

# Planning Committee

Application Address	Hicks Farm Throop Road and land East of Lavender Road and Taylor Drive Bournemouth
Proposal	Change of use to Suitable Alternative Natural Greenspace (SANG) together with the formation of an associated car park . Access and infrastructure - Regulation 3 (Revised Application)
Application Number	7-2021-7824-C
Applicant	BCP Council Parks Service
Agent	Chapman Lily Planning Ltd
Date Application Valid	12 February 2021
Decision Due Date	13 May 2021
Extension of Time date (if applicable)	TBC
Ward	Muscliff & Strouden Park
Report Status	Public
Meeting Date	TBC
<b>Recommendation</b>	<b>APPROVE subject to planning conditions as detailed</b>
Reason for Referral to Planning Committee	<p>This application is referred to the Planning Committee for the following reasons:</p> <ul style="list-style-type: none"> <li>• An application which would have a significant impact on a wide number of people;</li> <li>• A contentious application that would affect the wider public interest and is referred by the Head of Planning and Senior Officers;</li> <li>• An application where more than 20 representations have been received contrary to the Officer recommendation:</li> <li>• An application referred by Cllr Northover for the following reasons: <ul style="list-style-type: none"> <li>1. The application relates to a sensitive and highly valued area of open countryside that provides long distance views across the River Stour and which facilitates a green, verdant and undeveloped setting</li> </ul> </li> </ul>

	<p>to the villages of Throop and Muccleshell. The change of use of this area of open countryside to a SANG and the introduction of a car park would fail to conserve or enhance the features of this landscape that contribute to the area's heritage, character and local distinctiveness, the amenities of surrounding residents and biodiversity. The proposal would thus comprise poor design that would be detrimental to the character of the area. Accordingly, the application is contrary to the provisions of the NPPF (Chapters 12, 15 and 16) and policies CS6(ii) and CS41 of the Bournemouth Local Plan Core Strategy (Adopted October 2012).</p> <ol style="list-style-type: none"> <li>2. The application site falls within and affects the setting of the Throop and Muccleshell Conservation Area. The change of use of this area of open countryside to a SANG and the introduction of a car park would fail to preserve, enhance or better reveal the significance of this heritage asset and would be harmful. The proposal is therefore contrary to the provisions of the NPPF (Chapter 16) and policy CS39 of the Bournemouth Local Plan Core Strategy (Adopted October 2012).</li> <li>3. The application site falls within the South East Dorset Green Belt. The change of use of this area of open countryside to a SANG and the introduction of a car park would fail to maintain the openness of the Green Belt and would be harmful, contrary to the purposes of including land within the Green Belt. Therefore, the proposal is contrary to the provisions of the NPPF (Chapter 13) and policy CS37 of the Bournemouth Local Plan Core Strategy (Adopted October 2012).</li> <li>4. The application site occupies a rural location that is remote from town and district centres. The proposal would generate a significant increase in car borne trips and as such, would fail to adequately facilitate, support or promote sustainable modes of travel comprising cycling and walking. The proposal is therefore contrary to the provisions of the NPPF (Chapter 9) and policy CS18(ii) and (iv) of the Bournemouth Local Plan Core Strategy (Adopted October 2012).</li> </ol>
Case Officer	Peter Burridge

### **Description of Proposal**

- 1 This application seeks full planning permission for the change of use of land to Suitable Alternative Natural Greenspace (SANG) together with the formation of an associated car park (20 spaces including 3 disabled spaces) near to the SANG, access, and infrastructure works. The specific works applied for in this application are:

- Change of use of land at Hicks Farm from agricultural to use as Suitable Alternative Natural Greenspace (SANG);
  - A small dog dipping pond within the SANG;
  - A series of paths within the SANG, some of which would be surfaced;
  - New tree, hedgerow and copse planting within the SANG;
  - Installation of fencing including along the riverbank;
  - Dog litter bins;
  - Interpretation boards;
  - Signage and rustic furniture;
  - 20 space car park on land adjacent to the proposed SANG accessed off Taylor Drive, with associated hard surfacing, planting, and boundary treatment. The car park would have a barrier to control access when shut;
  - Bunding around the proposed car park;
  - A surfaced path on land adjacent to Taylor Drive to provide pedestrian access from the car park to the SANG;
  - Cycle parking for 20 bicycles.
- 2 The application has been made by BCP Council Parks Department. The application confirms that the SANG, including the car park, would be available for all free of charge.
  - 3 The SANG would predominantly comprise meadow/ grassland managed as hay meadow and cut annually. Small parcels of land might be grazed in the spring and summer by the Council's own conservation grazing stock.
  - 4 A hierarchy of walking routes would be provided which would link the SANG car park to the SANG as well as linking into the surrounding path and public rights of way network. A circular route of minimum 2.3km would be created starting and finishing at the car park. This would utilise a combination of existing paths and new paths. A hierarchy of path types would be provided. New surfaced 3m wide shared paths would be provided as follows to integrate the SANG into the wider footpath and cycleway network improving sustainable access:
    - connecting the car park to the SANG. A 15m wide corridor would be created on the western side by the existing woodland along Taylor Drive; fenced on the eastern side and gated at either end to allow dogs to be off lead;
    - along the western edge of the SANG area linking the existing shared path to the south with Watery Lane to the north. This would provide an alternative off-road route to Throop Road, allowing links further afield to Kingfisher Barn Visitor Centre and the rest of the Stour Valley Way and Local Nature Reserve.
  - 5 New shared paths would be constructed from compacted limestone to provide a smooth surface suitable for access by wheelchairs, bicycles, pushchairs etc and to integrate with the section of shared path already constructed between Throop Road and the river bridge.
  - 6 Timber welcome signage would be provided at the main entrance points and at other key locations. These would relate to existing signage within the Stour Valley Nature Reserve. Interpretation boards would provide information on the site, its history and wildlife habitats as well as paths/ routes around the SANG. Simple timber way markers would be incorporated to highlight the key routes.
  - 7 The proposal makes provision for extensive new planting throughout the SANG and also around the proposed car park.
  - 8 The SANG car park would be open between 7am and 9pm in the summer and 7am and 6pm in the winter. A separate management person/ company would be used to lock and unlock

the car park and deal with any issues arising including if people are shut in. Contact details would be displayed. Opening hours would be controlled by condition if planning permission is granted.

- 9 BCP Council countryside rangers currently look after the North Bournemouth/ Stour Valley area and manage parts of the Hicks Farm landholding including the Council's grazing stock. An additional ranger would be appointed to look after the day to day maintenance/ management of the SANG and they would form part of the North Bournemouth countryside team.

### **Description of Surroundings and Application Site**

- 10 Throop village, located predominantly to the south of Throop Road, was originally a farming community largely dating to the late 17<sup>th</sup> and early 18<sup>th</sup> centuries. There are several ancient, thatched cottages, but the character of the village has evolved and now includes a large proportion of modern suburban development the more recent of which dates to the 1990's. The village character of Throop remains however, and it is distinct from the Bournemouth conurbation. The area of land to the north of Throop Road, which comprises much of the application site, is undeveloped and provides long views across the Stour valley.
- 11 The Dorset Landscape Character Assessment identifies this area as lying within the 'Valley Pasture' landscape character type, which is heavily influenced by the underlying geology. The site has some of the key "Valley Pasture" characteristics, namely its flat and open valley floor landscape, with distinctively meandering river channels. It is a typically grazed pastoral landscape, a mosaic of smaller fields, some of which abut the river edges.
- 12 The area falls within the Green Belt and Throop village is within the Throop and Muccleshell Village Conservation Area. Much of the undeveloped land between the River Stour and Throop village falls within flood zone 3 and flooding is common, particularly during the winter months.
- 13 Hicks Farm buildings date to around 1800 and are Grade II listed. The buildings comprise the farmhouse with its associated outbuildings and more recent functional farm buildings. A feasibility study was undertaken in 2018 following a grant from the National Lottery Heritage Fund to look at options for restoration and re-use. There are further listed buildings in the locality which include Throop Mill Cottage, Throop Mill, River Farm and Barn and Muccleshell Farmhouse.
- 14 The Stour Valley Way (PROW29) follows Watery Lane running through Throop. This is a long-distance public right of way from Hengisbury Head to Stourhead in Wiltshire.
- 15 The application site forms 11.93ha of predominantly agricultural land identified as Hicks Farm to the north and east sides of Throop village. The site comprises two distinct parcels, the main part being to the north and east of the village and the second parcel, comprising a new carpark with space for 20 cars and footpath link to the east.
- 16 The north-western boundary of the main site area is delineated by an established field boundary, a combination of post and wire fence and hedgerow. The north-eastern boundary is delineated by the River Stour and mill pond. Much of the land is open grassland. The southern boundary is defined by a hedgerow following a farm track. There are two existing agricultural access points; one to Throop Road and the other to Watery Lane. A short section of footpath PROW E62/2 runs through the site between Throop Mill and the weir bridge. A shared path upgraded during 2017-2018 to promote public access runs between Throop Road and the weir bridge providing an alternative route although most of the site is

not accessible to the public. The Ringwood District Angling Association have access to the southern bank of the River Stour.

- 17 The eastern parcel runs parallel with a linear woodland copse that defines the eastern extent of the village. A field access lies at the northern end of Taylor Drive.
- 18 The application site forms part of the wider Stour Valley Park Vision; a concept to improve recreational opportunities, wildlife, and landscape in the river corridor between Kingston Lacy and Hengisbury Head.

### **Relevant Planning Applications and Appeals**

- 19 7-2019-7824-B: Change of use to Suitable Alternative Natural Greenspace (SANG) together with the formation of an associated car park, access, and infrastructure - Regulation 3. Refused: 10 December 2020
- 20 Planning permission was refused for the following reasons:

*The application relates to a sensitive and highly valued area of open countryside that provides long distance views across the River Stour and which facilitates a green, verdant and undeveloped setting to the villages of Throop and Muccleshell. The change of use of this area of open countryside to a SANG and the introduction of a car park would fail to conserve or enhance the features of this landscape that contribute to the area's heritage, character and local distinctiveness, the amenities of surrounding residents and biodiversity. The proposal would thus comprise poor design that would be detrimental to the character of the area. Accordingly, the application is contrary to the provisions of the NPPF (Chapters 12, 15 and 16) and policies CS6(ii) and CS41 of the Bournemouth Local Plan Core Strategy (Adopted October 2012).*

*The application site falls within and affects the setting of the Throop and Muccleshell Conservation Area. The change of use of this area of open countryside to a SANG and the introduction of a car park would fail to preserve, enhance or better reveal the significance of this heritage asset and would be harmful. The proposal is therefore contrary to the provisions of the NPPF (Chapter 16) and policy CS39 of the Bournemouth Local Plan Core Strategy (Adopted October 2012).*

*The application site falls within the South East Dorset Green Belt. The change of use of this area of open countryside to a SANG and the introduction of a car park would fail to maintain the openness of the Green Belt and would be harmful, contrary to the purposes of including land within the Green Belt. Therefore, the proposal is contrary to the provisions of the NPPF (Chapter 13) and policy CS37 of the Bournemouth Local Plan Core Strategy (Adopted October 2012).*

*The application site occupies a rural location that is remote from town and district centres. The proposal would generate a significant increase in car borne trips and as such, would fail to adequately facilitate, support or promote sustainable modes of travel comprising cycling and walking. The proposal is therefore contrary to the provisions of the NPPF (Chapter 9) and policy CS18(ii) and (iv) of the Bournemouth Local Plan Core Strategy (Adopted October 2012).*

### **Changes Introduced by this Revised Application**

- 21 This is the second planning application submitted for a SANG at Hicks Farm and introduces changes to the scheme that seek to overcome the refusal reasons attached to the original application. These changes, as initially proposed, are summarised by the supporting

Planning, Design and Access Statement as follows (some of these works have subsequently been changed as part of this planning application):

1. The car park is moved further south west so that there is less visibility of parked cars when looking directly down the access road from Taylor Drive;
  2. The car park is also then moved slightly further east to allow a larger bund and area of proposed planting within the site to screen the car park particularly during winter;
  3. The width of the access road to the car park has been reduced from 5m to 4.1m, and the entrance kerb radii is reduced to lessen the impact on the conservation area, whilst still allowing 2 cars to pass;
  4. The visual appearance of the car park entrance is improved using a smooth, Cotswold coloured Natratex type surface as far as the height barrier, conservation type kerbs to the edge of the access road and black estate type railings at the entrance;
  5. The bund to the east and south of the car park are increased in height and footprint with a greater area of proposed tree and shrub planting on the bund, to reduce visibility of the car park in views towards the conservation area from Careys Road and Mill Road North;
  6. A gate/ break in the bund is provided to allow pedestrian access to the south, linking towards Careys Road via an informal path (outside of the application site boundary);
  7. Additional planting is proposed shown alongside the car park access road;
  8. The number of disabled car parking spaces is increased from 2 to 3;
  9. Construction of the car park is changed from hoggin/ crushed stone to plastic tiles backfilled with screened as dug gravel, to improve stability and provide a smoother but still informal surface;
  10. Signage is omitted from the car park entrance, and signage and interpretation boards are kept inside of the site and at pedestrian entrances;
  11. Additional understorey planting at the edge of existing woodland is shown;
  12. Additional tree planting is shown within the hedgerow running north from the car park, to reduce views towards the conservation area from Careys Road and Mill Road North;
  13. New off-site planting is shown to reinforce existing hedgerows to the boundary of Council land beyond the car park including along Careys Road;
  14. New off-site planting is shown in the area of land between the car park and Taylor Drive to reduce views of the car park particularly during winter;
  15. Fencing of the riverbank has been extended to the full length of the site to better protect this more sensitive habitat and species such as otter and water vole.
- 22 The Planning, Design and Access Statement submitted with the application advises that taken together, and in total, these are '*significant and important changes*' to the first planning application which, it is considered, warrant reconsideration and support for the merits of the scheme.

### **Constraints**

23 **Green Belt:**

The application site is located within the Green Belt. The NPPF chapter 13 confirms that the Government attaches great importance to Green Belts. Paragraph 137 states '*The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*'.

24 Paragraph 138 of the NPPF details the 5 purposes of the Green Belt which are:

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

- 25 Conservation Area:  
The access to the proposed car park and part of the associated footway that links the car park to the SANG fall within the Throop and Muccleshell Conservation Area. All other proposed works fall outside of the Throop and Muccleshell Conservation Area. The proposal as a whole affects the setting of the Throop and Muccleshell Conservation Area. The conservation area comprises a designated heritage asset. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 26 Listed Buildings:  
There are listed buildings within proximity of the application site and listed lampposts along Throop Road. In considering whether to grant planning permission or permission in principle for development which affects a listed building special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest - section 66 - Planning (Listed Buildings and Conservation Areas) Act 1990.
- 27 TPO:  
The land subject to this application is all protected by Area Tree Preservation Orders made in 1976 and 1977. These Orders protect all trees that were present at the time of serving. Tree Preservation Orders prohibit the cutting down, topping, lopping, uprooting, wilful damage, or wilful destruction of trees without the local planning authority's written consent.
- 28 The NPPF paragraph 131 highlights that '*...Planning policies and decisions should ensure that... opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure long-term maintenance of newly planted trees, and that existing trees are planted in the right places...'*
- 29 Flood zone:  
A large part of the proposed main SANG area falls within flood zone 3. Flood zone 3b forms the functional flood plain and flood zone 3a forms an area with a high probability of flooding assessed as having a 1 in 100 or greater annual probability of river flooding in any year. NPPF Annex 3 lists that amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms as water compatible uses permitted within these zones.
- 30 SNCI:  
There is an SNCI designation (Site of Nature Conservation Interest) which runs along Watery Lane in front of Berry Hill Sludge Treatment Centre, and which encompasses the tip of the northern access to the SANG. This marks the extent of the SNCI. The accompanying buffer encompasses slightly more of the access.

### **Biodiversity/ Habitats**

- 31 In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.

### **Public Sector Equalities Duty**

- 32 In accordance with the section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to—

- eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **Consultations**

33 Planning Policy: policy compliant

34 Natural England: no objection

*'Natural England welcomes the proposal to make available land in the Council's ownership for new public access as the first phase of a new Suitable Alternative Natural Greenspace (SANG) for local people and new residents in the authority area.*

*Natural England confirms the view of the Council that the location and natural features of the area with walks along the River Stour will provide an attractive alternative area of countryside access. The site lies within the river valley of the Stour and as such is and will be subjected to occasional flooding, Natural England advises that this is not an impediment to the site being a fully functional SANG.*

*The SANG layout makes provision for a suitable number of car parking spaces which are well located for access to the SANG, these include access for the less abled as well as those arriving by bicycle. A variety of walking routes of different lengths provided within the SANG which, with the site's close proximity to the Stour Valley LNR to the west and Kingfisher Barn facilities, act as a significant combined natural greenspace attraction. The proposed path networks provide routes of 2.3 km as well as 2.5km within the SANG which is in accordance with the council's own SPD guidelines and these link up to the wider countryside via the Stour Valley Way.*

*Natural England can confirm that the area proposed as SANG by the applicant will provide for the necessary requirements set out in the Dorset Heathlands SPD. Natural England advise the authority in its role as Competent Authority that if the application is approved the mitigation provided will allow the authority to conclude that a number of planning applications in BCP may now come forward for determination.*

*Natural England advises that the proposal will not result in adverse effects to local biodiversity, rather the implementation of the land use changes will result in biodiversity gains.*

*Natural England advises that there are some layout elements which it will only be possible to consider on site and therefore I advise that a planning condition should be required such that the proposed works do not commence prior to an onsite meeting and confirmation of any agreed modifications with Natural England. This is to ensure that the area of land offers the best potential for mitigation for residents in the authority area. It is not anticipated that the detailed advice will result in material changes to the proposals.'*

35 Heritage Officer: no objection subject to conditions

*'...On the basis that there is sufficient planting (of appropriate maturity, height, spacing and species) to fully screen the car park and its vehicles the car park would not result in harm to the setting of the conservation area...'*

36 Tree Officer: no objection subject to conditions

*'...The impact to existing trees and hedgerows is limited as per the previous application. These losses can be mitigated with new landscape improvements for the site...'*

37 Ecology Officer: no objection subject to condition

*'...It is considered that (the) effect of this SANG on reptiles to be neutral, if not positive. This is due to the negative effect of overgrazing by horses being removed, to facilitate this proposal, that affected approximately 9ha. This overgrazing led to very low vegetation height, which was unsuitable for reptiles, so most of this area presents very low possibility of supporting much in the way of reptiles...'*

38 Environment Agency: no objection subject to condition and informative

*'...The ecological enhancements that have been proposed are in principle very good but will require a management plan to be in place. This will ensure the landscape provides a maximum benefit to people and the environment...'*

39 Drainage Engineer: pre-commencement condition required

*'...The proposed SANG (with the exception of proposed new parking area and access road) falls entirely within Flood Zone 3 with greater than a 1 in 100 annual probability of flooding from the River Stour, however under the planning practice guidance 'Amenity open space' is considered water-compatible development...'*

40 Local Highway Authority: no objection subject to conditions

*'...These amendments are considered an improvement upon the initial proposal and the revised scheme is acceptable to the LHA...'*

41 Waste Collection Authority: no objection

42 Environmental Health Officer: informative advised

*'...This section does not hold any records in relation to previous contaminative uses of the property concerned therefore the standard contaminated land condition is not necessary. However, I would recommend that an informative note be attached if planning are minded to grant permission...'*

43 Bournemouth Airport: no safeguarding objections

44 Historic England: no comment

45 CPRE: objection (summary)

- No additional green space provided thus practical mitigation does not occur;
- Adversely intrudes on possible protection measures for natural assets of Stour Valley;
- Car parking, access, and infrastructure unhelpful in protecting natural amenity;
- Proposal fails to harness public transport;
- Number of people displaced by Winter Gardens unknown so level of mitigation unknown;
- Additional dog walking facilities could be accommodated elsewhere;
- Climate Emergency should discourage fostering more car journeys;
- Closest bus stops near Kingfisher Barn 1.3 miles away;
- Local people with dogs already have good facilities and do not need this SANG;
- Area frequently suffers noxious odours from sewerage works;

- Comprises water meadows and flood plain that frequently floods or is wet underfoot;
- River Stour can appear benign but has strong currents can shelve steeply;
- Weir on the eastern quarter of the SANG is extremely dangerous;
- After 'strong' weather, the river can carry pollutants and dangerous flotsam;
- Tick box episode to justify Winter Gardens;
- Car park a blot on the Green Belt;
- Car park on valuable high grade farmland whilst country needs to be more productive;
- Justification for car park to provide walking route inadequate given green belt location;
- No particular mention of wheelchair accessibility (Taylor Drive pavement narrow);
- Increased anti-social behaviour problems;
- More important to preserve area and wildlife than facilitate dog walking;
- Veterinary advice suggests dog "dipping" pond will become stagnant and positively toxic.

46 Dorset Area of Ramblers: (summary)

- Paths on site should be dedicated as PROW rather than being permissive paths;
- Unclear how this site which is remote from the Winter Gardens is deemed 'suitable';
- Will encourage car use;
- Incompatible with BCP's climate emergency.

### **Representations**

47 14 site notices were erected on the 5 March 2021 with a consultation expiry date of 26 March 2021. 3 notices were displayed along Throop Drive, 7 notices were placed along Throop Road, 2 notices were displayed along the path between the Throop Mill and the weir with a further notice on the opposite side of the River Stour. A site notice was also displayed at the end of the path leading from Throop Road near where anglers gain access to the riverbank.

48 380 objections and 11 comments received expressing the following concerns (summary):

#### Democracy:

- Council should not promote proposal again when comprehensively rejected previously;
- Unacceptable for the Council to ignore local opinion;
- Council unwilling to engage with residents;
- Undemocratic process;
- Deliberately submitted in attempt at decision prior to formation of Parish Council;
- Inappropriate behaviour by Council and inappropriate links between agent and applicant;
- Application should be withdrawn pending review of Bournemouth Development Company;
- Deliberate reshuffle of committee with many opposing members removed;
- Transparency International re BCP 'Corruption risks in the planning process are amongst the worst in the country';
- Proposal a 'building credit' to enable town centre development;
- Site notices not erected.

#### Policy:

- Contrary to NPPF;
- Contrary to Development Plan;
- Contrary to Climate Emergency generating car trips and losing natural environment;
- Car park inappropriate development in the Green Belt and a departure;
- Does not meet SANG criteria (Natural England SANG Quality Guidelines);
- Non-compliant with the Dorset Heathland Planning Framework;
- Fails to protect the character of the conservation area.

### Application Comparison:

- Very limited changes to previous scheme;
- All previous objections remain valid – does not address refusal reasons;
- Rebranded a 'Nature Park' instead of SANG which is misleading and inaccurate.

### Proposal/ Application:

- Not wanted by local population;
- Should put nature and not people first;
- Supporting data misleading, inaccurate, lacking or too old;
- Land not suitable for a SANG;
- SANG is in the wrong place – there are more suitable locations;
- Success of project dictates high number of visitors which is contrary to what area needs;
- Proposals do not satisfy requirements for SANG as detailed by Natural England;
- Outdated approach focusing on attractions accessible primarily by car;
- Location arbitrary based purely on land owned by BCP Council;
- Application omits reference to possible land contamination;
- Plans do not show the duck pond on Lavender Road;
- Proposal does not create anything new for people who wish to visit;
- No attempt made by Council to reinstate agricultural tenancy at Hicks Farm;
- Application a steppingstone to larger development;
- Alternatives suggested – Solent Meads golf course, Meyrick Park, Cherry Trees Nursery,
- Council has not given due diligence to sourcing alternative more suitable sites
- Fails to appeal to a SANG's target residents due to distance from town centre;
- Major omission that it fails to mention Covid pandemic and impacts;
- Footpath to car park should not be included as part of circular route;
- No mention of anticipated visitor numbers.

### Character:

- One of the last unspoilt parts of Bournemouth';
- Charm of Throop is small, semi-rural village with a very narrow lane winding through, flanked with green fields and old buildings and is a 'world away' from Bournemouth;
- Increased anti-social problems;
- Intrusion into the Green Belt;
- Car park would be built of grade 2 agricultural land;
- Land flooded for much of the year;
- Hicks Farm should return as a working farm;
- Detrimental to historic buildings;
- Area has been degraded by influx of visitors during Covid period;
- BCP have failed to appropriately manage the Stour Valley Nature Reserve;
- Area should be preserved as farmland and green space;
- Will destroy ambience of village to compensate development on far side of Bournemouth;
- Already well used by visitors;
- Harmful to the conservation area;
- Farmland should be reinstated with tenant farmers and animals;
- Fails to preserve, enhance, or better reveal the significance of site and would be harmful;
- Would alter long distance views across the Stour;
- Area subject to bad odour from water treatment works.

### Residential Amenity:

- Increased noise/ pollution/ dangers to residents;
- Upton Country Park now largely devoid of wildlife and a nuisance to local residents;
- There are no 'clear benefits for the existing community' as stated by the application;

- Increased traffic/ on street parking detrimental to residential amenity.

#### Ecology/ Wildlife:

- Detrimental to wildlife/ Stour Valley nature reserve/ natural balance;
- No Environmental Impact Assessment submitted;
- Application fails to adequately survey site for protected species;
- Plans are not sufficiently wildlife centric to provide net gains in biodiversity across BCP;
- Man made public park in lieu of natural ecological rich countryside;
- Purpose of SANG is not wildlife conservation;
- Footfall will cause erosion to riverbank;
- Inappropriate to increase human presence in the area;
- Dog pond an unnatural feature that will be a safety/ health hazard;
- The Preliminary Ecological Appraisal does not acknowledge protected species recorded by the public or any formal surveys;
- Public access is not necessary for environmental benefits this scheme promotes;
- Will encourage unlawful fishing;
- Dogs can lead to 40% reduction in wildlife;
- Wildlife/ ecology interests have suffered owing to removal of natural grazers;
- Meadow undisturbed haven for wildlife;
- Any benefit overwhelmingly cancelled by extra traffic and environmental damage.

#### Highway Safety:

- Unsafe local walking environment;
- Increased traffic/ roads already busy;
- Will endanger highway safety;
- Not supported by local infrastructure including roads and car park;
- Traffic overflows onto surrounding streets at Kingfisher Barn;
- Muscliffe Lane will become a rat run;
- Traffic/ amount of parking at Kingfisher Barn highlights issues;
- Dangerous to children with Muscliffe primary and Epiphany school close by;
- No mention or consideration given to the number of horse riders;
- Footpath from car park leads to road and not SANG contrary to guidelines.

#### Car Park:

- Better locations for car park, e.g. field west of dotted blue line footpath;
- Inappropriate development;
- Should be omitted;
- Not large enough thus cars will park on surrounding roads;
- An existing car park on Broadway Lane is unused (albeit for fly tipping);
- Poorly positioned and will endanger vehicle and pedestrian safety;
- Car park at Throop Mill should be improved in lieu of a new car park;
- Alternative car park and access near Cherry Trees/ Northbourne roundabout suggested.

#### Other:

- Discriminates against elderly and disabled;
- Future of fisherman queried;
- Green space should be incorporated into new development in lieu of inaccessible SANG;
- Council needs to outline measures to tackle existing problems at Kingfisher Barn first;
- Council cannot adequately maintain area presently without expanding use;
- Council should challenge house figures and not be under obligation to provide more.

- Council should not be swayed by extreme feelings of Nimbyism;
- Silent majority likely to be in favour of proposals;
- Opening up of meadows for the SANG to the local population long overdue;
- Proper paths suitable for all including mobility scooters and pushchairs;
- Many families in the area that could walk;
- For last 40 years only, anglers could walk beside the Stour in the Throop area;
- Kingfisher Barn and associated paths have improved area enormously and improved access especially disabled and very young children;
- Will relieve pressure on very local green spaces and playing fields which will become cleaner and safer play areas for children;
- Will provide additional recreational routes for families, disabled people, dog walkers and cyclists;
- Will serve to enhance and protect whole area;
- Botanical surveys undertaken in years up to 2018 which show:
  - Semi-improved meadows had a very poor species count and low biodiversity score;
  - Semi-improved meadows contained areas that are overgrazed and virtually bare;
  - Very few more interesting plant species.
- An active management plan and new grazing and cutting regime would enhance meadows allowing more flowering plants and increased biodiversity;
- Re-instatement of several of the old hedgerows within the SANG meadows would improve biodiversity and provide additional habitats;
- More plans and hedgerows appear to have been provided;
- BCP area needs more green spaces for people to enjoy;
- Suitable parking and facilities should enhance enjoyment for others and relieve pressures on Throop Mill car park;
- Should be dog free areas;
- Path on western edge should extend connect with path adjacent to sewerage works;
- Support received on behalf of 'a number of landowners and developers active in the BCP area';
- In excess of 1800 dwellings subject to SANG condition;
- Council unable to demonstrate 5-year land supply;
- Will enable backlog of approved schemes to be delivered;
- Will make important contribution to Stour Valley Park Corridor benefitting all residents;
- Ongoing uncertainty will impact developer confidence with new homes delivered elsewhere.

50 Holdenhurst Parish Council: objection (summary)

- Disrespectful of local residents and general public opinion;
- Area not designed to accommodate cars with narrow roads devoid of pavements;
- Throop used as rat-run for vehicles avoiding Castle Lane and cannot cope with more traffic;
- SANG to compensate for luxury Winter Gardens development which is devoid of social or affordable housing and will not at the alleviate any housing need in Bournemouth;
- Winter Gardens is 7.08km or 7.88km by road so not walkable;
- SANG is 'car-centric' and environmentally damaging.

51 Friends of the Earth (East Dorset): support (summary)

- Do not generally support SANG but Hicks Farm meets criteria positively;
- Will create relaxed natural environment and improve natural environment;
- Grazed meadows and inaccessible areas a positive decision;
- Ongoing management should be undertaken by Stour Valley Rangers;
- Extent of parking should be reduced to encourage sustainable travel;
- Throop Road should be a 'no through road' so it is not used as a 'rat run'.

52 Throop Village Conservation Group: objection (summary)

- Application does not 'fundamentally challenge' the previous refusal reasons;
- Public recreation is damaging to wildlife and nature;
- No Environmental Impact Assessment submitted;
- The applicant has failed to adequately survey the site for protected species;
- Applicant and agent have failed to engage with local residents;
- Permission would be unlawful further to *Regina v Cornwall 2020* - permission was not lawful because applicant could not rationally conclude that there were no significant nature conservation effects until further survey work undertaken - proposal is dependent on further survey work;
- Ecology report based on inadequate survey work.

53 Ringwood & District Anglers' Association: objection (summary)

- Club currently helps maintain riverbank;
- River Stour supports a wide diversity of fish;
- Insufficient bin provision with litter having a severe impact on wildlife;
- Feeding birds frequent the river and meadows year round;
- Existing fencing not repaired by Environment Agency or Council;
- Public climb over gates and fences;
- Unclear who will be responsible for maintenance activities which may affect fish stock;
- Dependent on early morning and late evening car parking;
- Development will have a negative impact on the area.

54 Stour Valley Supporters: support (summary)

- Community group who work with BCP Rangers;
- Consistent with and contributes to BCP planning policy – specifically CS30 and CS36;
- Will improve and enhance local wildlife;
- Will provide access to a natural area within the greater BCP area;
- Limited number of good quality paths will keep visitors off sensitive areas;
- Key to support use of area for sustainable fenced grazing;
- Limiting direct access to riverbank will improve environment for wildlife;
- Long term funding is in place for implementation and on-going maintenance;
- Amount of cycle parking should be increased;
- Management Plan is utilitarian.

55 Throop and Holdenhurst Village Council: object (summary)

- Refusal reasons attached to first application repeated;
- This is the same project as the Winter Gardens which was dependent upon Hicks Farm;
- The EIA for the Winter Gardens did not reference Hicks Farm;
- LPA should consider guidance established in *R (on the application of Wingfield) v Canterbury City Council* [2019] where guidance is offered concerning what factors points towards one project - common ownership and functional interdependence;
- EIA now needed to consider both projects – lack of such may lead to legal review.

56 Bournemouth Civic Society: support (summary)

*'...One of the principal reasons for this initiative is the establishment of new educational open spaces as a compensation for the loss of more central green areas such as the Winter*

*Gardens due to building development. However, there are many who think that the creation of a new rural centre within the Green Belt in conjunction with the enhanced car park facilities would eventually create a momentum of development that could threaten the viability of the entire Green Belt within the Stour Valley.*

*The Society feel that these fears may be overstated. Instead of threatening the Green Belt, we think that if this rural park becomes a legal entity it could protect the area from house building proposals and if successful in encouraging the citizens of S.E. Dorset to appreciate better their original rural culture, such an achievement would strengthen the relevance of the Green Belt in helping local inhabitants to respect the importance of the natural world. We understand how the new car park and its associated comings and goings might be considered a threat but there needs to be careful thought as to its design and management; if there are more visitors - provided every relevant area of fauna and flora is diligently preserved - such a properly run facility could enable everybody to appreciate the rural environment.*

*The Society on balance now supports this proposal subject to tight management conditions.'*

- 57 14 further site notices advertising the amended plans/ details were erected on the 21 July 2021 with a consultation expiry date of 2 August 2021.
- 58 One further letter from Throop and Holdenhusht Parish Council requesting confirmation that the planning application will be considered by the Planning Committee as opposed to being a delegated decision as suggested by the council website.
- 59 7 further letters of objection received reiterating concerns as above.

### **Key Issues**

- 60 The main considerations involved with this application are:
- Planning Context for Heathland Mitigation and SANGs;
  - Consideration of alternative sites;
  - Impact on character and appearance of the area: Site area north of Throop Road;
  - Impact on character and appearance of the area: Site area south of Throop Road;
  - Impact on heritage assets: Site area north of Throop Road;
  - Impact on heritage assets: Site area south of Throop Road;
  - Green Belt;
  - Green Belt - Site area north of Throop Road;
  - Green Belt - Site area south of Throop Road;
  - Trees;
  - Biodiversity;
  - Flooding;
  - Residential Amenity;
  - Highway Safety and Sustainable Travel;
  - Accessibility;
  - Contamination;
  - Waste and Recycling.
- 61 These points will be discussed as well as other relevant planning considerations in the report below.

### **Planning Policies**

62 Bournemouth Local Plan: Core Strategy (Adopted October 2012)

- CS1: NPPF – Presumption in Favour of Sustainable Development
- CS4: Surface Water Flooding
- CS5: Promoting a Healthy Community
- CS6: Delivering Sustainable Communities
- CS16: Parking Standards
- CS18: Increasing Opportunities for Cycling and Walking
- CS30: Promoting Green Infrastructure
- CS31: Recreation, Play and Sports
- CS33: Heathland
- CS35: Nature and Geological Conservation Interests
- CS36: Stour Valley Project
- CS37: Green Belt
- CS38: Minimising Pollution
- CS39: Designated Heritage Assets
- CS41: Design Quality

63 Christchurch and East Dorset Local Plan Part 1 – Core Strategy (Adopted April 2014)

- KS3: Green Belt

64 Bournemouth District Wide Local Plan (Adopted February 2002)

- 3.6: Development in the Countryside
- 3.26: Rivers and Watercourses
- 3.28: Flooding
- 4.25: Landscaping
- 4.4: Conservation Areas
- 4.10: Conservation Areas – Roads and Footways
- 4.13: Throop Conservation Area

65 Supplementary Planning Documents/ Guidance

- Dorset Heathlands Planning Framework SPD 2020 – 2025 (2020)
- Sustainable Urban Drainage Systems (SUDS) - PGN (2003)
- BCP Parking Standards – SPD (2021)
- Throop and Muscliffe Conservation Area Map and Summary

The National Planning Policy Framework (2021)

66 Section 2 – Achieving Sustainable Development

Paragraph 2 relates to sustainable development. Achieving sustainable development means that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways. These comprise:

- An economic objective – by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth;
- A social objective – to support strong, vibrant, and healthy communities including provision of accessible open spaces that reflect current and future needs and support communities' health, social and cultural well-being;
- An environmental objective – to contribute to protecting and enhancing the natural, built, and historic environment including helping to improve biodiversity.

67 Paragraph 11;

*'Plans and decisions should apply a presumption in favour of sustainable development....*

*For **decision-taking** this means:*

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
  - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.'*

68 Section 8 – Promoting healthy and safe communities

Paragraph 93 relates to promoting healthy and safe communities advising that planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (including open space) to enhance the sustainability of communities and residential environments.

69 Section 12 – Achieving well-designed places

Paragraphs 130b and c state policies and decisions should ensure that developments are visually attractive as a result of effective landscaping and sympathetic to local character and history, including the surrounding built environment and landscape setting.

70 Section 13 – Protecting Green Belt land

Paragraph 145 states that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor space and recreation; to retain and enhance landscapes, visual amenity, and biodiversity; or to improve damaged and derelict land.

Paragraphs 147- 151 relate to proposals which impact the green belt. Paragraph 147 states that inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances.

71 Chapter 16 – Conserving and enhancing the historic environment

Paragraph 197;

*'In determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.'*

Paragraph 199;

*'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'*

Paragraph 200;

*'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'*

Paragraph 202:

*'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

## **Planning Assessment**

### **Key Issues**

#### **Planning Context for Heathland Mitigation and SANGs**

- 72 The Dorset Heathlands form an extensive network of lowland heath within south and east Dorset and are recognised for their national and international importance for nature conservation. They are a European Wildlife site protected by the EC Birds and Habitats Directive, as transposed into UK Habitats Regulations. The Dorset Heaths are designated under EU and national regulations as a Special Protection Area and Ramsar Site. BCP Council is the competent authority and must have regard to the impacts on protected sites in making planning decisions which includes all planning applications for additional residential development.
- 73 Natural England advise that the cumulative effect of an increased numbers of dwellings up to 5km from heathlands will have a significant adverse effect on the heaths, for example from recreation pressures, soil erosion, increased fire risk and pet predation of protected species. Accordingly, any planning application for development or strategic plan or policy that is likely to significantly affect a European site is subject to an appropriate assessment of the likely implications of the proposal for the site's conservation objectives.
- 74 In response to this statutory duty, local authorities across Dorset have been working together since 2006 to ensure there is no net increase in urban pressures as a result of additional residential development within 400 metres and 5km of heathland. This includes working together on development plan policy and supporting guidance on how residential development can be mitigated and still proceed in accordance with the Habitats Regulations.
- 75 The Bournemouth Core Strategy (adopted 2012) was subject to an appropriate assessment and this found that the impacts of development on the heathland site require mitigation. Local Plan policy CS32 'International Sites', policy CS33 'Heathland' and policy CS36 'Stour

Valley Project' set the response to the appropriate assessment's findings. The Stour Valley Project that is committed to in policy CS36 promotes the delivery of strategic solutions to heathland mitigation by securing land to the north of the BCP conurbation as mitigation such as SANGs in the future. BCP Cabinet in April 2021 confirmed that the Council will become a partner within the Stour Valley Park Partnership. The Partnership is developing further the concept of the Stour Valley Project to create access to open space bringing benefits for people and wildlife. A SANG at Hicks Farm sits well within the concept of the Stour Valley Project and aims of policy CS36.

- 76 To support development plan implementation, BCP and Dorset Councils' maintain a Dorset Heathlands planning framework that sets out how the Councils will secure mitigation to enable planning permission to be granted for new housing development. The current adopted iteration, the Dorset Heathlands Planning Framework 2020-2025 SPD explains that mitigation will comprise both Heathland Infrastructure Projects (HIPS) and Strategic Access, Monitoring and Management (SAMMs). Residential development is required to secure the delivery of both aspects as part of a suite of measures to deliver a strategic approach to mitigation in order to enable the Council to grant planning permission.
- 77 The strategy deals with both larger developments which may affect the integrity of the sites alone and smaller developments that would be more likely to have an incremental impact. In respect of the former, the strategy includes Heathlands Infrastructure Projects (HIPS) such as the provision of a SANG or the enhancement of an existing greenspace to increase their attractiveness to visitors who might otherwise visit the Heathlands.
- 78 The role of SANGs is to provide alternative green space to divert visitors away from the Heathlands. SANGs are intended to provide mitigation for the likely impact of residential type developments on the Dorset Heathlands by preventing an increase in visitor pressure. The location and design of a SANG should ensure that it is an attractive alternative to visiting the Dorset Heathlands. The delivery of SANGs sits alongside other HIP projects as part of a suite of mitigation measures.
- 79 The Dorset Heathland SPD, confirms that SANGs are the most significant element of the overall mitigation provision, having a key role in providing an alternative destination to the Dorset Heathlands. SANG's are not new and that there are a growing number of local reference points, including Upton Country Park, Canford Park, Bog Lane sang near Wareham, Northbrook Road in Swanage, the Riverside SANG north of Bearwood and By the Way Field SANG in Wimborne. Leigh Road SANG in Wimborne and land north of Wimborne are also approved, and additional SANGs are proposed north of Merley. The Dorset Heathlands SPD 2020 to 2025 (adopted 2020) figure 5 'Proposed and implemented heathland mitigation' identifies Hicks Farm as a proposed SANG and Appendix A of the SPD (Possible Mitigation) identifies Hicks Farm as a possible future strategic SANG.
- 80 SANG may be created from:
- existing open space of SANG quality with no existing public access or limited public access, which for the purposes of mitigation, could be made fully accessible to the public;
  - existing open space, which is already accessible, but could be changed in character so that it is more attractive to the specific group of visitors who might otherwise visit the Dorset Heathlands; and
  - land in other uses which could be converted into SANGs.
- 81 Most of the recent housing development in Poole, Bournemouth and Christchurch has been relatively small scale and could not, in isolation, be reasonably expected to provide an on-site SANG. This is also true of large urban regeneration schemes in the town centres. Natural England has raised concerns about the type of mitigation being implemented in

Bournemouth and in particular, in response to planning applications for major residential development of sites of 50 units or more. This issue first emerged with the Winter Gardens application in 2017 and has been maintained by Natural England subsequently on other sites of 50 units and above. The Local Planning Authority subsequently undertook an appropriate assessment that found that a SANG at Hicks Farm, or an alternative site, must be in place prior to the occupation of the development and that planning permission must be in place for a SANG prior to commencement of the Winter Gardens. As such conditions were attached to the Winter Gardens planning permission, as they are now for any residential development in Bournemouth of 50 or more units, that require the delivery of a SANG prior to development being able to commence.

- 82 Alongside, ensuring the Council complies with legislation in respect of mitigating impact on protected heathlands, the Council also has a responsibility to ensure that its full spectrum of housing needs (affordable, care, specialist, student, general market) is met in order to address longstanding issues with affordability, providing suitable housing for an active labour market, accommodating an ageing population as well as addressing issues with homelessness and ensuring all existing and future residents can have a home. The issue of heathlands mitigation is therefore a critical strategic issue for this Council to ensure that planned housing needs can continue to be met for existing and future residents.
- 83 The effect of not having a strategic SANG solution secured for the Bournemouth area is contributing to the current housing delivery shortfall in the area being exacerbated as a series of important major housing planning permissions cannot be delivered at the present time. The impact of the standard conditions and there not being a strategic SANG solution in place means that there are almost 1,000 homes with planning permission or prior approval which cannot be delivered until this issue is addressed. There are also a series of emerging major development proposals within the Bournemouth area that will be stymied until this strategic issue is resolved. For example, key regeneration activity in areas such as Boscombe and the town centre will be prevented from coming forward.
- 84 The proposal would therefore help provide mitigation not only for consented schemes but would also help enable other future development proposals and ensure the Council can meet its obligations to both protect heathlands as well as support delivery of housing to meet the area's needs. In the absence of planning permission for a SANG, some of the permissions granted for larger scale residential development in Bournemouth will remain unimplementable and mitigation to help reduce the recreational pressures on the Dorset Heathlands will not be provided until another solution is found in the future. Whilst there is clear strategic rationale for provision of a SANG, it is also relevant to consider if there are any reasonable alternative options for SANG in the Bournemouth area other than Hicks Farm at the present time.

#### Consideration of alternative sites

- 85 To consider alternative sites it is necessary to consider what a SANG must include in order to be effective. The Dorset Heathlands Planning Framework was used to determine the scale and proposed configuration of the SANG which includes 'must have' and 'desirable' features recommended by Natural England. These criteria are as follows:

##### Must have's:

- Adequate parking on site;
- Carparks to be easily accessible and well signed;
- Easy to use and well-maintained paths but with most unsurfaced (to avoid urban feel);
- Circular walks starting and finishing at a carpark;
- It should be possible to complete a circular walk of 2.3km – 2.5km;
- Safe for visitors;

- Clearly sign posted or advertised and promoted by leaflets and websites;
- Perceived as semi-natural spaces with little intrusion or artificial structures;
- Variety of habitats;
- Largely unrestricted access/ space for dogs to exercise;
- Free from unpleasant intrusions.

Desirable:

- Easy access between the carpark and SANG where it is safe to let dogs off leads;
- Interpretation panels at access points showing layout and routes;
- Gently undulating topography;
- Open country character with areas of dense trees, scattered scrub, or open water;
- Focal point.

86 This revised application is supported by an 'Alternative SANG sites options document' unlike the first application. This provides a comprehensive comparison of different sites that have been considered. In brief summary, this provides the following details:

Hicks Farm	Council owned site supported by Natural England
Meyrick Park Golf Course	Well situated, would perform well as SANG, but leased to golf club until 2094, objections from users, main issues timescales and deliverability
Iford Golf Course	Within urban area and well connected, good capacity, distance from town centre, but leased until 2100, objections from users
Queens Park Golf Course	Owned, within urban centre and close to town centres but held in Trust under Five Parks Act; objections from users and some job losses, uncertain timescales
Solent Meads Golf Course	Smaller site at greater distance from town centre, owned with existing facilities, already well used, close to Hengistbury Head so not a real alternative, may not function well
Horseshoe Common	Leased to Council until 2070, small, reservations expressed by Natural England, does not meet required security period for SANG of 80 years
Canford Arena	Leased to Woodland Manor Estates until 2127, people more likely to use Canford SANG opposite, Natural England site has scope, but timescale are too long
Wessex Fields	Good access, allocated to other uses, no natural features of merit, small size and proximity to busy roads makes it unlikely as an alternative to heathlands
Hurn Court Gravel Site	Needs to be purchased, not readily accessible, would require extensive landscaping, timescale and deliverability uncertain
Dampney Estate	Owned by Dampney Estate and a bridge is required for access for access. Uncertain and outside of acceptable timeframe
Kinson Manor Farm	Privately owned and being promoted for private housing, good

	links to Stour Valley, presently no public access
Adj. Cherry Tree Nursery	Within Local Nature Reserve with existing public access and managed for nature conservation, a heathland infrastructure project with permission for 30 space car park to serve nature reserve and Valley Way, very low SANG capacity

- 87 The assessment provided is adjudged to be fair and comprehensive. It shows that a range of sites have been considered. It also demonstrated that there are some alternative sites that whilst potentially might be suitable, cannot be progressed at the present time due to legal, ownership and other constraints.
- 88 Taking the strategic context into account, the delivery a SANG at Hicks Farm accords with policy CS36 as well as the Dorset Heathlands Planning Framework that seeks to deliver a suite of strategic mitigation measures to ensure housing development's impact on heathlands is mitigated. The wider benefits that arise from the delivery of the proposed SANG in respect of enabling a range of housing needs to be met consistent with the development plan and supporting the regeneration of the area are also material considerations in favour of the proposal subject to further assessment of the detailed aspects of the application in respect of other identified planning issues.

### **Character and Appearance**

#### Impact on character and appearance of the area: Site area north of Throop Road

- 89 The area proposed as the SANG comprises primarily agricultural land on a sloping site located on the east side of Throop Road extending to the banks of the River Stour. The area is undeveloped and there is limited public access restricted to the pathways leading from Throop Road to the weir crossing the Stour. The site topography dictates that this part of the application site is readily visible in views from Throop village whilst the site is also visible in views from the footpath on the opposite side of the river. Despite the proximity of Bournemouth including the nearby Castlepoint shopping centre and the introduction of more recent housing development in the village, the area benefits from a distinctly rural character that feels isolated from its developed surrounds.
- 90 The refusal reasons attached to the first planning application included an objection given the perceived impact of the proposal on the character and local distinctiveness of the area with the site acknowledged to be a sensitive and a highly valued part of the countryside which is green, verdant, and undeveloped.
- 91 Responding to these concerns, an essential requirement of a SANG is for it to be perceived as a semi-natural environment with little intrusion or artificial structures to retain rural character. In so doing, the SANG is designed with the specific purpose of attracting visitors away from the Dorset Heathland to help relieve pressures on these areas. Given the characteristics of the heathlands, this sets a high bar for the design quality of a SANG noting that *'The open or semi wooded and undulating nature of most of the Dorset Heathland sites gives them an air of relative wildness, even when there are significant numbers of visitors on site. SANGs must aim to reproduce this quality...'* (Dorset Heathlands SPD Appendix D). Introduction of a SANG that failed to conserve or enhance the character and distinctiveness of this landscape would defeat the purpose of the SANG and be unlikely to attract visitors away from the Dorset Heathlands. The proposals here would retain the essential rural character.

- 92 The majority of this site forms open grassland which has been overgrazed by horses and subsequently assessed to be of low ecological value. Change of use to a SANG would allow the introduction of a management plan that would provide a sensitive management regime to improve ecological value and facilitate human access. In so doing, the area would be primarily retained as meadow/ grassland with parts of the site identified for grazing on a rotational basis during spring and summer. Planting is proposed with plant species those commonly found in the local area. Additional tree, copse and hedgerow planting is shown which are all features currently found in the local landscape. This would include the introduction of new hedgerows which in part, the plan states would be planted to recreate historical small scale field patterns. The proposal would also introduce a dog pond. On this issue, The Dorset Heathlands Planning Framework Appendix D states '*Other infrastructure specifically designed to make the SANG attractive to dog walkers may also be desirable but must not detract from a site's relatively wild and natural feel. Measures could include accessible water bodies for dogs to swim/drink...*'. Concerns have been raised regarding this feature in the third party comments, but it is not adjudged to have a harmful visual impact and would help reduce pressure on dogs entering the river.
- 93 The site would be laid out and managed by BCP Council Parks Service (funded by financial contributions from new development with no charges levied on users including the car park). Once created and successfully established the SANG would be managed indefinitely or for as long as the Habitats Regulations and policy requires it. Timber fronted dog waste bins would be provided at the main entrance points to the SANG and adjacent to the car park where they could be quickly and easily emptied. In line with current policy at Hengistbury Head and the Stour Valley Nature Reserve, litter bins would not be provided. Litter would be managed instead through regular clearance and collection. The Ringwood and District Anglers have fishing rights over the first 10 feet from the riverbank and this access would be retained.
- 94 Considered as a whole, these works would help to enhance the features of the area that contribute to the areas character and appearance. On this basis, this element of the scheme which primarily comprises additional planting which could be undertaken without the need for planning permission, would accord with the provisions of the NPPF chapter 12 which, at paragraph 130 requires proposals to be visually attractive and include good landscaping and chapter 15 which, at paragraph 174a requires proposals to enhance the natural and local environment by protecting and enhancing valued landscapes. It would also accord with policy CS6ii which requires proposals to retain and enhance features to contribute to each place's character and local distinctiveness and policy CS41 that seeks to ensure that proposals, including changes of use, enhance the character of the area and local distinctiveness.
- 95 Paths and cycle paths are also required to facilitate public access alongside timber signage and way markers. The Heathlands SPD Appendix D confirms that SANG may be created from existing open space with no existing public access or limited public access, which for the purposes of mitigation could be made fully accessible. The quality guidelines contained within the SPD advise that SANG should aim to supply a choice of circular walking routes and given the average length of walks on heathland, a circular walk of 2.3 - 2.5km is necessary unless there are particular reasons why a shorter walk is appropriate. Different length walks should be provided with longer walks provided either on-site or through the connection of sites along green corridors. Paths do not have to be of any particular width but should be perceived as safe with some routes being through relatively open (visible) terrain. A substantial number of visitors like to have surfaced but not tarmac paths, particularly where these blend well with the landscape. This is not necessary for all paths but there should be some visitor-friendly, all weather routes, particularly those routes which are 1-3 km long.

- 96 The proposal would offer a variety of circular walks with a 3m wide surfaced cycle path that would run from the Watery Lane entrance to the existing upgraded path running from Throop Road to the weir. A further surfaced path is shown running from this upgraded path to form a loop around the southern half of the site. Mown/ unsurfaced paths are shown to provide a longer circular walk around the site.
- 97 The introduction of the paths and walking routes is not adjudged to have a harmful impact on the character of the area and would not detract from the green, verdant, and undeveloped setting of Throop and Muccleshell. They would not negatively impact on the extensive views across to the Stour and beyond and they would not detract from areas more isolated rural character. Public footpaths, bridleways and cycle paths are an integral feature of the countryside across the country which, together with their associated signage and interpretation boards, are a valued attribute that provide access and recreational opportunities. Such routes are also successful in keeping users to permissive routes without straying further afield. Further, the layout of routes proposed, is rational and would follow desire lines around the perimeter of the site and with some access through the site. The routes would also be accessible from the Stour Valley Way which follows the course of the River Stour and comprises a 64 mile long distance walking route from Stourton, Wiltshire, to Hengistbury Head.
- 98 A mix of new post and wire stock proof fencing and post and rail fencing is also shown which is a common and accepted feature of the English countryside. This would primarily run along the new field boundaries and along the length of the river (post and wire) to help protect this more sensitive habitat; this fencing has now been extended along the full length of the river as a part of this revised application. Originally it was intended to allow dogs limited access to the river, but this was removed owing to safety concerns and concern regarding protection of wildlife in this location. This fencing is not adjudged to have a harmful impact on the character and the distinctiveness of the area by reason of its height, design, and positioning.
- 99 For the reasons outlined above, the introduction of the proposed walking, cycle routes and fencing to this part of the proposed SANG is acceptable. In this regard, this element of the scheme would comply with the provisions of the NPPF including chapter 8 which states that planning decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, for example through the provision of safe and accessible green infrastructure (paragraph 92 criteria c), chapter 12 which seeks to create places that are safe, inclusive and accessible and which promote health and well-being (paragraph 130 criteria f) and chapter 15 which seeks to conserve and enhance the natural environment. This element of the scheme would further accord with policy CS6(ii) that seeks to retain and enhance the features that contribute to the character and local distinctiveness of the area and CS41 which requires new spaces and development to be well designed and to conserve and improve the landscape.

#### Impact on character and appearance of the area: Site area south of Throop Road

- 100 The Dorset Heathlands SPD Annex D advises that most visitors reach the Dorset Heathlands by foot or car and the same will apply for SANGs. SANGs may be intended principally for the use of a local population living within a 400 metre catchment around the site; or they may be designed primarily to attract visitors who arrive by car; they may also have both functions. In this instance, the area is already well used (as evidenced by the letters of representation) but the SANG is primarily intended to mitigate for new residential development in Bournemouth. It is thus reasonable to conclude that the proposed SANG would cater for both groups and would also include those arriving by bike.
- 101 The SPD confirms that the requirement for car parking with SANGs will be considered and that *'If intended to attract visitors arriving by car, the availability of adequate car parking is*

*essential. Car parks may be provided specifically for a SANG or a SANG may make use of existing car parks, but some existing car parks may have features incompatible with SANG use, such as car park charging. The amount and nature of parking provision should reflect the anticipated numbers and mode of arrival by visitors to the site and the catchment size of the SANGs. It is important that there is easy access between the car park and the SANG i.e. this is not impeded by, for example, a road crossing. Thus, such SANGs should have a car park with direct access straight on to the SANG with the ability to take dogs safely from the car park to the SANG off the lead...’.*

102 Here a car park is considered to be an integral ancillary aspect of a SANG. The previous planning application included a car park which was judged to fail to conserve or enhance the features of the landscape which contribute to the areas character and local distinctiveness. Changes have been made to the scheme to address this concern with these focusing on the car park. These changes have the following impacts:

1. The car park is pulled back from the entrance so that cars are better screened in views along Taylor Drive. A comparison of the two plans shows that the car park has moved approx. 16m southwest-wards;
2. The car park is moved slightly eastwards to allow to allow a larger bund and area of new planting. A comparison of the two plans shows the car park has been moved approx. 6m;
3. The bund to the east and south is increased in height and footprint with a greater area of tree and shrub planting on the bund, to reduce visibility in views from Careys Road and Mill Road North;
4. Signage is omitted from the car park entrance to the reduce visual impact;
5. The access road has been reduced from 5m to 4.1m in width to reduce its visual impact;
6. The entrance kerb radii are reduced to lessen the visual impact;
7. The car park entrance would form a smooth, Cotswold coloured Natratex type surface as far as the height barrier to improve its appearance;
8. The car park surface is changed from hoggin/ crushed stone to plastic tiles backfilled with screened as dug gravel, to improve stability and provide a smoother but informal surface;
9. Additional planting is proposed shown alongside the access road;
10. Additional understorey planting at the edge of existing woodland is shown;
11. Additional tree planting is proposed in the hedgerow running north from the car park, to further mitigate views from Careys Road and Mill Road North;
12. New off-site planting would reinforce existing hedgerows to the boundary of Council land beyond the car park including along Careys Road;
13. New off-site planting is shown in the area of land between the car park and Taylor Drive to reduce views particularly during winter.

103 Car parks are not uncommon in rural areas and are a recognised feature of public access to the countryside often in more prominent and more sensitive locations. For example, there are numerous small car parks dotted around the New Forest National Park many of which benefit from limited or no screening. They are accepted as necessary, to access the leisure and recreational facilities which these areas provide. This would include access for disabled visitors with the revised scheme having an additional disabled space (3 disabled spaces are provided in a car park of 20 spaces).

104 The Design and Access Statement supporting this application details alternative locations that were considered for the car park. The other sites referenced comprise an existing small car park on Broadway Lane, a possible car park on land east of Broadway Lane, and a possible car park adjacent to Hicks Farm. These alternative options were not progressed owing to issues including extent of tree removal, distance from the SANG, route of pedestrian link, displacement of existing open space, heritage concerns, highway safety, prominence, relationship with residential properties and proximity of a badger sett. For these reasons, the option as proposed has been progressed. It is considered that the reasons for rejecting

these alternative locations are compelling. If there is to be a SANG here, an ancillary carpark is required, and this is the most suitable location for it.

- 105 The revised plans would provide a significant level of screening in the form of bunds and tree planting; drawing HI S 10 Rev E shows that this would exceed the height of a parked vehicle whilst the photo montages submitted also seek to demonstrate that parked cars would not be readily visible in views beyond the car park perimeter. This would ensure a natural backdrop in public views towards the car park and would help to ensure that the car park would not detract from the rural setting of the village. Surfacing and design details would also ensure an informal appearance which typifies car parks in rural areas (i.e. devoid of hard standing and white lining) whilst the repositioning of the car park further southwards would help to screen views of parked vehicles when approaching/ passing along Taylor Drive. Further, the position of the car park would be 'nestled' into the corner of an existing field set against the backdrop of existing vegetation screening and the car park would not extend beyond the line of the more visually dominant field boundary to the north which extends as far as Throop Road. The car park would also be alongside that part of the village which accommodates a more recent housing development and thus an area which has already seen significant change in the past as opposed to the historic core.
- 106 It is acknowledged that the pedestrian access from the car park to the SANG is routed via Taylor Drive and involves crossing this road contrary to the guidance detailed above in the SPD. However, this, by itself does not justify refusal of the application provided that the proposal as shown is acceptable. In this regard, the amended plans submitted as part of this application show that this crossing would have dropped kerbs with tactile pavement with the road to have a coloured surface treatment to enhance highway safety. This improves the situation compared with the previous scheme. A straight route to Throop Road was investigated to join the existing path alongside Throop Cottage. However, the site topography dictates that the path would be too steeply sloping, there was a highway safety objection given the curvature of the road, additional tree/ vegetation loss would have been required and the proposed works would likely have a harmful impact on the setting of the listed Throop Cottage opposite. The new path running to the car park which would align with an existing field boundary and run alongside the existing trees is judged to be acceptable and would have a very limited visual impact.
- 107 For the reasons outlined above, the introduction of the car park and associated works comprising the linking path, bunding and planting is acceptable. In this regard, this element of the scheme would comply with the provisions of the NPPF including chapter 12 which seeks to create places that are safe, inclusive, and accessible and which promote health and well-being (paragraph 130 criteria f) and chapter 15 which seeks to conserve and enhance the natural environment. This element of the scheme would further accord with policy CS6(ii) that seeks to retain and enhance the features that contribute to the character and local distinctiveness of the area and CS41 which requires all new spaces and development to be well designed and to conserve and improve the landscape.

## **Heritage**

### Impact on heritage assets: Site area north of Throop Road

- 108 This area predominantly lies outside of the Throop and Muccleshell Conservation Area, but is considered to affect its setting. The first planning application was refused, in part, because it was considered that the change of use of the open countryside to a SANG would fail to preserve, enhance, or better reveal the significance of this heritage asset and thus would be harmful.

109 The Conservation Area was designated in 1975, extended in 1991 and extended again in 1995 at which time it was renamed to its current title. At paragraph 4.38, the Bournemouth Local Plan describes the area as follows:

*'Throop village was a farming community built mostly during the late 17<sup>th</sup> and early 18<sup>th</sup> centuries. There are several ancient, thatched cottages, but the conservation area also includes a large proportion of modern suburban development. The village plan approved in 1970 proposed a small extension of residential development and a green to complete the village. The area to the north of Throop Road contains a mixture of agricultural land and farm buildings, and provides for long views across the Stour valley. A majority of buildings are listed in the northern part of the village and the setting of these buildings together with the remaining open areas, views, trees and hedgerows must be protected to retain the rural character of the area. There has recently been a major new development in the village comprising 57 dwellings.'*

110 An information leaflet produced by the Council (undated, assumed some 20 years ago) describes the 'present' character of the area as:

*'Throop Road contains most of the older buildings, many of which are listed, although these often have modern alterations. These are either farms or houses of wealthier inhabitants. There are several stretches of fields were old mud and thatched buildings have decayed and vanished. There is still a strong rural character.'*

*When Muscliff Lane was improved, circa 1800, the Northern Bury Lane fell into general disuse, and some 19<sup>th</sup> century buildings, appeared along the southerly Broadway Lane.*

*When the conservation area was first designated in 1975, there was dissatisfaction at the hamlet's lack of village characteristics, and so a 20<sup>th</sup> century bungalow estate in Throopside Avenue was included, to give a balanced 'village envelope'. Land was set aside for a 'village green' and infill development was permitted along Broadway Lane, between Muscliff Lane and Throop Road.*

*In 1991, the conservation area was extended eastwards to encompass the remainder of Throop, part of which was already included in the Holdenhurst Village Conservation Area of 1974. In 1995, the area was once again extended to include land adjacent to 'Rosalie', earmarked for new housing.'*

111 There are also a large number of listed buildings (designated heritage assets) in the locality. This includes Hicks Farm and Throop Mill Cottage which is close to the existing path that leads to the weir from Throop Road. Throop Mill, Throop House, Vine Cottage and Muccleshell Farmhouse are also listed as are a number of properties on the opposite side along Throop Road in addition to a number of lampposts along Throop Road. Nevertheless, the second refusal reason listed on the previous decision notice pertaining to heritage assets only raised objection in respect of the conservation area and not these listed buildings or lampposts. There are no noted non-designated heritage assets with the Council tending not to add buildings to a local list which are already protected by conservation area status.

112 Further to the above descriptions of the conservation area, the third party comments received and Officer site visits, the defining characteristics of the Throop and Muccleshell Conservation Area are assessed to be its rural character, the 'balanced' building mix inclusive of older listed buildings and new infill development and the long distance views from the conservation area across the Stour Valley.

113 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out a general duty for the decision maker to pay special attention to the desirability of preserving or enhancing the

character or appearance of the conservation area (S72) (applicable to those parts of the site within the conservation area) whilst (S66) in respect of listed building sets out the requirement to have special regard to the desirability of preserving the building or its setting. At a local level, policy CS39 states that the Local Planning Authority will seek to protect designated heritage assets from proposals that would adversely affect their significance.

- 114 As noted, an essential requirement of a SANG is for it to be perceived as a semi-natural environment with little intrusion or artificial structures to retain rural character; it needs to be of sufficient quality to provide a viable alternative to the Dorset Heathlands. 'Rural character' is a defining characteristic of the Throop and Muccleshell Conservation Area thus the SANG and conservation area would share this characteristic. In this instance, for the reasons outlined in this report, the change of use of land to a SANG is, considered to preserve the rural character of the area and would not be harmful. Further, it would not introduce any new buildings nor result in the loss of existing buildings, including designated heritage assets, and the open views towards the Stour would not be impeded by the change of use of this site to a SANG. The Council's Conservation Officer has also not raised objection to this part of the proposal with regard this amended planning application. The setting of the conservation area would not be adversely impacted.
- 115 For the reasons outlined, this area of the proposal, encompassing the change of use of land and the infrastructure works proposed would, preserve the character and the appearance of the conservation area as required by The Planning (Listed Buildings and Conservation Areas) Act 1990 (in respect of that part of the site within the conservation area) and would accord with section 66 of the Act given that the proposal would preserve the setting of the surrounding listed buildings. It would accord with the provisions of the NPPF and notably chapter 16 (Conserving and enhancing the historic environment) paragraph 197 criteria a which states that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Creation of the SANG would also accord with policy CS39 which states that Local Planning Authorities will protect designated heritage assets from proposals that would adversely affect their significance. Accordingly, there can be no reasonable or sustainable planning objection to the application on this basis.

#### Impact on heritage assets: Site area south of Throop Road

- 116 The car park would be located outside of the conservation area but part of the access road along with the entrance and part of the footpath would fall within the conservation area. The car park would be opposite a relatively modern housing estate (that is within the conservation area) accessed from Taylor Drive. This would enable access to the car park without passing through the historic core of the conservation area and without having to negotiate the narrower roads within it. As before, it is considered that the car park and associated bunding would be sufficiently distanced from the listed buildings and would not harm their setting.
- 117 Introduction of the access road and entrance to the car park would result in a degree of harm to the conservation area and its setting through the loss of vegetation which contributes to the verdant and undeveloped setting of the area. This setting is appreciated in views both from within and into the conservation area and help to anchor the conservation area in its rural context. This harm would be less than substantial. In respect of this issue, paragraph 202 of the NPPF states that:

*'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

- 118 With regards to the car park, the updated photo montages received indicate that the car park would be well screened by proposed tree and shrub planting albeit this would take a number of years to establish. Any permission would need to include a landscaping condition to ensure the necessary degree of screening is obtained including consideration of the height, maturity and size of the species as planted. If a suitably worded condition is attached there is no reason why the planting would not be sufficient to fully screen the car park and its vehicles as seen in the key views towards the conservation area. On the basis that there is sufficient planting (of appropriate maturity, height, spacing and species) to fully screen the car park and its vehicles the car park would not result in harm to the setting of the conservation area. The introduction of landscaping is judged to be consistent with the setting of the conservation area. Any landscaping condition should be worded to ensure that if, after time, the planting as initially proposed was not found sufficient to fully screen the car park that there would be scope to introduce additional planting. Any condition should also ensure that the landscaping is retained in perpetuity.
- 119 As noted, the revised car park has been located further south with a longer access road with views from Taylor Drive deflected. When compared with the last scheme, this, in conjunction with the bund and planting, would further reduce views of the car park and reduce its visual impact.
- 120 As submitted, the application showed black estate type railings either side of the entrance to reflect the character of the modern housing opposite. However, to help ensure a more rural appearance, more sympathetic post and rail fencing is proposed as shown by the updated plans.
- 121 The Heritage Officer comments also reference the proposed surface material noting that one of the visuals shows block paving which would not be appropriate. The agent has confirmed that the surface material would comprise plastic tiles backfilled with screened as dug gravel which is acceptable; the Heritage Officer has agreed with this position. The amended plans also show 'T' markers to denote the end of parking spaces and timber posts to mark disabled spaces which is acceptable.
- 122 In summary, the introduction of the car park, bunding and planting would preserve the setting of the conservation area on the basis that there is sufficient planting to screen it from view as shown by the plans and photomontages submitted. However, creation of the access points, which would be within the conservation area would result in a degree of harm which would be less than substantial; this could also, in part, be mitigated by new planting. Paragraph 199 of the NPPF (in accordance with the statutory duty) states:
- 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'*
- 123 Paragraph 202 also confirms that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'*.
- 124 In this instance, the proposal would result in significant public benefits that weigh in favour of the scheme. The primary benefit is the facilitation of much needed housing and affordable housing development in and around Bournemouth. Other benefits include the new management regime which would be introduced to improve biodiversity, the increased leisure, and recreational opportunities for local people and those further afield, the reduced

pressures on the Dorset Heathlands which are a European designated ecologically sensitive site.

- 125 For the reasons outlined above, creation of the car park, subject to appropriate and sufficient landscaping, would preserve the character and the appearance of the conservation area as required by The Planning (Listed Buildings and Conservation Areas) Act 1990. It would also accord with section 66 of the act given that the proposal would preserve the setting of the listed buildings which are remote from this part of the application site with this part of the site instead located alongside more recent housing. However, the access to the car park would result in a degree of harm to the character and the appearance of the conservation area.
- 126 Overall, as a whole, this element of the scheme would accord with the provisions of the NPPF and notably chapter 16 (Conserving and enhancing the historic environment) paragraph 197 criteria a which states that in determining applications, local planning authorities should take account of the desirability sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Introduction of the car park as proposed would also accord with policy CS39 which states that Local Planning Authorities will protect designated heritage assets from proposals that would adversely affect their significance. Accordingly, there can be no reasonable or sustainable planning objection to the application on this basis whilst to do so, would lose the many benefits of the scheme as outline above.

### **Green Belt**

- 127 The NPPF paragraph 137 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are openness and their permanence. Inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 147). At paragraph 148, the NPPF makes clear that when considering any application in the Green Belt, local planning authorities should ensure that substantial weight is given to any harm in the Green Belt. Paragraph 145 states that local planning authorities should plan positively to enhance the beneficial use of Green Belt such as looking for opportunities to provide access and outdoor recreation, both of which would be achieved through this proposal.
- 128 Policy CS37 echoes the NPPF stating that within the Green Belt, inappropriate development, including uses of land will not be permitted. Inappropriate development will include any development which does not maintain the openness of the land or which conflicts with the purposes of including land within the Green Belt.
- 129 The first application was refused, in part, because it was considered that the change of use of this land to a SANG and the introduction of a car park would fail to maintain the openness of the Green Belt and would be harmful, contrary to the purposes of including land within the Green Belt.

### **Green Belt - Site area north of Throop Road**

- 130 Paragraph 150 of the NPPF confirms that material changes in the use of land such as changes for outdoor recreation is not inappropriate development provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt. The change of use of Green Belt land to provide a SANG in principle is thus appropriate development subject to consideration of the associated impacts.

- 131 With regards to the associated impacts, a fundamental requirement of SANG is that they remain semi-natural spaces with little intrusion or artificial structures to retain rural character; they should provide an attractive alternative to the Dorset Heathlands. Accordingly, a series of supporting works are proposed albeit limited to comprising footpaths, cycle paths, signage boards, a dog dipping pond and fencing with no new buildings or structures proposed that would provide accommodation. These would form engineering and other operations that would be small scale and would introduce features which are a common and accepted part of a rural setting. They are adjudged to maintain the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt.
- 132 On the basis of the above, the change of use of the main application site area to a SANG and the associated engineering works, which would maintain openness, and which would not conflict with the purposes of including land within the Green Belt, would accord with the provisions of the NPPF paragraph 150 and would comply with the requirements of planning policy CS37. As such, there can be no reasonable or sustainable objection to the application on this basis.

#### Green Belt - Site area south of Throop Road

- 133 Paragraph 150 provides support for forms of development that are appropriate development in the Green Belt including engineering operations (b), local transport infrastructure which can demonstrate a requirement for a Green Belt location (c) and material changes of use (e) provided such development preserves openness and does not conflict with the purposes of including land within the Green Belt.
- 134 The Dorset Heathlands SPD states *'Most visitors reach the Dorset Heathlands either by foot or by car and the same will apply for SANGs. Thus, SANGs may be intended principally for the use of the local population living within a 400m catchment around the site; or they may be designed primarily to attract visitors who arrive by car (they may also have both functions)... [in the case, the SANG would have both functions] ... If intended to attract visitors arriving by car, the availability of adequate car parking is essential'*. As such, the introduction of a car park is evidently necessary to support the successful operation of the SANG. It has previously been judged that the car park is inappropriate development in the green belt. However, it is considered that the car park has a very limited impact on openness. It is a low key, small ancillary car park to serve a rural function, does not contribute to urban sprawl, involves no buildings or visually intrusive built form, and save for its access is not visually intrusive from other areas or visible from most locations. Its impact on openness is far less than previously. To ensure a robust assessment of the merits of the car park and the proposals overall is carried out this report proceeds on the basis that the car park is not appropriate development in the Green Belt (although that judgement is very finely balanced). On that robust basis very special circumstances must be shown. The pressing need for a SANG to enable much needed urban housing developments alone is judged sufficient to constitute very special circumstances. In addition, the very limited impacts on openness and the other benefits referred to above further support the case for permission. As a result of concerns on openness on the first application, the applicant has made a series of changes to the car park as part of this revised application.
- 135 This includes the creation of a larger bund and increased planting to better screen the car park particularly in winter months. Viewed from beyond the car park boundary, this element of the scheme would thus retain a 'natural' appearance with parked vehicles obscured. The car park would also remain small in size with the bund inhibiting further expansion. Having regard to these characteristics, the car park would result in less harm to the openness of the Green Belt than the previously refused scheme with the extent of harm having been reduced to the least possible impact.

136 Paragraph 147 (NPPF) confirms inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 advises that *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'*.

137 In this instance the further 'very special circumstances' are considered to include the following factors:

- The provision of SANG has been identified as being a key strategic issue for the local planning authority in terms of ensuring the Council can mitigate the harm from new residential development on the protected heathlands;
- Natural England have advised the Council that Hicks Farm can provide a suitable SANG to address residential pressure on heathlands. At the time of writing there are over 1,000 units of housing unable to be delivered due to the lack of a SANG in Bournemouth. The enabling of these and future permissions will have a significant impact on delivery of a wide range of social benefits associated with unlocking the current stalled housing;
- Alternative sites have been considered but have been found to be unsuitable, unavailable or undeliverable;
- Changes have been made to reduce the visual and operational impact of the car park from the previously refused scheme. These considerations would carry significant weight in this assessment;
- The SANG would also provide for new accessible public open space that would provide significant social, health and well-being benefits to the area's residents.

138 In summary, this revised application has sought to address the harm caused to the Green Belt identified in respect of the last application and the changes made to the proposal dictate that the proposal would now have only a minimal impact on openness which has been reduced as far as is possible. Given that an element of harm remains, the proposal would be in conflict with policy CS37 which states that inappropriate development in the Green Belt will not be permitted. However, the NPPF recognises that inappropriate development may be permitted where there are very special circumstances; there are very special circumstances here. The proposal would be compliant with the NPPF policy on the Green Belt given that there are very special circumstances. On this basis, there can be no reasonable or sustainable objection to the proposal having regard to its impact on the openness of the Green Belt.

## **Trees**

139 Much of the application site is covered by an Area Tree Preservation Order. Relevant to issues pertaining to the impact on trees, at the time of the previous planning application, it was concluded that the proposal failed to conserve or enhance features of landscape which contribute to the areas character and local distinctiveness. This revised proposal has sought to address these concerns through;

- Additional tree and shrub planting to the bund around the car park;
- Extra planting along the car park access road;
- Additional understorey planting shown at the existing woodland edge;
- Further tree planting within the proposed hedgerow running north from the car park;
- Offsite planting to reinforce hedgerows to boundary of Council land beyond car park including along Careys Road;

- Offsite planting in area between the car park and Taylor Drive.

- 140 As per the previous application, the amount of tree felling proposed is limited. A very small number of trees that are not of major significance are proposed for removal with this scheme along with some small hedge areas. None of the trees to be lost are veterans or ancient trees which would have prompted an objection from the Council's Tree Officer. The hedge sections to be lost are small and can be replaced. The soft landscape improvements/scheme, tree planting and significant hedgerow planting and other landscaping and habitat improvements significantly would mitigate these losses. The proposed access has kept tree losses to a minimum for what is proposed. Within the Arboricultural submission there is a schedule of trees with their ages, their conditions, their heights etc and it lists trees to be felled, trees to be retained and trees where no work is required. This clearly shows the tree impacts from this scheme which are low.
- 141 Overall, there are many aspects of this scheme that would improve landscape value (and its conservation and wildlife values and habitats) demonstrated by the new planting that would be provided and the sensitive management regime that would be introduced. Accordingly, the proposal demonstrates that it would be compliant with the provisions of the NPPF including paragraph 174 which states that *'Planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes...'*. It would also be compliant with policy 4.25 of the Bournemouth District Wide Local Plan which requires proposals to include sufficient land for planting and landscaping. For these reasons, it is not considered that the proposal would fail to conserve or enhance the features of landscape (with regards to trees) which contribute to the areas character and local distinctiveness as suggested at that the time of the previous planning decision.

### **Biodiversity**

- 142 The application is supported by a Preliminary Ecological Appraisal dated August 2019 and revised in January 2021 and a report on Otter and Vole dated 27 January 2021. The former considered potential impacts affecting bats, breeding birds, reptiles, badgers, otter and water vole, dormouse, great crested newts, invertebrates, and consideration of different habitat with consideration also given to the potential for this area to act as a wildlife corridor. It is noted that the Appraisal advises that ecological survey work was undertaken during 2018 and 2019, which the Biodiversity Officer has confirmed is acceptable to support this application.
- 143 The main part of the proposed SANG was assessed as 'area 5' in the appraisal comprising horse grazed meadows along the river, open grassland, and riverbank habitats. Forming the largest block of land, the habitat proved quite uniform with most of the land area comprising open grassland that has been heavily grazed by horses. The grassland is subdivided into a number of smaller fields and there is a broad grassland buffer between grazing units and the river. The riverbank has some willow scrub and marginal reedbeds; there are a few fishing swims where access is possible. The appraisal concluded that most of this area is of low ecological value but with the river bank a valuable habitat with the potential to be improved for wildlife and flowering plants. No evidence of use by protected species such as badgers was seen, potential for protected amphibians and dormice was assessed as low to negligible. The north west corner has good bat foraging habitat and trees with potential to hold roosting features; but use of the land as a SANG with new planting is likely to improve the value to foraging bats. Otters are known from this stretch of the Stour, but water vole are not thought to be present on the lower reaches of the Stour.
- 144 The appraisal considered 'Throop Island' comprising the eastern part of the application site identified as area 4. This area was noted to have a high potential for biodiversity which could be enhanced by a more varied management regime. The areas close to the mill stream are dominated by thistles and taller ruderals, regular cutting might allow more diverse grassland

to develop. The stream itself is probably too shaded and some cutting, and clearing might enhance the value of this area.

- 145 The area of the proposed car park was assessed as area 3b. This area comprises fields that have been managed as arable land until recently and was noted to comprise impoverished flora, with Creeping Thistle and Ragwort prominent. The location of the car park was not considered to directly impact an identified badger sett within area 3c of the survey work and any grassland lost was assessed to be of low value to biodiversity.
- 146 The area of the path linking the car park to the SANG was assessed as area 3c. These fields were noted to have a margin for longer grassland with slightly more botanical diversity. The fields are bounded to the west by an old hedgerow with young woodland between this and Taylor Drive. No evidence of protected species such as badgers was seen within the application site area. It is likely that bird's nest in the hedges and scrubby areas. Potential for reptiles was low; the longer grassland is a recent development on former arable land and lacks suitable structure for reptiles. Potential for protected amphibians, dormice, otters, and water voles was assessed as negligible. No potential bat roost features were seen in any trees that might be removed and impact on bats through loss of a short section of hedgerow was assessed as negligible.
- 147 In summary, the appraisal concludes that areas surveyed included bird breeding habitat in marginal scrub trees and possibly small areas of reptile habitat. The removal of vegetation would be required to avoid bird nesting season, March to August inclusive; but if this is not possible small areas can be examined for nesting birds by an ecologist immediately before work begins. The site of the car park does not affect any habitat of ecological value with the possible exception of the older hedgerow to the west; creating an access may require the removal of some hedgerow plants and trees in order to ensure compliance with highway standards. This would be kept to the minimum possible and should not have a significant ecological impact.
- 148 The proposed public use of the site needs to balance the interests of users, particularly dog walkers, with the potential for biodiversity. Areas of ecological value or high potential such as the riverbank would need to have some areas that cannot be accessed by dogs at least during crucial periods such as peak bird nesting season in April to June. Proposals for planting and new hedge creation are generally welcomed; native species should be used wherever possible.
- 149 The Council's Biodiversity Officer has reviewed the application and has raised no objections subject to conditions. Addressing the objections/ comments received, it is acknowledged that various bat species have been recorded in this area. However, it is not considered that bats would be adversely affected by the proposal and the removal of horse grazing in 2020 in preparation for this application will have led to more vegetation in area, leading to improved source of invertebrates for bats to feed upon. Besides this, the new mixed species native hedgerows and native tree and shrub planting would provide addition foraging habitat for bats.
- 150 Furthermore, the effect of the SANG on reptiles would be neutral, if not positive due to the negative effect of overgrazing by horses previously, to facilitate this SANG, that affected approximately 9ha. This overgrazing led to very low vegetation height, which was unsuitable for reptiles, so most of this area presents very low possibility of supporting much in the way of reptiles. The area has been subject to various ad-hoc reptile surveys for 10 or more years and only occasional grass snake and slow worms have been recorded. Grass snake has been seen within the Mill Stream area and the main Stour both areas would have restricted public access. The design of the SANG would establish new corridors to increase the ability of reptile movement and with fencing at the sewage treatment works and elsewhere creating

sanctuary areas. Reptile refugia are currently on site at present for continued survey work. It is recommended that reptile surveys are continued to inform future management.

- 151 It has been mentioned that the creation of SANG at Upton Country Park has resulted in the loss of smooth snake and sand lizard. This is incorrect; the smooth snake was in a remnant area of heath, too small to successfully support this species, while the sand lizard was an uncertain sighting at the other end Upton Country Park to the SANG, in unsuitable habitat for this species. In both cases these were last recorded in the 1990s, well before the creation of the SANG.
- 152 The design of the SANG has no features that would be detrimental to butterflies, dragonflies, or stag beetles, hence no data search from DERC for these groups.
- 153 It has been mentioned that increasing access to this site would lead to some of the recorded plants being trampled, as they would not be protected. The provision of new paths through the area would provide a degree of protection, as it is expected that the majority of public would use the paths, as they do at Upton Country Park SANG.
- 154 The question has been posed about whether Dorset Mammal Group (DMG) have conducted catch and release water vole surveys. Catch and release is not an accepted way of surveying for water vole, this species is surveyed by looking for signs, such as droppings, feeding stations etc. A water vole survey was carried out in August and October 2020 (at the recommended time of year) which did not find any evidence of water voles but does note that there have been incidental records in general area. The fencing shown along the riverbank would create a sanctuary area if water voles do appear in the future.
- 155 Finally, the Biodiversity Officer confirms that the Preliminary Ecological Appraisal undertaken to support this application is appropriate. It is noted that in section '5. Recommendations' it states "Note that the fencing along the riverbank now extends the full length of the SANG (see concept plan on page 30 – Appendix 3)" which is welcome mitigation for this application.
- 156 For these reasons, the Biodiversity Officer raises no objections to this application subject to conditions pertaining to implementation of the recommendations set out in the Preliminary Agricultural Proposal and that reptile surveys be continued to inform the future management of the SANG.
- 157 In response to issues raised by the representations received, the Regina vs Cornwall County Council case cited effectively says that surveys for protected species should be undertaken prior to determination of an application, rather than a condition of any planning approval:

*"This is a case in which the applicant carried out an EIA and provided an ES. The council granted planning permission although its planning committee had decided that further surveys should be carried out to ensure that bats would not be adversely affected by the proposed development. The question was the adequacy of information provided pursuant to Schedule 3 (where an EIA had been required), rather than the initial decision whether an EIA was required at all. The planning committee had decided that further surveys should be carried out to ensure that bats would not be adversely affected by the development. - Since those surveys might reveal significant adverse effects on bats, it was not open to the committee to conclude that there were no significant nature conservation issues until they had the results of the surveys. The surveys might have revealed significant adverse effects on the bats or their resting places. Without the results of the surveys, they were not in a position to know whether they had the full environmental information required by Regulation 3 before granting planning permission. It was not permissible to defer to the reserved matters stage consideration of the environmental impacts and mitigation measures. The Court held*

*that this information should have been included in the ES, otherwise the authority could not comply with the EIA Regulations. The planning permission was quashed.”*

- 158 Circular 06/2005 includes detail about the presence or otherwise of protected species but also have with that a *‘reasonable likelihood of the species being present and affected by the development’* as cited in the following appeal decision:

*Mrs Brown (Appellant) v Mid Suffolk Council [2017] - APP/W3520/W/17/3174638).*

*The Inspector states that: “Guidance on the conservation of protected species is given in ODPM Circular 06/2005. At paragraph 99 the Circular advises that the presence or otherwise of protected species, and the extent to which they might be affected by the proposed development, must be established before planning permission is granted. However, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place before the permission is granted.”*

- 159 Given that this application is not for erection of buildings or large areas of manmade surface and is in the main a change of use, there is no reason to consider that species would be adversely affected, unlike Regina vs Cornwall County Council; no work is planned that has scope for negatively affecting bats. There is no reason to consider any risk of there being a significant effect on the favourable conservation status of the bat population.
- 160 The issue raised by the Preliminary Ecological Assessment relates to potential impacts on otters and this is covered by a further otter and vole report.
- 161 Concern has been raised regarding the date that some of this survey work was undertaken. The Chartered Institute of Ecology and Environmental Management have published guidance on the longevity of reports for reports 18 months to 3 years:

*‘A professional ecologist will need to undertake a site visit and may also need to update desk study information (effectively updating the Preliminary Ecological Appraisal) and then review the validity of the report, based on the factors listed below. Some or all of the other ecological surveys may need to be updated. The professional ecologist will need to issue a clear statement, with appropriate justification, on:*

- The validity of the report;*
- Which, if any, of the surveys need to be updated; and*
- The appropriate scope, timing, and methods for the update survey(s).*

*The likelihood of surveys needing to be updated increases with time, and is greater for mobile species or in circumstances where the habitat or its management has changed significantly since the surveys were undertaken. Factors to be considered include (but are not limited to):*

- Whether the site supports, or may support, a mobile species which could have moved on to site, or changed its distribution within a site (see scenario 1&2 examples);*
- Whether there have been significant changes to the habitats present (and/or the ecological conditions/ functions/ ecosystem functioning upon which they are dependent) since the surveys were undertaken, including through changes to site management (see scenario 3 example);*
- Whether the local distribution of a species in the wider area around a site has changed (or knowledge of it increased), increasing the likelihood of its presence (see scenario 4 example).’*

- 162 The scenario 1 and 2 above relate to bats, otters and badgers, scenario 3 to areas that was grazed to not grazed (as at Hicks), 4 is for water vole.

- 163 The Council's Biodiversity Officer confirms that the application has no effect on any potential bat roosts (no demolition of buildings and no potential bat roosts seen in any trees that are to be removed) and the cessation of grazing and hedgerow and shrub planting as detailed by the management plan) might mean more insects for bats to feed upon, which is a positive outcome. The Preliminary Ecological Appraisal records that there is a badger sett in the wider area beyond the site, while otter is addressed by the otter and water vole report from this year with surveys this year and 2020 and 2019. For scenario 3 which does apply to this area, reptile surveys are in progress. As this application does not involve loss of an area where reptiles may occur but offers enhancement, whilst this scenario (and the others) is more for applications where there would be loss of habitat such as for housing or as in *Regina v Cornwall County Council*, would appear that in general there would not be adversely affected and there would be more habitat for them in the future.
- 164 The proposal primarily comprises a change of use of land and if there was any impact on species on site, this would not appear to affect the ability to deliver a SANG on this site; for example, the presence of a new badger sett could be guarded by planting and fencing to avoid disturbance.
- 165 As above, "*developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development*". In this case some species are present, and some could be present but given the nature of the proposal which includes biodiversity enhancements, the Council's Biodiversity concludes that there would not appear to be any reasonable likelihood of species being adversely impacted by this proposal.
- 166 Concern has been raised that the application is not supported by an Environmental Impact Assessment. The requirement for an Environmental Impact Assessment is outlined by The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 that lists 'Schedule 1' development where an Environmental Impact Assessment is always required and 'Schedule 2' development where an Environmental Impact Assessment is required if the relevant threshold and criteria are met. The proposal does not fall within Schedule 1 and is also not listed as Schedule 2 development. As such, no Environmental Impact Assessment is required. For the avoidance of doubt, each planning application must be considered on its own merits and it is not considered that an Environmental Impact Assessment should be submitted to address the proposal alongside the Winter Gardens development that already has planning permission. This permission is not solely dependent on a SANG at Hicks Farm; if this application is not approved then an alternative SANG in a different location could be provided to address this requirement.
- 167 In summary, paragraph 180d states '*development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate*'. In this regard, the proposed SANG is intended to relieve pressures on the Dorset Heathlands that are internationally recognised for their ecological value and this carries significant weight. The proposal would further work to improve biodiversity on the application site and is fully compliant with policies CS35 and CS36 of the Local Plan. For all these reasons, subject to suitable conditions as advised by the Biodiversity Officer, there is no associated objection to the proposal.

## **Flooding**

- 168 Most of the application site comprising the land to the north east side of Throop Road (but not adjoining Throop Road) lies within flood zone 3 having regard to the Environment Agency

flood risk map. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Issues pertaining to flood risk and flooding did not form a part of the refusal reasons attached to the previous application.

- 169 The Dorset Heathlands SPD appendix D states *'Ideally SANGs should be available for year round use, to establish people's behaviours to utilise this mitigation rather than visit heathland. However flooding events generally do not coincide with the bird nesting season (March-July) when the adverse effect of people upon protected birds is most sensitive. The short periods of flooding must be weighed against the quality and natural attributes of riverside access. Land in the Stour floodplain, for example, provides for multiple green infrastructure benefits and is located within easy reach of nearby urban areas'*.
- 170 It is acknowledged that large parts of the site are subject to flooding and that typically the site floods (to an extent) each year. Nonetheless, having regard to the flood risk vulnerability classification as detailed with the NPPG, open amenity space and outdoor recreation is a water compatible use and therefore is appropriate development (as shown by table 3 of the NPPG (Flood risk and coastal change)). In this regard, the concerns raised regarding the site flooding are noted but as cited in appendix D above, flooding usually occurs in the months when sensitive species of birds and reptiles on the heath have finished nesting so displacement of people from the SANG onto heaths would have a lesser impact. SANGs are already located in floodplains e.g. Canford SANG adjacent to the Stour.
- 171 The Environment Agency have raised no objection to the application subject to a pre-commencement condition requiring a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas has been approved. This is necessary because the proposal could have an unacceptable effect on the ecological value of the River Stour with this area also close to the to the Moors River System SSSI. The ecological enhancements proposed are noted as being very good in principal but would require a management plan to be in place. This would ensure the landscape provides a maximum benefit to people and the environment. This approach is supported by the NPPF which recognises that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, permission should be refused.
- 172 The Environment Agency also highlight that with base growth over time, hedgerows can have an impact on flood risk elsewhere. In the interests of flood risk management, it is requested that the hedgerows be designed to have numerous wide breaks punctuating each hedgerow and this should be included as part of the management plan.
- 173 The Council's Drainage Engineer has also commented on this application and highlights that the proposals, whilst in flood zone 3, is a water compatible use. Most of the proposals are not considered to result in any significant change to the surface water drainage regime. Proposed pathways and parking areas have been identified as potentially increasing runoff, where drainage via infiltration is proposed. The car park is to be made of semi-porous gravel with peripheral French drains which could store and promote infiltration. It is proposed that any surfaced paths would be marginally graded to a ditch alongside where water would be stored and allowed to infiltrate. Whilst this approach is broadly acceptable, the applicant must provide evidence that they have considered impacts on water quality in line with Chapter 26 of the CIRIA SuDS Manual (C753). Evidence should be given in the form of a total SuDS mitigation index to demonstrate that a sufficient level of treatment is being provided. The Drainage Engineer is content for this information to be submitted as a pre-commencement condition.

174 On the basis of the above, there are no drainage associated objections to the proposal with it is acknowledged that whilst the application site is subject to flooding, this is at times outside of the bird nesting season thus the impact of visitors to the Dorset Heathlands would be reduced. Accordingly, the proposal is compliant with the NPPF chapter 14 in respect of flood risk and planning policy CS4 in respect of surface water flooding.

### **Residential Amenity**

175 The proposals are remote from most dwellings and the perceived harm, having regard to the letters of objection received, are found in the intensified use of the site, the additional number of visitors and traffic, noise disturbance and concerns regarding potential anti-social behaviour. It is noted that the reasons for refusal for the previous application included a reference to the impact of the previous proposal on the landscape that contributes to the amenities of surrounding residents.

176 Throop village has grown and evolved over time and many more people now live in Throop because of the relatively large areas of newer housing which has been provided. These changes will have had an impact over time and the proposal would also have an impact. Nevertheless, the area is already attracting walkers (including dog walkers), cyclists and car borne visitors and will continue to do so. It is not considered that the formation of a SANG per se which would formalise some of these activities would substantiate a refusal reason having regards to the impacts on residential amenity. The provision of the SANG would also provide a form of enhancement to the amenities of nearby residents by way of an enhanced area of open space adjacent to the existing residential properties.

177 It is acknowledged that the creation of the carpark and associated pathway access would have a more direct impact on residents living close by on Taylor Drive by way of change in land use from the existing open grassed area. However, the carpark would be small and new planting is shown to help mitigate its impact and that of the footpath. The car park would be used primarily during the day and as set out in the highways section would not lead to a significant increase in car trips to the area. As a result, any impact from the operation of the car park is considered to be comparatively low and not at level that would sustain a reason for refusal on impact on amenity. To help safeguard residential amenity, a condition is suggested in respect of the opening hours of the car park whilst the revised management plan also relates to operation of the car park.

178 In view of the above, the proposal is considered to accord with policy CS41 which requires that all new developments, including changes of use to safeguard the residential amenities of neighbouring occupiers.

### **Highway Safety and Sustainable Travel**

179 The proposal is formed of two distinct parcels with the northern parcel accommodating a network of footpaths providing recreational walking routes from an existing pedestrian access onto Throop Road, with an additional pedestrian access formed from Watery Lane. The southern parcel of land would accommodate a car park and vehicular access as well as a pedestrian/ cycle access onto Taylor Drive, with a connecting 3m wide shared path between. The two parcels of land are connected by the existing footway along Taylor Drive; a road subject to a 20mph speed restriction and speed calming measures.

180 The first application attracted a refusal reason in respect of the rural location of the site that was adjudged to generate a significant increase in car borne trips and which would fail to adequately facilitate, support, or promote sustainable modes of travel comprising cycling and walking. This revised application seeks to help address these concerns with improved cycle

parking facilities (revised surface material, 20 spaces proposed as before), improved internal paths and provision of an informal permissive footpath through Council owned land leading from the south of the car park to Careys Road to facilitate improved connectivity and provide additional walking opportunities.

181 The Local Highway Authority have considered the proposal as follows:

#### Traffic Flow:

- A 7-day radar survey undertaken in three locations in Throop concludes traffic flows are low with less than 2.5 vehicle movements per minute at peak times. Survey data from Taylor Drive (location of proposed car park) recorded a total two-way Daily Traffic Flow of 1082 vehicle movements. HGV traffic represents only 5% of all traffic along Taylor Drive. Taylor Drive is thus considered to be lightly-trafficked with a slow-speed road;
- On the basis of traffic flow and vehicle speed data and composition, the local highway network operates safely;
- Personal Injury Collision data has been analysed which determined that there have been no collisions within the vicinity of the application site within the last 10 years. Council records accord with this.

#### Trip Generation:

- To determine the likely trip generation, analysis of survey data obtained from assessment of other SANG locations similar in size and scope was undertaken, including Lytchett Fields, Bournemouth; 25% smaller, visitor numbers were uplifted by 25% to account for this;
- Peak hours for SANG use were identified as 10am-12pm and 2pm-4pm, outside of traditional peak 'commuter' hours reducing impact on commuting traffic;
- The assessment concluded that this proposal would generate a 101 two-way daily trips to/from the site. With 65% of people estimated to arrive by car (per Upton Country Park modal split data) this proposal is forecast to generate 66 vehicle trip arrivals/ departures daily;
- Along Taylor Drive, there are around 112 vehicle movements during the AM peak hour and 93 vehicle movements during the PM peak hour. This equates to one vehicle movement every 39 seconds during the AM peak hour and one vehicle movement every 32 seconds during the PM peak Hour. With the proposed development it is anticipated that there would be one vehicle movement every 36 seconds during the AM peak hour and one vehicle movement every 29 seconds during the PM peak hour;
- This results in an additional 8 vehicle movements during the AM peak period and 10 during the PM peak period in total with the peak one-hour traffic generation being 13 vehicles which equates to one additional vehicle every 4 minutes 30 seconds;
- This level of impact would not be readily noticeable on the road network and would have no significant impact on highway operation or capacity.

#### Car Parking:

- The proposed car park would provide 20 spaces, including 3 no. disabled spaces;
- The parking accumulation assessment of other SANG sites recorded a peak occupancy rate of 39.6% which equates to an accumulation of 8 cars. If the necessary modal splits were applied then the car occupancy rates would be lower, likely more in line with the 25% occupancy rate recorded in the Urban Heaths Partnership 2017-2018 monitoring reports for such sites, circa 5 cars. Whilst the car park is forecast to operate with spare capacity this provides a reserve for fluctuations in use and provision for circulation. The proposed level of car parking is considered to be sufficient;
- The car park layout and design comply with guidance specified within the BCP Parking Standards SPD (2021). The design comprises parking bays measuring 2.6m by 5m with 6m aisle widths and an extended turning area. Disabled parking spaces measure 3.6m x

5m. Swept path analysis demonstrates that vehicles can comfortably manoeuvre within the car park;

#### Cycle Parking:

- The Transport Assessment proposes that the formation of the SANG would generate 101 daily trips (to and from) the site equating to 66 by car thus leaving 45 trips or 22.5 visitors likely arriving on foot or by bicycle. Consequently, 10 Sheffield stands are proposed across the application site to accommodate 20 cycle spaces. These would be located; directly north of the car park off Taylor Drive, and at either end of the new shared footpath/ cycleway within the main SANG area to the north of Throop Road. The amount and type of cycle parking is considered to be appropriate for this location with amended plans showing the cycle stands located on a compacted limestone surface to ensure easy access.

#### Vehicular Access

- The Transport Assessment identifies that the vehicular access measures 4.1m in width although from submitted drawings this is only at the location of the height restricting barrier. Either side of this, the access widens to circa 4.5m-5m. Notwithstanding, the applicant has demonstrated through swept path analysis that the access is of sufficient width for two vehicles to pass simultaneously thus minimising interference with the free-flow of traffic on the public highway;
- Adequate visibility is available for drivers egressing the car park. Speed surveys undertaken as part of the Transport Assessment recorded 85th percentile speeds of 21.1mph southbound and 19.3mph northbound requiring a stopping sight distance of c.26m and c.24m respectively;
- Further to the receipt of amended plans, carriageway markings to restrict parking/ loading along Taylor Drive opposite the proposed car park access would facilitate access and egress to/ from the car park, particularly turning movements thereby resulting in less disruption to the operation of the highway network. The type and extent of these markings can be agreed in writing with the Local Highway Authority via a S106 agreement.

#### Pedestrian/ Cyclist Access:

- All shared use paths for pedestrians and cyclists should measure a minimum width of 3m, as per the Department for Transportation publication *Cycle Infrastructure Design - LTN1/20 (2020)*, paragraph 6.5.7 refers. Amended plans have been received to show this;
- All paths within the application site should be surfaced with a bound material to ensure convenient access for all can be provided. The use of compacted limestone can be difficult for use by people in a wheelchair or those pushing a pram, particularly as it gets worn and stones become loose. A bound material is more robust to wear and can be cheaper to maintain in the longer term as well as promoting use for prams and wheelchair users;
- Adequate visibility is available for pedestrians exiting the shared use path onto Taylor Drive;
- Further to amended plans, to facilitate safe pedestrian access from the hared access path north of the car park across Taylor Drive, the carriageway would undergo a coloured surface treatment to represent an uncontrolled pedestrian crossing. Pedestrian dropped kerbs with tactile pavement would be installed at either side. The proposed crossing would provide a safer and more convenient crossing in a semi-rural location. These works would form the basis of a S106 agreement.

#### Public Transport:

- Public transport access to the site is limited however, the overwhelming majority of trips generated by the site would be undertaken on foot, by cycle or via private car owing to the rural location of the setting, as evidenced through inspection of other SANG data.

182 On the basis of the above, a further refusal reason alleging that the proposal would generate a significant increase in car borne trips would be inaccurate, unreasonable, and very difficult to sustain. Furthermore, the proposal would promote sustainable modes of travel through the creation of new walking routes that would also link into the existing footpath network and cycling routes that would link into the existing cycling network with cycling parking facilities to be provided. For these reasons, it is considered that the proposal would accord with the NPPF including chapter 9 (Promoting sustainable transport) which at paragraph 102c states that *'opportunities to promote walking, cycling... are identified and pursued...'* and planning policy including policy CS18 which seeks to increase opportunities for cycling and walking. On this basis, there is no objection to the proposal having regard to issues of highway safety and sustainable travel.

#### Accessibility

183 The proposal seeks to be inclusive facilitating access for all. It would include easily used and well maintained paths suitable for use in different weathers. The new shared paths would be constructed from a compacted limestone material in order to provide a smooth surface suitable for access by wheelchairs, bicycles, pushchairs etc and to integrate with the section of shared path already constructed between Throop Road and the river bridge. There would be easy access from the SANG to the car park with the uncontrolled crossing over Taylor Drive including dropped kerbs and tactile paving. In this way, the proposal would comply with policies CS6, CS18 and CS36 of the Bournemouth Local Plan Core Strategy.

#### Contamination

184 The Council's Environmental Health Officer advises that the site falls within the 250m notifiable area surrounding both the Hicks Farm Suspected Tipped Site and the Throop Mill Car Park Tipped Site. However, no records are held in relation to previous contaminative uses of the address concerned thus an informative re unforeseen contamination is advised if planning permission is granted. On this basis, the proposal accords with policy CS38 which relates to minimising pollution.

#### Waste and Recycling

185 The Council's Waste Collection Authority have raised no objections to the application on the basis that the dog bins and litter are to be dealt with by the appointed Rangers. On this basis, the proposal would accord with the provisions of CS38 in respect of minimising pollution.

#### **Planning Balance / Conclusion**

186 The application relates to a sensitive and highly valued area of open countryside that provides long distance views across the River Stour and which facilitates a green, verdant, and undeveloped setting to the villages of Throop and Muccleshell which are designated as a conservation area. The area has retained its rural character despite the introduction of more recent housing and remains distinct from the built-up areas of Bournemouth. The site area is washed over by the green belt and large parts of the site are prone to flood risk.

187 The general area is already well used for leisure and recreation opportunities and is on existing cycle and footpath networks. The proposal, which seeks full planning permission for a SANG and associated infrastructure, would help formalise this use opening up parts of the site for public use improving leisure and recreational opportunities whilst maintaining the rural character of the area so as to provide a viable alternative to the Dorset Heathlands that are internationally recognised for their ecological value. This would provide a significant benefit

that would help relieve recreational pressures on the Dorset Heathlands thus enabling much needed housing development.

- 188 The pressures on the Dorset Heathlands increases in parallel with the rise in the number of new dwellings which BCP Council is required to provide by Central Government. Currently, there is a pressing housing and affordable housing need and meeting that need is a key requirement of government policy and a Council priority. The Council is unable to demonstrate a 5-year land supply yet there are consented permissions for in excess of 1,000 new dwellings which cannot be implemented as a result of the lack of sufficient SANG capacity. In order to unlock the development potential of the many approved sites, a SANG is required; without a SANG there can be no significant further housing delivery. The Council is therefore unable to demonstrate that it can fulfil the economic objective of sustainable development until this situation is addressed. The grant of planning permission would unlock existing planning approvals that will help deliver a range of other objectives such as meeting a range of housing needs and supporting the wider regeneration of the area, and this carries significant weight in the assessment of this scheme.
- 189 An extensive assessment of alternative sites suitable for a SANG, and deliverable within a timescale to meet the housing need has been carried out. There is no alternative site which can better meet the need for a SANG in a suitable location in the short/ medium term without more harmful planning implications. Accordingly, there is a compelling need for a SANG which cannot be better met elsewhere. Meeting that need, in this location, given the lack of alternatives is a key strategic planning benefit to weigh in the planning balance.
- 190 A fundamental requirement of SANG is the retention of rural character that is a characteristic of the existing area. The proposal would introduce new planting, pathways and signage that is commonly found in a rural area. Further, the proposal would introduce a new management regime that would balance the demands increased public access to the site and enhance the sites biodiversity value which in part has been assessed as poor further to overgrazing. In this way, the proposal conserve and enhance features of the landscape that contribute to the areas heritage, character, and local distinctiveness. This carries weight in the assessment of the proposal.
- 191 It is acknowledged that the proposal would result in some limited harm to the conservation area and green belt, but significant steps have been taken since the refused application to reduce impacts and improve the proposals. The NPPF requires this harm to be balanced against the merits of the proposal that in this case, are significant and are considered to outweigh the limited harm that has been identified.
- 192 Having considered the appropriate development plan policies and other material considerations, including the NPPF, it is considered that subject to compliance with the conditions listed below, the development, when considered as a whole, would be in accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring occupiers and would be acceptable in terms of traffic safety and convenience. The Development Plan Policies considered in reaching this decision are set out above.
- 193 It is concluded that:
- a. there is less than significant harm to heritage assets; the benefits clearly and demonstrably outweigh that harm;
  - b. the car park is inappropriate development in the green belt but the need for a SANG provides a Very Special Circumstance, combined with further Very Special Circumstances to justify it. The impact on openness is limited and mitigated as far as possible; any SANG to serve Bournemouth would be likely to be in the green belt and would need a car park;

c. This is an unusually strong case of the planning balance being decisively in favour of a grant of planning permission. The Council thus has a stark choice; to accept this SANG or to not deliver much needed housing including affordable housing in the short/ medium term.

### **Recommendation**

194 **GRANT** permission with the following conditions, which are subject to alteration/addition by the Head of Planning Services provided any alteration/addition does not go to the core of the decision:

Conditions:

#### **1. Development to be carried out in accordance with plans as listed**

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

Application Boundary: drg. no. HI S 02 Rev G

Proposed Layout Overall Concept; drg no. HI S 03 Rev I

Phase 1 – Proposed Layout Main Area; drg. no. HI S 06 Ref F

Phase 1 – Proposed Layout Car Park Area; drg. no. HI S 07 Rev G

Typical Sections: drg. no. HI S 08

Typical Fence Details; drg. no. HI S 09

Typical Path Details; drg. no. HI S 10 Rev E

Phase 1 – Riverside Area; drg. no. HI S 11 Rev A

Typical Hedgerow Gaps; drg. no. HI S 12

Phase 1 – Proposed Layout Car Park Detail; drg. no. HI S 13 Rev D

Phase 1 – Pedestrian and Cycle Routes; drg. no. HI S 14

Typical Cycle Stand Layout; drg. no. HI S 15

Car Park Bund Planting Mix; drg. no. HI S 16

Photo Images and Associated View Locations Plan; drg. no. HI S 17

Proposed Car Park Access General Arrangement and Visibility Splays; drg. no. 194895\_A05 Rev A

Proposed Uncontrolled Pedestrian Crossing General Arrangement and Visibility Splays; drg. no. 194895\_A06 Rev A

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

#### **2. Additional Information**

Notwithstanding the submitted details, prior to the commencement of development, full specification details to include size, design, materials, position, and method of attachment to the ground in respect of the following shall be submitted to and approved in writing by the Local Planning Authority:

1. Waymarker signs;
2. Information boards and displays;
3. Carpark access barrier;
4. Benches;
5. Bins.

Development shall accord in full with these approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory design, to safeguard the rural character of the area and to safeguard the Throop and Muccleshell Village Conservation Area all to accord with Planning

Policy 4.4 of the Bournemouth District Wide Local Plan (February 2002) and Planning Policies CS39 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **3. Arboricultural Method Statement**

Notwithstanding the submitted details, prior to the commencement of development, a revised arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The approved arboricultural method statement shall thereafter be implemented in full and in accordance with an agreed timetable forming a part of this arboricultural method statement.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002).

### **4. Soft Landscaping**

Prior to the commencement of development, full details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Soft landscaping details shall include: (a) planting plans; (b) existing trees, hedges and shrubs to be retained; (c) written specifications (including cultivation and other operations associated with plant and grass establishment); (d) schedules of plants noting species, plant sizes and proposed numbers/densities; and (e) programme of implementation. The approved soft landscaping scheme shall be implemented in full in accordance with a timetable of works to be agreed in writing by the Local Planning Authority and permanently retained unless otherwise agreed in writing by the Local Planning Authority. If the landscaping proves to be insufficient or fails to establish in the view of the Local Planning Authority, details of additional landscaping shall be submitted to and approved in writing by the Local Planning Authority. The additionally approved soft landscaping shall thereafter be implemented in accordance with a timetable of works to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development includes a properly designed scheme of landscaping in the interests of visual amenity and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **5. Hard Landscaping**

Notwithstanding the submitted details, prior to the commencement of development, full specification details of all hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The details should include where appropriate:

Proposed finished levels; Layout of car parking space(s); Surfacing materials; External fixtures; Vehicle and pedestrian access and circulation.

The approved hard landscape scheme shall be implemented in full prior in accordance with a timetable to be agreed in writing with the Local Planning Authority and permanently retained and maintained as agreed unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development includes a properly designed and suitably landscaped amenity area in the interests of visual amenity and to accord with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **6. Boundary /Subdivision Treatment (Location & Type to be approved)**

Notwithstanding the submitted details, prior to the commencement of development, full specification details of all the fences, gates and further boundary treatments and means of

subdivision shall be submitted to and approved in writing by the Local Planning Authority. Details shall include a plan showing: the positions, height, design, and materials. The approved scheme shall thereafter be implemented in full in accordance with a timetable to be submitted to and agreed in writing by the Local Planning Authority and thereafter permanently retained and maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory design, to safeguard the rural character of the area and to safeguard the Throop and Muccleshell Village Conservation Area all to accord with Planning Policy 4.4 of the Bournemouth District Wide Local Plan (February 2002) and Planning Policies CS39 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **7. Long-term landscape management plan and maintenance scheme**

Prior to the commencement of development, a long-term landscape management plan and maintenance scheme, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority. The plan and scheme should include timescales and schedules for proposed works (including replacement works), inspections and future maintenance. The long-term landscape management plan and maintenance scheme shall thereafter be implemented as approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the establishment and management of the landscaped areas and in accordance with Policy 4.25 of the Bournemouth District Wide Local Plan (February 2002).

### **8. Access/turning/parking**

Notwithstanding details shown on the submitted plans, prior to commencement of use of the car park, details of the specification (a typical cross-section of the surfacing is required) of the access, parking and turning areas shown on the approved plan shall be submitted to the Local Planning Authority for approval in writing. These areas shall be constructed and surfaced in accordance with the approved details and permanently retained and kept available for visitors at all times.

Reason In the interests of highway safety and in accordance with policies CS16 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

### **9. Visibility Splays**

Before the development hereby permitted is brought into use and notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modifications) the visibility splays shall be provided on both sides of the vehicular and pedestrian accesses onto Taylor Drive in accordance with approved plans and shall be cleared of all obstructions over 0.6m above the level of the adjoining highway. Nothing over 0.6m in height shall be permitted to be erected within the splayed areas at any time.

Reason: In the interests of highway safety and in accordance with policies CS16, CS18 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

### **10. Design of Cycle Parking to be submitted**

Before the development hereby permitted is brought into use, cycle parking for 14 cycles and associated 3m wide access paths shall installed and laid out in accordance with the agreed details and thereafter be retained, maintained and kept available at all times for visitors to the development site.

Reason: To promote the cycling mode of transport and in accordance with Policy CS18 of the Bournemouth Local Plan Core Strategy (October 2012).

### **11. Electric Vehicle Charging Points**

Notwithstanding details shown on the submitted plans, within 3 months of the commencement of the development details of the provision of Electric Vehicle Charging Points and associated infrastructure shall be submitted to the Local Planning Authority for approval in writing. Those details shall be in accordance with the BCP Council Parking SPD (adopted 6th January 2021). The approved details shall be implemented and brought into operation prior to any use hereby approved commencing. Thereafter the Electric Vehicle Charging Points shall be permanently retained available for use at all times.

Reason: In the interests of promoting sustainable development including sustainable forms of transport in accordance with Policy CS17 of the Bournemouth Local Plan Core Strategy (October 2012).

### **12. Construction Management Plan**

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development and to comply with Policies CS38 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

### **13. Lighting**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no lighting shall be installed on the site.

Reason: To safeguard the rural character of the area and to safeguard the Throop and Muccleshell Village Conservation Area all to accord with Planning Policy 4.4 of the Bournemouth District Wide Local Plan (February 2002) and Planning Policies CS38, CS39 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **14. Vegetation Clearance**

Any vegetation clearance on this site shall only be carried out outside the bird breeding season of 1st March to 31st August inclusive unless the area affected has been sufficiently

checked by a suitably qualified ecologist to show that nesting birds are not present. These findings shall be made available to the Local Planning Authority on request.

Reason: To protect against the prevention of disturbance to birds' nests as protected under Wildlife and Countryside Act 1981 (as amended) and to accord with Policy CS35 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **15. Ecological Monitoring**

Regular site monitoring of birds on the River Stour shall be to be carried out to monitor for any evidence that numbers of species and breeding has not been adversely affected by an increase in public and dog use. The scope, area and timing of this monitoring shall be agreed in writing with the Local Planning Authority prior to the commencement of development with the monitoring result submitted to the Local Planning Authority. If a decline in breeding is detected, then suitable mitigation measures shall be proposed which shall be submitted to and agreed in writing by the Local Planning Authority. These mitigation measures shall thereafter be implemented in full in accordance with the agreed details.

Reason: In the interests of species protection and to accord with the NPPF and Policy CS35 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **16. Landscape and Ecological management plan**

No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas has been approved. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- details of maintenance regimes
- details of any new habitat created on-site. Any tree or shrub planting shall be native.
- details of treatment of site boundaries and/or buffers around water bodies - particularly the buffer between bank side and path.
- details of management responsibilities
- Removal of scrub and planted trees to increase car park capacity - native tree planting to replace those lost should be a requirement.
- Consideration needs to be given with the use of fencing along the river bank. Although it will benefit the habitat by preventing dogs from entering the river and causing erosion, if invasive species such as Himalayan balsam begin to grow on the SANG then necessary measures need to be taken to remove them and fencing can sometimes hinder this.
- Hicks Farm needs to be carefully managed to ensure that the current population of brown hares is not adversely affected by possible disturbance.

Reason: To safeguard the ecological interests of the River Stour and to accord with Policies CS35 and CS36 of the Bournemouth Local Plan Core Strategy (Adopted 2012).

### **17. Preliminary Ecological Appraisal**

The recommendations as given in 'Preliminary Ecological Appraisal Proposed Suitable Alternative Natural Greenspace at Hick's Farm, Throop', by Abbas Ecology, August 2019 revised January 2021, shall be implemented in full.

Reason: To ensure that the proposal contributes to and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity and to accord with the provisions of the NPPF and planning policies CS30 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **18. Highway works**

Prior to the commencement of development, full specification and design details of the following shall be submitted to and approved in writing by the Local Planning Authority.

- Construction of an uncontrolled pedestrian crossing at Taylor Drive through the installation of a coloured surface treatment upon the carriageway with dropped kerbs and tactile paving either side;
- The installation of carriageway markings to restrict parking/ loading along a circa 15m stretch of Taylor Drive opposite the proposed car park access road.

These agreed works shall be implemented in full in accordance with a timetable of works to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policies CS18 and CS41 of the Bournemouth Local Plan Core Strategy (October 2012).

### **19. Opening Hours**

The car park hereby permitted shall be closed with a vehicle barrier to prevent vehicle access locked shut outside of the hours of 7am to 9pm May- September and 7am to 6pm October-April each year.

Reason: To safeguard the interests of occupiers of adjoining and nearby residential properties and in accordance with Policies CS38 and CS41 of the Bournemouth Local Plan: Core Strategy (October 2012).

### **20. Natural England Meeting**

Prior to the commencement development, the applicant shall arrange a meeting to be held on site with Natural England to consider specific design details. Any proposed variation to the scheme shall be firstly submitted to and approved in writing by the Local Planning Authority. Development shall thereafter strictly accord with these approved details.

Reason: To ensure that the land offers the best potential for mitigation to residents in the authority area and to comply with Policy CS36 of the Bournemouth Local Plan Core Strategy (Adopted 2012).

### **21. Informative Note: No storage of materials on footway/highway**

INFORMATIVE NOTE: The applicant is advised that there should be no storage of any equipment, machinery or materials on the footway/highway this includes verges and/or shrub borders or beneath the crown spread of Council owned trees.

### **22. Informative Note: Highway and Surface Water/Loose Material**

INFORMATIVE NOTE: The applicant is advised that in order to avoid contravention of highways legislation, provision shall be made in the design of the access/drive to ensure that no surface water or loose material drains/spills directly from the site onto the highway.

### **23. Informative Note: Environment Agency**

INFORMATIVE NOTE: The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further information and to check whether a permit is required please visit: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

### **23. Informative Note: Potential contamination**

INFORMATIVE NOTE: If during site works unforeseen contamination is found to be present then no further development shall be carried out until the developer has consulted the Local Planning Authority. The contamination will need to be assessed and if necessary an appropriate remediation scheme agreed with the Local Planning Authority.

### **24. Statement required by National Planning Policy Framework (APPROVALS)**

In accordance with paragraph 38 of the revised NPPF the Council, as Local Planning Authority, takes a positive and proactive approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the applicant was provided with the opportunity to address issues identified by the case officer and permission was granted.