

## Officer Report

<b>Application Number:</b>	P/FUL/2023/04880		
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>		
<b>Site address:</b>	Shillingstone Station, Station Road Shillingstone Blandford Forum DT11 0SA		
<b>Proposal:</b>	Carry out engineering and landscaping works to create a car park and vehicular access for use by North Dorset Railway.		
<b>Applicant name:</b>	North Dorset Railway		
<b>Case Officer:</b>	Cass Worman		
<b>Ward Member(s):</b>	Cllr Batstone		
<b>Publicity expiry date:</b>	16 January 2024	<b>Officer site visit date:</b>	November 2023
<b>Decision due date:</b>	12 March 2024	<b>Ext(s) of time:</b>	12 March 2024
<b>No of Site Notices:</b>	3		
<b>SN displayed reasoning:</b>	1 adjacent to location of proposed entrance gate, one on entrance to trailway from highway next to site, one on fence overlooking site from trailway above. Maximise public visibility		

### 1.0 Reason for committee consideration:

- Council owned land

### 2.0 Summary of recommendation:

GRANT subject to conditions

### 3.0 Reason for the recommendation:

- the heritage attraction does not currently have sufficient on-site parking provision for visitors, staff & volunteers. The proposals would facilitate the expansion & growth of this established community project, and there would be social and economic benefits associated with the expansion of the heritage railway (community engagement, education, health & wellbeing, tourist income etc)
- car park location has been carefully considered following an options appraisal, & the proposal site represents best options in terms of flood risk, highways & access, impacts on biodiversity, and landscape impact
- proposals are acceptable to Highways Engineers with satisfactory visibility splays
- proposals would not increase the risk of flooding elsewhere, a flood management plan would ensure car park does not pose an unacceptable risk to people or property

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- biodiversity mitigation & enhancements are proposed both on and off-site

### 4.0 Key planning issues

<b>Issue</b>	<b>Conclusion</b>
Principle of development	Expansion of the heritage railway supported in principle
Scale, design, impact on character and appearance	Acceptable – the site is adjacent to an existing pumping station, and an area of hardstanding used for informal parking by the adjacent landowner. The site is close to the existing Trailway car park and near to the edge of the village envelope
Impact on amenity	Acceptable – the car park is not adjacent to any residential properties. Additional vehicle movements from the car park would not adversely impact occupants of nearby dwellings.
Impact on heritage assets	There are no designated heritage assets in the vicinity. The ongoing restoration of the heritage railway is broadly supported by Conservation Team.
Economic benefits	Expansion & continued growth of the visitor attraction would bring about associated tourist spend both at the attraction and in the local area
Access and Parking	The proposal would provide much needed parking and the arrangements are acceptable in terms of highways safety
Flooding	Much of the site is within Flood Zone 3b, the functional flood plain; the Environment Agency maintain an objection to the scheme in that less vulnerable developments are not acceptable in Zone 3b. The applicant has demonstrated that there would be no increase in ground levels and the proposals would not increase the risk of flooding elsewhere; adherence to a flood risk management plan would reduce risk to people & property (the car park would not be open to the general public, closed at time of flood, flood risk, and when the railway is closed). On balance, it is considered that the benefits of the scheme outweigh the flood risks, and that a less vulnerable use is acceptable in this instance
Impacts on Biodiversity	The application is accompanied by a Biodiversity Plan signed & certified by the Natural Environment Team. Both on and off-site mitigation & compensation would be provided, and a traditional meadow management regime would be implemented in areas surrounding the car park, improving the condition of the neutral grassland.
Rights of Way	The scheme links to the existing North Dorset Trailway, and offers some improvements to the sloping section which joins the Trailway to the proposed car park via provision of an off road footway

### 5.0 Description of Site

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The proposed Car Park would occupy part of a triangular-shaped area of rough grassland adjacent to Hayward Bridge on the River Stour on the north of Shillingstone. The land wraps around a Wessex Water pumping station, to the western side is an area of track/layby used for parking by the adjacent landowner. The North Dorset Trailway which runs north south along the western side of the site links the proposal site to the heritage railway.

The site proposed for the car park is owned by Dorset Council, and would be leased to the North Dorset Railway should permission be forthcoming (a conditional lease agreement has been drawn up and agreed in principle with the Assets & Property Team, and if planning permission is granted, will then subsequently be signed & come into effect).

The site is outside the Conservation Area and outside the AONB.

### **6.0 Description of Development**

North Dorset Railway (NDR), is an established heritage railway museum based at Shillingstone Station. It is a Charitable Trust run entirely by volunteers. A community venture, it provides a visitor attraction & source of education and experience for both local people and visitors to the area.

Shillingstone Railway and the North Dorset Trailway was formerly part of the Somerset and Dorset Joint Railway, which ceased in 1966.

Shillingstone Station was opened on 31 August 1863 and is the last surviving station built to an earlier Dorset Central Railway design.

Since the acquisition of Shillingstone Station in 2005, NDR has focused on restoring the station and its surroundings to how they looked in the decade before closure in the 1960s. As well as renovating the station building there is a gift shop, cafe, museum and model railway. The signal box, platform shelter and greenhouse have been renovated, track to the mainline and sidings has been relaid, and the station gardens restored. Drainage and other engineering works have improved the safety and security of the station environment and trackbed.

NDR is progressing with the ongoing restoration of Shillingstone Station and extending the trackbed, with a view to running operational passenger trips in a few years' time. Most recently permission was granted to restore a section of the previous track bed and Lamb House Bridge (over Haywards Lane), reinstatement of the former embankment at Bere Marsh as features of heritage interest, as well as landscaping works, and reorientation of the North Dorset Trailway to facilitate this.

The ongoing expansion and growing popularity of the NDR as a place to volunteer and to visit, prompts this application for dedicated car parking for the facility, as parking in the adjacent industrial estate relies on an informal third party agreement, and is not secured in the long term with imminent sale of the former Perkins owned site.

The application follows a thorough options appraisal of a number of potential sites in the vicinity, and has been drawn up following pre-application discussions with the Dorset Council Highways Engineer, and other stakeholders (North Dorset Trailway).

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The proposals involve the change of use of a triangle of land, and the establishment of 46 parking spaces via the removal of compacted topsoil, laying a permeable geotextile membrane, over which permeable MOT Type 3 granular sub-base would be laid. A new access from the highway would be established, the first 5m which would be constructed to highways specification, (e.g. bitumen macadam) and secured with a lockable height barrier so that use of the car park can be controlled by the NDR.

Trees and shrubs would be established around the parking area to offer screening & softening (as well as delineation) of the parking area, and to separate cars from the pedestrian link out of the car park. A new off-road 2m wide footpath would be created alongside the highway to join the carpark with the Trailway.

The tip of the triangle adjacent to the river and the southern edge of the site would be planted with meadow grassland and trees in accordance with the approved Biodiversity Plan. Creation of an offsite meadow on land owned by the NDR is also to be established as biodiversity mitigation & enhancement.

### **7.0 Relevant Planning History**

2/2008/0704: Decision: GRA – Decision Date: 17/09/2008

Erect 1 No. Engine shed, Signal box, greenhouse, bike shed, and platform shelter. Create parking area formed of 16 No. parking spaces and form picnic area

2/2015/0027/DCC - Decision: Dorset County Notification - Decision Date: 26/01/2015  
Replacement of Hayward Main bridge deck and improvements to adjoining retaining walls.

2/2018/110/FUL – Decision: GRA: Decision Date: 02/10/2018

Engineering operations to re-grade and re-surface an existing embankment to enable the diversion of the North Dorset Trailway.

2/2020/0078/FUL – Decision: GRA – Decision Date: 10/07/2020

Erect a restoration shelter and form railway track. Reposition 2 No. storage containers and erect a first floor extension above to provide a mess/welfare and administration facility.

P/FUL/2020/00440 – Decision: GRA – Decision Date: 30/04/2021

Carry out engineering and landscaping works, to reinstate the historic track bed and re-lay railway track between Shillingstone Station and Bere Marsh (Cattle Creep Underpass)

2/2020/0936/SCREIA - Decision: Not EIA Dev - Decision Date: 28/02/2022

Request for EIA Screening Opinion under Section 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for the restoration of a length of track to the north of its current site at Shillingstone Station.

P/ESC/2023/05570 - Decision: Not EIA Dev - Decision Date: 12/10/2023

Request for EIA Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for the proposed change of use from a mixed use of a museum and restored railway embankment and trackbed to an operational heritage railway.

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### 8.0 List of Constraints

LP - North Dorset Local Plan Part 1 (2011-2031); Adopted; Outside settlement boundaries (countryside); Policy 2, 20; NULL - Distance: 0

LP - North Dorset District-Wide Local Plan (1994-2011); Saved Policies; River Valleys; 1.12; NULL - Distance: 0

NPLA - Type: Neighbourhood Plan - Made; Name: Shillingstone NP; Status 'Made' 21/02/2017; - Distance: 0

PROW - Right of Way: Footpath N50/3; - Distance: 15.71

PROW - Right of Way: Bridleway N50/2; - Distance: 21.9

EA - Risk of Surface Water Flooding Extent 1 in 30; Extent 1 in 100; Extent 1 in 1000 - Distance: 0

DESI - Dorset Council Land (Freehold): Site compound for Hayward Main Bridge, Bere Marsh, Shillingstone - Reference 10275 - Distance: 0

DESI - Dorset Council Land (Freehold): North Dorset Trailway including former railway station and bridges 180,182 & 183), Shillingstone, Blandford Forum - Reference 05345 - Distance: 0

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DESI - Existing ecological network (Lines) - Distance: 0

DESI - Higher Potential ecological network - Distance: 0

DESI - Site of Special Scientific Interest (SSSI) impact risk zone; - Distance: 0

DESI - Scheduled Monument: Moated site 130m west of Bere Marsh Farm (List Entry: 1016897); - Distance: 248.63

EA - Main River Consultation Zone - Distance: 0

FLD - Flood Zone 2 and Flood Zone 3 - Distance: 0

DESI - Minerals and Waste Safeguarding Area - ID: 2737; Sand and Gravel - Name: NULL; - Distance: 0

### 9.0 Consultations

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

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### Consultees

**W - Blackmore Vale Ward** – no response received

**P - Shillingstone PC** – No formal response to the consultation has been received, however we have received the following confirmation from the Parish Council Clerk: *“The proposed car park layout was considered by the Parish Council at last night’s (1/06/23) meeting. There were no objections to the plan as it stands - in fact it was unanimously supported.”*

**Wessex Water** – no comment

**Environment Agency – OBJECT** most of the car park is shown to be located within Flood Zone 3b (functional floodplain). ‘Less Vulnerable’ development is not suitable in Flood Zone 3b.

**National Highways** - no comment (it does not affect the strategic road network; nearest sections of the SRN comprise the A303 and A35/A31 which pass some distance to the north and south respectively of the application site).

**Natural England** – concerns that alternative less damaging sites have not been considered, and that condition of species rich unimproved neutral grassland could be improved with proper management, and that proposals would harm wildlife interests.

**Dorset Wildlife Trust** - insufficient information provided re consideration of alternative sites; choice of preferred site is not supported by ecological evidence. Concerns that encroachment into the floodplain is not appropriate in Floodzone 3b.

**North Dorset Trailway** – Whilst this proposal does not involve any changes to the route of the Trailway, the Trustees of the North Dorset Trailway Network are pleased to note the proposed improvements on the access slope of the Trailway, south of Hayward Lane, as set out in PA/RSCP/10, and that their previous feedback has been taken into consideration.

**DC - Rights of Way Officer** – *“My Comments have been included in the plans” – this comment refers to a site meeting with NDR, Graham Stanley (Dorset Council Senior Ranger North) and Jan Wardell (Secretary to the North Dorset Trailway Network) on 30th May 2023 where the design of the proposed link with the lower end of the Trailway Slope was discussed)*

**DC - Highways** – No objection subject to conditions

**DC - Minerals & Waste Policy** – No comment

**DC - Trees (North West Weymouth)** - Support retention & enhancement of existing tree & hedging; the tree survey style document is sufficient in this case when read in conjunction with the landscaping plan. Conditions re tree & hedgerow protection, and provision of soft landscaping & planting suggested.

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**DC - Env. Services – Protection –** Requestion Condition: Reporting of Unexpected Contamination

### Representations received

Total - Objections	Total - No Objections	Total - Comments
4	94	2

### **Objectors to the scheme raise the following summarised concerns:**

- Light pollution from car park lighting will have a negative impact upon the environment
- The railway is already being adversely affected by the extension of the railway, and the proposals would increase noise, disturbance, pollution and loss of habitat in & around the railway.
- Visitors to NDR should be encouraged to walk, cycle or use public transport to visit the station – encouragement of car use by providing car parking will increase traffic in Shillingstone and should be resisted.
- Alternative parking sites away should be fully explored, a car park next to a nature reserve is inappropriate
- Road safety & access concerns. Increased traffic will impact highway safety. Proximity of site access to Lamb House bridge, Newman's Drove & Hayward Lane will cause congestion and increase accident risk.
- Design and appearance concerns - the car park would be an incongruous addition into the countryside, and degrade the landscape, which the restoration of the Railway should be opening up to visitors, not destroying. The view from the railway and railway would be degraded.
- Flood risk - the site is subject to regular yearly flooding, which will in turn damage the site and require constant repair, concerns proper maintenance would not be carried out.
- Extension of railways is contrary to the fight against climate change.
- The railway will be compromised by continued & future expansions of the railway
- The additional car parking facility is not needed, there aren't enough visitors to justify the proposals
- Adverse impacts on wildlife
- The railway will be unsafe (*this is a comment on the wider NDR operations, not in response to the application for a car park*)

### **Supporters of the scheme mention the following summarised points:**

- Car park much needed addition to enable the heritage railway to continue to expand & improve.
- An ever-important tourist destination should not have to rely on third party goodwill, they need their own car park
- Without a car park, the viability of the expansion would be compromised
- As well as encouraging visitors to the railway, it will benefit the Railway
- Will benefit locals by reducing on-street & inconsiderate parking in residential streets within the village

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- Good for tourism in the wider locality, good for economy & community (volunteering).
- Especially good for North Dorset tourism
- Good for the village (Community / volunteering opportunities – associated health & wellbeing advantages)
- Landscape impact would be minimal, design is sustainable and flood compatible
- Matches the Trailway car park opposite
- Location is good, away from main road with good off-road pedestrian access (with no need for users to cross the highway)
- Ecological issues have been addressed
- Dorset Railway have a proven track record of completing civil engineering tasks to a high standard and in compliance with regulations as seen by previous work carried out to divert the trailway around the platform and up to Lambs House bridge.

### **10.0 Duties**

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

### **11.0 Relevant Policies**

#### North Dorset Local Plan Part 1 2011-2031

Policy 1 - Sustainable Development

Policy 2 - Core Spatial Strategy

Policy 3 – Climate Change

Policy 4 - The Natural Environment

Policy 5 - The Historic Environment

Policy 11 – The Economy

Policy 12 – Retail, Leisure and Other Commercial Developments

Policy 13 – Grey Infrastructure

Policy 20 - The Countryside

Policy 25 - Amenity

Policy 27 - Retention of Community Facilities

#### National Planning Policy Framework (2023)

1. Introduction

4. Decision-making

6. Building a strong, competitive economy

8. Promoting healthy and safe communities

9. Promoting Sustainable transport

11. Making effective use of land

12. Achieving well-designed & beautiful places

14. Meeting the challenge of climate change, flooding and coastal change

15. Conserving and enhancing the natural environment

16. Conserving and enhancing the historic environment

#### Shillingstone Neighbourhood Plan 2016 to 2031 (made 2017)

Regard has been had to the made Shillingstone Neighbourhood Plan, which does not elaborate on the endeavours of the North Dorset Railway. It is considered that

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the proposal would not undermine the aims of the Neighbourhood Plan (NP), which focuses on protecting and enhancing the rural village character of Shillingstone.

The Trailway is clearly an important asset to the Plan Area, mentioned numerous times throughout the plan, and this scheme links with the Trailway, and provides some improvements to the existing ramped section leading up from Hayward Lane, and the proposal is not considered to be contrary to Neighbourhood Plan *Policy 2. Rural lanes and tracks*, which rejects development that would noticeably detract from the rural character of the lanes and tracks around the village and countryside. The scheme is considered to be in accordance with *NP Policy 3. The character and design of new development* in that a modestly sized and well landscaped car parking area would be appropriate to the rural setting and relates positively to public routes and local green spaces.

### Other Policies

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

### Material Considerations

#### **12.0 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.

#### **13.0 Public Sector Equalities Duty**

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

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

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

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Considerations under PSED discussed below in the planning assessment are:

- Access
  - The scheme has been arranged to ensure people with disabilities or mobility impairments (inc mobility scooters), those pushing buggies & cyclists have been accommodated by provision of a wide, off road footpath link from the car park to the Trailway.
  - Widening of the existing Trailway on the slope up from the highway where it is currently less than 2.0m wide forms part of the scheme, and provision of staggered safety barriers & gates on approach to the Highway which are navigable by those with mobility impairments, cyclists and horse riders, and is appropriately signed to advise users of the junction with the Highway, also provides a safe and navigable link between the proposed car park and Trailway.
  - Access is level from the proposed car park to the Trailway.

### **14.0 Financial benefits**

Expansion & continued growth of the visitor attraction would bring about associated tourist spend both at the attraction and in the local area.

### **15.0 Environmental Implications**

The scheme is supported by a Biodiversity Plan, certified by the Natural Environment Team. Both on and off-site mitigation & compensation would be provided, and a traditional meadow management regime would be implemented in areas surrounding the car park, improving the condition of the neutral grassland, & provide foraging for birds and attract moths for bats.

## **16.0 PLANNING ASSESSMENT**

### **Principle**

The North Dorset Railway Trust (NDR) is progressing with the ongoing restoration and expansion of the station and surrounding site.

Parking in the industrial estate adjacent to the station itself currently relies on an informal third party agreement, which is not secured in the long term with imminent sale of the former Perkins owned site. The NDR itself currently only provides 14 car parking spaces on land it controls. The NDR does not currently have sufficient on-site parking provision for visitors, staff & volunteers. Therefore provision of a new car park, controlled by the NDR is considered to be vital to the continued expansion & growth of this established community project

The positive impacts of the NDR can be summarised by the letter of support provided by Jack Bath, Training and Volunteer Manager/Coordinator at the North Dorset Railway:

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*“As Volunteer Manager/Coordinator at the Shillingstone Station site I witness the joy and benefit provided for both volunteers and visitors alike. For volunteers by contributing either worthy skills or learning new ones and for visitors the recreational experience of relaxing in an educational heritage environment.*

*We cater for many individuals who derive both mental and physical reward from the immense interaction when either deploying or learning practical and assisting roles. We also cater for visitors who not only, by their patronage, support the railway but also get great pleasure from a worthy tourist attraction.*

*Without the provision for adequate parking and therefore without compromising either the minimal nearby village or Trailway car park facilities all the benefits of this now recognised social amenity and tourist attraction would be unable to satisfactorily operate.”*

There would be social and economic benefits associated with the expansion of the heritage railway (community engagement, education, health & wellbeing, tourist income etc). The principle of the scheme is therefore considered acceptable, taking into account the below considerations:

### **Impact on character of the area, & setting of the AONB**

The site is adjacent to an existing pumping station, and an area of hardstanding used for informal parking by the adjacent landowner. The site is close to the existing Trailway car park (on the other side of the railway bridge) and near to the edge of the village envelope. To the east of the site is Hayward Bridge, a vehicular bridge over the River Stour. A recently approved scheme for an informal, occasional/periodic use unsurfaced car park use was recently approved ref P/FUL/2022/07963, diagonally opposite the site at Bere Marsh Farm.

The site at the being adjacent to an existing built form of the pumping station, and alongside an area of hardstanding used for informal parking by the adjacent landowner does not feel particularly remote or exposed. Its proximity to the Trailway car park on the other side of the railway bridge and road junction with the A357 also contributes to the site not feeling particularly open or visible.

Currently the site is unmanaged grassland with trees and hedging around the edges. The existing trees & hedging along the southern and eastern boundary would be retained, and these would help to act as a foil for the development and would contribute to enhanced greening of the site, new tree & shrub planting, in addition to wildflower meadow management which is detailed within the certified Biodiversity Plan.

Planting is proposed within the car parking area to help break up the visual impact of the natural gravel surfaced area and to help define parking spaces, the parking spaces would not be formally marked out on the ground. A mixed row of Willow/Alder trees would be planted on the north east side of the field, between the car park fence and the river, to provide a natural screen to help mitigate the impact of the proposed

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development on views from the east from Hayward Bridge, and in particular the long distance, but elevated, viewpoint of Hambledon Hill.

The area of the site which would be used for parking, would be surfaced with a free draining Type-3 sub-base material, of a mottled light grey/buff colour, to represent the look of an alluvial material (river gravel).

In order to control use of the car park, a height restricted barrier of a bespoke design resembling a traditional Railway Crossing gate is proposed. On either side of the barrier would be wicket fencing. The visibility splay on either side of the barrier would be a grassed verge.

It is considered that the modest size of the car park, in combination with its location adjacent to the pumping station and existing farm access used for parking, in combination with the existing Trailway car park on the other side of the railway bridge, would not be an incongruous intrusion into the landscape, and is an acceptable form of development in this location on the edge of the village, read in combination with other infrastructure features.

### **Trees**

As above, existing trees and hedging are to be retained, with additional planting outlined in the supporting documents. No topsoil is to be removed or construction material to be placed within the area of new tree and shrub planting. The application is supported by a Tree Survey style document which the Tree Officer is satisfied that when read in conjunction with the landscaping plan provides sufficient detail to be conditioned to appropriately protect existing & new planting.

### **Flooding**

Much of the site is within Flood Zone 3b, the functional flood plain; the Environment Agency maintain an objection to the scheme in that less vulnerable developments are in principle not acceptable in Zone 3b.

As a change of use application, a sequential test for the application is not required. The applicants have applied a sequential approach to location options for the new car park by undertaking an options appraisal of potential options for a NDR carpark (Report No.2 - Car Parking Needs Assessment and Sequential Site Test). Because of the general location of the NDR adjacent to the River Stour, all site options involve land which are within Flood Zones 2, some options being within both Flood Zones 2&3. The preferred site, which is subject to this application, offers the best functional combination of highways safety, accessibility (inc pedestrian safety), size, impacts on biodiversity and land availability.

A sequential approach has been used when designing the proposed car park site: The access from the highway into the site is in an elevated area which is less vulnerable to flooding, and the parking area itself would be located on the 'hump' within the site which is less vulnerable to flooding. The design & construction methodology also takes into account site specific constraints, and has been designed so as not to increase the risk of flooding elsewhere, and which would be safe for the duration of its lifetime:

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There would be no increase in ground levels, where surfacing is proposed, compacted soil would be removed to a depth of 200mm, & replaced with a free draining material as a running surface. Around 1/3 of the site would be 'surfaced' for car parking the rest planted as meadow planting, which is flood compatible.

The barrier at the access from the highway would not impede flood waters. Areas around proposed planting & fencing would be lowered and landscaped into the original ground level to compensate for any small loss of flood storage capacity. As such, the flood storage capacity of the land would be unaffected (or perhaps even marginally improved as compacted soil would be replaced by free draining stone) as there would be no increase in site levels and no obstructions to flood waters.

The topography of the site and configuration of the car parking areas ensures that, should water levels rise, the access road to the public highway, which is at the highest point of the site, would allow straightforward egress for vehicles.

A flood risk management plan is presented to ensure risk to people & property is diminished. The car park would remain privately operated & controlled, it would be closed at time of flood, at times of flood risk, and when the railway is closed (including overnight). A lockable height restriction barrier would prevent entrance by camper vans/caravans.

A site-specific flood risk assessment has satisfactorily demonstrated the development would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.

A series of planning conditions are proposed to ensure the development proceeds in accordance with the flood risk management plan and construction methods outlined to ensure the scheme achieves the flood compatibility as outlined, and that flood risk and risk to property is minimised.

Being minor development for change of use, an exception test is not required.

Officers are therefore satisfied that the proposal is in accordance with paragraphs 173 & 174 of the NPPF in that it has been satisfactorily demonstrated that the development would be made safe for its lifetime without increasing flood risk elsewhere. Implementation of the recommended construction methods to ensure a flood risk compatible development, and adherence to the flood risk management plan which would protect people & property, would be made conditions of any forthcoming permission to ensure flood risk is properly managed and mitigated.

Officers are satisfied that the development would provide wider sustainability benefits to the community that outweigh the flood risk, and notwithstanding the EA's objection, is therefore recommended for approval. The Environment Agency have been notified of this recommendation to approve contrary to their recommendation as per their request. There is no requirement to notify The Secretary of State (as required The Town and Country Planning (Consultation) (England) Direction 2021 as amended) as the development does not constitute "flood risk area development" as the scheme is not defined as major development.

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### Biodiversity

Dorset Wildlife Trust (DWT) and Natural England (NE) are critical of the application, stating that insufficient information has been provided with regards to the alternative sites which were considered at the options appraisal stage. These consultees highlight how the Council's Biodiversity Appraisal Protocol and National Planning Policy requires applicants to apply the mitigation hierarchy to development proposals impacting biodiversity. Para 186 NPPF states *"if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*. It should be noted that the applicant did not have to disclose the options appraisal that they undertook to come to the preferred site (Report No.2 - Car Parking Needs Assessment and Sequential Site Test). The preferred site, which is subject to this application, offers the best functional combination of highways safety, accessibility (inc pedestrian safety), size, impacts on biodiversity and land availability.

In specific response to DWT & NE's comments, the applicants have submitted supporting commentary as to why, from a biodiversity point of view, the alternative sites were not progressed, which does demonstrate that all constraints (including biodiversity) were considered at the options appraisal stage, for example Bere Marsh Field would have required removal of a significant amount of hedgerow.

It is also acknowledged that as the other sites were not in the NDR's control or ownership, a full biodiversity survey of these sites could not be undertaken (and due to the NDR being a charitable trust, finances & resources are understandably limited during the options appraisal stage).

It should also be acknowledged that the application is accompanied by a Biodiversity Plan certified by the Natural Environment Team, and therefore the application accords with the Dorset Biodiversity Appraisal Protocol. Biodiversity mitigation & compensation is to be delivered on site, and biodiversity gains & enhancement off-site forms part of the application via improvements at the Bere Marsh site controlled by NDR. It is considered that the Biodiversity Plan approved by the Natural Environment Team reflects what was raised in the Natural England response, in that the footprint of the scheme has been kept as small as possible, and that the Biodiversity Plan secures good mitigation and compensation for the loss of grassland and any impacts to wildlife.

Prior to this committee meeting, noting Natural England's concerns, the Natural Environment Team have had further informal discussions about the scheme with Natural England. Natural England Officers have confirmed that they are happy in principle with the mitigation & compensation measures secured in the Biodiversity Plan, subject to the assessment in the "planning balance" that the benefits of the scheme merits the loss of part of the field. Natural England also suggest that if the recommendation is to approve the application, that the applicant might be asked to put in an artificial otter holt (not currently secured in the approved Biodiversity Plan),

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as these are useful as bolt holes for animals disturbed by increased activities in their foraging habitat.

Officers are satisfied that the footprint of the scheme has been kept to an absolute minimum to deliver the required objectives of the scheme (justification is provided in supporting Report No 2), and all mitigation and compensation measures, which are approved by the Natural Environment Team, would be secured via compliance with the certified Biodiversity Plan which would be secured by condition.

### **Highways Safety**

The preferred site has been subject to pre-application advice from the Council's Highways Engineer.

Highways have confirmed that the proposals deliver satisfactory visibility splays in each direction along the carriageway, and Engineers are supportive of the new off-highway 2m wide footpath which would link the car park to the proposed pedestrian link south to the NDR Station. The proposed car park is laid out so as to separate pedestrians from vehicles, providing a pedestrian gate out from the car park separated from the vehicle barrier.

The Council Highways Engineer has no objection to the scheme, subject to conditions.

Highways have suggested that the new carpark include provision for cycle parking. There are 14 cycle spaces in total on designated cycle racks provided at the NDR site itself, and there are other cycle parking spaces on the platforms that may also be used informally should the racks become full. Taking into account the desire to keep infrastructure to a minimum at the application site for flood risk reasons, it is considered that taking into account existing cycle provision at the Station itself, and that a cycle parking scheme at the new car park is not required in this instance.

### **Rights of Way**

The plans have been finalised following discussions with the North Dorset Trailway & Dorset Council Ranger. The proposal does not require any changes to the route of the Trailway, but does provide improvements on the access slope of the Trailway leading up from Hayward Lane, by widening the route where it is currently less than 2.0m. The route would therefore be improved for all users, including those with mobility requirements, cyclists and horse riders. The off-road footpath, 2.0m wide would provide level access for pedestrians, linking the proposed car park to the Trailway, which then links to the NDR. These improvements to the Trailway and off-road link from the proposed car park are supported.

### **Heritage & Conservation Area**

The application site itself is outside the Conservation Area. The proposed car park would have no direct impact on the station building (itself a non-designated heritage asset), nor Conservation Area.

### **Scheduled Monument**

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To the north, beyond the application site adjacent to Bere Marsh Farm, is The Moat, a Scheduled Monument. Due to the distances involved, and its relative position/location in relation to the monument, coupled with its modest size, it is considered that the Monument and its immediate surroundings would not be directly affected by this application.

### **17.0 Conclusion**

The car park location has been carefully considered following an options appraisal, & the proposal site represents best options in terms of flood risk, highways safety, accessibility, impacts on biodiversity, and landscape impact.

The heritage attraction does not currently have sufficient on-site parking provision for visitors, staff & volunteers. The proposals would facilitate the expansion & growth of this established community project, and there would be social and economic benefits associated with the expansion of the heritage railway (community engagement, education, health & wellbeing, tourist income etc). These significant benefits are considered to outweigh the flood risk. The application has sufficiently demonstrated that the proposals would not increase the risk of flooding elsewhere, would be safe for the lifetime of the development, and adherence to the flood management plan would ensure car park does not pose an unacceptable risk to people or property.

The proposals are acceptable to Highways Engineers with satisfactory visibility splays. Biodiversity mitigation & enhancements are proposed both on and off-site, and the benefits of the scheme are considered to outweigh the loss of part of the field.

### **18.0 Recommendation: Grant, subject to the following conditions:**

1.The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

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

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

- PA/PSCP/001 Location plan
- PA/RSCP/02 Block plan/land use
- PA/RSCP/03 Sequential test plan
- PA/RSCP/04 Access arrangements
- PA/RSCP/05 Block plan & general arrangement
- PA/RSCP/06 Landscaping proposals
- PA/RSCP/07 Construction methodology & environmental management plan
- PA/RSCP/08 Flood risk assessment & management plan
- PA/RSCP/09 Ecology & biodiversity plan
- PA/RSCP/10 Pedestrian connection between trailway & car park
- PA/RSCP/11 Tree survey plan
- PA/RSCP/12 Car park cross section & contours
- PA/RSCP/08 Flood Management Plan

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

3. Before the development is occupied or utilised the first 5.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

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

4. Prior to the commencement of development on the site, a Construction Management Plan (CMP) addressing both Biodiversity, Plant, Materials & Traffic Management, must be submitted to and approved in writing by the local Planning Authority. The CMP must include the following:

- Risk assessment of potentially damaging construction activities
- Identification of "biodiversity protection zones" (inc use of protective fences, exclusion barriers and warning signs)
- Parking of vehicles of site operatives and visitors
- Storage of plant and materials & details of loading & unloading
- Delivery and construction working hours
- The location and timing of sensitive works to avoid harm to biodiversity features
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

Thereafter the scheme shall proceed in strict accordance with the approved CMP.

Reason: To protect biodiversity during the construction phase and to minimise the likely impact of construction traffic on the surrounding highway network.

5. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 18.09.2023 must be implemented in accordance with any specified timetable and completed in full (including photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan) prior to the substantial completion, or the first bringing into use of the development hereby

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approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

6. Before first use of the car park hereby approved, the vehicular entrance barriers as shown on approved plan PA/RSCP/10 shall be installed and fully operational, and thereafter maintained in perpetuity in such condition so as to be able to prevent unauthorised access. The car park hereby approved shall be operated in accordance with Report No.3 Flood Risk Assessment and Management Plan, and may only be open & accessible for parking on days when the North Dorset Railway heritage site is open to the public and/or volunteers. The barriers must be locked & secured no later than 10pm on any day.

Reason: In the interests of amenity of the area and to protect people & property from impacts of flooding

7. The parking hereby approved shall be constructed, managed and operated in strict accordance with the layout shown on approved plan PA/RSCP/08 Version 3 and detailed in Report No.3 Flood Risk Assessment and Management Plan, and "Supplementary Statement on behalf of North Dorset Railway" dated December 2023 and Report No.4 Construction Methodology and Environmental Management Plan.

Reason: in the interests of visual amenity and reduce risk of flooding

8. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number PA/RSCP/05 must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

9. Before the development hereby approved is occupied or utilised any entrance gates must be set back a minimum distance of 5.00 metres from the edge of the carriageway and hung so that the gates can only open inwards. Thereafter, the gates must be retained at their approved position, maintained and kept free from obstruction.

Reason: To enable a vehicle to be parked clear of the public highway whilst the gates are opened or closed, preventing possible interruption to the free flow of traffic

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10. Before the development hereby approved is occupied or utilised the visibility splay areas as shown on Drawing Number PA/RSCP/05 must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

11. The scheme shall proceed in strict accordance with the Construction Methodology and Environmental Management Plan (Report No.4)

Reason: in the interests of amenity, and to protect Biodiversity interests

12. The soft landscaping works detailed on approved drawing PA/RSCP/06 and as described in the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 18.09.2023 and Landscape and Visual Impact Assessment (Report No.5) must be carried out in full during the first planting season (November to March) following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The soft landscaping shall be maintained in accordance with the agreed details and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

### **Informative Notes:**

#### 1. Informative: National Planning Policy Framework Statement

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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

#### 2. INFORMATIVE NOTE: Dorset Highways

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be

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constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at [dorsethighways@dorsetcouncil.gov.uk](mailto:dorsethighways@dorsetcouncil.gov.uk), or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

3. The applicant is reminded of their responsibility to submit photographic evidence of compliance with the Biodiversity Plan or LEMP to Dorset Natural Environment Team in order to comply fully with requirements of condition 05.