

Application Number:	WD/D/19/002710
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land At The George Albert Hotel & Southern Counties Leisure, Long Ash Lane, Wardon Hill, Dorchester, DT2 9PW
Proposal:	Change of use of the land & erection of Holiday Lodges & Staff Accommodation units, together with installation of infrastructure to form a Holiday Lodge Park in lieu of the current land use of motor racing circuit, shooting ground & static caravan park.
Applicant name:	Lambe Planning and Design Ltd
Case Officer:	Penny Canning
Ward Member(s):	Cllr Haynes

1. Reason application is going to committee

- 1.1. The application is reported to committee in light of the neighbouring Parish Council objections and in agreement with the Service Manager for Development Management and Enforcement.

2. Summary of recommendation

A: To grant planning permission subject to conditions, as set out in para 16 of the report.

3. Key Planning Issues

Issue	Conclusion
Principle of development	Given the provision of facilities on site to serve the development, together with the presence of an existing holiday use, the principle of a tourism use in this location complies with the policies and Spatial Strategy as set out within the adopted Local Plan. With no net increase in established residential units on site, and an understanding that some on-site presence would be required from a security perspective, the provision of two staff units at the site complies with the adopted rural exceptions policy. Further, owing to insufficient demonstrable need for the existing sporting facilities, policies do not warrant their retention. As such, the principle of development is accepted in policy terms, having regard to Policies

Issue	Conclusion
	SUS2, ECON7, COM5 and HOUS6 of the West Dorset Weymouth and Portland Local Plan.
Impact on landscape character and the Dorset National Landscape	Owing to the well screened boundaries, and proposals to further enhance boundary treatments; and owing to the appropriate treatment of lodges and lighting, the impact of the development on the wider landscape would be acceptable having regard to policy ENV1 of the adopted Local Plan. There are exceptional circumstances and public interest benefits in accordance with NPPF para 190. Overall, the proposal would not harm the National Landscape.
Flood risk and drainage	The proposed development is considered to be acceptable having regard to the impacts on flood risk, subject to conditions, in line with Local Plan Policy ENV5
Impact on contamination	Sufficient information has been submitted to demonstrate that the proposed development would not pose an unacceptable risk of pollution to groundwaters from non-mains foul drainage, thereby safeguarding the source protection zone 1. The proposed development likewise successfully demonstrates that it would not have a harmful impact upon potable water supplies. Thus it accords with policy ENV9 of the West Dorset Weymouth and Portland Local Plan (2015).
Highway impacts, safety, access and parking	The traffic generated from the proposed development would be unlikely to exceed the capacity of the permitted uses at the site, and the volume of traffic using the site would not exceed the capacity of the junction or A37. As such, the proposed development is considered to comply with Local Plan policy COM7 and para 116 of the NPPF having regard to highway safety and efficiency.
Biodiversity	The impacts of the development on protected species and habitats at the site would be minimised to an acceptable level

Issue	Conclusion
	through securing a LEMP and CEMP in line with the submitted EclA which secures appropriate mitigation and enhancement. Sufficient information has also been provided to demonstrate that the impacts of nitrogen generated from the development can be successfully mitigated to prevent likely significant adverse impacts on the integrity of Poole Harbour, designated a Special Protection Area (SPA) and a European Protected Wetlands (RAMSAR) site. Subject to securing mitigation under a Section 106 legal agreement, the proposed development consequently passes the Appropriate Assessment and accords with the provisions set out in Policy ENV2 of the Local Plan.
Impact on the living conditions of the occupants and neighbouring properties	The impacts on the residential amenity of the area are also considered acceptable, in line with Local Plan policy ENV16.

4. Description of Site

4.1. The application site is accessed by the A37 and located at Warden Hill. The site comprises the former shooting ground at the Southern Counties complex, an existing racing circuit together with clubhouse, a holiday park comprising approx. 41 static caravans at present, with space for a further 12 static caravans, and a touring site, retail stores/café, car parking areas, telecommunication masts, and the George Albert Hotel and Spa.

4.2. The site sits in an elevated position within the wider landscape and is bound to the east by a bridleway, and to the west by the A37 trunk road. To the north is a lane which connects the A37 with some of the nearby rural villages, and currently offers a further two accesses into the site. Surrounding the site is largely agricultural land, with the exception of a solar park located to the north east.

4.3. The site falls within the Dorset National Landscape (DNL) (formerly known as Area of Outstanding Natural Beauty (AONB)), situated at an elevated position within the rural landscape, and straddles two distinct Landscape Character Areas identified as the Upper Frome Valley and Cerne & Sydling Valley.

4.4. As a whole, the site's current land uses can be described as follows:

- Holiday park;
- Go-karting circuit;
- Former shooting ground;
- Gun shop, antique store, and tea room;

Car parking areas;
Telecommunication masts;
George Albert Hotel and Spa; and
Bungalow and warden's caravan.

- 4.5. The only uses that are proposed to remain within the site as part of the proposed development are the George Albert Hotel and Spa, and the holiday use, which is proposed to be redeveloped and expanded.
- 4.6. The existing racing circuit, retail units including a gun shop and antique store, and the redundant shooting school within the site would be re-developed or replaced as part of the proposals.
- 4.7. The site boundaries frequently comprise high existing berms and are generally well landscaped, which restricts views in and out of the site.

5. Description of Development

- 5.1. The applicant is seeking consent for 226 holiday lodges (amended from the previous 313 lodges originally sought), together with 2 staff units (amended from the previous 8 originally sought) to provide onsite accommodation for employees, and associated landscaping, including the provision of a wildlife pond and formal lake. All existing structures would be demolished, with the exception of the Hotel, clubhouse and water tower. This would see the removal of the existing holiday park, comprising approximately 41 units and a dwellinghouse, the garage buildings, shop and spectating and commentator stands associated with the racing circuit, the removal of the gun shop, antique store and café, and the removal of the open stands/shed associated with the shooting ground.
- 5.2. It is proposed that the lodges would be constructed of timber and stained in a range of muted environmental colours, to be agreed. The holiday lodges, as shown on the submitted plan, would be sited on average between 7m and 9m apart, with a distance of 7.5m to 8m between units seen most frequently; this is when measured at their nearest points. The agent refers within the Design and Access Statement to units being sited 10m to 15m apart. These distances can be seen between some lodges, but they are not a common feature of the park. Generally, such separation distances are only seen when measuring units at their furthest points, and discounting their external decking area, and so such measurements need to be read in that context, with an understanding that the gaps between units are variable depending on the positioning of units on their plots, and all units are shown to include an external decked area extending the length and width of the units. The units would be interspersed throughout the site, with small recreational areas and pathways connecting spaces, and some of the existing berms retained offering separation between different parts of the site; others are proposed to be removed. The boundary of the proposed holiday park would be landscaped, providing an ecological corridor, extending between 30m to 50m in width along the site's eastern boundary. It is also proposed to provide a purpose built bat roost and swallow nesting structure, whilst maintaining and preserving the existing water tower as a bat roost.

- 5.3. The retained clubhouse is proposed to provide on-site facilities to serve the holiday park, including a takeaway, convenience store/farm shop, and café/bar/restaurant and would sit adjacent to a small recreation area and lake. The adjacent hotel would provide additional facilities open to users of the holiday park, including a spa, jacuzzi, steam room, sauna, beauty treatment, restaurant and bar.
- 5.4. To support the use, it is proposed to replace the existing package treatment plant (PTP) on site. The existing PTP is located to the west of the site (north of the hotel) and largely comprises underground features, with the covers visible on the surface. The replacement PTP would be located in the place of the existing PTP but would comprise above ground features including two cylindrical tanks, two cabinets and an instrument to record flow. A works inlet screen is also proposed shown sunken within a chamber, but with a protruding element. The cabinets would measure approx. 1.1m x 0.4m, with a height of 1.2m; and approx. 2m x 1.8m with a height of 2m. Both cylindrical tanks would measure approx. 6m tall; one would have a diameter of approx. 7.7m and the other would have a diameter of approx. 10.3m.
- 5.5. The holiday park would be served by the existing A37 access, with the two other existing accesses from the lane to the north closed off. Two additional pedestrian accesses would be created onto the bridleway to the East.

6. Relevant Planning History

- 6.1. There is an extensive planning history in respect of the site, which was first established as a WWII hospital site, and has been subject to various permissions over time. It is not considered relevant to site all these here, and some of those uses are no longer present at the site. In order to provide the most relevant overview of the site as it is seen today, the following planning history is provided in respect of the following uses.

6.2. Existing holiday park

- 6.2.1. Following consent in the late 70s for use of the site for seasonal caravans, application 1/E/92/000259 saw the release of earlier restrictive conditions limiting the site to seasonal holiday use only; a condition remained on that consent preventing any individual caravan or tent remaining on site for more than 21 days. A further application (1/D/09/1347) saw the release of this restrictive condition, establishing the site as a permanent holiday site, offering occupation all year round, restricted by condition for holiday purposes only. The permission related to the use of the site for the siting of static caravans, touring caravans, and tents. The application at the time was retrospective and related to 20 pitches for static units, and land for a maximum of 40 pitches for touring/tented camping, though the permission does not limit the number of caravans beyond any limitation enforced by separate site licensing restrictions.

6.3. Existing residential accommodation on site

- 6.3.1. The only lawful permanent residential accommodation on site relates to the bungalow and warden's unit.

- 6.3.2. The warden's unit on site, which relates to the unit directly to the east of the northern site entrance to the holiday park, has resulted from a protracted planning history, and has been situated on the land for approximately 40 years, having first been granted consent in 1979 under reference 1/E/79/000093. It was originally approved as temporary accommodation in advance of a permeant dwelling on site (this relates to the bungalow referred to below). The mobile home was subsequently retained by a succession of temporary consents – the last one of which was approved in 1998 (1/E/98/000580), which expired on 30 November 2003. Between 2003 and 2009 the caravan remained on site in breach of planning control, until it was regularised as a rural workers dwelling, accepted in recognition of the length of time the unit had been on site and the personal circumstances of the occupants, under application 1/D/09/1029. The warden's unit is subject to a restrictive condition limiting the occupation of the mobile home to a person employed as a warden of the Clay Pigeon Caravan Park
- 6.3.3. The bungalow, which is located within the holiday park, adjacent to the southern entrance, was granted outline consent under application 1/E/81/0480, and was subsequently granted detailed consent under application 1/E/83/0314 as an essential rural workers dwelling. The consent was subject to a condition to this effect, limiting the occupation of the dwelling to a person directly involved in the administration of the caravan site.

6.4. Hotel

- 6.4.1. The hotel was granted consent under application 1/D/08/1862, as a country club in association with the Shooting Ground, enabling the hosting of World Cup competitions. Various applications have since been approved to allow the extension of the hotel facilities.

6.5. Go-kart racing track

- 6.5.1. The earliest planning record in respect of the go-kart track is in 1964. Further consents throughout the 60s, 70s, 80s, and 90s seek to continue the use of the site as a go-kart track with ancillary buildings, on a temporary basis. The latest consent (application 1/E/96/00033) gave permission for the permanent use of the site, subject to restrictive conditions seeking to minimise the impacts of the development, particularly in respect of light and sound pollution.
- 6.5.2. The associated garage structure was approved under application 1/E/96/00033, and the karting clubhouse, which is proposed to be retained and re-used, was granted consent under application 1/D/11/1148 providing shower and changing facilities, store, staff room and office space, medical room, laundry room, shop area, a small kitchen and a sitting area with servery.

6.6. Clay Pigeon shooting ground

- 6.6.1. The use of the land for clay pigeon shooting dates back to 1977. The clay pigeon shooting ground has now been vacant since 2015 as a consequence of viability issues associated with the contaminated land issues at the site. This relates to lead shot deposited in soils in affected fields, and the outcome

was to cease shooting activities over the affected land, which eventually lead to its closure.

- 6.6.2. Since the use of the shooting ground ceased, permission was later granted for use of the former shooting ground, alongside an adjacent field, for use for ground mounted solar panels for energy generation. This was approved under application WD/D/14/3367 with the benefits of energy production weighing heavily in favour of the application. Since permission has been granted, the adjacent field is now occupied by ground mounted solar panels, however, the former shooting ground remains as undeveloped grassland.

6.7. Other uses

- 6.7.1. The gun shop, antique store and café are contained within the original pavilion building resulting from consents in the late 70s, and which has later been extended and modified under subsequent permissions. The planning history in respect of these elements is not clear without further investigation, and not probably critical to the consideration of the current application, with the retail and café uses well established.
- 6.7.2. Application P/FUL/2021/01497 approved a new telecommunications mast outside of the application site. This mast renders the telecommunications mast on the application site obsolete.

7. **Constraints**

- Poole Harbour Catchment Area
- Surface water flooding
- Groundwater Source Prot. Zones
- Public Right of Way adjacent to the site.
- Area of Outstanding Natural Beauty/Dorset National Landscape: statutory protection to conserve and enhance the natural beauty of the landscape - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000.
- Landscape Character Areas: Upper Frome Valley; Cerne & Sydling Valley.
- Outside of any defined development boundary

8. **Duties**

- 8.1. 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.

Section 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) when making any decision which affects such land.

9. **Development Plan policies**

- 9.1. Adopted West Dorset and Weymouth & Portland Local Plan (2015): The following policies are considered to be relevant to this proposal:

- INT1 - Presumption in favour of Sustainable Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV2 - Wildlife and habitats
- ENV5 - Flood risk
- ENV9 - Pollution and contaminated land
- ENV10 - The landscape and townscape setting
- ENV 12 - The design and positioning of buildings
- ENV 15 - Efficient use of land
- ENV 16 - Amenity
- SUS2 - Distribution of development
- SUS3 - Adaptation and re-use of buildings outside defined development boundaries
- ECON6 - Built tourist accommodation
- ECON7 - Caravan and camping sites
- HOUS6 - Other residential development outside DDB's
- COM5 - Retention of recreational facilities
- COM7 - Creating a safe & efficient transport network
- COM9 - Parking provision

9.2. Neighbourhood Plans - Not applicable

9.3. Other Material Considerations:

- Design Guide Supplementary Planning Guidance – Sets out additional guidance in respect of the design of development and the criteria against which design should be assessed.
- Landscape Character Assessment
- Dorset National Landscape Management Plan 2026-2031
- Dorset Local Nature Recovery Strategy (2025)
- 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.
- WDDC Design & Sustainable Development Planning Guidelines (2009)
- National Planning Policy Framework (Dec 24):
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.

Relevant NPPF sections include:

- Section 4. Decision taking: Para 39 - 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 6 'Building a strong, competitive economy', paragraphs 88 and 89 '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 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 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

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

- 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 189). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Housing land supply (relevant only in respect of the staff accommodation proposed to be provided on site)
Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. In addition, the strategies for meeting housing needs in the adopted local plans are not designed to deliver the housing need under the Government's standard method and therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan(s) are out of date and the presumption in favour of sustainable development applies.

When considering impacts of the development, it is important to note that as per para 12 of the NPPF, *"the presumption in favour of sustainable development does not change the statutory status of the development plan as*

the starting point for decision-making". As such policies within the adopted Local Plan unrelated to housing provision can still be given weight in the decision making process.

- Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

9.3.1. Emerging local plans:

Paragraph 49 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).

9.3.2. The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

The emerging Dorset Local Plan is not sufficiently progressed and can be afforded very limited weight in decision making.

10. Consultation Responses

10.1. **Natural England** – have approved the Appropriate Assessment, confirming that they are satisfied that the development demonstrates nutrient neutrality. The outstanding objection in respect of this matter can therefore be considered to have been met.

10.2. **Environment Agency** – raise no objection.

10.3. **Dorset National Landscape Team** - raise no objection. The DNL Team are supportive of the amendments to the internal layout and consider the proposed development to offer a rare opportunity to achieve a new tourist facility within the AONB/National Landscape, using previously developed land and removing detracting features. Concern is raised relating to ground preparation and necessary remedial works due to contamination which is likely to have a significant bearing on the success of the project. The DNL Team also offer advice in terms of phasing, seeking the early implementation of those elements

of the scheme which support the successful integration of the development within its sensitive setting.

- 10.4. **Dorset Police Architectural Design** – raised initial concerns in relation to the security and management of the holiday park, particularly bearing in mind the lack of surveillance to secondary accesses to the site, and the wider park.
- 10.5. **WPA** - raise no objection subject to conditions requiring appropriate site investigation, risk assessment and a scheme for remediation in respect of land contamination.
- 10.6. **Sport England** - while initially raising no objection, in light of the comments received from Motorsport UK, Sport England object to the proposal due to the loss of the race track.
- 10.7. **Environmental Health** - has no comment to make.
- 10.8. **The Landscape Officer** requests further information and raises significant concerns over a number of site issues ranging from phasing, soil management, the lack of an acceptable Landscape and Ecological Management Plan (LEMP), use of materials for the lodges, and concerns surrounding the achievability of the scheme.
- 10.9. **Economic Development and Tourism Team** – No objection. On balance the proposal is broadly supported in economic development terms, with potential to enhance the visitor economy and generate employment. However, the overall level of benefit would be strengthened by clearer evidence on job numbers, quality of employment and year-round economic activity, as well as clearer understanding of the net impact compared to existing uses.
- 10.10. **Natural Environment Team** – No objection, subject to conditions.
- 10.11. **Highways Authority** - raise no objection, subject to conditions.
- 10.12. **Technical Services** - no comment.
- 10.13. **Lead Local Flood Authority** - raise no objection, subject to conditions.
- 10.14. **Dorset Waste Partnership** – no objections.
- 10.15. **Rights of Way Team** - raise no objection.
- 10.16. **Sydling St. Nicholas Parish Council** supports the proposal subject to the following:
 - Closure of the Batcombe Lane (Warden Hill Road) site entrances on commencement of development;
 - Maiden Newton Fire Station remaining open;
 - Compliance with Dark Skies Policy and strict light pollution measures;
 - Greater environmental mitigation;

The Parish Council also acknowledge the potential loss of a valuable UK motor racing facility.

10.17. **Batcombe and High Stoy Parish Council** object for the following reasons:

- Insufficient demand for a holiday park in this location
- Excessive number of lodges proposed resulting in a high density development;
- Road Safety due to increase in movement at the junction with the A37, and impact on Stile Way due to increased traffic movement;
- The site is remote from key conurbations and tourist attractions alike;
- Unacceptable light pollution and glare;
- Use of public transport is unviable due to distance from bus stops, and lack of safe footways;
- Impact on visual amenity;
- Additional hedge and tree planting would be required;
- Impact on local infrastructure;
- Elevated site, subject to poor weather conditions makes the site unsuitable and unviable. This coupled with the sites remote location makes the site unsustainable;
- Concern that statements within the Design and Access Statement are misleading;
- Walking and cycling within the area requires accessing unsafe roads;
- Impact on existing residents on site;
- Impact on existing broadband mast on site.

10.18. **Frome Valley Parish Council** object for the following reasons:

- Insufficient demand for a holiday park in this location;
- At full capacity there could potentially be 1560 people occupying the lodges, 320 cars, plus a further 50 staff members on site, with 50 cars, plus potentially 78 hotel guests, with 39 cars. At 75% occupancy this still equates to 1170 lodge guests, with 240 cars, 50 staff members and their cars, and 58 hotel guests, with 29 cars. The volume of people would be too many to cope;
- Impact on the natural beauty of the area and impact on views within the area;
- Impact on highway safety and the highway network; disagreement with Transport Statement;
- Lack of detail relating to the provision of facilities;
- Rural location, meaning guests would need to travel to attractions and towns, contrary to section 9 of the NPPF;
- Impact from light pollution;
- Lack of public transport;
- Concern that statements within the Design and Access Statement are misleading;
- Loss of national quality racing track at the Clay Pigeon Raceway;
- Impact on the amenity of local residents

10.19. Following the submission of amended plans a further representation was received from Frome Valley Parish Council maintaining their objection, particularly on highway safety grounds.

10.20. A full copy of the consultee comments made can be viewed on the Council's website www.dorsetcouncil.gov.uk.

10.21. **Representations**

10.21.1. 40 third party representations were received in respect of the proposed development as originally submitted.

10.21.2. 1 comment has been received supporting the proposed development for the following reasons:

- Generate tourism and employment within the local community
- Design pleasing and in-keeping with the environment
- The loss of the go-karting circuit and use for holiday purposes would result in less noise pollution within the AONB (Dorset National Landscape).

10.21.3. 38 comments have been received raising the following material planning concerns:

- Design and Access Statement misleading
- Referencing the site as brownfield land, the site is not fully developed.
- Fails to comply with the principles of the NPPF and Local Plan policies seeking to protect the natural environment
- Not a sustainable location, 16km in any direction from any town, remote from facilities, and some distance from the coast and other tourist destinations. Lack of public transport, nearest bus stop (with the exception of a school service bus stop) would be Cerne Abbas some distance away. Limited safe walking/cycling opportunities
- Impact on the rural area, and AONB (National Landscape). Loss of tranquillity through increase of light and traffic movement. Concern regarding light pollution and impact on dark night skies. Visual impact of the development impacting upon the character of the area. The site is not considered to be well screened
- The site is of high density and the development is over development of the site. Opportunity to provide high quality natural open space for play/dog walking within the site has not been realised
- Highway safety concerns including concerns regarding the volume and speed of traffic along the A37, the number of accidents in this location, constrained local lane network, and concerns that contrary to the Transport Statement, which accounts for the operational use of the shooting ground and events, additional traffic would be generated within the locality due to current uses generating lower traffic levels.
- Loss of national quality go-karting circuit
- Job losses from existing uses at the site have not been taken into account
- Impact on residential amenity
- No added value to the community. Impact on other tourist providers within the locality. Impact on existing infrastructure including local medical services.
- No demand
- Impact on occupants of mobile homes
- Site highly contaminated
- Concern regarding the viability of the scheme, particularly regarding the site's remoteness from tourist facilities, and the poor weather conditions experienced at this elevated site

- Impact on the local aquifer due to significant drainage required. Impact from waste disposal system.
- Concern regarding loss of telephone mast
- Impact from solar panels
- Impact from signage

10.21.4. An objection has also been received from CPRE, having regard to the impact of the development on the Dorset AONB (National Landscape) dark night skies as a consequence of the level of lighting indicated within the lighting assessment.

Following the submission of amended plans, a further 27 representations were received from 21 third parties, 12 of which had previously made representation.

10.21.5. The comments received raised the following material planning concerns:

- Inaccurate reporting
- Fails to comply with the principles of the NPPF and Local Plan policies seeking to protect the natural environment
- Not a sustainable location, 16km in any direction from any town, and some distance from the coast and other tourist destinations. Lack of public transport, nearest bus stop (with the exception of a school service bus stop) would be Cerne Abbas some distance away. Limited safe walking/cycling opportunities. Lack of on-site facilities would add congestion to local villages.
- Impact on the rural area, and AONB (National Landscape). Loss of tranquillity through increase of light and traffic movement. Concern regarding light pollution and impact on dark night skies. Visual impact of the development impacting upon the character of the area.
- The site is of high density and the development is over development of the site.
- Highway safety concerns including concerns regarding the volume and speed of traffic along the A37, the number of accidents in this location, constrained local lane network, including service vehicles, and concerns that contrary to the Transport Statement, which accounts for the operational use of the shooting ground and events, additional traffic would be generated within the locality due to current uses generating lower traffic levels.
- Impact on residential amenity and amenity of area.
- Impact on other businesses and tourist providers within the locality. Impact on existing infrastructure including local medical services.
- No demand, unattractive location.
- Concern regarding the viability of the scheme and potential impacts upon phasing/completion. Structure of phasing plan resulting in non-compatible uses running alongside each other.
- Lack of security.
- Concern over future uses.
- Concern over noise impacts.

10.22. Since the initial committee notification letters were sent a further 79 third party comments have been received, including a comment from Motorsport UK (the regulatory body for four wheeled motorsport), the Association of British Kart Clubs (the body that supports Motorsport UK affiliated sporting kart clubs), the

Land Access and Recreation Association (an umbrella organisation of motor recreation and motor sport bodies seeking to protect, promote and facilitate motor recreation) and a number of other racetrack providers.

10.23. 76 third party letters object to the proposal raising the following material planning concerns:

- Loss of the go kart circuit, which forms part of the foundation of British motorsport, forming part of the grassroots pathway into the sport, and offering opportunities through National Schools Karting Association (NatSKA). The track is also capable of hosting national-level events and is used for competitive racing relating to various British Kart championships. Its loss would result in the erosion of British grassroots motorsport infrastructure.
- The track and sport provides opportunities for young people to enhance a range of skills beyond racing, including science, technology, engineering and mathematics (STEM), as well as discipline, respect, teamwork and sportsmanship and mental health benefits.
- Alternative venues do not adequately address the loss owing to the accessibility of the Warden Hill track, and the specific and unique technical challenges (elevation, track surface, and 1,387m sprint/hill-climb configuration) which is vital for national standard competition.
- Loss of an affordable racing venue.
- The track is not surplus to requirements and its loss as a sporting venue would conflict with the NPPF aims.
- Loss of direct economic contribution from users of the track, impacting local hotels and services.
- Once lost, such facilities are very difficult to replace.
- Loss of heritage value, having supported world class talent that has contributed to British sporting success.
- It is also noted that due to widespread use of the facility countrywide, awareness of the application and its implications on the raceway are likely to be low amongst the wider sporting facility and subsequently concern is raised that representations received are not representative of the wider sporting community affected by the potential loss.
- The site does not lend itself well to a holiday park owing to the weather conditions and its isolated unsustainable location, and would add additional traffic to the roads.
- Impact on hedgehogs.

10.24. Motorsport UK, the Association of British Kart Clubs (ABKC), and the Land Access and Recreational Association (LARA) object to the proposals raising the following material planning concerns:

- The venue is of sporting significance with all current British Formula One drivers having competed there during their karting careers, giving the track heritage value.
- The venue hosts various British Kart Championships and plays an active role in the sports infrastructure as an established competition venue, attracting more than 1,150 Motorsport UK entries across the 2024-2025 seasons.

- The track is run under a Motorsport UK permit and holds a Motorsport UK Track Licence demonstrating compliance with Motorsports UK's safety and track requirements, making it a crucial pathway for the development of national athletes within British Motorsport, and their development to international pathways.
- The site has a specialist role as an owner-driver karting and competition facility. To rely on other leisure karting centres, which support hobby karters as suitable replacements materially understates the specific role that Clay Pigeon performs within the regional and wider karting ecosystem in fostering and developing British sporting talent, creating national and international motorsport drivers.
- The reduction of established owner-driver competition venues in this part of the country would further weaken access to grassroots and competitive karting and diminish regional access to the sport.
- Clay Pigeon Raceway is one of just thirty-three officially licenced Kart tracks in the UK, and the nearest alternative is forty-five miles away from Clay Pigeon Raceway. It is one of two licenced tracks in the South West (the other being Dunkerswell).
- Science, Technology, Engineering and Mathematics (STEM) opportunities are provided by the venue.

10.24.1. A full copy of third party comments can be viewed on the Council's website www.dorsetcouncil.gov.uk.

11. Human rights

11.1. Article 6 - Right to a fair trial.

11.2. Article 8 - Right to respect for private and family life and home.

11.3. The first protocol of Article 1 Protection of property

11.4. 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

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 PSED.

- 12.3. In this case, the site's location some distance away from the nearest settlement and away from local transport hubs, means that guests and staff would be reliant on having access to a car to visit the site. Surrounding routes do not benefit from public footways and nonetheless there is no settlement, designated bus stop or train station located within a reasonable walking distance of the site. Consequently, the site's isolated location from any settlement or transport hub would have direct implications for guests and staff with protected characteristics, particularly those with reduced mobility owing to the lack of choice of transport modes to access the site. Once on site, a range of facilities are to be made available, including a café/restaurant/bar and takeaway, laundry, convenience shop, and spa facilities, and these would be within reach of the lodges to which they would serve, reducing the impacts of the site's isolated location on arrival, though not eliminating them due to the lack of transport options to travel off-site. For staff, two lodges would be provided on-site to provide 24hour surveillance, negating the need to commute to the site. This would however only be available for two staff members.
- 12.4. In terms of the layout and design of the park, the proposed lodges would all comprise single story level accommodation. The lodges would be raised approximately 1.5m from the ground and in this regard a condition would be placed on any consent regarding access details to ensure a reasonable proportion of the lodges would have ramped access having regard to Inclusive Mobility. Parking is proposed for each lodge and located within reasonable proximity of the lodge to which it is served. Access roads are shared routes but considered to be of a suitable width, and given the nature of the internal roads the shared use in this instance is considered to be acceptable. Details of final ground levels would be required prior to commencement where consideration would be given to Inclusive Mobility Guidance having regard to slope ratios and the need to ensure the development is accessible to those with protected characteristics. The site on the whole (and with the exception of the current bunds) is relatively level so it is considered that reasonable site levels can be achieved.
- 12.5. It is also recognised that the proposed use would prevent the ongoing use of the kart track. This facility provides sporting opportunities for those with protected characteristics, including young people who gain STEM skills at the site, learn discipline, respect and focus through racing and benefit in terms of their mental health and social interaction. Third parties note the importance of ensuring that such opportunities are available for young people to promote and provide opportunity for a healthy lifestyle away from screens. The points raised are well understood and are not to be dismissed.
- 12.6. In terms of the closure of the Clay Pigeon raceway, the agent advises that irrespective of the application for planning permission, the track will close at the end of the racing season, therefore the application for planning permission would be immaterial to its closure. It is considered relevant nonetheless to consider the impacts, given (a) the contribution such facilities make to those with protected characteristics, and (b) that even in the event of its closure, the proposed development would ultimately prevent its reopening in the future by

the removal of the track itself. In this regard the proposed development would have a direct impact on persons with protected characteristics, reducing the opportunities available to young people interested in racing to develop specific skills.

- 12.7. Taking all matters into account, the proposal would result in some disadvantage to persons with protected characteristics, particularly in relation to access to the site and the loss of the existing recreational facility. These disadvantages are partially mitigated through the design of the development and provision of on-site facilities, but are not entirely removed. The impacts have been consciously considered and weighed in the decision-making process. In light of this assessment, it is considered that the Local Planning Authority has had due regard to the requirements of section 149 of the Equality Act 2010. Whilst the proposal does not actively advance equality of opportunity, it is not considered that it would result in unlawful discrimination or impacts of such severity as to justify refusal on equalities grounds. Granting permission would therefore be consistent with the Public Sector Equality Duty.

13. Public Benefits

- 13.1. It is considered that the development would be likely to generate both construction phase employment and ongoing operational jobs associated with site management, maintenance, housekeeping and hospitality services. The agent has confirmed that the holiday park would provide a year-round use, providing continuity of employment and permanent positions, as opposed to seasonal roles. This, together with the inclusion of staff accommodation would likely improve job accessibility and retention, challenges often associated with rural tourism. The agent confirms that the holiday park is estimated to provide in the region of 88 full time jobs, plus additional part time positions. The more consolidated tourism offer across the site would also support the use of the hotel, which is currently impacted by the other uses on site, particularly the raceway which can lead to complaints. The George Albert Hotel employs over 50 full and part time staff, and it is hoped that the proposed holiday park would support the hotel use and allow it to diversify to provide additional and expanded ancillary facilities to support the proposed lodge park, and in turn additional jobs. The agent advises that collectively the proposed scheme would support at least 138 direct jobs on site when operational. The proposal also presents potential for indirect employment benefits through increased demand for local services and supply chains. Consequently, it is considered that the proposed development would provide employment benefits.
- 13.2. The proposal would also allow investment in the visitor economy, replacing a mix of existing leisure uses with a more consolidated tourism offer and it is considered that the purpose built tourism holiday accommodation has the potential to strengthen Dorset's tourism offer and increase visitor spend in the local area throughout the year. Based on an independent national tourism study, the agent estimates that the proposed scheme would generate spends into the local economy of approx. £5.8m annually. It is thus considered that the proposals would have economic benefits in respect of the local tourism trade and increased spending by visitors locally, as well as employment.

- 13.3. While the agent does not provide detail on the number of employees currently at the site, it is not expected that the site in its current form would support the equivalent number of employment roles. The agent also advises that existing employees at the site would be offered alternative employment within either lodge park and its facilities or within the hotel such that job losses are expected to be low.
- 13.4. A further public benefit of the proposal is the consolidation of uses and infrastructure on site (including the removal of disused structures and telecommunication masts), the loss of insensitive uses (having regard to noise generated from the raceway) within the National Landscape, and the proposed enhancement of site boundaries (to be secured by condition), including the closing up on the two accesses along the northern extent of the site, currently providing views of the existing varying uses and associated paraphernalia. These would present an enhancement to the National Landscape and visual quality of the area.

14. Environmental Impact Assessment

- 14.1. An Environmental Impact Assessment (EIA) Screening Opinion was adopted in 2019 ahead of submission of the application, following a formal request. Consideration was given to the characteristics of the development, the location of the development and the characteristics of the impact. Following consideration of the relevant selection criteria for screening Schedule 2 development presented in Schedule 3 of the EIA Regulations, it was concluded that subject to mitigation measures being set out, the proposed development would not be likely to have significant environmental impacts.
- 14.2. The mitigation measures set out the need for full land contamination conditions to be applied to any grant of consent to ensure that elevated levels of contaminants do not result in significant impacts upon the environment, human health and building materials. Matters relating to land contamination are considered in para 15.4 of the report and addressed within the submitted Phase 1 and Phase 2 desk study and Site Investigation Report; Supplementary Site Investigation and Updated Contaminated Land Risk Assessment; Site Investigation and Risk Assessment Update; and Framework Construction Environmental Management Plan (F-CEMP). WPA land contaminant consultants and the Environment Agency have been consulted on the application and raise no objection, subject to conditions. Recommended conditions 20 (water efficiency); 24 (soil importation); 27, 28 and 29 (land contaminations) are designed to address matters of contamination in accordance with specialist advice and the recommendations of the EIA screening opinion.
- 14.3. The mitigation measures also include the need to secure a Biodiversity Mitigation and Enhancement Plan (BMEP) certified by the Natural Environment Team. The Screening Opinion sets out what (at the time of writing) the BMEP would be expected to secure. A certified BMEP is before the Council, and since its submission/certification further survey work has been carried out to address the passage of time since initial survey work was carried out, and an updated Ecological Impact Assessment (EclA) has been

submitted and reviewed by the Natural Environment Team, who are satisfied with its contents. The EIA screening opinion acknowledges that the ecological measures contained within the screening opinion may be subject to change given the upcoming ecological surveys and discussions with the Natural Environment Team. Deviating from the recommendations made at the time of the Screening Opinion, the proposal no longer proposes 9 ponds but seeks to provide 2 ponds within the development. This is considered to be a betterment to the scheme by the Natural Environment Team, and as such, the deviation in this regard is not considered to alter the conclusions of the EIA Screening Opinion. Matters of ecology and the impacts upon bats, which are specifically mentioned within the Screening Opinion, are addressed within section 15.6 of the report, and recommended conditions 20 (landscape and ecological management plan); 24 (construction and Environmental Management Plan); and 31 (lighting strategy) are designed to address and mitigate impacts on biodiversity, including bats, in accordance with specialist advice. While the above conditions seek to secure the measures set out in the EclA as opposed to the BMEP, this is on the advice of the Natural Environment Team who are satisfied that the measures contained within the EclA are reflective of those contained within the certified BMEP and are more up to date, hence the EclA should be secured in this instance.

- 14.4. It is considered that the Screening Opinion adopted for the site remains relevant in terms of its assessment of the sensitivities of the site and the characteristics of the development, and the proposed scheme is considered to appropriately address the recommendations of the screening opinion such that, in the context of the EIA Regulations, the development would not be likely to have significant environmental impacts and does not comprise 'EIA development'.

15. Planning Assessment

15.1. Principle of development:

15.1.1. Spatial Strategy

- 15.1.2. The Parish Council, and third parties alike, have objected to the application with concerns that the site is an unsustainable location to support the proposed development, situated some distance from any main settlement and not easily accessible by modes of transport other than the car. The Parish Council specifically refer to the provisions of Section 9 of the NPPF (promoting sustainable transport) as not being met.

- 15.1.3. Section 9 of the NPPF relates to promoting sustainable transport. In this regard para 110 states the following:

- 15.1.4. *Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and*

rural areas, and this should be taken into account in both plan-making and decision-making.

15.1.5. In accordance with the NPPF, Policy SUS2 of the West Dorset Weymouth and Portland (WDWP) Local Plan sets out the spatial strategy for the wider area and seeks to distribute a large proportion of development to sustainable locations. Outside defined development boundaries the policy seeks to strictly control development, restricting development to the prescribed types within the policy itself. These uses include tourism, as proposed under the current application.

15.1.6. Policy ECON7 sets out the policy provision specifically relating to caravan and camping sites, and states the following:

- i) New caravan and camping sites should be well located in relation to existing facilities or make appropriate provision for facilities on site. Farm diversification projects (for agricultural and other land-based rural businesses) for new caravan and camping sites will be supported, provided they are in keeping with the rural character and the development makes an on going contribution to the business that is diversifying.*
- ii) Proposals for the expansion, intensification or reorganisation of existing sites must clearly demonstrate that development forms part of a long term management plan to improve the quality and appearance of the accommodation and site.*
- iii) All development (including the change of use from touring to static units) must not, individually or cumulatively, have a significant adverse impact on the distinctive characteristics of the areas landscape, heritage or built environment. Proposals in the Heritage Coast are unlikely to be supported.*
- iv) Development proposals must include an appropriate landscape scheme and provision for its ongoing maintenance*

15.1.7. Provided within the holiday park would be the retained clubhouse which offers facilities including WCs and shower facilities, first aid room, offices, staff facilities, laundry, plant room, kitchen with servery, and shop, including the sale of food and drinks. It is proposed to operate a café/restaurant/bar and takeaway, and to expand the shop to provide a convenience store/farm shop. Holiday Park guests would also be able to share the existing hotel facilities, which include spa, jacuzzi, steam room, sauna, beauty treatment rooms, and a restaurant and bar.

15.1.8. It is acknowledged that many holiday makers to the site are likely to want to travel to visit nearby settlements and tourist attractions, and the site's location away from other sustainable transport hubs means there would be reliance on the car to access the site and other tourist destinations. However, considering the proposal against the above policy provisions, the site would have access to appropriate facilities, despite its remote location from any main settlement, in accordance with policy ECON7 (i); and whilst opportunities to maximise sustainable modes of transport are limited in this

location, it is considered that through provision of facilities on site, the need to travel has been reduced, in accordance with the provisions of Para 110 of the NPPF.

- 15.1.9. It is also relevant to note that use of part of the site for holiday purposes already exists. In this regard there is policy support for the expansion, intensification or reorganisation of existing sites under Policy ECON7 (ii). Whilst the nature of the resulting lodge park differs to the touring and caravan provision currently offered at the site, the use of the site as a caravan site is a material planning consideration which weighs further in favour of the principle of a holiday lodge park at the site, subject to a long term management plan to improve the quality and appearance of the accommodation. The proposed tourism use would also complement the existing provision offered by the hotel at the site.
- 15.1.10. The concerns raised in respect of the site's location away from main settlements and public transport routes are understood. However, in light of the above, the principle of a holiday park in this location would be acceptable in terms of the adopted spatial strategy, subject to the impact of the development, particularly having regard to the visual and landscape character of the site and area, bearing in mind its sensitive location within the National Landscape. This is considered later in the report.
- 15.1.11. **Use of Previously Developed Land**
- 15.1.12. The applicants have identified one of the benefits of this proposal as being the use of previously developed land, and it is considered appropriate to consider this in more detail. The NPPF's definition of previously developed land is as follows:
- 15.1.13. *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. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*
- 15.1.14. Part of the site has been occupied by a small range of shooting stands for some time, but the ground coverage of those stands is relatively limited. The vast majority of the former shooting ground is undeveloped and remains as grassland. The existing caravan site and the racing course and associated buildings occupy the other portion of the site with associated fixed surface infrastructure or buildings. The surrounding land is generally laid to grass, subdivided by berms. In this case, part of the site would be considered as previously developed land, although arguably not the site in its entirety.

- 15.1.15. Policy ENV15 of the WDWP Local Plan seeks to encourage the efficient and appropriate use of land and encourages the re-use of previously developed (brownfield) land provided it is not of high environmental value. The NPPF at section 11 also seeks to ensure the effective use of land and gives substantial weight to the value of using suitable brownfield land within settlements, or where it relates to meeting housing needs. Neither of these circumstances relate to the site. In turn, the NPPF states that Local planning authorities should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers. Dorset Council has produced a Brown Field Register, but the site is not included.
- 15.1.16. The thrust of local and national policy is to reuse land that has already been compromised by the effects of development, where the land is not of high environmental value, and with a particular emphasis on the suitability of the site for housing, the delivery of which is a high priority for the Government. Part of the site would be considered to be brownfield land, although the loss of the existing uses would have to be weighed in the balance, yet the extent of development proposed does not reflect the balance between the built up areas of the site, and the undeveloped areas. The proposed development does not seek to develop the site for housing and would not be considered a suitable location for housing in any event as a consequence of its remote location away from any settlement. Furthermore, given the site's location within the National Landscape, it could be regarded as 'high environmental value' for the purposes of interpreting the policy advice. As such, the reuse of some of the previously developed parts of the site could be considered a benefit of the scheme, but given the site circumstances and policy interpretation, this would not weigh heavily in the balance, and due regard should be given to the loss of open undeveloped land that would result. This missed opportunity to provide a significant element of open space to support the holiday use proposed and to reduce the built form in this sensitive location, lacks an understanding of the site's sensitive position and an opportunity to moderate the impacts of development.
- 15.1.17. It is also worth noting, that the supporting information makes a number of references to provisions under the Caravan Sites and Control of Development Act 1960. Whilst the guidance provided is a useful consideration, it should be made clear that planning permission is required for the development proposed, and density and visual amenity are material planning considerations.
- 15.1.18. **Loss of recreation facilities**
- 15.1.19. Other material planning considerations relate to the loss of recreational facilities at the site.
- 15.1.20. In this regard, the proposed development would result in the loss of the clay pigeon shooting ground and the Clay Pigeon racing track. The clay pigeon shooting ground has been vacant for several years as a consequence of

viability issues associated with the contaminated land issues at the site. The racing track is however still in operation, and is a unique facility offering an 815 metre outdoor circuit track and the ability to race at up to 60mph. The track is open to members of the public Mondays-Thur 10:00-17:00, but otherwise operates as an owner-driver karting facility used for British and National Championships including the British Kart Championships (BKC), National Kart Championships (NKC) and National Schools Karting Association (NatSKA) championships (the seed of grassroots karting). Other competitions available at Clay Pigeon raceway include Access Karting championships, Club 100 championships, and UK kart series and British ProKart championships, Armed Forces Karting (AFK) Championships, and F.A.T competitions. The track was the home circuit of Jenson Button and Lando Norris and was the circuit where Lewis Hamilton won his first race. It is clear from third party comments received, that the circuit has significant heritage value in British motor racing and offers a unique technical grassroots track for young people aspiring for success in British motorsport.

15.1.21. Policy COM5 of the Local Plan seeks the retention of recreational facilities. It is written in the context of traditional sporting facilities such as playing fields and open space, but the principles behind it are considered to be relevant. In brief, the relevant parts of the policy state the following (please refer to the Local Plan for a full version of this policy):

15.1.22. *Development on, or change of use of open spaces of public value and recreational facilities (including school playing fields) will not be permitted unless:*

- *The development proposed is ancillary to the use of the site and the proposal will either support or improve the recreational and amenity value of the site ... ; or*
- *The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the ... recreational facilities; or*
- *Alternative and/or suitable replacement outdoor or indoor provision of equal or better recreational quality or value is provided ... and there is a clear community benefit; or*
- *It can be demonstrated that the ... land [is] surplus to requirements and there is no need for ... recreational uses which could reasonably take place at the site.*

15.1.23. Due to the unique nature of this facility, there is no 'needs assessment' which specifically requires such a facility, but this should not in itself render the facility as unworthy of retention. The specialist nature of such a facility does however rely on a specific and more widespread audience, and need should be considered in this context.

15.1.24. Having regard to recreation provision, Policy COM5 echoes the key principle as set out in para 103 of the NPPF, which states:

- 15.1.25. *Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.*
- 15.1.26. To assist in making a judgement, para 104 of the NPPF, written in the context of open space, sports and recreational buildings and not specifically related to motorsports facilities, identifies three 'tests', each of which are considered below on the basis that these offer a broad principle for considering the proposed loss of racetrack:
- 15.1.27. *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
- 15.1.28. **a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or**
- 15.1.29. Shooting Ground
- 15.1.30. The Shooting Ground has now been closed for several years, and there is no guarantee that by retaining the land the shooting ground would re-open in the future. When considering the provision of a solar park on the former shooting ground in 2015, limited evidence was received to indicate an overriding need to retain the land following its closure. Planning permission was subsequently granted, albeit the site was not used for the intended purposes, leaving the site still vacant today.
- 15.1.31. Whilst no thorough assessment has been made regarding the need for the facility, having regard to the above considerations, and the passage of time since its closure, with no prospective purchaser that the Council is aware of, the recreational use of the shooting ground could arguably be considered surplus to requirements, and its loss accepted under para 104 of the NPPF.
- 15.1.32. Go-karting facility
- 15.1.33. The agent has provided an assessment of the existing go-karting facility. In doing so, the agent refers to the business as making only a small profit, offering no income to the landowner. The agent consequently assesses the business as unviable, although no detailed viability assessment has been provided to verify this position. The agent has consequently confirmed that the racetrack will close at the end of the 2026 racing season.
- 15.1.34. The agent also notes the raceway is a private business and not in public ownership, and suggests that it does not therefore offer a public or community facility. The private ownership of the company does remove any control from the Council, and it is true that the council cannot prevent its closure, but it certainly does not prevent the facility from being a community sports facility, its very use by members of the public and karting club members renders it so. In fact, from reviewing the website and social media page, and having regard to the large volume of representations received in the last couple of months, the racetrack is a valued facility, still in operation

and, from a statement on their website, has no intention to move from the site, although the operator may have little control in this regard given the applicant's intention to close the facility.

- 15.1.35. The intention to close the facility does not render the site surplus to requirements and does not in itself demonstrate a lack of viability; to better assess this consideration has to be given to need, and this has to be considered in the context of the type of facility it is.
- 15.1.36. It is noteworthy that 75 comments have been received raising significant concerns over the loss of the track, including an objection from Motorsport UK, the national governing body for four-wheel motorsport, the Association of British Kart Clubs (ABKC) (the body that supports Motorsport UK affiliated sporting kart clubs), and the Land Access and Recreation Association (LARA) (an umbrella organisation of motor recreation and motor sport bodies seeking to protect, promote and facilitate motor recreation). Prior to notifying interested parties of the recommendation and intention to report the application to committee, very few third party comments had been received raising concern over the loss of the raceway. It is suggested by third parties that this is a consequence of its wider audience such that awareness of the application countrywide is likely to be low and representations received were unlikely to be representative of the wider sporting community affected by the potential loss. Since then, there have been a large number of objections received raising significant concerns over the loss of the facility, highlighting its importance and role in providing access to British motorsport, providing STEM and other life skills to young people, and offering a foundation to British and National championships.
- 15.1.37. There is no needs assessment for this type of facility, to assess need, it is relevant to consider what alternative provision exists. To better assess this the agent has provided details of other racing facilities in the area. In this regard, the nearest racing courses are Haynes Track located in Sparkford, Somerset (approx. 29km away), which offers a much smaller 400m track and allows speeds up to 50mph and South Coast Karting which offers a 580m racing track located in Christchurch, Dorset (approx. 64km away). These are understood to be leisure karting sites, which differ significantly in nature from the grassroots owner-driver karting and competition facility at Clay Pigeon raceway, and are understood to offer less technically demanding tracks and lower speed racing. While it is understood that Clay Pigeon raceway opens to members of the public on certain days of the week, offering a leisure opportunity, on the whole Clay Pigeon operates as a driver-owner course for those wishing to pursue the sport competitively, offering STEM support and a foundation for those which seek to progress in British motorsport. Weekend fixtures thus evolve around competition, with a clear commitment to providing championships for young drivers wishing to access the sport. In this regard, Haynes Track and South Coast Karting are not considered comparable sites due to the difference in their offering, their focus being on leisure.

- 15.1.38. Dunkeswell Raceway (formerly Mansell Raceway) located at Dunkeswell, Devon (approx. 69km away) offers a 750m track and allows speeds up to 60mph, and like the Clay Pigeon raceway site is a licensed driver-owner facility that host Motorsport UK permitted events, in addition to their leisure offer. Dunkeswell do not currently appear to offer NatSKA championship racing, an offering which third parties rate the Clay Pigeon site highly for participating in, offering opportunity for young people to gain access into the sport, but Dunkeswell do partake in BKC and NKC competitions, Club 100 championships (though it is noted they are cancelled this season at Dunkeswell) and F.A.T competitions, and are a recognised grassroot circuit that provides opportunities for young people to develop talent. The review of what championships the various clubs take part in is of course subject to change and only referenced as a guide for comparison. It is also noted that driver-owned races at Dunkeswell are limited to 9 full weekends per calendar year, together with 15 additional Saturdays per year (33 race days in total), with limitations on hours of operation. A recent planning application seeking to extend operating hours was refused, but it is not considered that this would prevent the club from continuing to provide a foundation for motorsport in its current capacity. While Motorsport UK have been contacted for further comment in light of their concerns regarding access to the sport within the region, no additional comments have been made as part of the current application for planning permission. It is nonetheless noted that as part of the recent planning application at Dunkeswell, Motorsport UK confirmed that Dunkeswell is committed to delivering educational benefits through related initiatives and driver development programmes. Driver tuition days, run in partnership with the Association of Racing Kart Schools (ARKS), ensure that all participants are trained to a high level of competence and safety, and clearly Motorsport UK recognised Dunkeswell as an important grassroot track.
- 15.1.39. In light of the above, Dunkeswell is considered to provide the nearest broadly comparable offering for driver-owner motorsport. It is accepted that there are differences in circuit challenges, and differences in fixtures. It is nonetheless clear that both clubs provide opportunities within the south west region to enter the sport, gain important life skills for the future and foster talent within British Motorsport.
- 15.1.40. From the above assessment it can be concluded that within approximately a 1 hour drive, another broadly comparable karting facility can be found, having regard to the Dunkeswell Raceway, albeit offering a slightly smaller track. While this would add to the distance required to travel to access a raceway, a matter that needs to be weighed in the balance, in terms of the geographic catchment for such facilities, this is generally considered an acceptable distance to travel, with many track users often having to travel 1 ½ to 2 ½ hours to access a track. In this regard, Dunkeswell is well sited to serve the south west region, and it is on this basis, Sport England did not initially raise an objection to the loss of the facility at the Clay pigeon site. Since a review of comments received, including those comments received from Motorsport UK, Sport England, though not a statutory consultee, now

object to the proposal, acknowledging the concerns raised regarding the loss of the facility.

- 15.1.41. The agent has made clear the applicant's intention to close the raceway at the end of the sporting season. With most raceways, including this one, in private ownership it does add complexity to the issue, and because tracks are not subsidised they are reliant on private funding/use. In this regard, the one advantage of the proposed closure at Warden Hill is that the loss of this site would transfer the use to other raceways creating a potentially more resilient financial base for those other sporting sites. Nonetheless, it has become clear from the representations received that Clay Pigeon raceway is valuable not only because of its offering, but for what it represents in terms of its strong links to professional formula 1 racers within British Motorsport.
- 15.1.42. To be clear, the Local Planning Authority has no control over its closure, and cannot prevent this. Refusing the application would not necessarily alter the intentions of the applicant to close the facility. By granting permission, the land use would nonetheless be permitted to alter and the raceway facility could be replaced by other development resulting in its ultimate loss, which is a material planning consideration.
- 15.1.43. The loss of the unique recreational facility clearly has to be weighed in the balance. Its heritage value is a material planning consideration, but cannot on its own justify need. It is also recognised that the raceway without doubt offers enhanced opportunities for young people to gain access to the sport and this is demonstrated in the letters of support received. However, in the context of raceways, and expected distances to travel, it is difficult to justify the need for the facility given another owner-driver grassroots raceway exists within a reasonable geographical catchment serving the region. On this basis, it could be concluded that the track is surplus to requirements, but it is finally balanced given the facility is clearly a valued one
- 15.1.44. **b) 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**
- 15.1.45. **c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use**
- 15.1.46. Having regard to the final two tests, these are not met as the proposed development is not for alternative sports or recreational provision, they would not be relocated, and there would be no replacement provision elsewhere. These tests do not need to be met owing to the first test being met.
- 15.1.47. In light of the above considerations, it is accepted that, to an extent, the loss of the clay pigeon shooting ground has already occurred as a result of viability issues resulting from the conditions at the site leading to its closure.

Since its closure, Officers are unaware of any interest to reopen the shooting ground, and as previously accepted in 2015, there is insufficient need for the use demonstrated to require its retention.

- 15.1.48. The use of the site as a raceway is slightly different, as the use is still in operation. The agent advises of its planned closure, and given its private ownership this removes any control that the Council may have. Its closure would not necessarily see the track lost however, or prevent its re-opening in the future. Nevertheless, it is considered that there is a sufficient supply of other similar sporting facilities within a reasonable catchment area; on this basis, on balance the site could be considered surplus to requirements.
- 15.1.49. The loss of the circuit would also present some benefits, by removing a use which can generate noise from a National Landscape location. This is a material consideration when considering the impact from the loss of the go-karting facility. Impacts on the National Landscape will be considered in more detail in the remainder of the report, but the proposal as a whole would present opportunities to remove redundant infrastructure on site, including disused buildings and telecommunication masts, and man-made bunds, and would enhance the landscaped boundaries of the site, including reinstating the northern accesses with hedgerow, presenting both visual and ecological benefits. Careful soil management would address land contamination issues, and the replacement of the track with tourism accommodation would also present a more compatible use that would support the on-going operation of the hotel on site. Currently it is understood that the leisure use of the hotel is compromised by the noise generated from the raceway. These matters weigh in favour of the proposal.
- 15.1.50. As such, the loss of the recreational facilities is considered to broadly accord with the allowances made under the final bullet point of policy COM5, and the tests set out under para 104 of the NPPF, though it is considered that these matters are finely balanced.
- 15.1.51. **Provision of permanent accommodation on site**
- 15.1.52. The applicant also seeks to provide 2 staff units on site to provide onsite accommodation for employees, in the form of 3 bed self-contained lodges. This has been amended since the original submission of the application, which sought the provision of 8 staff units on site. The proposal to include self-contained staff accommodation has been queried by the Parish Council and third parties.
- 15.1.53. Policy HOUS6 of the WDWP Local Plan seeks to restrict development within the open countryside subject to a set of special circumstances; one of which relates to rural workers dwellings. The policy states the following:
- 15.1.54. *iv) New housing for rural workers (full time workers in agriculture, horticulture, and other rural businesses), located outside the defined development boundaries, will be permitted provided that it can be*

demonstrated that there is an essential need for a worker to live at or near their place of work.

15.1.55. The preamble to the policy offers some context behind this provision where it states:

15.1.56. *... there will be some circumstances where the viability of an agricultural, forestry, or other enterprise for which a rural location is essential, depends upon a worker being resident on site to oversee the operation of the enterprise. In considering proposals for rural workers' dwellings, the councils will need to establish that the accommodation is essential to the functional requirements of the business. It will also be necessary to establish that the business is financially sustainable in the long term, particularly where the proposal is for a permanent dwelling. The councils will also give consideration to the availability of alternative accommodation on the holding or nearby; and whether a dwelling on the holding has been sold recently on the open market. The size of the proposed dwelling should also be appropriate to the needs of the business and positioned where it will effectively meet the functional needs. A temporary dwelling may be acceptable in the case of new businesses that cannot yet show financial soundness but where it has been established that there is a functional requirement for on-site accommodation.*

15.1.57. The NPPF in turn states at para 84:

15.1.58. *Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

15.1.59. *a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*

15.1.60. In order to assess the need for the rural workers dwelling the above tests have been broken down and assessed below:

15.1.61. ***Is a rural location essential for the enterprise?***

15.1.62. It is not considered essential that a holiday park be located in a rural location, although there is some acceptance that finding a site of the scale proposed within a settlement boundary would be difficult.

15.1.63. The policy does not seek to differentiate between the levels of remoteness within rural locations, and whilst it is challengeable to consider that a rural location is essential, it is accepted under Policy SUS2 that such uses (for new employment, tourism and leisure related development) can be sited within countryside locations, and with this in mind, together with consideration of the scale and position of the site adjacent to the existing hotel, it is not considered pertinent in this case to argue that a rural location is not essential.

- 15.1.64. ***Is the accommodation essential to the functional requirements of the business?***
- 15.1.65. Two units of permanent residential accommodation have been established on the site. The granting of consent for the bungalow on site, limited to an employee of the existing holiday park, already demonstrates acceptance that there is some essential need for a warden to be present on site to assist in the effective management of the caravan park and the former Southern Counties Shooting Ground. In respect of the second permanent mobile home on the site, this was a little more questionable; with officers recommending refusal based on lack of need, prior to committee approving the application in recognition of its long run of temporary permissions and the circumstances of the occupier. Part of the applicant's case at the time was in relation to the holiday park, but also the security of guns being held on site in association with the former clay pigeon shooting activities.
- 15.1.66. Policy HOUS6 supports the replacement of dwellings, but only within the curtilage of the existing property, which is not the case here. Nevertheless, it was established in the early 80s that there is some functional need to be present on site to ensure the successful running of the holiday park. Indeed, the agent has confirmed that 24hr staff would be required on site to provide 24hr on site security, to provide high quality support and a 24hr service to visitors including emergency repairs, making travel arrangements, managing deliveries, cleaning and servicing, and to deal with late/early arrivals and departures. It is questionable whether all these offers would need to be 24hr, but it is accepted that for security reasons and emergency situations, some 24hr presence would be required. Recognising the proposed holiday park would be at a greater scale than the current caravan park on site and noting the presence of 2 rural units of accommodation presently at the site, it is accepted that a functional need could be demonstrated for 2 workers units. There would be no net increase in residential accommodation across the wider site as a result of this.
- 15.1.67. Bearing in mind the potential to offer surveillance from the hotel, and the acceptance of two units on site to manage the existing holiday park, it is considered that two units would be sufficient to satisfy the functional need on the site and address security concerns, noting the two northern accesses to the site are proposed to be closed.
- 15.1.68. ***Is the business financially sustainable in the long term?***
- 15.1.69. Some limited detail of the viability/financial business case for the proposal has been submitted, which indicates a profit would be realised in the first few years. In recognition of the existing accommodation on site, together with the temporary lodge form in which the staff units are proposed, it could likely be demonstrated that 2 units on site would be financially sustainable.
- 15.1.70. ***Availability of alternative accommodation on the holding or nearby?***
- 15.1.71. From a desk based search no properties under the £1million price bracket are currently for sale within 1 mile of the site, with the nearest properties being located within a 3 mile radius.

15.1.72. ***Has a dwelling on the holding been sold recently on the open market?***

15.1.73. No dwelling has been sold on the site recently to the Officers knowledge.

15.1.74. Having considered the above, and referring back to the policy wording itself, sufficient justification has been provided to demonstrate that there is an essential need for 2 permanent staff lodges on site, and it is a material consideration that there would be no net increase in the number of residential units on site. As such, the proposed development is considered to comply with policy HOUS6 of the Local Plan, and para 84 of the NPPF. A condition would be placed on any consent securing the occupancy of the two staff lodges to a rural worker connected with the use of the holiday park.

15.1.75. **Climate Implications**

15.1.76. It is proposed that the site would be served by facilities provided on-site, including use of an existing building, to be converted, and use of the hotel facilities, providing a shop and leisure facilities on site; thereby reducing the need for holiday occupants to travel during their stay.

15.1.77. It is also proposed that the scheme would incorporate sustainable drainage, and grey water harvesting systems, with water saving taps and showers provided and dual flush toilets. Every holiday lodge would also have a single EV bollard with two car charging sockets, and a further 40 EV charging stations would be provided within the car park. All holiday lodges would be manufactured to exceed British Standard 3632.

15.1.78. A lighting scheme would comprise low level bollard luminaires utilising low energy fittings which would operate from dusk until 11pm only. Wall mounted luminaires to the lodge entrance will operate via movement detection only.

15.1.79. **Conclusion: Principle of development**

15.1.80. In order to establish the principle of development, various material considerations have been taken into account. These include consideration of the adopted spatial strategy and policy ECON7 having regard to the provision of a new and/or extended holiday use some distance from any settlement; consideration of the weight to be applied to the site's part brownfield condition; the loss of the existing recreational facilities that would result from the proposed change of use of land; and the need for 24hr surveillance at the site for security purposes. Weighing in favour of the proposal is its location close to existing and proposed facilities, together with the presence of an existing holiday use at the site, the presence of two established residential units on the site and the understanding that some 24hr presence would be of benefit from a security perspective, and the lack of demonstrable need for the existing recreational facilities. In this regard, the provisions of policies ECON7, COM5 and HOUS6 are met, and subject to the environmental and other impacts of the development, the principle of development is accepted. The part undeveloped nature of the site weighs less favourably, and critical to considering matters further, are

considerations of the implications of developing within a National Landscape; a matter which shall be considered next.

15.2. Impact on the visual amenity and AONB/National Landscape

- 15.2.1. The National Parks and Access to the Countryside Act 1949, and the Countryside and Rights of Way Act (CROW) 2000, sets out the general duty of Local Planning Authorities in relation to AONB's/National Landscapes and para 85 (1) states the following:
- 15.2.2. *In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*
- 15.2.3. This duty was updated in Dec 2023 by the Levelling Up and Regeneration Act (LURA), which amended the 'duty' placed upon relevant authorities to 'have regard' to conserving and enhancing the natural beauty of the AONB, to a 'duty' to 'seek to further the purpose of' conserving and enhancing the natural beauty of the AONB, placing a more proactive duty upon public bodies to ensure the primary purpose of the designation 'to conserve and enhance natural beauty' is at the forefront of decision making. This duty applies to designated National Landscapes (former AONBs; the terminology of which is considered interchangeable having regard to local and national policy references).
- 15.2.4. Policy ENV1 of the WDWP Local Plan seeks to safeguard the natural beauty of the landscape. In this regard, policy ENV1 states the following:
- 15.2.5. *Development which would harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Beauty or Heritage Coast, including its characteristic landscape quality and diversity, uninterrupted panoramic views, individual landmarks, and sense of tranquillity and remoteness, will not be permitted.*
- 15.2.6. Policy ENV1 requires consideration of the objectives of the Dorset AONB/National Landscape Management Plan (NLP). In this regard, objectiveC1(a) of the 2025 NLP seeks that development conserves and enhances the National Landscape, and in doing so the Plan only offers support to development that does not conserve and enhance the National Landscape if it is necessary and in the public interest, with major proposals subject to detailed consideration of exceptional circumstances and public interest grounds. Objective C2(a) seeks that high quality assessments are made of proposals and seeks to refuse proposals that are harmful to landscape character unless the benefits clearly outweigh the protection afforded to the National Landscape. Objective C4 relates to preventing and mitigating harm to the landscape and visual character of the area. To achieve this C4(a) refers to removing, and avoiding new, features detrimental to landscape character, tranquillity and special qualities, to protect and enhance views, and to conserve and enhance dark night skies. Objective C4(c) seeks to limit inappropriate forms of major development

within the National Landscape while supporting the use of previously developed land.

- 15.2.7. Policy ENV10 is also relevant, and seeks to ensure development provides for the future retention and protection of trees and other features that contribute to character and is supported by sufficient hard and soft landscaping to successfully integrate with the character of the area.
- 15.2.8. To further assist, para 189 of the NPPF states the following:
- 15.2.9. *Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. ... The scale and extent of development within all these designated areas should be limited...*
- 15.2.10. Para 190 of the NPPF goes on to state (in line with objective C1(a) of the National Landscape Management Plan):
- 15.2.11. *When considering application for development within ... Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*
- 15.2.12. It is first relevant to consider whether the proposed development would constitute ‘major development’ within the AONB/National Landscape. The NPPF does not define or seek to illustrate the meaning of the phrase “major developments” and the courts have rejected the argument that the definition used in the Town and Country Planning (Development Management Procedure) Order (DMPO) 2010 Article should apply across any policy document, procedural rule or Government guidance where the context is town and country planning. *Aston v Secretary of State for Communities and Local Government* [2013] EWHC 1936 (Admin) helped affirm this. Its categorisation as a “major” application for the purposes of the DMPO are therefore irrelevant in determining whether it falls to be considered within the context of paragraph 190 of the NPPF.
- 15.2.13. The NPPF, at footnote 67, nevertheless seeks to offer guidance on making this judgement and states:

- 15.2.14. *For the purposes of paragraphs 190 and 191, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.*
- 15.2.15. Having regard to the above, it is considered that this proposal does amount to major development in its local context. The proposal would see approximately 18.6 hectares of land densely occupied by lodges alongside the existing George Albert Hotel within a partially developed, and partially open landscape. This type and density of development on an elevated hill top would be at odds with the less intensely developed designated landscape, characterised by undulating fields with small settlements nestled into the countryside. Having regard to the nature, scale and rural setting of the proposed development it is considered that it would in this case qualify as ‘major development’. That would certainly appear to be the view of Natural England and the Dorset National Landscape Team, as referred within their consultation responses.
- 15.2.16. Proceeding on this basis brings us back to paragraph 190 of the NPPF and the premise that “*planning permission should be refused ... except in exceptional circumstances and where it can be demonstrated [that proposals] are in the public interest.*” To assist in making this judgement paragraph 190 identifies three key considerations to have regard to, each of which are considered below.
- 15.2.17. **a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;**
- 15.2.18. There is no standardised needs assessment with respect to holiday parks, but some judgement can be made by considering the contribution and impact that such a facility might make on the local economy. In order to better consider this, the agent has provided a Demand and Needs Statement and Financial Assessment, prepared by the South West Research Company Ltd.
- 15.2.19. The report considers the existing holiday offering within the area. The assessment found 24 holiday parks located within a thirty minute drive of the application site, but found only one holiday park to have a comparable offering in terms of its accommodation type, scale and focus on nature and associated activities as opposed to a coastal experience, Wareham Forest Lodges near Poole, which has approx. 160 lodges. Acknowledging the lack of other similar operators offering this type of lodge accommodation, the report suggests that the local tourism product, particularly within the West Dorset area, would be enhanced through the proposed development, with the potential to attract new visitors to the area, and greater spend locally.
- 15.2.20. The report advises that holiday parks in rural areas are well documented as playing a significant role in supporting the local economy and reports the South West as the UKs most popular holiday destination. The economic

impact estimated to be associated with visitors to the proposed new development, assuming it achieves average levels of occupancy, shows that:

When the economic impacts already being output by the existing site are considered and deducted from the economic outputs estimated for the proposed new development, a net additional output of approximately £4.6 million business turnover in the local economy is generated supporting approximately 113 FTE jobs based upon Cambridge Model data.

- 15.2.21. The proposed holiday park is proposed to offer high quality tourist accommodation and would in turn complement the existing George Albert Hotel and Spa facility, which is currently compromised by noise generated from the raceway, allowing the existing tourism facility to diversify, and adding further economic benefit by supporting an existing business. The agent confirms that the holiday park and hotel would collectively provide at least 138 direct jobs on site.
- 15.2.22. The considerations within the Statement demonstrate that the proposed development has the potential to enhance the local accommodation offering currently available for visitors in what is a growing sector for UK tourism, and an important part of Dorset's rural economy. Having regard to the impact of the development on the local economy, and both national and local policy objectives to support the economy, it could be construed that there is demand for such a facility within the local area, and with no other similar sites coming forward, the site would respond to this demand.
- 15.2.23. In terms of the need, the evidence surrounding such a conclusion is not robust. Nationally, the NPPF at para 88 (c) seeks to support sustainable rural tourism and leisure development which respect the character of the countryside. Locally, support is offered by Policy ECON7. The policy support is in recognition of the contribution leisure facilities make to the rural economy, which is further supported by the Statement and Financial Assessment, but does not on its own demonstrate need for such facilities. It is therefore difficult to conclude based on the evidence put forward that the development truly addresses need.
- 15.2.24. However, it is considered that the proposal would contribute positively to the wider economy through providing increased all year round tourism provision within the area, and would provide employment opportunities, both directly through employment at the Park, and indirectly through supply chains, which is materially relevant to para 190 part (a) considerations. While the agent does not provide detail on the number of employees currently at the site, it is not expected that the site in its current form would support the equivalent number of employment roles.
- 15.2.25. Concern has been raised by third parties relating to the impacts upon local businesses and tourist providers. The proposed holiday park would however be of a very different nature to other hospitality providers in the locality. It is not considered that the economic impact upon smaller

providers would be significant given the different markets they would occupy within the tourism sector but, in any case, it is not for the planning system to control or influence competition within the market, and this would not be a reason to refuse the application.

- 15.2.26. Although there would be some loss of facilities at the site which currently contribute to the economy, the economic benefits of the proposal would be likely to outweigh the impacts of losing the existing businesses on site, from an economic perspective. The provision of a more compatible use adjacent to the hotel would assist in its successful running and allow the existing hotel to diversify. With the planned closure of the racing track at the end of the current season, the site would otherwise remain dormant, with the exception of the hotel and small retail elements of the site, which on their own only make a limited contribution upon the local economy.
- 15.2.27. It is in recognition of the economic benefits that tourism proposals bring to the area that forms the very basis for Local Plan policies such as policy ECON7 supporting such development within rural locations, emphasising the importance and contribution of such proposals on the rural economy. It is considered that, while 'need for the development' has not been soundly evidenced, significant weight should be placed upon the economic benefits of the proposal when considering the planning balance.
- 15.2.28. **b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way;**
- 15.2.29. There is clearly no compelling geographical reason for holiday parks to be sited within AONBs/National Landscapes. Many such developments have been built on land outside of designated landscapes, both within the Dorset Council area, and across the country.
- 15.2.30. The submitted Demand Statement does makes a number of pertinent points emphasising the appeal of focussing holiday parks within the natural environment, and compiles evidence from a number of reports. It reports that of the total 1.7bn annual tourism spend in Dorset in 2016, 74% was motivated by visiting the natural environment (£1.3bn). 39% of the annual tourism spend in Dorset (£677m) was also estimated to be associated with outdoor active recreation and so includes things such as fishing, walking, cycling, horse riding, watching wildlife and exploring the countryside. These figures demonstrate the appeal of such development within countryside locations, and as acknowledged above, tourism is an important part of Dorset's rural economy. The above does not demonstrate a need to be within the designated AONB/National Landscape but does present a compelling case to site the use within a countryside location.
- 15.2.31. No details of cost have been provided in terms of developing outside of the designated area nor have details been provided regarding the viability of the site, taking into account the contaminated land issues, compared to development on other sites outside of the AONB/National Landscape. Para 1.07 of the Design and Access Statement indicates some of the key

considerations when considering site selection, but no details of any sequential approach have been submitted, or reasons for discounting other non-designated sites.

- 15.2.32. With regards to the above, it is acknowledged that to find a site within a reasonable catchment of the site, and outside of the designated AONB/National Landscape, of a sufficient size and nature that would be appropriate and available for such a use, without significant harm to the natural beauty of the area, would be challenging, particularly given the large portion of Dorset designated as AONB/National Landscape or Heritage Coast.
- 15.2.33. In terms of site selection, the agent acknowledges that the proposal is site specific having regard to the brownfield nature of part of the site and having regard to the existing caravan provision at the site, which would be replaced by the upgraded and larger proposal. In this regard, the agent considers the proposal to be an expansion of the existing use at the site, as opposed to a new use being introduced.
- 15.2.34. Whilst the site would result in a complete overhaul of the existing caravan park, ultimately replacing and changing the existing provision, and the increase in caravans would be substantial (representing a 556% increase in caravans), it would extend an existing established use at the site, and there is provision set out in policy ECON7 to support the expansion and improvement of existing sites. This weighs in favour of the selection of the application site for the proposed holiday park.
- 15.2.35. Other considerations cited by the agent include the sites accessibility on a main road, its relation with the existing tourism development on site (both in terms of the existing caravan park and hotel), its location in terms of neighbours and the desire to find a visually unobtrusive site.
- 15.2.36. Whilst the site would arguably utilise some greenfield land, part of the site would utilise brownfield land, which currently is heavily contaminated and contains uses less compatible with the AONB/National Landscape setting, namely the go-karting facility. The site's mature hedgerows and elevated position would minimise the impact of the development on wider views across the AONB/National Landscape. This is because looking towards the site from lower ground, only the vegetated boundaries of the site are visible, with no vantage points from higher land providing views down into the site. The proposed tourism use would also be compatible with the existing tourism use of the site, with particular reference to the existing caravan site and hotel use, and has good accessibility.
- 15.2.37. With no sequential test having taken place in terms of site selection, and no detailed analysis provided in terms of the scope for developing outside of the designated AONB/National Landscape, it cannot be concluded with any certainty that there are no other suitable sites outside of the designated area, albeit Officers are not aware of any such sites. Indeed, it is acknowledged that it would be difficult to find a suitable site of a

comparable size to site such a proposal. In turn, it is not considered that the tourism 'need' for such a large site could be easily met by other means. The site's existing use as a tourism provider, its location adjacent to a major road, and the benefits associated with the loss of other less compatible uses (noting noise from the raceway detrimentally impacts the hotel use and National Landscape qualities), do weigh in favour of its siting.

15.2.38. and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

15.2.39. Impacts upon the environment include potential impacts related to land and groundwater contamination. These matters are addressed within the submitted technical reports, and with appropriate conditions applied to any grant of consent it is considered that significant impacts upon the environment resulting from contaminated land and/or groundwater can be successfully moderated. See para. 15.4 of the report for further consideration regarding contamination. Impacts upon ecology are considered at para 15.6 of the report and are addressed within the updated Ecological Impact Assessment (EclA). Subject to conditions it is considered that any detrimental effects on biodiversity, including protected species and habitat sites, can be moderated such that the proposal would have an acceptable impact. Environmental impacts resulting from the location of the development, away from sustainable transport hubs and in a location where reliance on the car would be high are to some extent off-set by the provision of facilities on site and provision of electric car charging facilities. While the impacts of this can be moderated to some extent, they cannot be eliminated, and these impacts should be weighed in the balance.

15.2.40. There are two key aspects to consider when assessing the impact of the development on the landscape character and AONB/National Landscape; that is, the direct impacts of the holiday park itself on the natural beauty of the area, and the impacts of losing other uses from the site. These impacts are considered having regard to Local Plan policy ENV1 which seeks to safeguard the National Landscape from harm and to protect, and where possible secure enhancements to, landscape character.

15.2.41. The proposed holiday park would be of a significant scale, and is undoubtedly located within a sensitive location, being an elevated position within the AONB/National Landscape. It should also be noted that only part of the site is occupied by structures, and so the development would utilise brownfield land, but it would also result in a large open undeveloped part of the site being occupied by a high density of holiday lodges. The use of previously developed land is a material planning consideration but not a determinative factor, and does not reduce the great weight that should be afforded to designated landscapes. The supporting information refers to the site as being of low density and refers to the guidelines set out under the Caravan Sites and Control of Development Act 1968 as a comparison, which indeed permits higher densities. Whilst a useful comparison tool, the purpose of the Act is to protect occupiers of caravans, and make other

provisions for the benefit of such occupiers; it does not attempt to factor in material planning considerations, which go beyond protecting the occupier, and allows, amongst others, consideration of impacts to amenity, biodiversity, and visual impacts, including impacts upon areas designated as AONB/National Landscape. The scale and density of development is a matter raised by both third parties and the Parish Council, and has also been raised by consultees, including Natural England and the National Landscape Team. Having regard to the site's context and the existing density of structures on the site, the development could be regarded as high density. Consideration needs to be given to the resulting harm from both the change in land use, changes to the nature and character of the site, and density; and the ability to moderate those impacts.

- 15.2.42. Having regard to the above, concern relates to the minimalist approach to landscape and ecological enhancement, such that the proposed change would adversely erode the physical and perceptual qualities that underpin the areas undeveloped rural character, tranquillity and remoteness. The National Landscape Team originally commenting on the application stated the following:
- 15.2.43. *Within 9.1 of the LVIA it is concluded that “the proposed development can be accommodated within this setting without resulting in a significant, long term, adverse impact upon the character of the Site, its immediate context, and the wider Dorset AONB landscape”. I would largely agree with this judgement, based on the implementation of a sensitive landscape-led design approach and sympathetic package of mitigation measures. However, the overall site plan submitted fails to deliver such an approach.*
- 15.2.44. In response to concerns, proposed amendments to the application have resulted in improvements to the internal layout of the proposed holiday park, albeit the revisions are relatively modest in terms of the overall scale and density of development proposed. Land set aside as wildlife buffers, the rationalisation of ponds proposed, and reinforced boundary planting, together with the provision of a sensitive lighting scheme and improved pedestrian connections/blocking up of the northern accesses, contribute to minimising the impacts of the development on the wider landscape, whilst providing other benefits in terms of site layout. The number of units proposed has been reduced and a portion of land in the north west corner of the site has been set aside as a recreational area serving the holiday park. The number of units proposed at 228 units nevertheless remains high, and a large portion of the site would continue to be occupied by lodges.
- 15.2.45. Having regard to the wider impacts of the development, the site is well contained by perimeter planting which is proposed to be enhanced, limiting the sites visibility as a whole. Where views are possible, the lodges would not appear highly conspicuous due to the recessive timber cladding proposed, and subject to a comprehensive landscape strategy, the appearance of the lodges could be further softened, mitigating the otherwise likely adverse impacts resulting from the scale and density of

development proposed. Subject to a successful landscape scheme, the impacts of the development on the visual amenity of the area would be substantially reduced.

- 15.2.46. In terms of the ability for the proposal to moderate its effects on the landscape, historic and ongoing uses have significantly impacted upon the landscape character of the site as a whole and there would be substantial benefits in the removal of the less sensitive uses at the site; namely the removal of associated paraphernalia associated with the former shooting ground, removal of uncharacteristic landforms, and renewal of degraded areas within the site. Through securing an acceptable landscape scheme it is anticipated that the site and site boundaries would be enhanced. The removal of the two northern accesses and reinstatement of hedgerow would be a further enhancement. Through careful landscaping of the site, the proposals would present visual and ecological enhancements, to the benefit of the National Landscape. In addition, the loss of the go-karting facility which adversely impacts upon the tranquillity of the wider landscape and AONB/National Landscape through impacts from noise generated by the racing and light pollution generated from the existing high impact lighting associated with the track would be a benefit to the AONB/National Landscape; the impacts of the lodges being less harmful. Application P/FUL/2021/01497 approved a new telecommunications mast outside of the application site. This mast renders the two telecommunication masts on the application site as of no use. Securing the removal of any unused masts by condition would offer a visual benefit.
- 15.2.47. In turn, the location of the development directly adjacent to public rights of way, offering direct access into the countryside, together with the appropriate use of walking routes and the recreational space within the site, brings recreational opportunities.
- 15.2.48. In this regard, the National Landscape Team state the following:
- 15.2.49. *This site is in an inherently sensitive location, being in an elevated position within the AONB. However, historic and ongoing uses have significantly impacted upon the landscape character of the site. Ongoing uses within the site, particularly the karting track, adversely affect the tranquillity of the wider landscape and the removal of these impacts alongside the renewal of degraded areas within the site should be accounted for when considering the ability of the proposal to moderate its effects on the landscape. Overall, I consider that the application presents a relatively uncommon opportunity to achieve a new tourist facility within the AONB, utilising previously developed land and removing detracting features. Changes arising from lighting were an issue that had initially caused me concern, but I am reassured to see that the proposal includes a lighting strategy with features that limit the impact of lighting through appropriate design, placement and the use of movement sensors. Overall, considering the proposed removal of existing high-impact lighting, I do not foresee additional effects that would be significant. The site is well contained and the strengthening of the perimeter planting will serve to limit the outward visibility of the holiday*

park. Furthermore, the use of relatively recessive cladding for the lodges will result in these appearing muted in the limited views into the site that are available. Perhaps the most notable change that is likely to occur as a result of the proposal is the general level of movement, people and activity that would be associated with a holiday park of this scale. However, considering the location of the site adjacent to the A37, I consider that the likely impact of this change on the character of the wider rural landscape would foreseeably be quite low, due to the limited need for users of the park to utilise sensitive rural roads in order to access the site.

- 15.2.50. Notwithstanding the above comments, the National Landscape Team, likewise emphasise the need for appropriate conditions to support the successful integration of the scheme within its sensitive setting. Subject to a successful landscape scheme and sensitive lighting scheme, the impacts of the development on landscape character and the special qualities of the AONB/National Landscape, when considered in the context of the existing uses at the site, could be successfully moderated. It is considered that the proposal would not harm the character, special qualities or natural beauty of the Dorset National Landscape, and would offer enhancements to local character by removing undesirable uses and bolstering existing landscape features at the site. In this regard, the proposed development, subject to conditions would comply with Local Plan policy ENV1 and ENV10.
- 15.2.51. In light of the above, it is relevant to revisit the acceptability of the landscape scheme submitted. In this regard, significant concern is raised in relation to the planting schedule as shown. To mitigate the impacts of development, the success of any landscaping scheme on site is critically important and depends on initial ground works and removal of contaminants and soil decompaction. In order to be fully satisfied that appropriate landscaping is both achievable and viable, the Landscape Officer has requested details of initial site clearance together with a remedial action plan, to include details of soil management and waste management regimes, together with a soft landscaping specification detailing site de-compaction, soil quality and ameliorants/ground preparation. One of the benefits of the scheme presented by the agent is the opportunity to introduce a 5* tourist facility within the area to support the existing hotel business and growing tourism sector, and to complement its AONB/National Landscape setting. In order for the quality of the scheme to be realised, consideration needs to be given to soil management at the site to ensure the establishment and maintenance of the proposed planting is successful, and to ensure the quality of the scheme is not compromised by site viability, given the contaminants and work required to bring the site forward.
- 15.2.52. To address these concerns the agent has provided additional supporting information, including a draft Landscape and Ecological Management Plan (LEMP) and landscape scheme. The submitted information lacks the necessary details relating to soil management, ground preparation and soil depths, and there are concerns relating to the planting schedule and landscape management, such that the submitted LEMP does not offer

sufficient assurances relating to the successful establishment of an appropriate landscape scheme. This is a matter raised by both the Landscape Officer and Natural England, who comment on the wide variety of non-native species included. The submitted details do however show a desire to develop a long term management plan for the site, and the agent has offered commitment to continuing to develop a LEMP suitable for the site. The agent has also provided a business plan indicating some confidence regarding viability.

15.2.53. Having regard to the submitted details, the Landscape Officer states the following:

15.2.54. *Unfortunately, the LEMP submitted relates primarily to 'ecology' and fails to bring all the landscape and ecology details together. ... I would maintain my advice that this scheme lacks a clear identity throughout, with a random mix of native planting and ornamental species. This site is essentially 'rural' and located on an exposed hilltop. There is an opportunity to design a sympathetically 'rustic' scheme, where native species planting could be used to define strong character areas. I would maintain that there still remains a scattergun approach to 'species' across the site.*

15.2.55. *I still have significant concerns over the clarity of a number of site issues, ranging from phasing, soil management, the lack of a LEMP, and the achievability of the scheme as a whole. ... I am yet to be convinced that the issues surrounding 'soils and contamination' have been adequately addressed, which will have a significant effect on the future establishment of proposed tree and shrub planting.*

15.2.56. The landscape concerns lie with the management of contaminated soils and implications on the establishment of planting, together with the landscape detail submitted and its long term management, but do not rule out the ability to achieve an appropriate landscaping scheme suitable to support the proposed development of the site, subject to the comments of WPA; who have confirmed that the site could be remediated through appropriate conditions and support the requirement of a cover depth of no less than 600mm. Subject to an appropriate soil depth to allow the successful establishment of the landscaping, a requirement the agent has agreed to be incorporated into a condition, it is considered that the future establishment of planting would be achievable. In this regard, the key issues relate to the detailed landscape and material design, rather than the principle of development; and these matters could be dealt with through condition. Despite the reservations of the Landscape Officer, it is considered that through careful consideration of conditions, the proposed holiday lodges could be accommodated on the site without harm to the landscape beauty of the AONB/National Landscape, landscape character, and visual amenity of the area, in accordance with local plan policy ENV1 and ENV10.

15.2.57. Conditions would be required to ensure appropriate external materials, colour and finish of the lodges were secured, together with a condition

requiring any replacement lodges to accord with the drawings and details agreed, in order to ensure the satisfactory external appearance of the lodges are secured long term. Notwithstanding the details submitted, further conditions would be required relating to the submission of an arboricultural method statement and tree protection plan. Pre-commencement conditions to agree appropriate hard and soft landscaping details, together with their early implementation, particularly having regard to proposed enhancement at the site boundaries, would be required, and importantly a revised LEMP would need to be secured ahead of any development commencing. Details of earthworks and soil importation could also be sought through pre-commencement conditions, and a further condition placed on the consent requiring a detailed soil and waste management plan, requiring the implantation of a robust cover system of not less than 600mm depth, to ensure that soils are appropriately remediated, and suitable planting depths are established to support the landscaping on site. A lighting scheme has been submitted with the application, and a further condition in this regard would ensure light pollution is minimised to an appropriate level. The National Landscape Team and Landscape Officer, also query the phasing of the site, seeking to ensure that existing structures at the site are removed and landscaping established at the site edges at an early stage; a phasing plan can be conditioned. The agent is supportive of addressing the outstanding issues through condition, and whilst it would be desirable to have this information up front, through the use of pre-commencement conditions, it would be possible to secure satisfactory details ahead of development proceeding. This is considered a reasonable way forward given the outstanding concerns relate to matters of detail rather than principal matters. To refuse the application on matters of detail that could be reasonably conditioned would add vulnerability in the event of an appeal. As pre-commencement conditions, the development could not proceed without appropriately satisfying matters of detail, providing appropriate assurance and protection having regard to the sensitive landscape context of the site. It is considered that this would appropriately respond to the comments of the National Landscape Team and Landscape Officer.

15.2.58. Therefore, whilst the Landscape Scheme and LEMP submitted to date continue to be unacceptable from a landscape perspective, it is considered that an appropriate landscape scheme could be achieved. In turn, the direct impact of the proposed lodge park on the quality of the National Landscape/AONB and landscape character could be appropriately mitigated through carefully constructed conditions, such that the impacts of the built form of development on the Dorset National Landscape/AONB would be acceptable, in line with the provisions of policy ENV1. The favourable outcome of considerations has been reached through careful consideration of the issues, having regard to what can reasonably be conditioned, and through working in a proactive positive manner in line with the provisions of para 39 of the NPPF.

15.2.59. Consideration has been given to the impacts of the proposal, and the extent to which those impacts can be moderated, in respect of the

environment and landscape. A further consideration under NPPF para 190 (c) is the effect of the proposal on recreational opportunities, and the extent to which they can be moderated. Para 15.1.8 of the report considers in detail matters relating to the loss of the Clay Pigeon Shooting Ground and Clay Pigeon Raceway. To a large extent the loss of the Clay Pigeon Shooting Ground has already occurred owing to viability issues connected to land contamination matters related to its use. The raceway however is still in operation and continues to provide recreational opportunities. The agent advises that the use will discontinue at the end of the racing season; being in private ownership the Council has no control over this, but the proposal would nonetheless result in the loss of the facility through change of use of land, thereby reducing the recreational opportunities within the local area.

15.2.60. Clearly there would be some detrimental impact resulting from the loss of recreational opportunity provided by the raceway. It is however considered that regional access to the sport would continue to be provided through the Dunkeswell raceway, such that the impacts from the loss of facility are lessened. As set out under para 15.1.8 and proceeding paragraphs, these matters are finely balanced.

15.2.61. Having considered the impacts upon the environment, landscape and recreational opportunities, it is considered that, subject to appropriate conditions, these could be moderated to an acceptable level. While impacts upon the environment cannot be eliminated, owing to the siting of the application site away from transport hubs, they could be moderated to an acceptable level through the provision of facilities on site. Other environmental impacts could be managed and moderated through appropriate conditions. It is considered that impacts upon the landscape, subject to appropriate conditions, can likewise be moderated to an acceptable level, such that there would be no harm to the National Landscape. Impacts resulting from lost recreational facilities are finely balanced, but are to some extent lessened by the presence of Dunkeswell raceway maintaining regional access to the sport. It is considered that the proposed development, subject to conditions to secure appropriate landscaping on site, would be in accordance with the provisions set out within policy ENV1 and ENV10 of the Local Plan.

15.2.62. Exceptional Circumstances and Public Interest

15.2.63. In addition to considerations listed under para 190 (a) – (c) and having regard to whether exceptional circumstances exist, a requirement of para 190 is that development should be in the public interest. In this regard, the proposal would see the redevelopment of the site, including its decontamination, the removal of unsightly telecommunication masts, the removal of uncharacteristic bunding, the removal of the race track and associated structures, and removal of paraphernalia including derelict structures connected to the former clay pigeon shooting range. The removal of these features would have a positive impact on the landscape character and wider National Landscape. In particular, the removal of the

raceway would not only see the removal of the physical attributes associated with its use, but would remove an insensitive noisy use that conflicts with the special qualities that define the National Landscape, including tranquillity. These benefits have to be weighed against the loss of a locally accessible grassroot track supporting British Motorsport. However, in the context of assessing development within a sensitive landscape setting, the impact of its loss on those using the raceway is not considered to outweigh the benefits more broadly for the general public and those living and working within the National Landscape. It is considered that the opportunity to remove these structures and uses and replace them with a use which is less harmful to, and which incorporate enhancements to, the natural beauty of the National Landscape is an exceptional circumstance. Further, these enhancements to the site and its surroundings would be in the public interest, as would be the removal of more harmful uses and structures, thus improving the overall visual amenity of the area, and rural amenity of the National Landscape.

- 15.2.64. The proposal would also see a detailed Landscape and Ecological Management Plan (LEMP) secured for the site, securing both landscape and biodiversity enhancements. This includes enhancement of the existing landscaped boundaries, and blocking up of two existing accesses, and taking an area of agricultural land adjacent to the site and public right of way out of production to be planted as an area of ecological enhancement, with a section managed for Skylark. The management of this parcel of land would align with the objective set out in the Local Nature Recovery Strategy. The replacement of the existing package treatment plant would also have a positive impact on Poole Harbour RAMSAR site owing to a reduction in nutrient loading from the site. It is considered that these enhancements would be in the public interest.
- 15.2.65. In addition, the development of the site would support the existing hotel use on site, securing its long term viability, and would make a positive contribution to the local economy. Perhaps most importantly, subject to appropriate conditions securing material finishes of lodges, an appropriate lighting scheme, and a detailed landscape scheme as part of a LEMP, it is considered that the proposed development could be brought forward without harm to the landscape character of the area or National Landscape, particularly given the limited visibility of the site owing to its elevated position and vegetated boundaries providing limited vantage points into the site.
- 15.2.66. These benefits are considered to weigh strongly in favour of the development and would be in the public interest. The site would in turn have an acceptable impact having regard to flood risk and groundwater quality, highway safety, and residential amenity.
- 15.2.67. **Conclusion: Impact on Visual Amenity and AONB/National Landscape**
- 15.2.68. An assessment has been made having regard to considerations listed under para 190 (a) – (c), aimed at helping the decision maker consider

whether exceptional circumstances exist such that development should be granted. With reference to these 'material considerations' as set out within the NPPF, the proposed development would present a rare opportunity to achieve a new tourist facility within the AONB/National Landscape. There is no 'needs assessment' for the type of development proposed, but having regard to its impacts upon the local economy, which part (a) directs the decision maker to consider, it is considered that the development would have a positive impact. The economic benefits of the proposal weigh heavily in favour of the development.

In terms of the siting within, and impacts upon, the AONB/National Landscape, the site is accessible by a major route, at a site where tourism provision is an established use, and where part of the site is previously developed. These unique set of circumstances mean that the site does to some extent lend itself to the proposed development despite its position within the National Landscape. The site has not however been sequentially tested, and this has to be weighed in the balance. The site is otherwise relatively well screened by mature vegetated boundaries, with proposals to further enhance boundary treatments; and appropriate treatment of lodges and lighting would further reduce the impact of the proposed development on the wider landscape. Through a set of conditions to secure the successful establishment and long term management of appropriate landscaping the impact of the development could be appropriately mitigated. The character and qualities of the landscape would in turn be enhanced by the removal of insensitive uses currently present at the site, mitigating the impacts of the development on the AONB/National Landscape. It is therefore considered that the proposal would not harm the character, special qualities or natural beauty of the Dorset National Landscape, and would offer enhancements to local character by removing undesirable uses and enhancing existing landscape features at the site, in compliance with Local Plan policies ENV1 and ENV10.

- 15.2.69. In addition to considerations listed under (a)-(c) of para 190, consideration has also been given to the benefits of the scheme having regard to the premise that for major development to be supported within the National Landscape, it should be in the public interest. A number of benefits are identified including benefits to the National Landscape, biodiversity, visual and rural amenity, which are considered to be in the public interest.
- 15.2.70. Clearly, there is no qualified method of assessing need under part (a) considerations making it difficult to evidence, but the likely economic benefits do weigh in favour of development; and the evidential gaps having regard to satisfying a sequential approach under part (b) considerations do not evidence exceptional circumstance in this regard. Nonetheless, most critical to determining whether development could be supported in the National Landscape, in terms of demonstrating exceptional circumstances, is perhaps those considerations under part (c). Effects on the environment and recreational opportunities cannot be fully eliminated and need to be weighed in the balance, particularly having regard to the loss of the raceway (a recreational facility). Exceptionally, considerations relating to the impacts of development on landscape conclude that impacts on the National Landscape can be mitigated so that together with the proposed

enhancements, there is no overall harm to the National Landscape and the proposals would comply with Local Plan policies ENV1 and ENV10. This should be given significant weight and weighs heavily in favour of the proposal.

- 15.2.71. In light of the above, it is acknowledged that the proposed development would have implications on the environment and recreational opportunities, however, weighed in the balance it is concluded that the proposed development would be in the public interest, with a number of overriding benefits associated with its use, including benefits to the local economy, ecology and landscape character. Subject to pre-commencement conditions, including the submission of an acceptable LEMP and Landscape Scheme, the proposed scheme would have limited visual impact such that it would not be harmful to the National Landscape. Further, the removal of structures and uses that detract from the quality of the National Landscape would present an enhancement. The proposed development consequently presents a rare opportunity to support development within the National Landscape that overall does not harm the special qualities such that the application accords with policy ENV1 and ENV10 of the WDWP Local Plan, and the objectives set out within the Dorset National Landscape Management Plan. In turn, it is considered that the proposed development would preserve and enhance the special qualities of the National Landscape such that under Section 85 of the CRoW Act (2000), the development would further the purpose of the National Landscape. Further, there are exceptional circumstances and public interest benefits resulting in the proposal complying with para 190 of the NPPF.

15.3. Flood Risk

- 15.3.1. Policy ENV5 of the WDWP Local Plan seeks to ensure developments minimise risk of flooding from surface water run-off, groundwater, fluvial and coastal sources. This is supported by Paras 181-182 of the NPPF which expects development proposals to incorporate sustainable drainage systems where appropriate. Further guidance is provided within the National Planning Policy Guidance which sets out the importance of considering all sources of flooding when assessing flood risk.
- 15.3.2. The site falls within flood zone 1, which is at the lowest risk from flooding, and falls outside of an area susceptible to groundwater flooding. Having regard to the latest published Strategic Flood Risk Assessment (SFRA) a small part of the site, in the north west corner, is identified as being at low risk (1 in 1000 year event) from surface water flooding, and relates to an area to be retained as recreational space. Applying 20% and 40% allowances for climate change the site remains outside of any medium or high risk area identified within the SFRA. Having regard to the National Flood Risk Assessment (NaFRA2) published by the Environment Agency in 2025, this identifies parts of the site as being at medium (1 in 100 year event) and high (1 in 30 year event) risk from surface water flooding. The surface water flooding at the site comprises sporadic pools of surface water as opposed to large swathes of the site being affected, but nonetheless, is

indicative of the site being affected to some extent by surface water flooding. In such circumstances, para 175 of the NPPF seeks to apply a sequential approach to new development, seeking to ensure areas at the lowest risk of flooding are developed in preference to area at high or medium risk. This is on the basis of avoidance being the best measure to combat risk of flooding. The updated Planning Policy Guidance (PPG) at para 27 provides some updated guidance on how to apply para 175 of the NPPF, seeking a proportionate approach be taken. It states the following:

- 15.3.3. *Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.*
- 15.3.4. To fully demonstrate how water will be managed on site, a Flood Risk Assessment (FRA) and Drainage Strategy (updated Dec 2025) has been submitted for consideration. The updated FRA reviews the NaFRA2 data and identifies the pooling of water during a 'design' flood event (1 in 100 yr) to be associated with low points which either relate to ponding, which is to be retained and enhanced as ponds on site, or depressions in the land which would be removed post development through land levelling. The drainage strategy for surface water management is shown to be reliant upon infiltration, achieved via dispersed soakaway features. Sufficient ground investigation and soakaway testing has been carried out to demonstrate that the drainage strategy would be achievable, such that the Lead Local Flood Authority (LLFA) raise no objection. The FRA concludes that the risk of flooding from all sources is very low and the Surface Water Drainage Scheme would ensure no increase in runoff over the lifetime of the development. The LLFA confirm that the more recently published NaFRA2 does not have significant implications for the proposed development and as such the comments and conclusions as set out in the LLFA's consultation response are considered to remain relevant. The LLFA comments confirmed that the Drainage Scheme adequately demonstrates that occupiers and users would remain safe from current and future surface water flooding for the lifetime of the development, without increasing flood risk elsewhere. On this basis, having regard to the recently updated PPG advice, the sequential test need not be applied in respect of para 175 of the NPPF. Subject to conditions, the proposed development is thus considered to be acceptable in terms of flood risk, in accordance with the above policy provisions.
- 15.3.5. As part of the drainage strategy and overall design for the site, two ponds are proposed. One is designed as an amenity feature, and one is designed primarily as a wildlife pond, though both would have biodiversity benefits. A detailed section at 1:20 of each of the ponds have been provided, in addition to broader sections, and a condition is recommended for further detailed (1:20) sections, for the avoidance of doubt and to ensure all pond edges follow the same measures adopted within the details submitted. Both ponds

would have an approximate depth of 800mm, with a 200mm freeboard above providing attenuation storage. Given the depth of water and size of the ponds, careful consideration, in line with the SuDS Manual (2015) and CIRIA guidance is required.

- 15.3.6. The amenity pond would be located within a central area, close to lodges and the clubhouse, and accessible by the public. The wildlife pond would be sited adjacent to the eastern ecological corridor with more heavily planted edges and separated from lodges through planting and/or greater separation. Both ponds would be designed with a level dry bench at ground level, a 1:3 gradient slope stretching 60cm, and a 1m level damp bench to be seeded with appropriate wetland seed mix. This would on the whole present a secondary dry bench outside of flood events and would become damp only when the pond reached its maximum water level, taking into account the freeboard. The planting of the ledge would discourage access, and where access is required, for example for maintenance purposes, slope ratios are considered to be acceptable, in line with the SuDS Manual. A further 60cm slope at a gradient of 1:3 would lead to a 1m level marginal bench to be planted with suitable aquatic species. This would be level with the permanent water level of the pond so is likely to be soggy, such that anyone venturing that far would be alerted to their proximity to the water. Beyond the marginal bench a 1.2m slope at a gradient of 1:3 would slope down into the water reaching a depth of 400mm where the ground would level out for a further 1m forming a wet bench, before a further 1:3 slope reached the pond base at a depth of 800mm. At this point, the wildlife pond would have submerged oxygenating plants at its base, planted in crates.
- 15.3.7. The SuDS Manual advises that access to the water can be discouraged through use of shallow muddy margins, and appropriate planting at the pond edges, so not to obscure visibility but to deter paddling and/or swimming. It is considered that this advice has been taken on board in the design. The SuDS Manual also recommends ensuring that an appropriate maintenance strategy for the bank edges is established to ensure long-term public safety, and a condition (condition 12) is subsequently recommended to seek this. The SuDS Manual recommend a dry bench and wet bench is provided, and gradients should not exceed 1:3. The proposed scheme complies with this advice providing a dry bench, damp bench, marginal bench and wet bench with slopes all at 1:3. In instances where water bodies exceed 600mm, advice is that a level bench is provided at or just below the water surface. In this case the marginal bench would sit at the level of the water. Advice is that the descent from this bench should be at a maximum gradient of 1:2.5, and in this case a gentler gradient of 1:3 is proposed. The next bench should be a maximum depth of 1.5m with a width of 1.5m. In this regard, it is proposed that the wet bench be located at 400mm, and while the bench would only have a width of 1m, this is considered acceptable given the number of benches/warnings provided in the design before reaching this point. The water body would not be connected to an existing water way or flow of water, and would not be expected to have water flowing at any significant velocity.

- 15.3.8. Overall, the design of the ponds are considered to take on board the advice contained within the SuDS Manual such that it is considered that the risks to the public have been reduced to acceptable levels through careful design, designing out key hazards such as steep banks and/or deep banksides, and introducing wet/dry benches, appropriate ratios and planted edges. Notwithstanding the overall pond depth, owing to the risks being minimised, barrier fencing, public rescue equipment or signage is not considered to be reasonably necessary in this instance, taking on board advice contained within the Manual. Overall, it is considered that the proposed ponds have been designed with safety in mind and would provide both amenity and biodiversity value to the site.

Contamination

- 15.3.9. Policy ENV9 of the West Dorset Weymouth and Portland Local Plan seeks to ensure development does not result in an unacceptable risk of pollution to waters, the environment, future occupiers or neighbouring uses. Para 196 - 201 of the NPPF recognises that the planning system and pollution control regimes are separate but complementary and seeks that planning decisions focus on whether the proposed development is an acceptable use of land, but having regard to the likely effects of pollution on, amongst other receptors, the natural environment.
- 15.3.10. Para 187 states that:
- 15.3.11. *decisions should contribute to and enhance the natural and local environment by, ... (e), preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by possible, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans*
- 15.3.12. Policy ENV9 of the WDWP Local Plan states clearly that development will not be permitted which would result in an unacceptable risk of pollution to ground water, surface water-bodies or tidal waters. Further, it seeks that development on contaminated land shall not be supported unless it can be demonstrated that there is no unacceptable risk to future occupiers, neighbouring uses and the environment from contamination.
- 15.3.13. **Land Contamination**
- 15.3.14. In order to consider the impact of any land contamination on the development, the agent has provided a Phase 1 and Phase 2 desk study and provided a Site Investigation Report. In addition, a Supplementary Site Investigation and Updated Contaminated Land Risk Assessment has been submitted, alongside a Site Investigation and Risk Assessment Update and Framework Construction Environmental Management Plan (F-CEMP).
- 15.3.15. The latest desk study, together with intrusive investigations, have indicated that the site may pose an unacceptable risk to future site users in the areas of Phase 1 and the North East of Phase 3 if contaminants are left

untreated. This potential risk is associated with long term direct exposure to elevated concentrations of lead and polycyclic aromatic hydrocarbons (PAH) in the near surface soils. More detailed risk assessment would be needed; in the first instance, desk based, to ascertain the potential for explosives and other military specific contaminants, and following that, to include further ground investigation to verify the contamination of the whole site, particularly having regard to level changes proposed.

- 15.3.16. The report concludes that the information available provides a good indication of the ground conditions beneath the site, sufficient to indicate that development of the site would be technically viable. Remediation is discussed as a reliance upon a cover system incorporating a geotextile membrane and 300mm of clean cover. The reports considers that it may be appropriate to carry out further investigation and subsequent mitigation measures under pre-commencement planning conditions.
- 15.3.17. To further assess the impacts of the site, WPA Environmental Consultants have reviewed the application and submitted reports. Noting significant near surface issues with lead and PAHs in the areas to be developed and potentially where cabins are to be placed. A conservative approach is advised such that there would be a need for 600mm of clean cover not 300mm as recommended within the reports. In this regard WPA state the following:
- 15.3.18. *The masterplan indicates a significant density of accommodation, 275 lodges plus additional staff quarters and facilities. During full occupation there will be a significant number of persons on site seeking recreational use, producing waste and generally impacting the site through vehicular access and expectations to utilise outside space. The wear and tear on infrastructure that is proposed to include a cover system to isolate contaminants of concern will be significant. WPA urges consideration of a more robust cover system.*
- 15.3.19. *WPA further note that ‘a more robust cover system would likely arise if the management of tree plantings were to be improved so as to better ensure tree survival.’*
- 15.3.20. The F-CEMP and draft LEMP identify key considerations, the regulatory backdrop and likely procedures needed during and post construction. Neither of the associated submissions constitute finalised documentation but they indicate that such documentation is being considered and appropriately developed.
- 15.3.21. Concern has been expressed in relation to the feasibility of the proposals in terms of operational viability noting that the current density introduces a significant number of human receptors, affects traffic management, noise and air quality in terms of impact during operations. The human receptors will also be residing during their stay on land subject to remediation through a cover system that will be subject to erosion and degradation from human

activities. WPA recommend the submission of a business viability plan that takes into account the cost and management of environmental impacts.

15.3.22. In response to those concerns, details of remedial cost estimates together with a business case for the proposal have been submitted. These documents do not provide a full rationale for the proposal but offer some assurances that the concerns surrounding land remediation and the associated costs are accepted and considered feasible. To an extent, it is for the applicant to satisfy themselves over viability concerns; what is important in planning terms, is that the land is appropriately remediated such that it is both suitable for occupation, and suitable to support the necessary mitigation, including the establishment and long term management of landscape and ecological works. Without these elements, the scheme would be unacceptable. In this regard, it will be imperative to ensure these issues are dealt with prior to commencement. To allow further revisions to be made to address issues raised, it is suggested that pre-commencement conditions are placed on any consent in relation to land contamination and remediation, site phasing, details of earthworks and final ground levels which may be influenced by remedial measures, and a final CEMP and LEMP to be first agreed. In terms of concerns surrounding feasibility, WPA recommend that a remediation action plan should be a condition of the consent to enable the developer to fully consider the cost/benefit equation such that the funding of the remediation requirements would not jeopardise the proposals success.

15.3.23. In terms of land contamination specifically, it is considered that the following should be secured as a minimum, through pre-commencement conditions:

- A detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed, to include a remediation action plan. This should be supported by a detailed soil management and waste management plan, and mitigation measures shall include the implantation of a robust cover system, details of which shall first be submitted to and agreed in writing by the Local Planning Authority, of not less than 600mm depth.
- A detailed phasing scheme for the development, defining distinct areas of the development site and the order in which these will be delivered, together with remedial works (including a time scale).
- A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time.

15.3.24. The agent has agreed that a 600mm cover system would be acceptable to them. WPA accept that the necessary remediation, including a soil management and a waste management strategy, would be feasible such that the principle of the change of use would be acceptable in terms of remediating land contamination on site. On this basis, WPA do not object.

15.3.25. **Groundwater Protection**

15.3.26. The site falls within a groundwater protection area, and it is important that development proposals are able to demonstrate that development would not unduly pollute groundwater, especially where the risk of pollution is high and the groundwater asset is of high value. Owing to the site's location within a source protection zone, groundwater is particularly sensitive in this area.

15.3.27. In order to formerly assess the impacts of the proposal, the Environment Agency (EA) have been consulted, and raised an initial objection due to insufficient information to demonstrate that the proposed development would not pose an unacceptable risk to groundwater quality.

15.3.28. The applicant proposes that the holiday units are served by a private package treatment plant, but the supporting FRA and Drainage Strategy did not confirm the proposed drainage method. In this regard the EA questioned whether the proposed development could threaten potable water supplies as the proposed development, which includes the addition of new sewage effluent discharges to groundwater, could lead to either an individual or an unacceptable cumulative impact to a Source Protection Zone 1. In order to address the concerns raised, the applicant has provided additional information and made further revisions to the plans (including the removal of lodges from the north west corner of the site to accommodate a drainage field sited outside the Source Protection Area). The Environment Agency have since satisfied themselves that the proposed development would not threaten potable water supplies and has withdrawn their objection.

15.3.29. Through the submission of additional information including a risk assessment, the agent has also been able to demonstrate that the proposed development would not result in an unacceptable risk to controlled waters and the EA raise no objection in this regard, subject to suitable conditions on any consent to address the residual risk posed.

15.3.30. Having reviewed the submitted information and taken on board the advice of the Environment Agency, the proposed development successfully demonstrates that the likely effects of pollution on the environment would be adequately addressed/mitigated. The proposed development therefore accords with policy ENV9 of the Local Plan, and the provisions set out in the NPPF.

15.3.31. **Phasing**

15.3.32. The applicant has indicated that the proposed development would be phased in 3 parts, with the final phase relating to the go-kart facility. There are a number of concerns regarding the phasing of the development. One relates to the compatibility of the two uses on site, that is the holiday use and go-karting facility, and likewise the attractiveness of the holiday accommodation during construction; the other relates to issues such as soil/waste management and the potential for compromising already completed phases and presenting unacceptable risks to receptors. In

particular, the possibility of allowing the occupation of lodges in one phase with other phases still subject to major invasive works is problematic as there would be contaminated dust and site security issues that could establish contaminant linkages with humans that are not subject to construction worker safeguarding. If phasing is not carefully considered or not considered plausible, then this in turn presents a further issue of viability. The scheme is being presented as a 5* quality holiday park, and this forms one of the benefits of the proposal that weighs in favour of the development. It is therefore important that the phasing is carefully considered if this is linked to the viability of the development, or in turn, that if developed as a whole, that the viability is not going to impact upon the quality of the scheme, both in terms of materials and landscaping. The agent has since confirmed that it would be possible to complete all necessary remedial works in advance of the first occupation of any holiday lodges, without impacting upon viability of the scheme, although a phased approach would be preferred. The applicant has also provided a further Business Plan setting out the recovery of costs over the first few years.

- 15.3.33. In light of the above, and notwithstanding the submitted phasing plan, a condition requiring a more considered phasing plan supported by a detailed scheme for remedial works, is considered appropriate in this instance and addresses concerns raised relating to phasing.

15.4. Highways

- 15.4.1. Policy COM7 of the WDWP Local Plan seeks to ensure a safe and efficient transport network is maintained by directing development that generates significant levels of movement to locations where the need to travel is minimised. Detailed consideration is given to the adopted Spatial Strategy and rural location of the site in the 'principle of development' section of the report. Whilst the site would sit away from any nearby settlements, the provision of facilities on site, its location adjacent to a suitable road network, the presence of an existing holiday use on site, and the policy support for rural enterprises such as tourism uses, weighs heavily in favour of the site's location, and goes some way to offset the impacts of developing the site for the purposes proposed.

- 15.4.2. Policy COM7 goes on to seek development to be directed to where the volume of anticipated traffic can be accommodated within the existing highway network. This is supported by section 9 of the NPPF which, at para 116, states the following:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

- 15.4.3. The main access to the site is via the A37 and the existing entrance benefits from wide visibility splays allowing safe egress and access. The

revised scheme also shows the closure of both existing accesses onto Warden Hill Road thereby directing all traffic via the main A37 entrance.

- 15.4.4. A Transport Assessment has been submitted to support the proposals, which indicates that the proposed development would not be expected to generate more traffic than the theoretical capacity of the existing uses on site.
- 15.4.5. Significant concern has been raised by third parties relating to the impact of the development on road safety, with many third parties concerned about accidents on the fast moving A37, increased traffic within the rural lane network, and concerns over the increase in traffic locally generated by the site; concerns shared by the Parish Council. Concern has also been expressed regarding the accuracy of the Transport Assessment. The Highway Authority has been consulted to consider this, and associated impacts.
- 15.4.6. With the current closure of the Clay Pigeon Shooting ground traffic entering and exiting the site is currently at a reduced level to what it could be if all uses were in operation at the site. Therefore, whilst there may be an increase in traffic to current circumstances, the Highway Authority confirm that the traffic generated would be unlikely to exceed the capacity of the permitted uses at the site. Furthermore, the volume of traffic using the site would not exceed the capacity of the junction or A37.

- 15.4.7. The Highway Authority state the following:

Regardless of the trip generation the main access onto the A37 is acceptable, has good visibility (in excess of standard for 60mph – 151m from a 2.4m driver position) and has a ghost island right turn lane which can safely accommodate the expected level of trip generation. The right turn lane will enable the proposal to operate without adversely affecting the free flow of traffic along the A37 at the site access.

Accident data for the surrounding area has been examined. The cause of the accidents varies from driver error/driving without due care and attention/illness/weather conditions but do not appear to be related to any specific highway design flaw or defect.

With the above in mind the Highway Authority has NO OBJECTION, subject to conditions.

- 15.4.8. In light of the above, the proposed development is considered to be acceptable on highway safety grounds, subject to the imposition of conditions, and accords with the provisions set out in Policy COM7 of the Local Plan and the provisions of the NPPF.
- 15.4.9. It is recommended by the Sydling St. Nicolas Parish Council that the entrances along Warden Hill Road be closed on commencement of the development. In this case, it is considered that the imposition of a condition

requiring a Construction and Environmental Management Plan (CEMP) to ensure construction traffic use the main entrance off the A37, would mean that traffic issues along Warden Hill Road during construction should be negated. A condition is in turn recommended that the access' be expunged prior to occupation of any lodges.

15.5. Ecology

15.5.1. The site falls within the catchment area of Poole Harbour, a Special Protection Area (SPA) and a European Protected Wetlands (RAMSAR) site. These are identified as Habitats Sites and are protected under the Conservation of Habitats and Species Regulations 2017 and Article 6 (3) of the Habitats Directive.

15.5.2. Policy ENV2 (Wildlife and Habitats) of the WDWP Local Plan seeks to safeguard Internationally designated wildlife sites, including Poole Harbour, and seeks to resist development that would cause unmitigated likely adverse impacts on the site's integrity. In other locations, where significant harm cannot be avoided, appropriate mitigation should be provided. In turn, the policy seeks to support proposals that conserve or enhance biodiversity, encourages ecological enhancement and expects opportunities to be taken to improve the wider ecological network, particularly for major developments. The policy seeks adequate provision to be made for the retention or relocation of protected species.

15.5.3. The above aims, having regard to mitigating and enhancing biodiversity on site, are supported by para 192-195 of the NPPF. Para 195 is noteworthy as it makes clear that the presumption in favour of sustainable development at para 11(d) does not apply where proposals are likely to have a significant effect on a habitats site.

15.5.4. There are therefore two key considerations that need to be considered in respect of ecology; that is the direct impact of the development on species and habitat at the site, and the impact of the development on European Protected sites.

15.5.5. Site Specific Impacts

15.5.6. In order to address ecological matters at the site, the agent has submitted phase 1 and 2 ecological surveys, accompanied by an Ecological Impact Assessment (EclA). Following concerns expressed by the Natural Environment Team and Natural England, further survey work has been carried out, and the EclA updated accordingly (updated Feb 25). In addition, a Framework Construction and Environmental Management Plan (F-CEMP) has been submitted to provide a suggested Framework for a final Construction and Environmental Management Plan (CEMP), and a Certified Biodiversity Mitigation and Enhancement Plan (BMEP) has been submitted. Revised plans have also been received, removing the most eastern row of holiday lodges to allow a larger and less inhibited wildlife corridor along that boundary and to incorporate wildlife corridors, which take on board the requirements set out within the submitted BMEP and latest EclA. A lighting scheme has also been submitted.

- 15.5.7. Having regard to protected species and habitat on site, the survey work identified the WWII Water Tower, located along the eastern boundary, to be a hibernation roost for lesser horseshoe bats, and a summer roost for at least one Greater Horseshoe bat. Other bats transitioning across the site include the Common Pipistrelle, Soprana Pipistrelle, and Nocutule. Overall, a relatively low amount of bat activity was recorded and reported, but it is clear that bats are using the site, either as a roost, as foraging ground, or commuting across the site.
- 15.5.8. A reptile survey identified the grassland supported a breeding population of slow worms. Nesting birds were also identified across the site, particularly along the eastern and northern boundaries of the site and within towers associated with the clay pigeon shooting use. These include skylark and swallow, amongst others.
- 15.5.9. There were no records of dormice on site, likely a result of the modified ground being relatively unsuitable. Dormice were however found within the hedgerow of the adjacent solar farm site and dormice suitable habitat was identified. The planning permission for the solar farm conditioned that the scrub area to the southeast of the shooting ground should be retained to avoid impact on the dormouse habitat within the application boundaries. This scrub habitat is however no longer present, presenting a loss of suitable habitat, a concern raised by both the Natural Environment Team and Natural England. In response to this, further amended plans were submitted removing development from the north west part of the scheme, leaving optimal habitat for dormice and meaning that impacts on dormice habitat are unlikely to be significant.
- 15.5.10. The EclA makes a number of recommendations to address the impact of the development on species and their habitat; these include retention and maintenance of the water tower on site, the formation of a 35m vegetated buffer screen between the water tower and development, and a suitable lighting scheme, to safeguard bats from the impacts of the development. A Planting and Habitat Management scheme is recommended to prevent disturbance.
- 15.5.11. The report recommends reptile translocation to the Eastern boundary of the site in order to safeguard the slow worm population from significant impact, and the report goes on to describe necessary management of this process and the receptor area. The retention of the eastern boundary as a wildlife corridor will ensure no impact to possible badger setts within that area. The resulting eastern buffer will act as an important wildlife corridor, serving both bats, birds, reptiles badgers and potentially dormice. The report recommends trees and hedgerows be protected throughout the development and should be subject to a Tree Protection Plan and fencing/buffer zones during the construction phase. Mitigation measures, including methods and timings for site clearance, are also recommended to safeguard nesting birds.

- 15.5.12. To reconcile the loss of dormice habitat along the eastern boundary of the site, and to mitigate the impacts on the adjacent dormice habitat from increased recreational activities resulting from the proposed development, the Impact Assessment recommends additional habitat creation through additional planting along the site boundaries. All dormouse potential habitat on site has been identified, and appropriate buffers established between the development proposed and habitat boundaries. A construction phase habitat plan has also been submitted setting out construction exclusion zones.
- 15.5.13. In recognition of the loss of skylark nesting sites and to reduce the impacts from the loss of grassland habitat also, two acres of land to the east of the proposed holiday park and adjacent to Fishers Bottom Coppice (an ancient woodland) is proposed to be taken out of arable use to create a wildlife habitat, extending from the existing coppice.
- 15.5.14. As a result of Japanese Knotweed being identified on the site a management plan is recommended to control and remove its presence.
- 15.5.15. In addition to the above mitigation measures, the report recommends various ecological enhancement measures. These include a new bat roosting structure to be provided within the wildlife corridor, to the north of the existing water tower. Additional semi-improved grassland would be created from re-seeding the former hardstanding areas within the site, and two large ponds, including a wildlife pond adjacent to the wildlife corridor, are proposed. They would have gently sloping banks with appropriate planting to encourage wildlife. The two vehicular accesses to the north of the site, which are proposed to be no longer used, will be planted up with native planting to provide a continuous vegetated corridor along this boundary. Use of bat access tiles and bird nesting boxes are also proposed.
- 15.5.16. The land adjacent to Fishers Bottom Coppice would also comprise an ecological enhancement, with the exception of the southern portion managed for Skylark, to be planted and managed as wood pasture. It is considered that the proposed mixed habitat of predominantly woodland would align with the objectives set out in the Local Nature Recovery Strategy, presenting an appropriate enhancement.
- 15.5.17. The mitigation and enhancement measures set out are incorporated into the updated EclA, which detail the necessary improvements to the Water Tower bat roost and its buffer. The documents also secure the framework for a suitable lighting scheme to mitigate the impacts of the development on bats; and include the provision of a new bat roosting structure as an ecological enhancement. Two swallow nesting structures are also proposed within the eastern buffer.
- 15.5.18. The recommended mitigation in the BMEP, relating to reptiles, differs to that within the updated EclA. These inconsistencies are reflective of the added complexity of needing to build in flexibility in response to the F-CEMP programme of works. The recommendations of the updated EclA, as

the most up to date document, are secured in a condition that builds in flexibility to review the mitigation proposals as part of a future LEMP. The need to build in such flexibility is in recognition that both documents would be subject to change in response to land contamination conditions requiring a remedial scheme, a finalised CEMP, and details of final ground levels to be secured, all responding to further work and consideration regarding land contamination. By setting out the key obligations, while deferring the detailed mitigation strategy for reptiles to be agreed as part of a LEMP at post decision stage, ensures the necessary ecological mitigation measures are secured whilst building in flexibility to allow potential amendments to the method of dealing with contamination on site.

- 15.5.19. The EclA details what is proposed for the new wildlife habitat, located to the east of the development site, which seeks the southern portion to be managed for skylark nesting, and the remaining area to have an open plant structure (wood pasture) and sets out details for habitat creation/management. Further details are required regarding the planting schedule and location of planting blocks to ensure the area delivers the maximum benefits to biodiversity. As such, further detail is secured through condition.
- 15.5.20. Overall, there would be a net loss of ruderal grassland and developing scrub habitat as a result of the proposal, and in response to this a strip of wildflower meadow and additional planting has been included within the revised plans. However, there are concerns, not dissimilar to those expressed by the Landscape Officer, surrounding both the establishment and appropriateness of species, and there are concerns surrounding how the long term management of the mitigation, buffers, planting, wildflower meadows and ponds will be achieved given the density of lodges proposed. The EclA addresses some, but not all of these concerns, which would need to be addressed within a revised LEMP.
- 15.5.21. The proximity of the lodges to the northern hedge line has also been identified as a potential detracting feature from this habitat. These issues need to be weighed in the balance when considering the acceptability of the proposal and impact on species and habitat and need to be considered against enhancement measures proposed. The removal of the lodges in the north west corner of the site presents a betterment to this issue.
- 15.5.22. Through working collaboratively with the Natural Environment Team the latest EclA has been developed. The EclA is considered to address the key impacts of the development, and has been agreed by the Natural Environment Team, who advise that the EclA is considered to be acceptable as a standalone document, such that the resulting impacts of the development on species and habitat would be appropriately mitigated, and the residual harm would not be so significant to warrant refusal of the application.
- 15.5.23. A large amount of supporting information has been submitted with the application over time, and concerns arise where these documents have

been prepared in isolation. Submitted documents, including the draft LEMP, have the potential to undermine its deliverability, and the discord between submitted documents has been a common concern for specialist officers considering the application.

- 15.5.24. In order to address this, a revised LEMP and soil management plan, together with a final CEMP, to be prepared in combination with, and in recognition of, the remedial scheme and any agreed EclA, would be required to address concerns. It has not been possible to secure this as part of the application, but subject to satisfactory details being submitted through condition, it is considered that the principle of development could be supported at this site, and through conditioning the recommendations of the EclA and further detail by way of a LEMP, species and habitat would be protected. Further conditions would be required in respect of the above mentioned documents and would need to be pre-commencement conditions to ensure appropriate management and planting schemes are secured ahead of works commencing, in the interests of safeguarding protected species. These documents would need to align with the EclA and provide a united approach to managing soils, ecology and landscape across the site. In addition, conditions would be required to secure details (including elevations and materials) of the proposed bat roost and swallow nesting features proposed.
- 15.5.25. In light of the above, and the submission of the updated EclA, agreed by the Natural Environment Team, it is considered that, subject to conditions, the impacts of development on protected species found at the application site could be appropriately mitigated, and suitable habitat enhancement secured, to support biodiversity at the site, in line with the provisions of Policy ENV2 and the NPPF.
- 15.5.26. In terms of the quantum of net gain, the site would be exempt from the Government's mandatory 10% biodiversity net gain (BNG). This is owing to the timing of the application being submitted prior to 12th February 2024 when mandatory BNG came into effect.
- 15.5.27. **Impact on European Protected Sites**
- 15.5.28. In recognition of the site's position within the catchment area of Poole Harbour, a Special Protection Area (SPA) and a European Protected Wetlands (RAMSAR) site, further consideration has to be given to the wider impacts of the development on biodiversity.
- 15.5.29. Elevated concentrations of nitrogen and phosphorus in Poole Harbour are encouraging the growth of widespread algal mats through the process of eutrophication. These mats restrict the availability of invertebrates, which provide food to wading birds, and affect other important features and processes within the harbour.
- 15.5.30. This nutrient enrichment in Poole Harbour is believed to arise from a number of sources of nitrogen and phosphorus within the harbour catchment acting in combination. Whilst the majority of nitrogen entering

Poole Harbour from land sources is generated by agriculture within the Poole Harbour catchment, a proportion is from human sewage discharged within the Poole Harbour catchment, since the Sewage Treatment Works remove only part of these nutrients from human waste. Therefore, increases in human population due to new residential development or overnight accommodation results in additional nitrogen and phosphorus entering Poole Harbour.

- 15.5.31. In light of this serious nutrient issue, in Jan 2024 the Secretary of State designated Poole Harbour as a nutrient sensitive catchment for both nitrogen and phosphorus. To mitigate the impacts of new developments, the Levelling Up and Regeneration Act requires the upgrade of wastewater treatment works to reduce nutrient concentration in wastewater. Following an announcement in May 2024 relating to the wastewater treatment plants that will be subject to these upgrades, Natural England have advised that sufficient wastewater treatment works will be upgraded to reduce phosphorus levels such that there is no longer a need for development to deliver phosphorus mitigation. In terms of nitrogen mitigation, Natural England maintain that the impact of nutrients arising from qualifying development on habitat sites places Poole Harbour at risk from significant effects. They advise that proposals that would result in a net increase in population served by a wastewater system, including tourist accommodation, within these catchment areas should only be granted consent where it is possible to exclude that the proposals would have significant effects. In this case, the development would be served by an on-site package treatment plant and the same principle would apply. In order to rule out significant impacts to the Poole Harbour catchment, the developer would need to demonstrate appropriate mitigation against the impacts of nitrates.
- 15.5.32. In accordance with *People Over Wind & Sweetman v Coillte Teoranta* (Case C-323/17), it is concluded that, discounting any mitigation, the above application would have a likely significant effect on the Poole Harbour European wildlife site. In accordance with the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity an Appropriate Assessment has been carried out.
- 15.5.33. Having regard to the current application, the resultant redevelopment and extension of holiday accommodation at the site would result in an increase in occupancy at the site, contributing to the nutrient problem at Poole Harbour.
- 15.5.34. The water company is usually responsible for removing a proportion of nitrogen from the sewage, but remaining nitrogen must be addressed through mitigation. In this case, a sewerage treatment plant is proposed, and in the same way, would filter some, but not all the nutrients from the waste water, with any remaining nutrients requiring mitigation.

- 15.5.35. Mitigation through nutrient neutrality offers a potential solution. Nutrient neutrality is an approach which enables decision makers to assess and quantify mitigation requirements of new developments. It allows new developments to be approved with no net increase in nutrient loading within the catchments of the affected habitats site.
- 15.5.36. The applicant has provided a supplementary statement to address the impacts of nitrates including a Nutrient Neutrality Report and Nutrient Neutrality Mitigation Strategy. It calculates that the waste water from the development, which would be treated via a Bio-Bubble package treatment plant replacing the existing sewerage treatment plant serving the site and hotel, would result in a net reduction of total annual nitrogen loading to the Poole Harbour catchment of -165.19 Kg TN/yr. This is owing to the higher efficiency of the replacement plant, such that the net reduction in total nitrogen load for the existing accommodation on site mitigates the additional nitrogen load generated from the proposed development, whilst providing an additional reduction in load within the catchment. The proposal subsequently demonstrates nutrient neutrality. Following the revocation of the Nitrogen Reduction in Poole Harbour Supplementary Planning Document (SPD), these calculations are based on Natural England's calculator tool for Poole Harbour. Further details relating to the management and maintenance of the waste water treatment plant would need to be secured by condition. Since a water usage figure of 120L/person/day was applied whilst estimating the additional nitrogen loading from the proposed development in the calculator tool, a planning condition would need to be added to any permission to secure the higher level of water efficiency.
- 15.5.37. Based on the above, it is considered that nutrient neutrality has been demonstrated, and subject to securing the measures set out through a legal agreement, likely significant effects on European Protected sites resulting from the proposed development would be successfully mitigated to prevent adverse effects on the integrity of the designated site. An appropriate Assessment has been prepared to this effect and agreed by Natural England.
- 15.5.38. The application can be supported having regard to impacts upon biodiversity; recognising the special protection afforded under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006. The development in turn accords with the provisions of Policy ENV2 of the Local Plan, and the provisions set out under para 192-195 of the NPPF.

15.6. Impact on residential amenity

- 15.6.1. Policy ENV16 of the Local Plan seeks to ensure development proposals are designed to minimise impacts on amenity and the quiet enjoyment of residents within and close to the application site. In doing so, consideration should be given to a range of impacts, including impacts on privacy, light,

and impacts through increased activity that would significantly detract from the amenity of the area and its residents.

- 15.6.2. The nearest residential properties are located adjacent to the site, with the dwelling houses of Warden Hill Farm and Copse Corner lying approximately 65 and 85 metres from the site respectively.
- 15.6.3. The proposed use of the site for holiday accommodation is considered be a compatible use within a residential area. Whilst there would be an increase in the level of activity at the site compared to existing levels, this would not necessarily exceed that associated with the existing land uses, and all traffic would be directed to the main A37 access, with the most northern accesses closest to neighbouring units blocked up. The proposed use is not considered to give rise to unacceptable levels of noise and would arguably result in a reduction in noise by removing less compatible uses from this rural location, including the existing racing track. Furthermore, due to the separation distances and vegetated boundaries between the site and its nearest neighbours, there is considered to be no significant loss of light or privacy to neighbouring dwellinghouses.
- 15.6.4. Therefore, although the concerns of the Parish Council and local residents are acknowledged, there is considered to be no significant harm to the residential amenity of the area such as to warrant refusal of the application, and the proposed development is considered to be in accordance with the provisions of Policy ENV16.

15.7. Other Matters not addressed

- 15.7.1. In response to the request received from Sydling St. Nicolas Parish Council seeking a condition of the consent should be to ensure that the Maiden Newton Fire Station is required to remain open, this unfortunately goes beyond the remit of the application and what would be reasonable to make a condition of the consent. This is having regard to the NPPF tests, but also the fact that neither the Local Planning Authority nor the applicant has control over the Fire Station's opening and/or closure.

Conclusions

- 15.7.2. Due regard has been given to the adopted spatial strategy and policy ECON7 having regard to the provision of a new and/or extended holiday use at the site; together with consideration of the weight to be applied to the site's part brownfield condition; the loss of the existing recreational facilities that would result from the proposed change of use of land; and the need for 24hr surveillance at the site for security purposes.
- 15.7.3. Weighing in favour of the proposed holiday use is the provision of facilities on site to serve the development, together with presence of an existing holiday use at the site, making the site suitable in policy terms, and in line with the adopted spatial strategy. The presence of two established residential units on the site, which would be replaced, and the understanding that some 24hr presence would be required from a security

perspective, provides sufficient justification for the provision of two staff units at the site. In this regard, the provisions of policy ECON7 and HOUS6 are met, together with the provisions set out at para 110 of the NPPF.

- 15.7.4. Having regard to the loss of existing recreational facilities, and in particular the loss of Clay Pigeon Raceway, careful consideration has been given to alternative facilities, their distance, offering and regional catchment. In this regard it is concluded that there is insufficient demonstrable need for the facilities to warrant their retention at the site, such that the development broadly meets the provisions set out in Local Plan policy COM5 and para 103-104 of the NPPF. Matters surrounding the raceway are nonetheless finely balanced, given clearly the raceway is a valued facility.
- 15.7.5. Detailed consideration has been given to the site's sensitive location and the possible impacts of development on the AONB/National Landscape, and the application has been assessed having regard to the 'material considerations' set out in the NPPF for major development in an AONB/National Landscape. In this regard while there is no demonstrable need for the development, the economic benefits of the proposal weigh heavily in favour of the development. In terms of the siting of development the site is accessible by a major route, at a site where tourism provision is an established use, and where part of the site is previously developed. The site has not however been sequentially tested, and this has to be weighed in the balance. Having regard to the impacts upon the AONB/National Landscape, the site is otherwise relatively well screened by mature vegetated boundaries, with proposals to further enhance boundary treatments; and appropriate treatment of lodges and lighting would further reduce the impact of the proposed development on the wider landscape, such that the impacts of the development could be successfully moderated.
- 15.7.6. The submitted landscape scheme, LEMP and CEMP all fail to demonstrate appropriate treatment to landscaping at the site, which has added complexity to considering matters surrounding impacts upon the National Landscape, as does matters of land contamination. The issues however relate to matters of detail as opposed to presenting fundamental barriers to development. Whilst it would be desirable to have matters of detail addressed up front, through the use of pre-commencement conditions, it would be possible to secure satisfactory details ahead of development proceeding. The use of conditions to ensure appropriate details are secured prior to commencement is considered to be a reasonable proactive way forward to secure the successful establishment and long term management of appropriate landscaping, and it is considered that on this basis, the impact of the development could be successfully mitigated. For the avoidance of doubt, the agent has agreed to the recommended pre-commencement conditions.
- 15.7.7. Fundamentally, the proposed scheme would have limited visual impact such that it would not be harmful to the National Landscape. Further, the removal of structures and uses that detract from the quality of the National Landscape would present an enhancement. The proposed development

consequently presents a rare opportunity to support development within the National Landscape that does not unacceptably harm the special qualities and would contribute positively to the local economy. This is an exceptional circumstance (under para 190 NPPF), and should be given significant weight, weighing heavily in favour of the proposal.

15.7.8. Having regard to the public benefits of the scheme, the proposal would see the redevelopment of the site including its decontamination, the removal of unsightly telecommunication masts, the removal of uncharacteristic bunding, the removal of the race track (an insensitive use) and associated structures which conflict with the special qualities of the National Landscape, and removal of paraphernalia including derelict structures connected to the former clay pigeon shooting range. Through appropriate landscaping, to be secured by condition, the site boundaries would be enhanced, improving the visual amenity of the area. This includes the removal of the northern accesses, to be reinstated with hedgerow, which currently offer views into the site of the various uses and structures, detracting from the visual quality of the area. The development would support existing tourism provision at the site and would benefit the local economy. The proposal also includes biodiversity enhancements. The loss of the racetrack as a grassroot track into British Motorsport would be a disadvantage, but would not outweigh the benefits for the general public having regard to the sensitive landscape context of the site. In light of the above, the impacts of the development on the National Landscape can, subject to conditions, be appropriately moderated. The proposed development would in turn be in accordance with policy ENV1 of the WDWP Local Plan, and the objectives set out within the Dorset National Landscape Management Plan. Further, subject to an acceptable LEMP and Landscape Scheme being submitted and agreed prior to commencement, the proposed scheme would preserve the natural beauty of the area by reason of its limited visual impact, and would enhance the natural beauty of the area owing to the removal of previous harmful uses. It is thus considered that overall, and subject to conditions, the proposal would enhance the natural beauty of the National Landscape. The removal of the existing more harmful structures and uses is considered to be an exceptional circumstance that is also in the public interest.

15.7.9. Although further details are required in respect of land contamination owing to elevated levels of lead and PAH, through an appropriate set of conditions, it is considered that the site could be successfully remediated such that land contamination would not pose a risk. Sufficient information has been submitted to demonstrate that the proposed development would not pose an unacceptable risk of pollution to groundwaters from non-mains foul drainage, thereby safeguarding the source protection zone 1. The proposed development likewise successfully demonstrates that it would not have a harmful impact upon potable water supplies. Having regard to likely effects on the environment through both land contamination and groundwater contamination, the proposed development thus accords with policy ENV9 of the West Dorset Weymouth and Portland Local Plan (2015),

and the provisions set out within Para 187 and 196-201 of the National Planning Policy Framework (2024).

- 15.7.10. Significant third party concern has been raised in relation to the impact of the development on highways safety and efficiency. The Highway Authority confirm that the traffic generated from the proposed development would be unlikely to exceed the capacity of the permitted uses at the site, and the volume of traffic using the site would not exceed the capacity of the junction or A37. As such, the proposed development is considered to comply with Local Plan policy COM7 and para 116 of the NPPF having regard to highway safety and efficiency.
- 15.7.11. The proposed development is considered to be acceptable having regard to the impacts on flood risk, subject to conditions, in line with Local Plan Policy ENV5 and para 181-182. The impacts on the residential amenity of the area are also considered acceptable, in line with Local Plan policy ENV16.
- 15.7.12. The impacts of the development on protected species and habitats at the site are minimised to an acceptable level through the provision of appropriate mitigation and enhancement secured through condition, including the submission of a detailed LEMP and CEMP. Sufficient information has also been provided to demonstrate that the impacts of nitrogen generated from the development can be successfully mitigated to prevent likely significant adverse impacts on the integrity of Poole Harbour, designated a Special Protection Area (SPA) and a European Protected Wetlands (Ramsar) site. Subject to securing mitigation through condition the proposed development consequently passes the Appropriate Assessment and accords with the provisions set out in Policy ENV2 of the WDWP Local Plan, and para 192-195 of the NPPF. This conclusion has been reached having regard to the special protection afforded under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006.
- 15.7.13. As a whole, the proposed development is considered to comply with the policies within the development plan, with the principle of development supported by Local Plan policy SUS2, ECON7 and HOUS6. It is considered that with conditions in place to secure appropriate decontamination of the site, soil management and a robust landscaping scheme, the proposal would not harm the character, special qualities or natural beauty of the Dorset National Landscape, and would offer enhancements to local character by removing undesirable uses and bolstering existing landscape features at the site. In this regard, the proposed development, subject to conditions would comply with Local Plan policy ENV1, ENV9 and ENV10. Subject to appropriate nutrient neutrality measures alongside biodiversity mitigation and enhancement measures secured through condition, it is considered that the proposed development would comply with Local Plan policy ENV2. Matters relating to the loss of the recreational facilities at the site are finely balanced, but owing to regional access being maintained

through other sites, it is considered that the loss broadly meet the provisions set out in Local Plan policy COM5, with the harm associated with that loss, not outweighing the benefits of the scheme in this case. In turn the proposed development is considered to be acceptable in highway safety terms, and having regard to amenity and flood risk, such that the proposal accords with the provisions of Local Plan policies ENV5, ENV16 and COM7. Further, it is not considered that other materials considerations, including para 190 of the NPPF, indicate that a different decision should be reached, such that it is considered that the proposed scheme would comply with the provisions of the NPPF (2024).

16. RECOMMENDATION:

16.1. To grant planning permission subject to the following conditions:

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

Location Plan, drawing no. LP/1.3, received 04 Mar 21

Proposed Holiday Lodge Layout Plan, over existing topography plan, drawing no. GAH/C2.9-2, received 16 Jun 25

Proposed Holiday Lodge Layout Plan, drawing no. GAH/C2.9, received 16 Jun 25

Land Survey: Buildings and Structures to be demolished, received 10 Mar 26

Artisan Lode 3 Bed (staff accommodation) Floor Plans and Elevations, received 16 Sep 21

Bella Vista 2Bed Floor Plans and Elevations, received 1 Nov 19

Bella Vista 3Bed Floor Plans and Elevations, received 1 Nov 19

Waste Water Treatment Plant - Plan, drawing no. BB1466-22-101-001, received 09 Mar 26

Waste Water Treatment Plant - Section, drawing no. BB1466-22-101-001, received 09 Mar 26

Cross Sections O-O, R-R, drawing no. GAH/CS5.2, received 03 Feb 21

Cross Sections E-E, F-F, G-G, drawing no. GAH/CS2.2, received 03 Feb 21

Cross Sections A-A, B-B, C-C, D-D, drawing no. GAH/CS1.2, received 03 Feb 21

Pond Section Details, Rev V1, received 23 June 21

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

2. 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).

3. The lodges hereby approved shall be occupied for holiday purposes only (save for those subject to condition 4); shall not be occupied as a person's sole, or main place of residence; and the owners/operators must maintain an up-to-date register of the names of all owners/occupiers of the lodges, their main home addresses, and the date of occupancy of the lodge, and must make this information available within 24 hours of a request by a duly authorised officer of the Local Planning Authority.

Reason: To ensure that the approved lodges are not used for permanent residential occupation.

4. The 2x lodges identified on drawing GAH/C2.9-2 as 'staff units' shall be limited to a person solely, or mainly, employed in the Warden Hill/George Albert holiday lodge park hereby approved (including any dependants of such a person residing with him/her).

Reason: The site is in an area where new dwellings would be contrary to the provisions of the approved Local Plan and normally would not be permitted except where there is an overriding need in the interests of a rural enterprise.

5. Prior to the siting of any lodge, details and samples of all external facing materials for the walls and roofs, and associated decking, balustrades, and any steps/ramps, including its finish and colour, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the external finish/colour of the lodge, and associated decking, balustrades and steps/ramps, shall be in strict accordance with the details as have been agreed, shall be completed prior to the first occupation of the lodge, and shall be retained as such thereafter.

Reason: To ensure a satisfactory visual appearance of the development.

6. The lodges hereby approved, together with any replacement lodge in the future, shall accord in size, siting and appearance with the drawings as set out in condition 1 (plans list), and their external appearance shall be in accordance with those details agreed under condition 5 (external appearance).

Reason: To ensure a satisfactory visual appearance of the development.

7. There shall be no more than 226 holiday lodges on the site at any one time.

Reason: To ensure a satisfactory visual appearance of the development.

8. Before the development is first occupied or utilised the access, geometric highway layout, turning and parking areas shown on the submitted plans must be constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

9. Before the development is first occupied or utilised the existing access points on Wardon Hill Road (Dorset Council designation D20701) must be permanently closed and the existing highway vehicular crossings must be expunged and the verges reinstated, in accordance with a landscape scheme to be approved as part of the Landscape and Environmental Management Plan required under condition 17.

Reason: To ensure the proper and appropriate reinstatement of the adjacent highway.

10. Prior to the siting of any lodge, details of the means of access including details of access ramps, steps, and a plan showing which lodges are accessed by which means, shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

Reason: In the interests of ensuring suitable access is provided to lodges having regard to Inclusive Mobility Guidance.

11. No development shall take place until a detailed Surface Water Management Scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction and a timetable for implementation of the scheme, has been submitted to, and approved in writing by the local planning authority. The detailed design of the Surface Water Management Scheme shall be accompanied by supporting ground investigation and soakage testing. The approved Surface Water Management Scheme shall thereafter be implemented in accordance with the submitted details including the timetable for implementation.

Reason: To prevent the increased risk of flooding and to protect water quality.

12. No development shall take place until details of maintenance and management of the Surface Water Management Scheme, including any sustainable drainage features, have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These shall include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

13. Notwithstanding drawing 'pond section details, Rev V1, received 23 June 21' prior to works being carried out relating to the ponds hereby approved, additional 1:20 sections, showing the north, south, east, and west banks for each pond, and a Pond Maintenance Strategy for the bank edges shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the ponds shall be provided in strict accordance with such details as have been agreed and shall be maintained in accordance with the Pond Maintenance Strategy thereafter.

Reason: In the interests of residential amenity, visual amenity, and biodiversity.

14. Prior to the installation of the Waste Water Package Treatment Plant (PTP) (to be installed prior to occupation of the holiday lodges hereby approved in accordance with condition 15), a layout plan showing its siting, and details, including materials, finish and colour, of the above ground structures associated with the PTP (including the tanks and kiosk), shall first have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, development shall proceed in strict accordance with such details as have been agreed.

Reason: To ensure the satisfactory visual appearance of the development.

15. Prior to occupation of the holiday lodges hereby approved, the replacement Bio-Bubble Package Treatment Plant (PTP), as detailed within the submitted Nutrient Neutrality and Mitigation Strategy (NNMS) dated 12 Sep 2024, shall first be installed and made operational. Thereafter, the PTP shall be managed and maintained in accordance with a Waste Water Management Scheme (as required by condition 16) in perpetuity. In the event the PTP needs replacing or upgrading, the replacement PTP shall have an effluent discharge of no greater than 1.2mg/l total ammoniacal nitrogen, and nitrate of 35mg/l, unless otherwise agreed in writing.

REASON: To provide appropriate treatment to wastewater generated from the proposed use, in the interests of safeguarding European Protected sites, specifically Poole Harbour, from the harmful effects of development.

16. No development shall commence until a Waste Water Management Scheme, to include details of maintenance and management of the waste water treatment plant, shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These shall include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker or any other arrangements to secure the operation of the Waste Water Management Scheme throughout its lifetime.

Reason: To provide appropriate treatment to wastewater generated from the proposed use, in the interests of safeguarding European Protected sites, specifically Poole Harbour, from the harmful effects of development.

17. Details of measures to limit the water use of the lodges in accordance with the optional requirement in regulation 36(2)(b) and the Approved Document for Part G2 of the Building Regulations 2010 (or any equivalent regulation

revoking and/or re-enacting that Statutory Instrument) shall be submitted to and approved in writing by the Local Planning Authority before the lodges are occupied. The submitted details shall include a water consumption calculation for each lodge in accordance with the Approved Documents referred to above. The approved measures shall be implemented prior to occupation and maintained in accordance with the approved details thereafter.

Reason: To ensure nutrient neutrality in the Poole Harbour catchment, in the interests of protected habitats.

18. Prior to the commencement of any development hereby approved, an Arboricultural Method Statement (AMS) prepared by a qualified tree specialist providing comprehensive details of construction works in relation to trees and hedges that have the potential to be affected by the development must be submitted to and approved in writing by the Council. In particular, the method statement must provide the following:

- a) a specification for protective fencing to trees and hedges during both demolition and construction phases which complies with BS 5837 (2012) and a plan indicating the alignment of the protective fencing;
- b) a schedule of tree work conforming to BS3998;
- c) details of the area for storage of materials, concrete mixing and any bonfires;
- d) plans and particulars showing proposed cables, pipes and ducts above and below ground as well as the location of any soakaway or water or sewerage storage facility;
- e) details of any no-dig specification for all works within the root protection area for retained trees: f) details of the supervision to be carried out by the developer's tree specialist.

Thereafter, development shall proceed in strict accordance with the details as have been agreed and all safeguarding measures, including the provision of protective fencing, shall be installed prior to commencement of development and 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 and hedge protection zone(s).

Reason: This information is required to be submitted and agreed before any work starts on site to ensure that the trees and hedges deemed worthy of retention on-site will not be damaged prior to, or during the construction works.

19. Notwithstanding the submitted 'Detailed Landscape Design', prior to commencement of development, full details of hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include where appropriate: existing and proposed finished levels or contours, means of enclosure, car parking layout, other vehicular and pedestrian access and circulation areas, hard surfacing materials and ancillary structures (eg; furniture, play equipment, refuse or other storage

units). Thereafter, the development shall proceed in strict accordance with the details as have been approved.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features and to clarify the finished ground levels of the development in the interests of visual amenity.

20. A Landscape and Ecological Management Plan (LEMP), which carries forward the recommendations of the Ecological Impact Assessment updated Feb 2025, shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of any development. The content of the LEMP shall include the following:

- a) A soft landscaping scheme and planting schedule to include details of the size, species, and positions or density of all trees and plants to be planted;
- b) Protected Species Mitigation & Monitoring Strategy for all identified ecological receptors to cover the operational phase.
- c) Description, evaluation and conservation objectives of landscape and ecological features to be managed. These shall include a range of enhancement features and habitats for target species including tawny owl, skylark, reptiles, badgers, bats, birds, dormice and invertebrates.
- d) Detailed plans of the enhancement bat roost and swallow nesting features.
- e) Ecological trends and constraints on site that might influence management.
- f) Detailed design(s) and/or working method(s) & management prescriptions to achieve stated objectives.
- g) Details of the proposed ecological mitigation area to be provided at the south east extent of the site, including a planting schedule detailing species composition and location of planting blocks, management prescriptions, and clear connectivity with the eastern boundary of the site and with Fishers Bottom Coppice.
- h) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- i) Details of site de-compaction, soil quality, ameliorants, and method statement relating to ground preparation
- j) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development (to be agreed in line with condition 30).
- k) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period), to include a list of persons responsible for implementing the works and details of the body or organization responsible for the long-term management of the LEMP, to include ongoing monitoring of the plan and the carrying out of remedial measures.
- l) Details of initial aftercare and long-term maintenance, to include a schedule of landscape maintenance covering a minimum period of five years following substantial completion of the development
- m) Details for disposal of any wastes arising from works.

The LEMP shall also set out (where the results from monitoring show that landscape and conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and

implemented so that the development still delivers the fully functioning landscape and biodiversity objectives of the originally approved scheme.

Thereafter, the mitigation, compensation, enhancement measures and contingencies/remedial action set out in the LEMP shall be carried out in strict accordance with such details as have been agreed and shall be implemented in accordance with the Timetable for Implementation.

Reason: To protect the landscape character of the area and to mitigate, compensate and enhance/provide net gain for impacts on protected species and biodiversity.

21. Prior to the first occupation of each phase of development a report, providing evidence of compliance with the LEMP (including photographic evidence), shall have first been submitted to, and agreed in writing by, the local authority. Thereafter the approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details.

Reason: To protect the landscape character of the area and to mitigate, compensate and enhance/provide net gain for impacts on protected species and biodiversity.

22. The off-site ecological mitigation area at the south east extent of the site shall be no less than 0.83ha of wildlife habitat, located as shown on drawing 'Proposed Holiday Lodge Layout Plan, drawing no. GAH/C2.9. The southern end, as shown in orange on the above referred drawings will be managed for Skylark as per the prescriptions on p40 of the EclA, and the remainder will be planted and managed as wood pasture, as per the prescriptions on p41 of the EclA.

Reason: To protect the landscape character of the area and to mitigate, compensate and enhance/provide net gain for impacts on protected species and biodiversity.

23. All hard and soft landscape works shall be carried out in accordance with the hard and soft landscaping details agreed under condition 19 & 20 and shall be carried out in full in the first planting season (November to March) following commencement of development of any one phase or within a timescale to be agreed in writing with the Local Planning Authority; and in any case not later than the end of the first planting season following the substantial completion of that particular phase of the development. In the five year period following the substantial completion of that particular phase of the development any trees or plants that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority.

Reason: To ensure the provision, establishment, and maintenance of a reasonable standard of landscape in accordance with the approved designs.

24. Prior to the commencement of any approved phase of development a Construction and Environmental Management Plan (CEMP) in accordance with the specifications in clause 10.2 of the BS42020:2013 (or any superseding British Standard), and which carry forward the recommendations of the Ecological Impact Assessment updated Feb 2025, shall be submitted to, and agreed in writing by, the Local Planning Authority. As a minimum the CEMP shall include:

- a) A Protected Species Mitigation Strategy that covers all activities relating to pre-commencement and construction phases, making clear any phasing between remediation and movement of reptiles between different areas, and any further mitigation required as a result of further investigation into contamination. This shall include mitigation measures for reptiles, bats, badgers, dormice and wild birds and include a lighting strategy for the entirety of the construction phases. The protected Species Mitigation Strategy should accord with the Construction Phase Plan, drawing no. GAH/C2.9-3.
- b) Risk assessment of potentially damaging construction activities.
- c) Notwithstanding the 'Construction Phase Plan – Ecology', drawing no. GAH/C2.9-3, received 16 Jun 25, a final Construction Phase Plan identifying biodiversity protection zones, construction exclusion zones, water tower buffer, reptile donor site and reptile receptor sites taking into account a remedial strategy (as required by condition 22) to manage land contamination.
- d) Identification of areas where invasive species have been identified. An eradication programme for Japanese knotweed shall be provided.
- e) Inclusion of or reference to details for implementation of method statements required to achieve specific biodiversity outcomes, and particularly mitigation measures.
- f) Identification of practical measures, both physical measures and sensitive working practices to avoid impacts during development, for protecting biodiversity through the control or regulation of construction-type activities.
- g) An Implementation Timetable to include construction timeframes, the location and timing of sensitive works to avoid harm to biodiversity features, and a timetable of visits by specialists where required to be present to oversee works.
- h) A list of responsible persons and lines of communication.
- i) A section defining and communicating the role and responsibilities on site of an ecological clerk of works (ECoW), or appointed ecologist(s) responsible for managing biodiversity issues on site, and times and activities during construction or development implementation when they need to be present to oversee works.
- j) details of exclusion fences, protective barriers and warning signs.
- h) route of construction traffic

Thereafter the development shall proceed in strict accordance with the details as have been agreed, and in line with the Implementation Timetable set out

within the CEMP. The Consultant Ecologist shall notify the Local Planning Authority in writing following implementation of the measures set out.

Reason: To safeguard biodiversity as set out by Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, and in the interests of highway safety

25. Prior to the commencement of any development within any one phase, full details of earthworks shall first be submitted to and approved in writing by the Local Planning Authority. These details shall include details of any proposed grading and mounding of land including the levels and contours to be formed, showing the relationship of the proposed mounding to the existing vegetation and surrounding landform. Thereafter, development for each phase shall proceed in strict accordance with such details as have been agreed for that phase. No development phase shall be occupied until the works are completed for that phase, in accordance with the approved details.

Reason: In the interests of maintaining the amenity value of the area.

26. No soil shall be imported to the site unless it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material must be submitted to and approved in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by risk assessment) and source material information. The analysis shall then be carried out and a validation certificate or similar evidence should be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with the details as have been agreed.

Reason: To prevent pollution of the environment and in the interests of successful landscape establishment.

27. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority:

1) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed. This shall be supported by a detailed soil management and waste management plan, and mitigation measures shall include the installation of a robust cover system, details of which shall first be submitted to and agreed in writing by the Local Planning Authority, consisting of a design with cover of not less than 600mm depth.

2) a detailed phasing scheme for the development (in line with the requirements of condition 30), defining distinct areas of the development site and the order in which development will be delivered, together with the agreed remedial works (including a time scale for completion).

3) a monitoring and maintenance scheme, overseen by a specialist consultant, to include monitoring the long-term effectiveness of the proposed remediation over a period of time and to determine and report on currently unknown issues with contamination and remediation during development. The scheme shall ensure that site work ceases in the event unexpected contamination is identified or where remediation measures are found to be unsuitable or ineffective, the Authority is informed of any such discovery, and agreement is reached with the Authority concerning any remediation requirements that arise prior to the recommencement of site works.

The development shall, thereafter, proceed in strict accordance with the remediation scheme, and monitoring and maintenance scheme as has been agreed, which shall be fully implemented before the development hereby permitted first comes in to use or is occupied, and in strict accordance with the agreed phasing plan.

On completion of the development written confirmation and verification that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed and to mitigate potential harm to health and safety, as well as ensuring the successful establishment of the landscape scheme.

28. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. The remediation shall be carried out in accordance with the approved scheme and on completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

29. Prior to the first occupation or use of the development hereby permitted a verification certificate to confirm that the site is fit for purpose following remediation shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

30. Notwithstanding the submitted phasing plan, no development shall commence until a detailed phasing scheme (in line with the requirements of condition 20 and 27), defining distinct areas of the development site, the order and timing in which development commences within each of those development areas, and the order and timing that existing uses on site cease, shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development hereby approved and the cessation of existing uses on site shall proceed in strict accordance with the agreed phasing plan.

Reason: In the interests of the amenity of existing and future occupiers.

31. Notwithstanding the submitted Lighting Strategy, no lighting shall be installed until a more detailed Lighting Strategy has been submitted to, and agreed in writing, by the Local Planning Authority. The strategy shall minimise impacts from lighting associated with pre-construction, construction, and operational activities, and demonstrate how the current best practice (BCT/ILP, 2018) guidance has been implemented. This shall include details such as the following: artificial lighting associated with public realm lighting and any other internal and external lighting associated with the development. Thereafter development shall proceed in strict accordance with such details as have been agreed, and prior to occupation of each phase a report shall first be submitted to, and agreed in writing by the Local Planning Authority, providing evidence of compliance with the Lighting Strategy.

Reason: The purpose of the lighting strategy is to ensure the ecological mitigation areas and boundaries of the site function as dark corridors and bat flight lines (0.2 lux on the horizontal plane and 0.4 lux on the vertical plane), and to minimise light spill within the Dorset National Landscape skies.

32. Prior to the erection of any advertisement sign, where it does not require the express consent of the Local Planning Authority in its own right, details (including to scale plans of the sign, a block plan showing its precise siting, and details of colour, design, materials and any illumination) shall first be submitted to and agreed in writing by the Local Planning Authority. Any such advertisement shall only be erected in accordance with the approved siting and details and any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: In the interests of the visual amenity of the area.

33. Prior to first occupation of the lodges hereby approved, and notwithstanding drawing 178-01-03, received 04 Mar 21, a plan identifying the quantum and location of EV charging points, shall first be submitted to and agreed in writing by the Local Planning Authority. The EV charging points shall be provided prior to occupation and in accordance with the details as have been agreed and shall thereafter be maintained, kept free from obstruction and available for the purposes specified.

Reason: In the interests of supporting sustainable transport objectives.

34. The telecommunications mast and other structures on site proposed for removal, as indicated on drawing 'Land Survey: Buildings and Structures to be demolished, received 04 Aug 21', shall be removed from the land in accordance with a timetable to be submitted to and agreed in writing by Local Planning Authority prior to commencement of development.

Reason: in the interests of the visual amenity of the site.

35. Prior to first use of the holiday park, final floor plans for the holiday park facilities building (the former racing track clubhouse) shall have been submitted to and approved in writing by the Local Planning Authority.

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

Informatives:

1. NPPF

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 updating the 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. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Dorset Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.

In this case, the application for planning permission was made before 12 February 2024.

Read more about Biodiversity Net Gain at

<https://www.dorsetcouncil.gov.uk/w/biodiversity-net-gain>

3. NS Biodiversity Gain Plan - Exempt

Statutory Exemptions and Transitional Arrangements in respect of the Biodiversity Gain Plan

- 1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;

ii) planning permission is granted which has effect before 2 April 2024; or

iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3. Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4. Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

ii) is carried out on a site which has an area no larger than 0.5 hectares; and

iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any

of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

4. Land Contamination

Any work carried out to comply with conditions relating to land contamination must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

5. Land Contamination

The applicant is reminded that to safeguard the site from contaminants condition 23 seeks a robust cover system of not less than 600mm depth be installed. Where permitted development is proposed that could impact the cover system in place, the applicant is advised to seek specialist advice prior to works going ahead to ensure land contamination is suitably addressed and to mitigate potential harm to health and safety.

6. Invasive Plants

The applicant is advised that there is an area of the site colonised by the invasive plant Japanese Knotweed. Certain plants are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This places a duty on anyone undertaking relevant operations such as ground work to prevent the spread of invasive species. Advice should be taken from the Environment Agency / Natural England with regard this species. More information is available on the following website: Invasive non-native (alien) plant species: rules in England and Wales - GOV.UK (www.gov.uk)

7. Reinstatement of verge

The reinstated verge at the expunged access (that is, the area of highway land between the nearside carriageway edge and the site’s road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at 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

8. Badgers

Badgers are protected under the Badger Act 1992. Section 3 of the Act states: “A person is guilty of an offence... by doing any of the following things... - a) damaging a badger sett or any part of it; b) destroying a badger sett; c) obstructing access to, or any entrance of, a badger sett; d) causing a dog to enter a badger sett; or e) disturbing a badger when it is occupying a badger sett, intending to do any of these things or being reckless as to whether his actions would have any of those consequences” If a badger(s) or badger sett is

discovered during works; all work should stop and advice sought from Natural England by calling 0300 060 3900 or Dorset Council Natural Environment Team by calling 01305 221697 / net@dorsetcouncil.gov.uk, before proceeding.

9. Bats

The applicant is advised to obtain either the appropriate licence for Bats issued by Natural England pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended) authorising the works to go ahead, or written confirmation from Natural England that such a licence is not required. This is in recognition that bats are protected in the UK by Schedule 5 of the Wildlife and Countryside Act 1981 and Part 3 of Conservation of Habitats and Species Regulations 2017 (as amended). Further information about the law and bats may be found on the following website <https://www.gov.uk/guidance/bats-protection-surveys-and-licences>.

10. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to:

- A replacement Bio-Bubble Package Treatment Plant (PTP);
- The submission of a Waste Water Management Scheme;
- Any future replacement PTP;
- A monitoring fee.

11. A replacement Bio-Bubble Package Treatment Plant (PTP), as detailed within the submitted Nutrient Neutrality and Mitigation Strategy (NNMS) dated 12 Sep 2024, to be installed prior to occupation of any holiday lodge; the submission of a Waste Water Management Scheme; any replacement PTP; and a monitoring fee.