieved on the site. Contrary to Policy ME6 of the adopted Christchurch and East Dorset Local Plan – part 1, 2014, and paragraphs 167 and 169 of the National Planning Policy Framework.
5. The proposal, by bringing artificial lighting into an area currently lit only sporadically, is likely to result in an increase in light pollution. Insufficient information has been submitted to fully understand the effects of the development on nearby receptors including the New Forest National Park. Contrary to Policy HE3 of the adopted Christchurch and East Dorset Local Plan 2014, and paragraphs 176 and 185 of the National Planning Policy Framework.

Informatives:

1. For clarity, the refused plans are as follows:
 - P5777-1000 Building Heights Parameter plan
 - P5777-1001 Access Parameter Plan
 - P5777-1002 Land Use Parameter Plan
 - P5777-1003 Levels Parameter Plan
 - P5777-1004 Green Infrastructure Parameter Plan
 - P5777-1005 Proposed Illustrative Block Master Plan
 - P5777-1006 Illustrative Phasing Plan
 - P5777-1007 Illustrative Colour Block Master plan
 - 177-0002.101 B Proposed Access Bellmouth Design
 - 177-0002.100 B Vertical Visibility Splay & Plan View - Option 2
 - 177-0002.001 B Vehicle Tracking
 - 177-0002.005 Southern Access Construction Vehicle Swept Path Analysis
 - 177-0002.004 Indicative Location for Southern Access Junction
 - L20070-210_P2 L20070-210_P2 Outline Storm Strategy - Indicative

2. National Planning Policy Framework
In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:
 - offering a pre-application advice service, and –
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

 - The applicant and council have worked together to minimise the reasons for refusal.

3. If planning permission is subsequently granted for this development at appeal, it will be subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice will then be issued by the Council that requires a financial payment, full details of which will be explained in the notice.

Background Documents:

1. Appropriate Assessment
2. Equalities Impact Assessment