

Application Number:	P/FUL/2023/07467		
Webpage:	https://planning.dorsetcouncil.gov.uk/		
Site address:	Land South Of A352 (Wareham Road) Binnegar, East Stoke Purbeck		
Proposal:	Use of land as Suitable Alternative Natural Greenspace (SANG) with associated access, landscaping, infrastructure and alterations to road.		
Applicant name:	Westcoast Developments.		
Case Officer:	Claire Hicks / Robert Lennis		
Ward Member(s):	Cllr Brooks (consulted as former councillor), Cllr Wilson.		
Publicity expiry date:	20 January 2025	Officer site visit date:	30 January 2025
Decision due date:	3 February 2025	Ext(s) of time:	3 February 2025

1. Reason application is going to committee:

This application is running parallel with another application for housing on the north side of the A352 (Wareham Road) (planning application ref: 6/2018/0228) which will be considered at the same Planning Committee. This SANG is being proposed to mitigate the environmental impacts of the proposed development for Binnegar Hall estate.

2. Summary of recommendation:

- a. To grant permission for the creation of this SANG subject to conditions and the signing of a S106 legal agreement to secure its delivery prior to the occupation of any dwelling approved under planning application ref. 6/2018/0228 and continued availability in perpetuity. Or
- b. Refuse planning permission if within six months from the day of this Committee the section 106 legal agreement is not completed.

3. Key planning issues

Issue	Conclusion
Principle of development and general location of development	The proposed SANG at Court Farm is well positioned near to the pending outline planning application for 48 dwellings at Binnegar Hall (6/2018/0228). The purpose of the SANG is to displace the recreational pressure generated by the residential application.

	A S106 legal agreement will secure the long-term public availability and management of this SANG in perpetuity through a Management Company.
Impact on Dorset National Landscape	There would be no adverse impact on the landscape and the proposal accords with Policy E1 (Landscape) of the Purbeck Local Plan (2024).
Layout and Appearance	The proposal is considered to be acceptable and in accordance with Policy E8 (Dorset heathlands), of the Purbeck Local Plan (2024).
Impact on Trees	There would be no adverse impact on the landscape and the proposal accords with Policy E1 (Landscape) of the Purbeck Local Plan (2024).
Highway impacts	Acceptable. The Highway Authority has raised no objection to the proposals subject to a conditions and an informative note.
Local amenity	No adverse impact. Net benefit from creating green infrastructure which would limit the need to travel.
Impact on ecology and biodiversity.	The proposal would improve the nature conservation interest of the site.
Flood risk	The Lead Local Flood Authority have no objection.
Loss of agricultural land	The site size is relatively small and the agricultural grade is mix of 3 and 4.

4. Description of site

The site is located outside of any defined settlement and within the open countryside. It is currently used for agricultural purposes and the land is classified as mostly grade 3 (good to moderated quality agricultural land) with some grade 4 grassland in the southeast corner. It is positioned to the south of the A352, close to the Binnegar Hall estate, and broadly rectangular in shape. The parcel of land comprises approximately 4.94 hectares. It is centred on OS grid reference SY88828695.

The site comprises a single parcel of land which is adjoined to another parcel of land to the west; however, this field is not proposed to form part of the SANG. These parcels of land are divided by an established hedgerow. The eastern boundary of the site is abutted by the B3070. There is a railway line running along the southern boundary of the site which forms part of the mainline national rail network.

There is currently only one point of access to this field. Private access to the site is gained by way of a metal five bar gate on the eastern boundary, off the B3070. There is not currently any public right of access to this field.

The site is located north of the river Frome within the valley floor and is relatively flat, falling gently in a south-easterly direction. The Environment Agency flood maps identify that the site is within flood zone 1, which means that it has a low probability of fluvial flooding. The southwestern corner of the site has a medium flood risk from surface water (between 1% and 3.3%). The southeastern corner of the plot has a high flood risk from surface water (greater than 3.3%).

The site lies within the Dorset National Landscape (AONB). The Dorset Landscape Character Assessment identifies the application site as lying within the 'Frome Valley Pasture' landscape character type. Several oak trees on site are covered by preservation order (ref: TPO/2023/0042).

The surrounding area is predominantly characterised by open countryside, comprising a patchwork of agricultural land, heathland scrub and a connected network of woodland groups. There are clusters of residential properties north and south of the site along the A352. To the east of the site adjoining the A352 lies a ribbon of residential development, comprising the settlement of Holmebridge. Binnegar Hall is located to the northwest of the site, which is being converted to residential use. Approximately 0.2 km to the west of the site lies the residential property, Grapevine Cottage, and to the southeast is Holmebridge Cottages both of which are designated Grade II Listed Buildings. To the south of the site, parcels of land remain in agricultural use. Further south of the site is the river Frome.

The site is roughly equidistant between the primary local service centres of Wareham to the east and Wool to the west. The site is classified as falling within the parish of East Stoke.

Worgret Heathland is located approximately 0.8 km to the east. It is a nationally designated SSSI and part of the internationally designated Dorset Heathland Special Protection Area (SPA) and Dorset Heaths Special Area of Conservation (SAC).

5. Description of development

This application seeks full planning permission for the change of use of land to Suitable Alternative Natural Greenspace (SANG). The proposed SANG would provide ecological benefits and opportunities for a variety of recreational benefits through the creation of a series of pathways (some of which are to be surfaced), introduction of a wildlife pond, hedgerow and tree planting, erection of stock fencing around the site's perimeter, installation of stepping logs, climbing boulders, bins, gates, and information panels.

This SANG has been designed to provide an attractive recreational open space. It has been designed to comply with the Dorset Heathland Planning Framework guidance, reflecting pre-submission advice from Natural England and Dorset Council.

Subject to planning approval, the SANG will be maintained and managed as per a management plan to be secured by planning condition and S106 legal agreement. SANG

Access to the SANG would be free of charge and available for use for any who wish to use the SANG. It has been designed for all types of users with a range of transport options in mind. It would be easily accessed via foot, cycle, car or bus.

The works to the road network which fall outside the development site would be covered by the Highway Act and bespoke planning conditions. These works have been considered alongside this application as they provide a sustainable walking route between the proposed housing scheme, village hall and this SANG. There are no parking proposals as part of this application but up to 17 car parking spaces are proposed as part of the housing scheme which would be available for public use associated with the village hall and/or to access the SANG.

There are three entrances proposed: two pedestrian accesses on the northern boundary and one on the eastern which would facilitate vehicular access for maintenance. The main entrance would be on the northern boundary and would provide access from the Binnegar Hall development, located broadly across from the residential property Byways. There would be another access on the northern boundary which would provide an access for those who are using the proposed lay-by as a drop-off, and a further access is proposed on the site's eastern boundary which will also be served by a small lay-by with the potential to accommodate informal parking of one vehicle.

The proposed SANG would create a new type of ecologically valuable habitat, which will include meadow creation, new pond, and hedgerow planting. This would increase the biodiversity interests of the local area and would contribute to the Council's duty to seek to enhance the Dorset National Landscape. There would also be a planting mood board which identifies the type and diversity of planting to be provided within the scheme for visitor education.

The submitted arboricultural method statement sets out how trees will be protected and managed during the development.

6. Background and relevant planning history

There is no relevant planning history for the application site.

Members should be aware that in 2016, planning application reference 6/2015/0541 was approved for the alteration, extension and change of use of existing buildings at Binnegar Hall to Class C3 residential use. The proposal involved the creation of 23 dwellings – 9 houses and 14 flats/maisonettes.

In 2018, an outline planning application (ref: 6/2018/0228) was submitted to the Council for the erection of 48 dwellinghouses and a village/community hall at Binnegar Hall. As part of this outline application, this SANG is considered to be necessary to provide mitigation for any impact upon the Dorset Heathlands protected sites.

To create a safe access to the SANG, works are proposed to the highway as part of that outline application. These works consist of a pedestrian route from the eastern access road to Binnegar Hall, on the northern side of the A352. The pedestrian footway would extend to a proposed pedestrian crossing point with a refuge island. The existing layby would be removed and converted to landscaping.

It is important to note that originally the proposed SANG was to be located at land to the northwest of Binnegar Hall; as requested in some representations received. However, that site was not feasible as the roads and public right of ways would have linked the SANG to Worgret Heath. As such, it would not have been effective in diverting recreational pressure from residents away from the designated sites of ecological importance.

Other sites were then identified, and this site was ultimately selected due to its compliance with criteria set out in the Dorset Heathlands Planning Framework.

Prior to the submission of this application, discussions have been held with Natural England and the Council regarding the suitability of the proposed SANG at this site. Both Natural England and the Council representatives have supported the principle of a SANG at this location.

7. List of constraints

Tree Preservation Order (TPO/2023/0042)

Poole Harbour Catchment Area: Nutrient Catchment Areas

Dorset Heathlands - 400m heathland buffer for Worgret Heath (north of A352)

Dorset Heathlands - 5km Heathland buffer

SGN - High pressure gas pipeline 1km or less from Regional High Pressure Pipelines (>7 bar)

SGN - Medium pressure gas pipeline 25m or less from Medium Pressure Pipelines (75mbar - 2 bar)

Railway: Standard Gauge Track - Distance: 4.02

Risk of Surface Water Flooding Extent 1 in 30 - Distance: 0

Risk of Surface Water Flooding Extent 1 in 100 - Distance: 0

Risk of Surface Water Flooding Extent 1 in 1000 - Distance: 0

Groundwater – Susceptibility to flooding; - Distance: 0

Dorset National Landscape (Area of Outstanding Natural Beauty (AONB))

Existing ecological network (Polygons)

Higher Potential ecological network

Natural England Designation - RAMSAR: Dorset Heathlands (UK11021) and Poole Harbour (UK11054)

Site of Special Scientific Interest (SSSI) impact risk zone

Scheduled Monument: Two bowl barrows on South Heath, 290m and 370m east of Binnegar Hall (List Entry: 1016276.0)

Scheduled Monument: Section of Battery Bank on South Heath (List Entry: 1016273.0)

Scheduled Monument: Bell barrow and two bowl barrows 170m north east of Holmebridge Post Office (List Entry: 1016274.0)

Historic Landfill Site: Fields At Rushton Farm

Minerals and Waste Safeguarding Area - ID: 3811;

Minerals and Waste - Minerals Consultation Area - Name : Binnegar ;

Mineral and Waste - Ball Clay Consultation Area - Name: 8

RAD - Radon: Class: Class 1: Less than 1%

ONR winfrith_magnox_12km_zone

ONR winfrith_tradebe_inutec_12km_zone

8. Consultations

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

Consultees:

- Network Rail
No objections.
- Office for Nuclear Regulation
No comment.
- Natural England
No objection subject to conditions, and details to be secured in a S106 legal agreement.
- Dorset National Landscape (AONB) Team
No objections.
- DC - Natural Environment Team
No objections subject to conditions.
- DC - Highways
No objection subject to conditions.
- DC - Trees (East & Purbeck)
No objection subject to conditions.
- DC - Minerals & Waste Policy
No comment.
- DC - Flood Risk Management
No objection.
- DC - Environment Mitigation Delivery Team
No objection subject to conditions.
- East Stoke PC
Object on grounds of highway safety.
- South East Purbeck Ward
No comment.

Representations received:

Five representations have been received raising concerns and objections relating to highway safety, and the use of a layby for parking and access.

The then councillor for the area Ms. Brooks supported the SANG but had concerns about the highway safety of pedestrians crossing the A352. This concern was echoed by the other representations received.

CPRE oppose this application. They are of the view that the proposed SANG would compound damage to the countryside's bio-diversity value in this location.

9. 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.
- Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty)

10. Relevant policies

The Development plan

Purbeck Local Plan (adopted July 2024):

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

- | | |
|--------------|--|
| Policy V1- | Spatial strategy for sustainable communities |
| Policy E1- | Landscape |
| Policy E2 - | Historic environment |
| Policy E7- | Conservation of protected sites |
| Policy E8 - | Dorset heathlands |
| Policy E9 - | Poole Harbour |
| Policy E10 - | Biodiversity and geodiversity |
| Policy E12- | Design |
| Policy H2- | The housing land supply |
| Policy I3- | Green infrastructure, trees, and hedgerows |
| Policy I4- | Recreation, Sport and Open Space |

Material considerations

The Dorset Council Local Plan

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

National Planning Policy Framework 2024 (as amended 2025)

The most relevant sections of the NPPF for this case are considered to be:

- Section 2. Achieving sustainable development: reminds us that the purpose of the planning system is to contribute to the achievement of sustainable development. This means that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways: an economic objective, a social objective, and an environmental objective. So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11)
 - Paragraph 11 states 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.
- Section 4. Decision-making; sets out how 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 8. Promoting healthy and safe communities; sets out how planning policies and decisions should aim to achieve healthy, inclusive and safe places.
- Section 12. Achieving well designed places; This 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.
- Section 15. Conserving and Enhancing the Natural Environment; requires great weight to be given to conserving and enhancing National Landscapes.

Other material considerations:

Dorset AONB Management Plan 2019-2024 (extended to end of 2025 with the agreement of Dorset Council Cabinet 17/12/2024);

- C1 (b) creation of landscape features (i.e. hedges, tree clumps, etc) will be regarded favourably.

Dorset National Landscape draft Management Plan 2026-2031. This document is still out to consultation and should only be accorded very minimal weight.

Dorset Heathlands Planning Framework 2020-2025 (Supplementary Planning Document, April 2020)

- Appendix D: Guidelines for the establishment of Suitable Alternative Natural Greenspace (SANG) Quality Standards for the Dorset Heaths
- Appendix E: SANGs planning application principles.

Dorset AONB Landscape Character Assessment

- Frome Valley Pasture – Valley Pasture; is characterised by a flat valley floor with the meandering River Frome and its floodplain and terraces. Views are often extensive particularly towards Wareham with an array of diverse wetland habitats.
 - The relevant key characteristics and special qualities are listed as:
 - Meandering flat and river floodplain, nationally designated for its ecological value, with small wet woodlands, wet winter flooded grasslands and extensive pattern water meadows
 - Large open regular fields with dense copses of oak, hazel, holly ancient woodlands and occasional individual trees
 - Linear and nucleated settlements of local stone located on roads along the river terrace margins
 - Historic bridges, mills and ecclesiastical remains, illustrating the area's rich historic and built heritage
 - Strong undeveloped rural character, with traditional agricultural character, tranquility and dark night skies largely maintained

11. 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. 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.

Considerations have been, and can be, given to the access arrangements and choice of surfacing for those of us with mobility impairments.

13. Planning Assessment

The main issues of this case are considered to relate to:

- Principle of development
- Highway safety
- Landscape impacts and green infrastructure
- Ecology and biodiversity
- Benefits of the scheme.

Principle of development

In the adopted PLP, the Council has outlined its approach for achieving its vision in ten key objectives covering the following four areas: a) environment; b) housing; c) economy; and d) infrastructure. This overarching vision and these objectives underpin the policies in the plan and are fundamental to informing decisions taken on planning applications.

This proposal has come forward to provide a ‘Suitable Alternative Natural Greenspace’ (SANG). On the face of it this is a change of use of the land from agricultural land to a recreational green space. Nonetheless, it is understood that this application has come forward to allow for the delivery of housing north of the A352. The land would act to divert visitors from protected Dorset Heathland thereby mitigating the additional recreational impacts associated with a net increase in dwellings that could otherwise cause significant harm to nearby habitat sites.

The proposed SANG would change the use of approximately 5 hectares of agricultural land, to land for public recreation. The agricultural land grade is a mix of 3 and 4 grade (mostly moderate quality grade 3). The quantum of land and the moderate quality should not raise objections in light of the proposed use.

The proposed use would have benefits in terms of green infrastructure for the proposed housing and existing community. There would be environment and ecological benefits associated with planting of trees and hedges and the provision of a wildlife pond.

Access to the SANG would involve creating three gated access points. Internally, a walking path around the site is proposed, a wild-life pond, tree and hedge planting, and other environmental/ecological benefits as set out on plan. Off-site improvements to the

A352 (Wareham Road) would see a new pavement installed along with a new pedestrian crossing, and a layby extended.

The Council's Heathland Mitigation Officer and Natural England are satisfied that the proposed SANG sufficiently accords with the requirements set out in Appendix D of the Dorset Heathlands Planning Framework that it can operate effectively as mitigation for the proposed residential scheme at Binnegar Hall.

On the merits of this application, the proposal would accord with PLP Policies, and the key objectives of the Plan.

Highway safety

The concerns of local residents on this topic are noted above.

The Council's highway engineers have noted that "...the applicant is required to provide a safe and suitable means of pedestrian crossing across the A352 to and from the proposed SANG, a new pedestrian refuge island is proposed. This will require some changes to the adjacent highway network including the provision of a new footway along the north and south with tactile paving at the dropped crossing, installation of the pedestrian refuge island, realignment of the carriageway to also allow wider MOD vehicles to pass and repass without obstruction and relevant regularity and advisory signs/lines. The proposal has been independently assessed through a Road Safety Audit and the Highway Authority deem this to be acceptable. The implementation of these offsite works will be subject to a section 278 agreement of the Highways Act 1980. The Highway Authority would have no objection..." subject to conditions.

The application also proposes to relocate the existing speed limit signs and posts 560m to the east, as noted on plan.

In light of your engineer's comments, highway safety matters accord with PLP Policy I3.

Landscape impacts, and green infrastructure

The applicant has taken on-board the recommendations of put forward by the Dorset National Landscape (DNL) Planning Officer and your Heathlands Mitigation Officer.

"Dorset National Landscape Team has reviewed the amended landscaping plan for the SANG. On the whole, this has responded positively to points of feedback provided previously. There are some matters where compromise has been reached, particularly in relation to the specification of perimeter fencing and gateways, in recognition of the need for these to remain secure in the long-term, which is particularly important in this location, given the proximity of roads. Overall, we note the following changes:

- A reduction in hedgerow removal for the primary point of access on the northern edge of the site.
- Internal fencing to be wooden post and wire, with clipex only to be used where important to securing the perimeter. Furthermore, hedgerows shall be maintained to enable the perimeter fencing to be integrated within the hedge lines.
- Gateways into the site will be galvanised steel, due to durability requirements.

- Areas of self-binding gravel adjacent to gateways into the site have been reduced/minimised and surfaced path widths have been reduced to 1.8 - 2m wide.
- The number of benches and signage has been reduced quite substantially and will be of a higher specification hardwood.
- The natural play area will not include any 'formal' play equipment and will be formed of natural materials."

In light of these comments, and no objections being raised by Natural England, it is considered that the proposal would accord with PLP Policies I3 Green infrastructure, I4 Recreation, sport and open space, E1 Landscape and E8 Dorset heathlands, E10 Biodiversity and geodiversity.

Ecology and biodiversity

The primary purpose of this SANG is to displace the recreational pressure of new housing development away from Worgret Heath, to conserve its ecological importance and status. Paragraph 180 (d) of the NPPF states that "development whose primary objective is to conserve or enhance biodiversity should be supported".

The revised Ecological Appraisal (November 2023) supporting this application provides an assessment of the impact of the proposal upon the site's ecology. The habitats of ecological value such as marshy grassland would be retained and enhanced.

Furthermore, the report identifies that the SANG proposal would result in the creation of new ecologically valuable habitat. This would be targeted with meadow creation, a new wild-life pond and hedgerow planting which enhances the richness of biodiversity at the site. With additional benefits of new habitat resource for foraging and community bats. It can fairly be said that the proposal would have a moderately positive impact on ecology in the local area.

14. Environmental implications

There are no foreseen adverse impacts associated with this proposed change of use of the land. There are a number of benefits associated with this change to a SANG; limiting the need to travel for such a recreational opportunity, and ecological enhancements are but two obvious.

15. Summary of issues and the planning balance

The proposed change of use is considered to accord with the adopt PLP and also broadly accords with the NPPF. The benefits as set out would clearly tip the balance in favour of granting planning permission subject to securing the provision and ongoing availability for public use via S106 legal agreement.

16. Recommendation

a) Grant planning permission subject to the following conditions, and the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:

- SANG with associated access, landscaping, infrastructure and alterations to road which accords with Dorset Heathlands Planning Framework SPD (2020-2025) and having regard to this Officer's report and recommendation.

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:

- Location plan – dated 21 Dec 2023
- Landscape plan – 347 - 1 - R2
- Proposed pedestrian crossing link to SANGS – 173370/PD01 Rev K
- Proposed over-runnable pedestrian refuge – 173370/PD03

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

3. Prior to the use of the SANG hereby approved, the footways and pedestrian crossing shall be implemented broadly in accordance with the approved details, as shown on drawings numbered 173370/PD01 K and 173370/PD03.1 A, the Road Safety Audit outcomes and Letter and the letter/email committing to the marginal upstand, studs and tactile blocks and thereafter maintained unless and until adopted as publicly maintainable.

Reason: To provide the necessary highway infrastructure improvements to promote and encourage sustainable transport and travel by providing safe pedestrian means of crossing to the road to the SANG.

4. No development shall take place until a management plan relating to the proposed SANG has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall set out specific habitat management and enhancement measures; frequency and nature of SANG maintenance measures including timetables; means by which the SANG will be advertised; and the means by which the SANG management strategies can be adapted over time. The approved scheme shall be implemented prior to the first occupation of the residential development approved as part of planning permission 6/2018/0228 and/or use of the SANG, whichever is the sooner, and shall thereafter continue to be undertaken in accordance with approved details or subsequent approved iterations.

Reason: In the interests of securing appropriate SANG management and maintenance measures

5. Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and confirm that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details.

Note: All trees and hedges shown on approved plans to be retained, shall be safeguarded in accordance with BS 5837:2005 (Trees in relation to construction - recommendations) or any other Standard that may be in force at the time that development commences and these safeguarding measures shall be retained for the duration of construction works and building operations. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s).

The Barrell Arboricultural Method Statement (AMS) reference no. 16074-AMS3-CA dated 5th November 2024 and plan reference no. 16074-13 in support of the planning application shall be adhered to in full, subject to the pre-arranged supervision detailed in section 1.3 of the AMS by a suitably qualified and pre-appointed tree specialist.

Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity

6. The soft landscaping works detailed on approved drawing 347 - 1 - R2 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 approved drawing and any trees or plants which within a period of 5 years from the completion of the development fail, 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.

7. Prior to the first use of the site by visitors, the ecological mitigation set out in the submitted SANG Technical Note dated 24th April 2025 shall be implemented in full and notice of this shall be submitted to the LPA in writing by the developer.

Reason: To ensure mitigation proposed is carried out in a timely fashion in the interest of biodiversity.

Informative Notes:

1. This decision shall be read in conjunction with the legal agreement dated xxx securing the use of the land as SANG.

2. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 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.
- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.

3. Please note, there is a medium pressure gas pipeline approximately 12.3m to the north of the site, under the A352.

4. The developer must ensure that their proposal, both during construction and after completion does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future.

Or

- b) Refuse permission for the reasons set out below if the S106 legal agreement is not completed by 3rd March 2026 or extended time as agreed by the Service Manager for Development Management and Enforcement and/or the Development Management Area Manager East.

Reason for refusal:

1. The proposal fails to meet the criteria for Suitable Alternative Natural Greenspace (SANG) set out in the Dorset Heathlands Planning Framework Supplementary Planning Document as there is no mechanism to secure the provision of public access to the land and ongoing management required for effectiveness.

Officer Report