

Planning Committee



Application Address	Theme Park Merritown Lane Christchurch BH23 6BA
Proposal	Change of use of family theme park to mixed use incorporating leisure and tourism uses with ancillary café and retail, education including erection of a link extension and commercial car parking, along with associated infrastructure (signage, ANPR cameras and columns, cabinet, and adverts).
Application Number	P/25/00993/FUL
Applicant	Lucy and Russell Lucas-Rowe
Agent	Mrs Helen Rosier Tanner & Tilley Planning Consultants
Ward and Ward Member(s)	Commons Cllr Margaret Phipps Cllr Vanessa Ricketts
Report status	Public
Meeting date	19 March 2026
Summary of Recommendation	Refuse for the reason(s) set out below
Reason for Referral to Planning Committee	This application has been referred to the Planning Committee by Councillor Phipps for the following reason: - As can be seen from comments on the planning portal there is already much public interest in this application, which covers the material policy headings noted above and more. I consider that due to the complexity and public interest this application it should be considered by the planning committee rather than being decided by delegated powers. This will give the opportunity for public participation as per committee rules and open and transparent debate by Committee Members.
Case Officer	Charlotte Haines
Is the Proposal EIA Development?	No

Description of Proposal

1. The application seeks permission for the change of use of a former theme park to a mixed use comprising of leisure, tourism and education uses with ancillary café and retail uses along with associated parking for these uses within the main car park. In addition, the change of use includes use of the remainder of the main carpark for commercial car parking. The application is part retrospective as some of the uses have already commenced on site.
2. The proposed leisure and tourism use within the Merritown Section of the site would consist of a tourist attraction with has the established Alice in Wonderland Beech Maze at its heart. This use comprises the majority of the western part of the site and would include the open space around the Maze which would be re-landscaped. It would re-utilise the existing facilities of the former Theme Park to provide outdoor play areas and natural spaces, including a wildflower meadow. The existing café building that previously served the Theme Park would be re-utilised to form the attraction ticket office, a café and a small retail unit. The small retail unit would be open to the general public and not just visitors to the facilities on site. The supporting statement states this retail unit would primarily sell gifts and locally made products.
3. The application also seeks planning permission retrospectively for the conversion of two existing buildings within the Merritown Section of the site to form a children's play centre known as 'Discovery Village'. One of these buildings was previously used as a theatre in connection with the operation of the Theme Park and the other had been used as a store/workshop.
4. The alterations to enable the conversion of these two buildings have already taken place and include the erection of a small link extension between the two buildings which has also been constructed. The smaller building, accessed by the new link extension from the café, contains the toilets, a small office and a dedicated party room to enable children's parties to be catered away from the main café.
5. In addition, the application seeks planning permission retrospectively for change of use of another building along with the associated land located in the southeastern part of the site to provide a specialist leisure and education venue for children and adults with physical and learning disabilities. This is provided by a charity called Diverse Abilities. There are a number of outdoor play areas within this venue which are shown on the submitted plan as being used for this purpose.
6. The majority of the main carpark (comprising of 371 spaces) that previously served the Theme Park will be used to provide parking for the visitors of these various leisure/education and tourism uses.
7. This application also seeks planning permission retrospectively for the change of use of the remainder of the main carpark (comprising 107 spaces) to provide commercial airport parking. The application also seeks retrospective planning permission for 2 x ANPR cameras and columns, 2 x column protectors and 1 x cabinet that have been installed in associated with this parking use. This part of the carpark lies immediately to the south of the Aviation Museum and its associated parking. The Aviation Museum is a separate facility that does not form part of the application site however the associated parking for the museum has been included in the application.
8. A separate application for advertisement consent has been submitted in respect of various signage advertising these uses of which this application is seeking planning permission for.

Description of Site and Surroundings

9. The site lies wholly within the South East Dorset Green Belt and comprises an area of land located on the south side of Parley Lane, to the east of Merritown Lane, within an area which has a semi-rural character. A public footpath lies adjacent to the southern boundary of the site which links Dales Lane to the East with Merritown Lane to the West. This footpath also runs from Throop to the southeast to West Parley.
10. The site is accessed off Merritown Lane to the southwest of its junction with Parley Lane (B3073) via a long driveway which leads to the main carpark. The application site comprises a large area of land that was formerly used as a Family Theme Park located on the southern side of Parley Lane in Hurn and accessed from Merritown Lane. The site is surrounded to the east, south and west by farmland (some currently being temporarily used for mineral extraction) whilst the land to the north on the opposite side of Parley Lane falls within the grounds of Bournemouth International Airport, the entrance to which is located on Parley Lane 1.2 km to the east of the access to the application site.
11. The Theme Park previously was operated as Adventure Wonderland which featured outdoor rides and attractions, a large play barn, theatre building, maze, outdoor play areas and a café. The Theme Park has been closed since 2024.
12. A large carpark served the Theme Park which is situated to the south of the Bournemouth Aviation Museum, a separate tourist facility/attraction. The Aviation Museum was granted permission in 2014 under reference 8/13/0646. A further permission was granted to expand the site in 2023 under reference 8/23/0073/FUL. There are 22 parking spaces shown with the main carpark to serve this facility.
13. Merritown House which lies immediately to the southwest of the application site is a Grade II Listed Farmhouse.

Relevant Planning History

14. From the table below it can be seen that the site has an extensive planning history commencing with the change of use of agricultural land to a Theme Park in 1996. These applications have included a number seeking to vary conditions relating to both the Theme Park and its associated carpark. Since the Theme Park use was approved, planning permission was granted for part of the park to be used as an Aviation Museum. Other uses have also been permitted allowing part of the Theme Park car park to be used for the parking of buses and for commercial airport carparking. The former approved application related primarily to the parking of buses in association with the transporting of visitors to the Theme Park.
15. The commercial airport parking was granted planning permission by Christchurch Councils Planning Committee in 2016, that decision was contrary to the officer recommendation of refusal. The recommended refusal reasons were as follows: -
 1. *The proposal constitutes an intensification of use and thus inappropriate development within the Green Belt which would have an adverse impact on the openness of the Green Belt. Thus, the proposals are contrary to the aims of the National Planning Policy Framework and to Policies KS1 and KS3 of the Christchurch and East Dorset Local Plan, Part 1 – Core Strategy (2014).*

2. *Policies BA1 and BA2 of the Christchurch and East Dorset Local Plan, Part 1 – Core Strategy (2014) identify measures to reduce the impacts of traffic and to secure sustainable access, through contributions and the implementation of area-wide Travel Plan for the Airport. The proposals would undermine the aims of these policies by virtue of increasing traffic movements on Parley Lane and reducing the incentives to use public transport.*
16. The commercial airport parking approved in 2016 covered a substantially smaller area smaller area than the current one, and that permission was granted under a personal condition restricting the operation of the airport car parking business to the then applicant. The permission also had a condition which limited the operation for the parking of a maximum of 75 vehicles which included the vehicles of site operatives. When the applicant ceased to operate, the permission was extinguished.
17. More recently, various ad hoc applications have been submitted in respect of proposed changes of use of the Theme Park including an application for the change of use of the Theatre and workshop building to a children’s play café (Discovery Village) which was withdrawn. Another application for change of use of one of the attractions within the southeastern corner of the Theme Park to a doggy day care facility which was also refused.
18. In addition to these applications, an application was submitted seeking planning permission retrospectively for the change of use of part of the main carpark to commercial airport carparking. This application was refused last year for the following reasons: -
1. *The use of approximately 50% of the existing carpark which serves the Theme Park for a separate facility for the provision of commercial off airport parking would prejudice its future use contrary to Policy PC6 of the Core Strategy.*
 2. *The proposed use is unrelated to any existing lawful use of the site and is one that does not fall within any exception uses for the Green Belt. It is considered that the intensification of the car parking would erode the openness of the Green Belt. No very special circumstances have been presented which would justify a grant of permission and thus the proposals are contrary to the aims of the National Planning Policy Framework and Policies KS1 and KS3 of the Christchurch and East Dorset Local Plan, Part 1 – Core Strategy (2014).*
 3. *The applicant has failed to demonstrate safe pedestrian access arrangements to/from the site. The lack of a safe crossing, lighting and footways results in an unacceptable impact on highway safety. Furthermore, the applicant has failed to provide data to demonstrate that the theme park use can operate with the loss of 50% of its car park. The development fails to take into consideration the impact on the highway when combined with the theme park in operation. The development is contrary to Policies KS11 and KS12 of the Christchurch and East Dorset Local Plan Core Strategy (2014) and paragraphs 114, 115 and 116 of the NPPF (2023).*

P/25/04266/ADV	Theme Park Merritown Lane Christchurch BH23 6BA	Advertising consent for pole entrance sign, directional signs and parking signs	Under considerat ion	
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8/24/0180/FUL	Theme Park Merritown Lane Christchurch BH23 6BA	Retrospective Change of use to commercial car park and Installation of 2 x anpr cameras and columns, 2 x column protectors and 1 x cabinet	Refused	10/01/25
8/24/0181/ADV	Theme Park Merritown Lane Christchurch BH23 6BA	Retrospective permission for 49 x non-illuminated signs	Refused	10/01/25
8/23/0073/FUL	Bournemouth Aviation Museum Merritown Lane Christchurch BH23 6BA	Expansion of external display area for Museum	Granted	25/07/23
8/20/0016/COND R	Hurn Quarry Hurn Court Lane Christchurch BH23 6AX	Extension to sand and gravel extraction at Hurn Quarry followed by filling with imported inert materials and restoration - Variation of Condition 1 (Time limit - Commencement of Development) and Condition 6 (Pre-Commencement - Archaeology) of App 8/16/2010/DCC to - Extend the end date of Hurn Quarry to support the restoration of the Western Extension.	Granted	12/11/20
8/20/0017/COND R	Hurn Quarry Hurn Court Lane Christchurch Dorset BH23 6AX	Extension to sand and gravel extraction at Hurn Quarry, Dorset, followed by filling with imported materials and restoration - the deletion of condition 3 (Limit and Depth of	Granted	12/11/20

		Extraction) of App. No. 8/16/2011/DCC to avoid the sterilization of 305,168 tonnes of sub-groundwater mineral and the variations of condition 2 (Development to be in accordance with approved plans) and condition 18 (Throughput and type of waste) to adopt a revised scheme of working and the volume of imported restoration materials.		
8/20/0365/COND R	Adventure Wonderland Theme Park Merritown Lane Christchurch BH23 6BB	Change of Use of land from agricultural to leisure facility including formation of car park, construction of play areas and siting of temporary building for use as creche (retrospective application). Variation of Condition 2 of Planning application 8/96/0034/C to permit use of existing play barn for leisure and/or storage purposes (Class B8)	Granted	15/09/20
8/18/3322/CLE	Adventure Wonderland Theme Park Merritown Lane Christchurch BH23 6BB	Use of Land as Car Park	Lawful	09/07/19
8/16/0033	Theme Park Merritown Lane	Variation of Condition 2 of Application 8/96/0034 to allow part of car park to be used to provide ancillary parking for users of Bournemouth International Airport jointly with Adventure Wonderland (Revised scheme following	Granted	02/11/16

		withdrawal of 8/15/0442) (Amended description)		
8/10/0173	Adventure Wonderland, Merritown Lane	Removal of condition 2 of application 8/08/0186 to allow the parking of a maximum of 16 half coaches or mini buses in the existing car park on a permanent basis	Granted	18/08/10
8/08/0186	Adventure Wonderland, Merritown Lane	Relief of condition 2 of application 8/96/0034 to allow parking of coaches & mini buses in existing car park	Granted	25/06/08
8/06/0191	Aventure Wonderland, Merritown Lane	Retrospective application to erect two free standing wooden entrance signs	Granted	30/05/06
8/05/0717	Alice In Wonderland Family Theme Park, Merritown Farm, Hurn (Affecting the setting of Grade II Listed Building)	Erection of replacement indoor theatre for use as theatre and disabled play area	Granted	12/01/06
8/04/0844	Alice in Wonderland Park, Merritown Lane	Retention of attractions (Jumping Beans, trampolines, Spinning Saucers, Curvy Caterpillar, Space Orbiter, Flying Jumbos, Wild bills Runaway Train, Giant Yoyo, Wonderland Amusements, and resiting of 4 portable buildings adjacent to entrance and the erection of new boat ride (In pursuance of condition 3 of planning consent reference 8/96/0034C)	Granted	20/05/05
8/04/0667	Alice in Wonderland Park Merritown Lane	Erection of external entrance to playbarn (under construction)	Granted	15/11/04
8/04/0135	Alice in Wonderland, Merritown Lane	Proposed new play and activity barn (S106 proposed to ensure use is not separate entity and	Granted	06/09/04

		forms part of Alice Park)		
8/02/0456	Alice in Wonderland, Merritown Lane, Hurn	Retention of entrance facade/booth	Granted	11/02/03
8/02/0457	Alice in Wonderland, Merritown Lane, Hurn	Siting of a 4-lane childrens slide for a temporary period of one year	Granted	11/02/03
8/02/0102	Alice in Wonderland Park, Hurn	Retention of indoor play cabin for a further one year	Granted	13/06/02
8/01/0034	Alice in Wonderland Park, Hurn	Retention of indoor play cabin for a further year (renewal of temporary consent)	Granted	18/04/01
8/01/0035	Alice in Wonderland Park, Merritown Lane, Hurn	Retention of elephant roundabout childrens ride	Granted	18/04/01
8/01/0036	Alice in Wonderland Park, Merritown Lane, Hurn	Erection of a childrens swing chair ride	Granted	18/04/01
8/00/0045	Alice In Wonderland Park, Merritown Farm, Merritown Lane	Renewal of temporary consent for indoor play cabin	Granted	18/05/00
8/00/0046	Alice in Wonderland Park, Merritown Farm, Merritown Lane	Erection of elephant roundabout	Granted	18/05/00
8/99/0014	Alice In Wonderland Park, Merritown Farm, Merritown Lane, Hurn	Siting of temporary building for use as creche/play cabin (retrospective application)	Granted	11/02/99
8/98/0179/M	Merritown Lane, Merritown Farm, Leisure Facility at, Hurn (Grade II Listed Building)	Relief of Condition 3 attached to planning approval 8/96/0034C to permit siting of wooden entrance facade/booth (Retrospective Application)	Granted	19/05/98
8/98/0180/M	Merritown Lane, Merritown Farm, Leisure facility at, Hurn (Grade II Listed Building)	Relief of Condition 3 attached to planning approval 8/96/0034C to permit siting of 25ft high 4 lane childrens slide	Granted	19/05/98
8/97/0027/F	Merritown Lane, Merritown Farm, Part land at Hurn (Grade II Listed Building)	Erection of additional Family Theme Park play equipment comprising Roundabout Teacup, Pirate Rope Climbing	Granted	16/03/97

		Frame, Adventure Fort & Go Kart Track		
8/96/0034/C	Merritown Lane, Merritown Farm, part land at, Hurn (Grade II Listed Building)	Change of Use of land from agricultural to leisure facility including formation of car park, construction of play areas and siting of temporary building for use as creche (retrospective application)	Granted	12/12/96

Constraints

19. Grade II Listed Building - 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.
20. Contaminated Land
21. Rights of Way
22. Airport Safeguarding

Public Sector Equalities Duty

23. In accordance with 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.

Other relevant duties

24. With regard to sections 28G and 28I (where relevant) of the Wildlife and Countryside Act 1981, to the extent consistent with the proper exercise of the function of determining this application and that this application is likely to affect the flora, fauna or geological or physiographical features by reason of which a site is of special scientific interest, the duty to take reasonable steps to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.
25. For the purposes of section 40 Natural Environment and Rural Communities Act 2006, in assessing this application, consideration has been given as to any appropriate action to further the “general biodiversity objective”.
26. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done

to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

27. For the purposes of this report regard has been had to the Human Rights Act 1998, the Human Rights Convention and relevant related issues of proportionality.

Consultations

BCP Ecology

28. Holding Objection as at present the applicant has not complied with BNG hierarchy of offering enhancement to existing habitat on-site, and/or enhancement of existing habitats nor explained why it is not possible to follow this hierarchy. Additionally, applicant has not at least outlined how they will comply with mandatory 10% BNG.

BCP Environmental Health

29. This section does not hold any records in relation to previous contaminative uses of the site concerned therefore the standard contaminated land condition is not necessary. However, recommend that an informative note be attached if planning is minded to grant permission advising of potential unforeseen contamination.

BCP Highways – Minor Dev

30. Objection was raised regarding the commercial airport car park as it is contrary to Policy KS11 as it results in passengers using the carpark to park their vehicles having to walk to and from the airport on foot with luggage and in doing so having to cross a 40mph road where there is no signalised crossing. It also conflicts with the aims of the policy in seeking to encourage the use of sustainable modes of transport to and from the Airport. Whilst the proposed car and cycle parking is considered acceptable, there is no provision for pedestrian and cycle access to the Merritown, Discovery Village and Diverse Abilities uses on site.

BCP Waste & Recycling

31. None received

BCP BNG

32. It is not clear how much of an impact the proposed parts of the development will have on existing habitats or if the de minimis exemption would apply. The BNG Planning Policy Guidance document puts the onus on the applicant to demonstrate that an application is exempt from statutory biodiversity net gain in situations where it is not obvious. In this case there are proposals for a path and other works around the site that may or may not add up to an impact on 25sqm or more of area habitat or 5m or more of linear habitat.

If not exempt, the habitat plans and metric will be required to include all habitats within the redline.

Public Health Dorset

33. None received

Hurn Parish Council

34. The following comments are raised: -

- The Parish Council welcomes the submission of a planning application for the whole site.
- The Parish Council supports the redevelopment of the theme park and would like to see the attraction succeed.
- The potentially controversial aspect of the application is the commercial car parking. The previous planning application for commercial parking 8/24/01812/ADV was refused. The reasons for refusal need to be addressed.
- If the application is approved there must be a condition that the number of commercial parking space are clearly designated and must not be increased or moved onto any other area of the site.
- All car parking areas should remain as gravel/porous surface and not be surfaced with tarmac, concrete or any other "hard" surfacing.
- Any grant of planning must supersede any other previous grants of planning within the red line area of the application.
- The change in use of the Theme Park will result in an increase in vehicle movements from current permitted uses, impacting not only people crossing the roads but also horses/horse riders from the Hurn Bridge Equestrian Centre and Home Farm. Policy 7. of the adopted Hurn Neighbourhood Plan - Creating safer roads and pedestrian / cycle routes - states: "Measures to improve road safety, including specific crossing points identified on Map 7 of the Neighbourhood Plan, will be supported where they are designed in a manner appropriate to the rural character of the area, and will be a priority for locally determined expenditure arising from developments. Developer contributions may be sought for these purposes where they are necessary, reasonable and directly related to the proposal."
- Policy 7 of the Hurn Neighbourhood Plan, refers to 2 Pegasus crossings for use by pedestrians, cyclists and horse riders, (marked on Map 7), one on Parley Lane (near the Mill Lane/Pussex Lane exits) and the other on Christchurch Road (near Hurn Court Lane exit/Ramsdown). The anticipated cost of each crossing is approximately £300k. The Parish Council ask than any grant of planning be conditional on a contribution towards these crossings. This funding to go to the Parish Council to be ring fenced towards the provision of the crossings.

Representations

35. 2 letters of objection were received in response to the initial publicity on the application raising the following concerns: -

- Concerns relate only to the commercial parking aspect of the application.
- Major concerns that any pedestrian using the commercial airport parking to then fly from the airport needs to cross Parley Lane – a busy unlit road.
- There is no footpath on the side of the road to the Theme Park.
- Whilst can get a taxi or minibus, there can be long waits for these, and so customers may choose to walk.
- ANPR that has been provided along with associated infrastructure and signage at great expense for 107 cars on the greenbelt and could actually be first of a number of future applications to increase commercial parking spaces.

- Large visual impact on rural setting from a large number of parked cars continually not to mention the additional signage.
- Description of development does not include the infill development that is also being sought to be regularised.
- The red line boundary for the application includes the main parking area to the south of the Aviation Museum and if this to be used solely for parking purposes directly related to the associated leisure uses and access directly onto Parley Lane is prevent, then there would be no objection to this element from Bournemouth Airport (BIAL).
- Infrastructure elements in relation to control and operation of commercial carpark comprises inappropriate development within the Green Belt.
- No very special circumstances are advanced to justify these elements
- Similar proposals have been recently refused.
- Proposed overflow parking is not within red line on submitted location plan but is shown within a red line on a plan including in the Design and Access Statement.
- BIAL are actively engaged with offices to ensure that adequate car parking is provided in the most sustainable locations within the operational area of the airport and so outside of the Green Belt.
- The next element of the strategy is the expanded facility (nearly 900 spaces) allowed earlier this year on land east of the terminal.
- Beyond that permission in place for an additional 800 spaces on the southern edge of the airfield.
- No evidence has been submitted to demonstrate that the commercial car parking element is a necessary revenue stream.
- Reference to previous permission cannot be relied on as it was limited to just 75 spaces and made personal to a specific operator which has since ceased and so the permission no longer exists.
- The reference to the ability to restore excavated land to the east of the main carpark (area shown as overflow) which even if the case does not convey the ability for further infrastructure that might be need for a commercial operation.
- Commercial use of the carpark would see a solid bank of parking in place continuously with users leaving their vehicles there for extended periods in addition to the infrastructure and signage to support this activity.
- Even if the site were to be regarded as Grey Belt, the commercial parking element derives no support from this because for it not to be regarded as inappropriate there would need to be a demonstrable unmet need for the parking and for the development to be in a sustainable location.
- Customers may choose to walk as the distance is not excessive but there is no pedestrian infrastructure on the south side of Parley Lane and no pedestrian crossing and the footway is not wide enough for pedestrians walking with suitcases in opposite directions.
- BIAL are currently involved with the council in progressing works to improve pedestrian accessibility up Hurn Court Lane and safety around its junction with Parley Lane.
- Proposal encourages people to emerge through the hedge onto the verge, cross Parley Lane at an uncontrolled location with luggage and then walk some distance alongside a busy road including in the dark which is a significant safety concern.
- Effect of commercial parking with cars parked on a continuous basis has a different and greater impact than the more ephemeral parking associated with the Theme Park.No attempt has been made in the application to demonstrate very special circumstances.

- No need when the managed provision of additional car parking where needed is possible at the airport which is outside the Green Belt and in a manner consistent with policies KS12, BA2 and BA3.

36. A further 3 letters of objection have been received in respect of additional information submitted during the application raising the following additional concerns: -

- Permission is now in place for an additional facility of about 800 parking spaces within the southern edge of the airfield.
- Through the recent determination of the application for the expanded terminal, a commitment was made to the advancement of further parking within the airports operational area that could be implemented when needed.
- Given these circumstances, a proposal for off-site commercial car parking within the green belt cannot be supported.
- No justification for this proposal in the Green Belt has been advanced.
- Fundamental issues around the inadequacy of the application do not appear to have been addressed.
- Applicants' highway consultant pushes back on suggestion from the LHA for extended hours of operation for a shuttle service between the commercial airport parking at the Theme Park and the airport.
- The applicant's highway consultant does identify enhanced lighting as a safety measure although it does not engage with any wider points around Green Belt, need or sustainability.
- Enhanced lighting would have an impact in Green Belt terms and serves to re-enforce the unacceptability of the proposal.
- Applicant has no interest in investing in any pedestrian safety measures.
- Concerns that any pedestrians using the carpark to then fly from the airport would need to cross a busy unlit road carrying volumes of vehicles including a number of HGVs.
- No footpath on the south side of Parley Lane.
- No road crossing, no lighting and no footpath shown in the submitted plans for the application.
- Sufficient car parking provided in the airport based on enquiries made with them.
- Problems with the operation of a shuttle bus service including is a difficulty with the vehicle or the driver, or where multiple planes land within a short period and there is not enough room on the vehicle, or where customers are running late and feel that they cannot wait for the vehicle to take them to the terminal, or where customers simply prefer not to wait for the vehicle will Results in customers walking to and from the airport and having to cross Parley Lane
- Any commercial parking facility at Adventure Wonderland must be served by a safe controlled crossing on Parley Lane and adequate pedestrian infrastructure down to the terminal.
- Irrespective of the whether the site comprises Grey Belt land these proposals cannot overcome the requirements of paragraph 155 of the NPPF which imposes a series of criteria, all of which must apply if development is not to be considered inappropriate.
- Measures are in place for the sustainable provision of additional parking on land outside the Green Belt to be brought on stream as need arises and there is not currently any demonstrable unmet need – fails to meet criterion B of para 155.
- Fails to meet criterion c) of para 155 which requires that the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the NPPF which deal with sustainable transport choices and safe and suitable access for all users – The proposal does not offer this.

37. 55 letters of support have been received in respect of the application raising the following points: -

- Proposals will benefit all members of the community.
- Could bring further flow to other businesses in the area.
- Diverse Abilities use of part of the site known as 'The Treehouse' is essentially a continuation of the established use by a different occupier which has a limited impact upon openness of the green belt or in other respects and has very significant benefits.
- The Treehouse has become a vitally important facility for families of children with Special Educational Needs and Disabilities in the area.
- The Treehouse gives opportunities for children who can struggle in mainstream or commercial facilities of this type to play in a safe and supportive environment.
- If the planning assessment of the proposals were to find harm to the Green Belt, then the benefits of the proposal as a whole to provide support services with children with Special Educational Needs and Disabilities, should constitute 'Very Special Circumstances'.
- As the theme park no longer exists it would be sensible to make use of the site as the alternative could be an empty venue left to deteriorate.
- Education use is invaluable and should support the leisure and tourism aspect of the area.
- Excellent provision for the area attracting local people and tourists.
- Would benefit the area in terms of employment and tourism.
- Development would benefit local families and the community.
- There is a definite need for additional commercial parking in the area.
- The area would benefit greatly from other facilities proposed within this application.
- Road infrastructure in area is very good and will sufficiently cope with this change.
- Will be a much needed educational and employment facility to the area.
- Additional traffic will be minimal.
- BCP needs more attractions in the area for tourists with children.
- Proposal aligns well with community wellbeing and use of established spaces;
- Makes use of existing buildings and surroundings, enhancing the area with minimal disruption.
- Project prioritises safety with clear access routes and thoughtful design for pedestrians and families.
- Minimal noise, traffic or impact on neighbouring privacy.
- Proposal will provide a valuable community asset supporting local families.
- Will bring significant economic and community benefits to the area.
- It represents a productive use of the land, supports local jobs, and provides new amenities for residents and visitors alike.
- Thoughtful integration of infrastructure such as ANPR and improved signage indicates a responsible and sustainable approach to development.
- Development will not only preserve character and legacy of site but significantly expand its value to the BCP region.
- Would meet a current need within the area for a family orientated attraction.
- Proposal has an emphasis on child friendly activities that contribute positively to health, wellbeing and education.
- Inclusion of cafes, retail outlets, and well-planned visitor infrastructure will ensure the site remains inclusive and welcoming for families of all ages and abilities.
- An accessible outdoor and social learning environment would have a direct impact on childhood development and mental health.

- Notable component of proposal is the introduction of a long stay commercial car parking which serves as a competitive and community friendly alternative to the airport parking.
- Commercial parking introduces healthy competition and keeps spending power within the community.
- Added parking provision is integrated into a broader leisure and tourism offering making it multi-purpose and attractive to wider demographic.
- Will help balance traffic flow and encourage longer visits.
- Proposed change of use retains its original spirit whilst enhancing its accessibility functionality and relevance.
- Will bring significant community benefits.
- Proposal complements the existing character of Merritown Lane.
- Proposal directly enhances quality of life of BCP residents while respect the sites heritage.
- Provides affordable, long stay parking as a viable alternative to the inflated rates at Bournemouth Airport.
- Proposal address key local needs including a leisure attraction.
- Would be beneficial to local employment.
- Regeneration of site.
- Creates much needed parking for Bournemouth Airport.
- No negative effect on environment as set back from road and uses existing building.
- Ample car parking provided.
- The tourism, employment facilities, charitable hub and alternative parking are much needed.
- Sensible use of land that is already parking.
- Community based local attraction provided.
- Airport carparking offers a cheaper alternative to Bournemouth Airport.
- Facilities would be beneficial to the local community.
- Combination of leisure and tourism with educational elements would offer something for everyone.
- Addition of ancillary café and retail would make it a convenient destination for a full day out.
- This development has potential to be a real asset to the community.

38. 5 letters have also been received raising the following comments: -

- Would be a great benefit to the area.
- Benefit to local families and bring some more jobs to the area.
- Supports growth of many businesses.
- There isn't any development that will be affected from passing traffic or highways flow of traffic.
- With the airport's expansion plans, would be an added bonus having more commercial parking.

Key Issues

39. The key issues involved with this proposal are:

1. Principle of the development in this Green Belt location
2. Highway Safety
3. Impact on Character and Appearance of the Area
4. Impact on Neighbours Living Conditions
5. Biodiversity

40. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

41. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the Christchurch and East Dorset Local Plan and saved policies of the Christchurch Local Plan 2001.

The following policies are of particular relevance in this case:

42. Christchurch and East Dorset Core Strategy (Part 1) 2014:

KS1: Presumption in favour of sustainable development

KS2: Settlement Hierarchy

KS3: Green Belt

Policy KS3 identifies that the most important purposes of the Green Belt in the area are to: -

- Protect the separate physical identity of individual settlements in the area by maintaining wedges and corridors of open land between them.
- To maintain an area of open land around the conurbation.

KS11: Transport and Development

Policy KS11 advises that development must be designed to provide safe, permeable layouts which provide access for all modes of transport, prioritising direct, attractive routes for walking, cycling and public transport. This in line with Paragraph 116 of the NPPF which states that development should give priority first to pedestrian and cycle movements.

KS12: Parking Provision

BA1: Vision for Bournemouth Airport

Policy BA1 sets out the aims and objectives for Bournemouth Airport which includes improvements in public transport and cycle access.

BA2: Strategy for the Operational Airport

Policy BA2 sets out the strategy for the operational airport including Public transport facilities and enhanced services in accordance with airport travel plan.

HE1: Valuing and Conserving Our Historic Environment

HE2: Design of new development

Policy HE2 states that new development should be compatible with or improve its surroundings.

HE3: Landscape Quality

Policy HE3 states that development will need to protect and seek to enhance the landscape character of the area by demonstrating amongst other considerations that it would not impact on the character of an area from light pollution.

PC4: The Rural Economy

Policy PC4 advises that proposals for the conversion and re-use of appropriately located and suitably constructed existing buildings in the countryside for economic development, including tourist related uses must ensure it meets a number of criteria including the following: -

- The proposal supports the vitality and viability of rural service centres and villages with existing facilities. Proposals do not have a materially greater impact on the openness of the Green Belt and the purpose of including land within it.

PC6: Tourism

Core Strategy Policy PC6 sets out a number of measures to attract visitors to the area whilst encouraging investment. These include the following: -

- By protecting visitor attraction sites unless it can be proved the use is no longer economically viable and promoting new visitor attractions and accommodation in sustainable locations.
- By encouraging sustainable transport to tourist and cultural sites.

KS7: Role of Town and District Centres

Policy KS7 of the Core Strategy identifies that Town and District Centres are to be the focal point of commercial, leisure and community activity including employment, retail and leisure. This Policy also states that a sequential assessment needs to be undertaken for main town centre uses that are not in an existing centre. Preference is given to the town centre, then edge of centre locations which are well connected to a centre by easy pedestrian access.

43. Borough of Christchurch Local Plan 2001 (saved policies)

E17: Airport Safety Zone

BE 15: Setting of Listed Buildings

44. Hurn Neighbourhood Plan (made December 2024)

Policy 1: Conserving and Enhancing Hurns Historic Character

Policy 2: Local Landscape Character

Policy 2 of the Hurn Neighbourhood Plan advises that development should conserve and seek to enhance the character of the local landscape type to which it relates, in particular avoiding significant harm to a number of key characteristics including the following which are relevant to the proposal:

- The rural nature of the lanes and tracks away from the main roads (B3073 / A338);
- Sense of remoteness away from the main transport corridors and influence of the airport including the lower levels of noise and light pollution.

Policy 4: Access to the Countryside

Policy 4 of the Hurn Parish Neighbourhood Plan states: "Access to the Countryside Proposals that will increase the opportunities for the enjoyment of the countryside, through the provision of new footpaths / bridleways or open access land, will be supported where this is compatible with the rural character of the area and nature conservation interests. To be supported development proposals must demonstrate that they maximise accessibility to public transport and sustainable travel choices and minimise adverse impacts on the safe use of the rural lanes and trails by pedestrians, cyclists and horse riders".

Policy 6: Supporting Community Facilities and Local Services

Policy 6 of the Hurn Neighbourhood plan states that development to improve existing community facilities or introduce new facilities should be in keeping with the character of the area, taking into account the height, scale and layout of neighbouring buildings, and environmental constraints.

Policy 7: Creating safer roads and pedestrian / cycle routes

Policy 7 of the Hurn Parish Neighbourhood Plan supports measures to improve road safety that includes crossings. It also allows for developer contributions to be sought where is necessary, reasonable and directly related to the proposal.

45. National Planning Policy Framework ("NPPF" / "Framework") 2024

Including in particular the following:

Section 2 – Achieving Sustainable Development

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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."

Section 2 – Achieving Sustainable Development

Section 6 – Building a strong, competitive economy

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well designed places

Section 13 – Protecting Green Belt land

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

46. Other Guidance

Planning Assessment

Principle of development - Appropriateness in the Green Belt:

47. The application site lies within the South East Dorset Green Belt where new development is inappropriate unless it meets one of the exceptions set out at paragraph 154 or 155 of the National Planning Policy Framework (December 2024).
48. The proposed leisure and tourism use within the Merritown Section of the site would consist of a tourist attraction which has the established Alice in Wonderland beech Maze at its heart. This use is considered to be of a similar character to the former use as Theme Park albeit are less intensive (noting removal of large rides and the uses have a reduced impacts) and as such would not cause substantial harm to the openness of the Green Belt.
49. The retail and cafe uses are normally considered uses appropriate for Town and District Centres. In this respect, Policy KS7 of the Core Strategy identifies that Town and District Centres are to be the focal point of commercial, leisure and community activity including employment, retail and leisure. This Policy also states that a sequential assessment needs to be undertaken for main town centre uses that are not in an existing centre. Preference is given to the town centre, then edge of centre locations which are well connected to a centre by easy pedestrian access. The NPPF also states in paragraph 87; 'Local Planning Authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.'
50. The application site falls outside of a defined Local Centre and outside the Christchurch town centre and a sequential test would normally need to be applied to justify this edge of centre site. Such a test would need to demonstrate the proposed retail store could not be accommodated within an existing centre in order to comply with paragraph 87 of the NPPF and Core Strategy Policy KS7. However, the proposed retail unit would occupy a small area of the building where there would also be a café and ticket office. It would be ancillary to the main use of the building and wider site as a tourist attraction. On this basis, it is considered that the proposed retail unit would not be subject of a sequential test. This is because the proposed retail use would not undermine the existing retail uses of the town and district centres given that customers of the shop would be those who are already visiting the leisure/tourism facilities on site.
51. Similarly, the use of the main park for parking associated with these uses is acceptable as this parking is of a similar nature to the lawful use of the carpark for the parking associated with the Theme Park.
52. The application also seeks permission for two uses which are already operating on site, namely:
 - Diverse Abilities which provide a provide a specialist venue for children and adults with physical and learning disabilities. This operator re-uses the existing buildings and land within the southeastern part of the Theme Park in accordance with paragraph 154.

- A children's play centre which provides an attraction for small children with an associated cafe. This serves to provide both a leisure and education facility which is used by families as well as small community groups. This facility re-uses two existing buildings that were associated with the Theme Park (as a Theatre and storage workshop). A small link extension has been built however this is very modest in size that is subservient to the existing buildings it is attached to. Therefore, the link extension does not result in disproportionate addition over and above the size of the original buildings and as such would accord with paragraph 154 c) of the NPPF.
53. The children's play centre and diverse abilities elements provide play hubs and spaces for community groups to use and thus the proposal does include uses that serve as a community facility/service. Policy LN7 of the Core Strategy which deals with Community Facilities and Services advises that community facilities should be focused within the main settlements which include Christchurch and Highcliffe. This is where access can be by public transport, bike and on foot. Whilst the application site is not located within a settlement, it is situated on a main route between Christchurch and West Parley and is also on a bus route albeit the service is infrequent. Nevertheless, it is recognised that the Theme Park and other facilities in the area including the adjacent Aviation museum in the area already serve the local population within the area. Furthermore, Policy LN7 goes on to state that "Services can also be provided in more innovative ways in suburban areas of Christchurch and East Dorset where access to facilities is more restricted to the car". Given these factors it is considered that the proposal would broadly comply with policy LN7.
 54. The use of the main carpark for visitor and staff parking associated with the various uses on site would be similar to the existing lawful use of the main carpark for parking in association with the Theme Park and as such are considered acceptable in principle. In addition, a section of the carpark that lies adjacent to the Aviation Museum provides dedicated visitor parking to the museum.
 55. However, the application also involves the continued use of part of the existing car park for off airport commercial parking, a use that was the subject of a refusal of permission last year. This airport parking occupies part of the existing carpark that was previously used as visitor parking in association with the Adventure Wonderland Theme Park.
 56. The planning authority did grant a personal permission in 2016 which allowed the use of part of the car park for commercial airport parking, however this was more limited in extent than the existing proposal and was shown to be on a different part of the carpark to where the current off airport commercial parking is currently taking place and which is subject of this application. The approved location plan showed the area of the carpark to be immediately to the south of the Aviation Museum and adjacent to the area of visitor parking for the museum. It is considered that the existing carpark constitutes previously developed land as defined in the NPPF. Therefore, Paragraph 154(g) of the NPPF is relevant.
 57. This sets out that limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use would not be inappropriate development where it would not have a greater impact on the openness of the Green Belt than the existing development. The NPPF states that the fundamental aim of Green Belt Policy is to prevent Urban Sprawl and keep land permanently open. It is an established principle that the openness of the Green Belt has a spatial as well as a visual aspect. The Government attaches great importance to Green Belts and when considering planning decisions substantial weight has to be given to any harm.
 58. Policy KS3 identifies that the most important purposes of the Green Belt in the area are to: -

- Protect the separate physical identity of individual settlements in the area by maintaining wedges and corridors of open land between them.

- To maintain an area of open land around the conurbation.

59. It is therefore necessary to consider whether the proposed change from the existing use of the land as a carpark to commercial airport parking would have a materially greater impact on the openness of the Green Belt. The use of the land for the parking of airport customers' cars does not involve the erection of any buildings. There is no statutory definition of openness but unlike the use for the Theme Park and Museum car parking it does involve parking cars on a 24 hour, 7 days a week, basis.
60. The submitted plans and information show that the commercial airport parking would allow for up to 107 cars being parked at one time and would operate for 24 hours a day throughout the year and as such it is likely it would require lighting though none is provided for in the application. This was however put forward in the Transport Note submitted during the course of the application in response to the initial comments of the Local Highway Authority although no details of this lighting were given.
61. The airport parking unconnected with any other activities on this site represents a material change of use of land which by the nature of its use would have a greater impact on the openness of the Green Belt than its use as parking for the Theme Park and as such it conflicts with the purposes of including land within it (NPPF para 154(h) (v.)). This use does not fall within any of the uses considered appropriate in the Green Belt and is unrelated to any current lawful uses on the site.
62. Paragraph 155 also advises that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where all the following criteria apply: -
- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b. There is a demonstrable unmet need for the type of development proposed;
 - c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
 - d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.
63. The proposed commercial airport parking has been assessed against these criteria, and this is set out below. The applicant's agent has submitted a Green Belt statement setting out their own assessment against the criteria of paragraph 155 and this is also considered in the assessment below.
- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; -***
64. For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143.
- 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

The site would meet the definition of grey belt as it is within the confines of the Theme Park site and forms part of the car park ancillary to this use and as such is considered to be previously developed land. The site makes a limited contribution towards the Green Belt purpose of preserving the setting and special character of Bournemouth and it also plays a limited part in checking the unrestricted sprawl of large built-up areas. Its position within the Green Belt is not in an area between two towns and it therefore also does not make a meaningful contribution towards preventing neighbouring towns merging into one another. The site does not strongly contribute to purposes (a), (b), or (d) in Paragraph 143 of the Framework. Given that the commercial airport parking is therefore part of a developed site in the countryside, it makes a limited contribution towards Green Belt purpose (c), which is to assist in safeguarding the countryside from encroachment. As the site is not urban land, Green Belt purpose (e), which seeks to assist in urban regeneration by encouraging the recycling of derelict and other urban land, is not applicable. Therefore, the proposal would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Criterion (a) of Paragraph 155 of the Framework is therefore met.

b. There is a demonstrable unmet need for the type of development proposed;

65. Given the significant provision of parking within the operational area of the airport which is outside the green belt and future plans to provide additional parking at the airport as well as better public transport options to and from the airport, it is not considered that there is a demonstrable unmet need for the commercial parking off site. Thus, criterion b) is not met.
66. The applicants' agent in their Green Belt Statement advises that there is a lack of car parking provision within the airport based on what has been reported in the press and anecdotally to the applicants. These comments are noted however they do not provide a clear and convincing case for allowing the off-site parking in this Green Belt Location. These findings simply demonstrate support for the idea and do not expressly demonstrate an unmet need. It has not been demonstrated that the Airport is operating at or over capacity with regards to car parking or that there are people unable to secure parking at the airport due to lack of availability.
67. The agent has provided data showing an increase in passenger numbers year on year and that this is set to continue. This increase in passenger numbers will generate an additional need for parking spaces.
68. The agent notes from the minutes from the Consultative Committee Meeting in July 2025 that the chair stated that there was room in the Airport's car parks to accommodate additional cars that were reported to have been parking in West Parley and taxiing to the airport. In responding to this point, the agent states that the underlying issue is not solely about space and availability but that clearly cost becomes a fact. However, the test is not whether there are affordable parking spaces being provided but whether there are parking spaces being provided to meet the need. The evidence therefore does indicate that there are sufficient parking spaces within the operational area of the airport which is outside of the Green Belt to meet this need and thus, does not demonstrate an unmet need.
69. The agent states that the public transport network serving Bournemouth airport is lacking with the only public transport which serves this route More Bus Service 737 which operates only Monday to Friday with two buses arriving daily at 06:31 and 07:21 and three busses departing at 13:35, 16:20 and 18:00. There are no other public transport

options. They conclude that given this and that there is no other public transport options this will mean passengers will rely on travelling to the airport by car and thus there will be a greater parking demand. In this regard, the agents predict that the share of passengers reaching the airport by public transport is closer to 0%.

70. The agent refers to Bristol Airport Parking Demand Study which calculated the number of spaces required to service the demand that would be generated by the forecast passenger growth after converting passenger numbers to number of likely cars to be parking at the airport (based on average group size carried out by Civil Aviation Authority surveys). In applying this methodology to Bournemouth airport, the agent concludes that based on the predicted passengers of 1.75m which equates to 336, 875 cars per annum would generate a need or 3,295 parking spaces. They state that there is just enough capacity for 2026 based on there being 3,311 spaces but that this leaves very limited capacity for future demand despite the airports intentions to continue to grow overall passenger numbers to closer to the 3 million consented.
71. They note from the minutes of the Consultative Committee meeting in July 2024 that in answer to a question relating to whether the previous Planning permission for a carpark off Parley Lane would be developed, it was advised that the airport did not intend to use that permission as it had sufficient available land within its boundaries without the need to move taxiways. The agents surmise from this statement that there is a lack of desire by the airport to develop the carpark which sits on Parley Lane due to the requirements to move taxiways and make other alterations to how the airport can function. They therefore conclude that in the absence of this carparking, the predicted demand for 2026/2027 is unlikely to be met by the airport.
72. In this regard, the Local Highway Authority in commenting on the application advised that the airport provides on-site car parking for passengers and recently have increased the number of car parking spaces on site by 899 through permitted development. Furthermore, the current planning application for the terminal expansion increases the car parking capacity on site and therefore they questioned whether there was a need for additional airport car parking. The applicant has not provided evidence that there is a demand for additional car parking and that it cannot be provided at the airport.
73. The agent acting on behalf of the airport in their objection letter advised that as need has arisen, additional parking has been, and continues to be, provided by the Airport in the operational area. In this respect, they advised in their objection letter that expanded parking facility (nearly 900 additional spaces) allowed earlier this year on Airport land east of the terminal. Beyond that, permission is in place for an additional facility (about 800 spaces) within the southern edge of the airfield. They also state that through the recent determination of the application for the expanded terminal a commitment was made to the advancement of further parking within the Airport's operational area that could be implemented when needed to make provision in the longer term. The airport are currently engaged in discussions with the Council about the realisation of that.
74. The officer report for 8/20/0547/CLP which related to a number of developments approved under application 8/07/0065 which includes the parking within the southern edge of the airfield (about 800 spaces) to be accessed off Parley Lane advised the following in respect of the carpark of Parley Lane: -

As well as an extension to the existing eastern car park, the application included an additional southern car park to the west of the terminal building on airport land to provide 801 spaces. It was envisaged from the outset that the southern car park would be constructed at a later stage, when passenger numbers would have significantly

increased. This later stage has not yet occurred, and the car park has not yet been constructed. The S106 agreement also sets out the targets for provision of contributions for sustainable transport when passenger numbers increase. These triggers have not been met either, and it is now over 13 years since the Terminal permission was granted. Nevertheless, the permission and S106 agreement remain extant and when passenger numbers increase, the need for the additional car park will arise and can be provided.

75. The above therefore shows that there is capacity at Bournemouth Airport to provide the additional parking as and when it is needed. It can therefore be concluded that the need for additional parking can be met within the operational area of the airport, which lies outside of the Green Belt, and as such, there is no demonstrable unmet need for the additional 107 parking spaces at this off-site location within the Green Belt.

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and

76. The site is not in a sustainable location as it is isolated and disconnected from the conurbation and the airport. Whilst there is a bus stop opposite the site, there is an infrequent bus service. It should also be noted that the purpose of the commercial airport parking is to provide parking spaces for passengers to leave their cars whilst they are on holiday and as such offers a facility that by its very nature encourages a reliance on the private car as opposed to other sustainable modes of transport such as public transport. This is contrary to the aims of Policy BA1 and BA2 which identify measures to reduce the impacts of traffic and to secure sustainable access, through contributions and the implementation of area-wide Travel Plan for the Airport. It would therefore represent an unsustainable form of development contrary to Policies KS1 and KS2 of the Core Strategy.
77. It would also be contrary to paragraphs 110 and 115 of the NPPF which seeks to ensure development prioritises sustainable transport modes. Furthermore, paragraph 115 advises that development should ensure that a safe and suitable access to the site can be achieved for all users. However, as is set out within the Highway Safety section below, the commercial airport parking does not provide a safe and suitable access to and from the site for users of this parking facility. It is therefore considered the criterion C is not met.
78. The agent in their Green Belt statement advises that the location of the car part is dictated by the location of the airport as they state that there is no need for an airport car park miles away from the airport itself. However, it's not uncommon for airport parking to be some distance from the terminal and in such instances, shuttle buses are arranged to and from the site. However, given the excessive distances involved, pedestrians are more likely than not to rely on the shuttle service. In this instance, the commercial airport parking facility is within a close walking distance of the airport which would make it more likely for passengers to walk between the site and the airport terminal as opposed to using the shuttle service.
79. They go on to state that there would be no alternative, suitable sites in close proximity to the airport that are also not within the Green Belt. However, this is not the test of his criterion, but rather whether or not the proposed development is in a sustainable location having regard to paragraphs 110 and 115 of the NPPF. Furthermore, as set out above, there is scope to provide additional parking within the operational area of the airport as and when need arises for this parking which lies outside of the Green Belt and where measures can be taken to ensure the safe transit of passengers to and from the parking and the terminal.

80. The agent notes in their statement that the airport has extent permission to provide commercial airport parking on land immediately to the north of Parley Lane opposite the application site. They advise it is illogical argue that this is carpark is in a sustainable location where the application site is not. However, this is an extent permission and in any case the land is within the operational area of the airport and not within the Green Belt and as such paragraph 155 of the NPPF would not have been would not be engaged had the application been considered today.
81. The agent also relies on arguments relating to the cost of on-site commercial airport parking and use of taxis incurred by passengers and that the facility provides an income stream for the applicant to support the viability of their business. However, neither of these arguments are relevant to the consideration of whether the proposal would be in a sustainable location.
82. On the basis of the above, it is not considered that the applicants have put forward a case to show that the commercial airport parking is in a sustainable location and as such, criterion C is not met.

d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

83. This criterion is not applicable.
84. As such, when assessed against the criteria of paragraph 155 of the Framework, the use of part of the existing car park for commercial airport would constitute inappropriate development. No very special circumstances have been presented by the applicant as to justify the location of the commercial airport parking within the Green Belt. The use of part of the carpark as a facility providing off airport commercial parking within the Green Belt which is not associated with the existing lawful use of the land as Theme Park would constitute an intensification of the use of a site within the South East Dorset Green Belt of which no 'very special circumstances' have been demonstrated.
85. Therefore, whilst the leisure and tourism uses of the proposal would comply with Green Belt Policy, the commercial airport parking element would be contrary to Policy KS3 of the Core Strategy and Paragraph 154(g) and 154(h)(v.)) and 155 of the NPPF.

Highway Safety

86. The application site is accessed from the B3073 (Parley Lane) which is a classified single carriageway road that had the national speed limit (60mph) but this has recently been reduced to 40mph. The Local Highway Authority (LHA) have been consulted and have objected to the application. Whilst the Highway Authority recognise the previous use of the site as a Theme Park generated traffic and required onsite parking, they are concerned over the use of part of the site for airport parking. The concerns of the Highway Authority on this use relate to the movement of persons between the site and airport.

Movement between the site and airport for users of the commercial airport parking

87. The site is accessed from the B3073 (Parley Lane), a 40mph Classified Road. The road was a 60mph road until recently when it was reduced in speed with the agreement with Dorset Police due to safety concerns.

88. Pedestrian and cycle access is also from Parley Lane, which requires crossing the road as there is no footpath on the south side of Parley Lane. Pedestrians can also use the Public Right of Way which runs to the south of the site.

89. A previous application which sought retrospective permission for the use of part of the main carpark for commercial airport car parking was refused for the following reason: -

The applicant has failed to demonstrate safe pedestrian access arrangements to/from the site. The lack of a safe crossing, lighting and footways results in an unacceptable impact on highway safety. Furthermore, the applicant has failed to provide data to demonstrate that the theme park use can operate with the loss of 50% of its car park. The development fails to take into consideration the impact on the highway when combined with the theme park in operation. The development is contrary to Policies KS11 and KS12 of the Christchurch and East Dorset Local Plan Core Strategy (2014) and paragraphs 114, 115 and 116 of the NPPF (2023).

The submitted design and access statement incorrectly states that this was granted planning permission. However, this is incorrect.

90. This refused application followed the Regulation 28: report to prevent future deaths, dated 5th December 2024 of which the application site is referred to in the report. Paragraph 4 of the report states that “*Many people access the airport on foot, either being dropped off and/or picked up on Parley Lane where there is no layby or drop off zone or by using nearby car parks and walking on foot to the airport. One such car park is at the Adventure Wonderland site and is known as Parley Lane Parking. This is 0.9 miles from the airport, on the opposite side of Parley Lane which offers cheaper rates than Bournemouth Airport to park. There is no pathway, so people will either walk along the road or cross the road to access the footpath*”. The report goes on to state at paragraph 5 that “*this results in pedestrians walking in the road or on the grass section next to the road on Hurn Court Lane to get to the airport terminal. This is dangerous as it is not a stable, safe public pathway and could lead to people falling into the road or being struck by vehicles, especially as people pull suitcases along. The airport has erected signs stating there is no pedestrian access however these are widely ignored*”.

91. The submitted transport statement fails to take into consideration the Regulation 28: report to prevent future deaths.

92. There are no footways to safely transfer pedestrians to the site on Parley Lane and Merritown Lane. In addition, there are no internal walkways, lighting and wayfinding signage to direct pedestrians to the various uses within the site. Therefore, pedestrians are informally crossing the road.

93. Online customer reviews of the commercial airport parking clearly demonstrates that passengers do walk to the airport. A site visit was undertaken by the LHA and Road Safety Team at the point where passengers are crossing the road and it was considered to be an unsafe crossing. In order to make the crossing safe, a signalised crossing and footways are required to be secured under this application. This would need to be secured by way of a legal agreement. Furthermore, lighting is required along the access where pedestrians will walk through into the site to the commercial car parking area.

94. Whilst it is noted that the speed limit has been reduced from the National 60mph limit to 40mph recently, this does not make Parley Lane safe to cross. The LHA in commenting on the application advised that footways and signalised crossing are required in order to safely facilitate passengers across Parley Lane in order to go between the airport and the commercial airport parking within the site and vice versa. The LHA have advised that

as the airport has provided a footway onto their land (following the publication of the Regulation 28 Report), this is now the only unsafe crossing point between the airport carparking at the site and the airport.

95. The Transport Statement refers to permission that was granted for commercial airport carparking for up to 75 cars in 2016 (under reference: 8/16/0033). This application was recommended for refusal by the Local Planning Authority and no comments from the LHA were included in the report. The application was approved at committee against officer recommendation. However, the transport statement does not make clear that this permission was restricted by condition to the applicant 'BOMO Ltd' only (as a personal permission). This company which operated the airport car parking no longer operates at the site and as such the permission has ceased and as such there is no lawful use on the site for commercial airport parking. BOMO Ltd operated a service where customers would drop off their car at the airport and the cars would then be driven to the commercial airport carpark to be stored until the return flight. Customers were then picked up from the airport on their return and returned back to the car park.
96. In contrast, this application relates to the parking of up to 107 cars and is operated in a different manner where customers are able to walk to the airport, which involves crossing a 40mph road with no crossing and where there is no lighting. The commercial airport carparking that is subject of this application is materially different to this previously approved use. Therefore, this permission is not considered to be relevant to the assessment of this current application.
97. Whilst the Transport Statement states that a shuttle operates from the car park to the airport, this shuttle service only operates between 08.00 and 18.00 when pre-booked. If passengers have not pre-booked, they have to walk. The car park is open 24 hours and therefore if passengers' flights are before 08.00 or after 18.00 they are also unable to use the shuttle service. The shuttle service does not operate so that every flight is catered for and therefore there are flights that depart/arrive and no shuttle is available for those passengers who chose to park at Parley Lane Parking. Whilst the website gives details of taxi firms, it is unlikely that a taxi will travel the distance to reach this site and make the short journey to the airport, including the drop off fee. Given the short distance between the site and the difficulty in obtaining a shuttle service or taxi, the likelihood of passengers walking on foot to and from the site is highly likely.
98. No information has been provided by the applicant as to why the shuttle service only runs between 8am and 6pm when the majority of flights are outside this timeframe. It should also be noted that passengers for these flights are likely to be parking significantly earlier to allow for the additional check in times for the flights. Thus, further increasing the incidents of passengers needing to access the airport outside of the hours when the shuttle service is operating. Furthermore, it is also considered that flights can be delayed which could then remove the shuttle option for customers who would have been within the shuttle operating time if the flight had not been delayed. In this respect, no information has been provided by the applicant as to what happens in cases where customers have pre-booked the shuttle service for return journeys and have a delayed flight.
99. The LHA have reviewed both arrival and departure flights data which shows that on average there is over 50% of flights where customers cannot use the shuttle service as the arrival/departure times for these flights are outside the shuttle operating time.
100. Given the above, it is considered that the shuttle operating times are not fit for purpose and does not meet the times and demand for the arrival and departure schedules. Therefore, the applicant has failed to provide safe access arrangements for pedestrians.

The applicant has failed to clearly demonstrate that families with children carrying luggage can safely transfer to the airport. The reliance upon walking, in darkness and crossing a 40mph road is poor design and fails to safeguard pedestrian safety.

101. The LHA have also advised the applicants agent that the following should be provided to address their concerns over highway safety:
 - a. a footway is required to be constructed on Merritown Lane between the site access and the junction with Parley Lane to provide pedestrian access.
 - b. a footway is required to be constructed on the south side of Parley Lane in order to provide a pedestrian footway linking the bus stop and application site.
102. The LHA also raised concerns with the agent over the lack of a pedestrian access gate which forces pedestrians to share the access into the site with vehicles. On this basis, the LHA advise that a delineated pedestrian route should be shown on a site plan which would clearly show a safe pedestrian access route to the site that is separate to the vehicular access route should be shown on the proposed site plan.
103. In response to the above comments of the LHA, the agent submitted a transport note which included a plan showing a new pedestrian and cycle access and the location of the bus stop. However, this plan is included as an Appendix of the Transport Note and was not formally submitted by the agent.
104. The LHA supported the relocation of the bus stop in principle as it moves pedestrians closer to the proposed pedestrian access to the site rather than relying on pedestrians to walk further up the road once alighted from the bus to find the pedestrian access.
105. However, the response failed to consider how bus passengers to the site will make a return journey and a bus stop is also required on the other side of Parley Lane. The LHA therefore advised that the application should secure a second bus stop so that visitors and staff to the site are able to make journeys both ways along Parley Lane in order to visit and leave the site. The provision of the bus stops along with associated kerbs and road marking in accordance with the standard bus stop specification for BCP would need to be secured by a condition.
106. In addition, the LHA required a footpath to be created on the south side of Parley Lane in order to link the bus stop from the site. This would also need to be secured by a condition.
107. Notwithstanding the above, the LHA expressed concerns over the lack of a signalised pedestrian crossing. The proposed crossing shown on the plan appended to the transport note is for tactile crossing and is not supported by the LHA on the grounds that this is not a formal crossing and as such there would be no expectation that traffic travelling at 40mph would slow and allow pedestrians to cross the B3073 Parley Lane. They therefore advise that the proposed unsignalized crossing with tactile paving is unacceptable and would put pedestrians at a high risk of injury should they attempt to cross through a gap in the traffic and therefore a would create serious highway safety concerns. Whilst the flights generating pedestrian movements are outside of peak traffic periods a typical road users would not normally anticipate pedestrians with luggage etc crossing Parley Lane in this location especially in low light or poor visibility conditions.
108. The applicant's agent was advised of the LHA's concerns and their advice that a lit signalised crossing is required to ensure a safe crossing is provided for passengers to use when they are walking between the site and the airport. In response to this, the agent submitted a response letter from the applicants Transport Consultant which set out

a revised offer for a 24-hour Shuttle service in lieu of the previous proposal to relocate the bus stop and provide an unsignalised crossing with tactile paving. This shuttle service would supersede the existing shuttle service that is offered between the hours of 08.00 and 18.00 hours when booked.

109. The LHA have reviewed this response letter and provided an updated set of comments maintaining their objection as the revised offer does not address their concerns in respect of pedestrian safety. They advise that whilst an increase in the shuttle operating times would, in theory provide passengers with more comfort that a shuttle could be available, concern is raised that flights can be delayed and passengers may miss the shuttle slot. In addition, they also raised concerns over the long-term monitoring and enforcement of the shuttle operating schedule. There is no certainty that any shuttle system will continue to operate and so it is not an unreasonable expectation that future users of the car park will have to walk to the airport unless this was controlled by an appropriate legal mechanism.
110. The LHA consider there is an increased likelihood that people parking at the application site will walk to the airport once they have crossed the B3073 parley lane given that the airport have now provided a bound surface into their site from the junction of Hurn Court Lane/Parley Lane allowing pedestrians using the existing footway along the airport perimeter to walk. Furthermore, given this and the short distances involved, in the event that passengers miss a shuttle they are highly likely to walk as opposed to wait for another shuttle.
111. In addition to the above, the highway authority has expressed concerns over the lack of detail or information on. The provision of suitable lighting within the car park and along the access route to carpark from the location of the crossing particularly given the high number of early morning flights and the cluster of late-night flights. Without suitable lighting it is unclear how users of the car park could safely be expected to walk to the airport, particularly when there is no certainty that the suggested shuttle will be operational.

Pedestrian and Cycle Access to the site

112. In addition to those using the airport parking the other uses on the site also require pedestrian and cycle access for visitors and staff who wish to travel to the site either on bicycle or on foot. Equally, any staff or visitors wishing to access the site via bus would be required to also cross Parley Lane as the bus stop is on the northern side of the road to the site. Therefore, a safe crossing would need to be provided for these users as well as the passengers using the off-site airport carparking.
113. The transport statement submitted with the application notes that there have not been any fatalities crossing the road outside of this site. However, this does not mean that there could not be fatalities in the future. On this basis, the LHA have advised that it is a fundamental requirement that the application provides a lit signalised toucan crossing to allow the safe crossing for pedestrians and cyclists to cross Parley Lane. In the absence of this crossing, the development cannot be regarded as safe and is contrary to Policies KS11 and KS12 of the Christchurch and East Dorset Local Plan Core Strategy (2014) and paragraphs 114, 115 and 116 of the NPPF (2023).
114. The proposal would also fail to comply with Policy 7 of the Hurn Neighbourhood Plan 'Creating Safer Roads and Pedestrian/Cycle Routes' which states that "Measures to improve road safety, including the crossing points identified on Map 7 of the Neighbourhood Plan, will be supported". Whilst this crossing point is not in the location where the required crossing is identified in the Neighbourhood Plan, a signalised

crossing at this location would be a measure that would significantly improve road safety.

115. It is considered that the crossing is necessary, reasonable and directly related to the proposal as it would ensure safe pedestrian crossings that are being made in association with the uses in the site including the commercial airport parking. In the absence of this, there is no safe pedestrian and cycle access to the site including those users accessing the site via bus.

Off-site Public Rights of Way Improvements

116. There is a designated public right of way (Footpath E62/3 annotated in pink) that runs through the site linking the bottom of Merritown Lane to Dales Lane to the East. This PROW can be used by pedestrians to access the site from the south.
117. No information was provided with the application to demonstrate how the PROW can be enhanced in order to provide a safe and alternative access route to the site for pedestrians and cyclists to the uses on site that would avoid Parley Lane.
118. The LHA advise that an upgrade to the existing PROW to a bridleway would enable cycle access along this route. There is an existing crossing over the River Stour and the PROW is on a desire line and a quicker way of travelling from north Bournemouth to the site than through West Parley and Parley Lane.
119. The LHA in their comments refer to the councils Local Cycling and Walking Infrastructure Plan which sets a framework and evidence base for cycling and walking infrastructure projects in the BCP Council area.
120. They note that Travel Plan submitted with the application has referred to this plan but fails to identify the PROW as an opportunity to increase instances of cycling, by upgrading the footpath to a bridleway. This would have the benefit of providing a safe and accessible cycle route to the site.
121. The travel plan notes that cycling to the site by staff is a potential option and in this respect cycle parking is also to be provided on site and therefore there is expected to be an increase in cyclists. The PROW upgrade required would facilitate the increased instances of cycling and would provide an alternative and sustainable mode of transport to the site.
122. The councils Public Rights of Way Senior Officer has been consulted on this application and supports the need for a bridleway upgrade. They advise that in order to make this PROW upgrade an agreement would need to be made under section 25 of the Highways Act 1980. They advise that this also require the removal of an obstructing vehicular gate and replacement with a bridle gate.
123. The upgrade to a bridleway would comply with Policy KS11 and Policy 4 of the Neighbourhood Plan in providing a safe and attractive access route for walking and cycling and ensuring the development maximises accessibility to sustainable travel.
124. The transport note submitted to address the LHA comments set out that the applicant agreed to replace the obstructing vehicle gate with a bridle gate within the PROW. This can be secured by condition. However, the applicant does not agree to upgrade the PROW to a bridleway which the LHA expressed disappointment over given the travel plan has targets to encourage cycling and this would provide an alternative route

for cyclists to take rather than Parley Lane. It is therefore not clear how the applicant intends on meeting travel plan targets when there are no improvements put forward for cycling enhancements.

Level of car parking provision

125. The submitted site plan divides the main carpark into designated areas for the parking associated with the use of neighbouring land by Aviation Museum, the use of the carpark for commercial airport parking as well as the parking associated with the various tourism, leisure and education uses on site that are being applied for under this application.
126. The Transport Statement submitted with the application states that there are 178 car parking spaces within the main carpark that is shared between the Merritown (the proposed leisure/tourism facility) and the existing uses at Discovery Village and Diverse Abilities.
127. The application site lies within Parking Zone D where there the Parking Standards SPD requires 4 parking spaces to be provided per 100m² of gross floor area of buildings for the uses on site.
128. The use of the buildings on site for the children's play café (known as Discovery Village) covers a gross floor area of 350m² which generates an on-site parking requirement of 15 car parking spaces for the Discovery Village use. The use of buildings on the site for a specialist venue for leisure and learning opportunities for children and adults with learning disabilities (operated by Diverse abilities) cover a gross floor area of 960m² which generates an on-site parking requirement of 38 parking spaces.
129. There are therefore 125 parking spaces remaining within the main carpark to serve the proposed use of the remainder of the site for the new tourist facility referred to as Merritown'.
130. The application has demonstrated the car parking demand for each use can be met by the existing parking spaces within the main carpark. It also has demonstrated that the 107 parking spaces for the off-site commercial airport car parking can be accommodated without negatively impacting the car parking availability on the businesses that operate on site.
131. Whilst not a part of this application, the submitted site plan shows an area of overflow parking outside of the application site edged in red that is currently on land being temporarily used for Mineral Extraction associated with Hurn Quarry. Therefore, this does not form part of the application. Such a use of land for car parking would normally require an application for planning permission. However, in this instance, a lawful use certificate has been granted for the use of this area of land as a carpark. The submitted site plan indicates that this area of land would be used for overflow parking once it has been restored on completion of the mineral extraction.

Cycle Parking

132. The submitted transport statement refers to the Beryl cycle and scooter hire that is available within the conurbation and has detailed where the nearest docking bays are to the site. However, these bays are too far away to be considered as a reasonable option, with distances ranging from 1.5km-2.4km walk in order to dock the bike/scooter. Given these distances, it is very unlikely staff will choose this method of travel. The submitted information also does not detail how staff and visitors would access the site on foot from the docking bays given the lack of safe crossing at Parley Lane.

133. Notwithstanding this, the submitted plans do show cycle parking to be provided on site although it is unclear if this would be for staff and visitor use or solely for staff use. No details have been provided with the application as to how the cycle parking would be secured and of a design that complies with the Parking SPD. However, these details could be secured by condition.

Travel Plan

134. The Council's Travel Planning Team have been consulted in respect of the submitted Travel Plan. The application seeks to regularise a number of uses on the site along with a proposal to provide a new attraction which would support the maze that is to be retained which would include a café, small shop along with other attractions such as go-kart track and garden golf. This attraction is referred to as "Merritown Farm". As such there are a number of uses that would be operating from the site which caters for a range of needs. The uses sought under the application generate more journeys by both visitors and staff to the site.
135. The Travel Plan team have advised that Parley Lane currently acts as a barrier to people wishing to walk to and from the site as there is no crossing. The Travel Plan inaccurately describes the development as having convenient bus access, but this is incorrect. The bus service to the site is irregular and it is also pointed out that there is a possibility to improve cycle/walking routes from Throop via Pig Shoot Lane/ Hurn Court Lane/ Dales Lane or west along the River Stour to Dales Lane. Overall, they advise that the site is not in a location where sustainable modes of travel namely by Bus or Beryl Bike are realistic options given the irregularity of the bus service and the distance from beryl bike bays to the site. The lack of safe and accessible cycle and pedestrian routes further limit the options for sustainable travel to and from the site by customers and staff wishing to access these various facilities.
136. Had permission been recommended, a condition would need to be attached requiring the submission of travel plan to review the travel behaviour in the future. A travel plan monitoring fee would need to be secured via a S106.

Conclusion

137. The car parking demand for the tourism, leisure and education uses for Merritown, Discovery Village and Diverse Abilities can be provided on site. However, there is no safe pedestrian access to the site for these uses. Furthermore, the commercial airport parking operating on site has led to pedestrians unsafely crossing Parley Lane in order to walk to and from the airport. This results in significant pedestrian and highway safety harm. Thus, the applicant fails to provide safe crossing for pedestrians, is promoting pedestrians to walk to the airport which is unlit and has no safe access into the airport which is poor design and raises serious highway safety issues.
138. Furthermore, the off-site airport parking encourages passengers to use private car as their mode of transport as opposed to other more sustainable modes of transport and as such it does not promote sustainability. The proposal is therefore contrary to Policies KS11 and KS12 of the Christchurch and East Dorset Local Plan Core Strategy (2014) and paragraphs 114, 115 and 116 of the NPPF (2023).
139. A number of measures are required to ensure safe pedestrian and cycle access is provided for the development including the commercial airport parking which include footways along Merritown Lane and Parley Lane to meet up with a required toucan crossing over Parley Lane, a separate pedestrian route through the site to the main

carpark which would be required to be lit and upgrades to the Public Right of Way to the south of the site which provides an alternative pedestrian and cycle access to the site

Impact on Character and Appearance of the Area

140. The proposed change of use to a mixed use of leisure and educational uses is not dissimilar in character to the lawful existing use of the site as a Theme Park. The majority of the application relates to change of use with the physical layout and built form on the site remaining the same as existing.
141. The use of the buildings and land for the various leisure and educational uses are not dissimilar to the existing lawful use of the site. It is also noted that some of the rides and attractions associated with the previous use of the site as Theme Park have been removed from the site whilst those that remain have been either re-used or are proposed to be re-used by the leisure and education facilities namely Diverse Abilities and the proposed 'Merritown' attraction. In respect of the latter, the Maze that formed part of the former Theme Park is proposed to be retained with a number of the other attractions to be replaced with quieter natural spaces and outdoor play areas.
142. The proposed link extension is modest in size comprising a single storey narrow corridor and is considered a subservient addition to the two buildings it adjoins to. The buildings are only visible from within the Theme Park and as such the alterations to the buildings including the extension are not visible from any public views within the surrounding area.
143. The ANPR cameras are wholly located within the confines of the carpark site which is on private land that is set behind the Aviation Museum. Therefore, they are not visible from the public realm. Furthermore, the ANPR cameras and associated equipment would be compatible with the existing character and appearance of the car park. Therefore, the presence of these structures would not result in visual harm to the character of the street scene and as such the development complies with Policy HE2 of the Core Strategy.
144. However, the car park would require 24-hour security lighting given that it is open on a 24-hour basis which would be intrusive compared with the existing use. It is understood that currently there is no such lighting installed. No lighting is proposed in the application but if lighting had been included the visual impact of that on the rural character of the area would need to be considered. It is noted that the transport note that was submitted during the course of the application refers to lighting that would be provided at the pedestrian and cyclist access that was proposed from Parley Lane to the carpark immediately to the east of the Aviation Museum. However, no details are given as to what this lighting would involve as part of this application and as such an assessment cannot be made.

Impact on Heritage Assets

145. The application site lies immediately to the northeast of Merritown House, a Grade II Listed Farmhouse.
146. The proposal involves predominantly the change of use of buildings and land to various leisure uses which are of a similar nature to the existing lawful use of the site as a Theme Park. It is not considered that these would affect the setting of the Grade II Listed Building.
147. The existing café building associated with the Theme Park is considered to be curtilage listed as it is an historic farm building (associated with the Grade II Listed Farmhouse).

The proposed plans show that this is to be used as a café, retail and education space in association with the proposed leisure and tourism attraction which is referred to as 'Merritown'. The use would not be dissimilar to its former use as a café associated with the Theme Park. The submitted plans indicate that the existing layout of the building would be utilised and no internal or external alterations are proposed. It is therefore considered that this proposed use of the building would not harm the significance of this curtilage listed building.

148. In addition, a small infill extension is being applied for retrospectively as it has been built. However, this comprises a modest link extension between two existing buildings which themselves sit within the complex of buildings within the southwestern corner of the site close to the Grade II Listed Farmhouse. Given the modest scale and subservient nature of this link extension, it would not cause harm to the setting of the Grade II Listed Building.

Impact on Neighbours Living Conditions

149. The proposed change of use of Family Theme Park to mixed use incorporating leisure and tourism uses with ancillary café and retail would not give rise to any unacceptable impact on the living conditions of neighbouring residential properties. This is because the uses proposed which include those which are already operating would either give rise to a similar or lower level of noise and activity when compared to the existing lawful use of the site as a Theme Park. Thus, it is not considered that the proposed change of use would lead to increased noise and disturbance.
150. The use of the main carpark for the commercial airport parking would also not give rise to any increased noise and disturbance when compared to its existing lawful use as a customer car park for the Theme Park.
151. As such it is not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties and it would be in accordance with Policy HE2 of the Core Strategy and Saved Policy H12 of the Local Plan in respect of the impact on amenity.

Biodiversity Net Gain

152. Paragraph 40 of the Natural Environment and Rural Communities Act, under the heading of 'duty to conserve biodiversity' states "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity."
153. The NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity. The Local Plan at Policy ME1– Safeguarding biodiversity and geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity. In addition, a 10% biodiversity net gain (BNG) is required as per the Environment Act 2021 though exemptions apply.
154. The application claimed both the de minimis exemption and that the application is part-retrospective.
155. The application is part retrospective because the following developments have already been carried out before the application was submitted: -

- Conversion of two existing buildings within the western part of the site to form a children's play café known as 'Discovery Village' which includes external alterations to the buildings including the erection of a small link extension to connect them.
 - Change of use of another building along with associated land in the southeastern part of the site to provide a specialist leisure and education venue for children and adults with physical and learning difficulties.
 - Use of the southern part of the carpark to provide parking spaces for the above uses.
 - Change of use of the northern part of the carpark to provide commercial airport parking along with associated infrastructure for this.
156. However, the application is also applying for the change of use of the remaining buildings and land within the western part of the site to form a new tourist attraction referred to in the submitted application documents as "Merritown Village" and includes the change of use of buildings to form a ticket office, café and small retail unit along with the provision of customer and staff parking for this attraction within the main carpark. This change of use has not been carried out and is being proposed as part of this application.
157. When providing reasons for the de minimis exemption, an applicant should provide sufficient evidence to support their justification. This evidence needs to clearly demonstrate that the development that has not been carried out on site would impact on less than 25 square metres of onsite habitat and 5m of linear habitats such as hedgerows. However, no such evidence has been presented with the application. Instead, an ecological impact appraisal, BNG assessment and Statutory Biodiversity Metric has been submitted. The supporting planning statement set out that enhancements are available to provide a 10% BNG.
158. However, the submitted BNG Assessment and metric sets out the development's baseline calculation shows 25.40 habitat units and 2.69 hedgerow units are present on-site. The submitted BNG Assessment and metric concluded that the proposed landscaping on site would generate a 2.01% increase on habitats and a 14.43% uplift on hedgerows although this is below the required 10% biodiversity net gain. However, the submitted assessment states that "as the application comprises a Section 73A retrospective application, a 10% habitats net gain under the Environment Act 2021 is not legally required".
159. The NPPG advises that BNG does not apply to retrospective planning permissions made under section 73A. This is because the statutory condition for BNG is a pre-commencement condition and therefore cannot be applied to development that has already been carried out. Therefore, for the parts of the application that are retrospective as they relate to development that has already been carried out before the application was submitted, BNG does not apply.
160. However, 10% biodiversity net gain (BNG) is required for the parts of the application that is proposing development which has not been carried out although exemptions apply. In this case, the applicant has claimed the de minimis exemption which applies where development impacts less than 25 square metres of on-site habitat and 5m of linear habitats such as hedgerows.
161. Based on the above advice, the Local Planning Authority requested that a detailed plan which clearly showed the extent of proposed development (i.e. that has not been carried out prior to the application being submitted and which planning permission is being applied for retrospectively under section 73a) and the existing onsite habitats that would be affected by the. If this plan clearly demonstrates that the proposed development

would impact on less than 25sqm of area habitat or less than 5m linear habitat, then the development proposed would be exempt from BNG under the de minimis exemption.

162. In response to this request, the applicants' agent advised that they did not consider that this was necessary as the application had been made under section 73a on the basis that it was part retrospective and as such did not provide the requested information.
163. During the course of the application, the applicant had proposed to provide an unsignalised crossing with a pedestrian footpath through the site to the car park. This would have involved the removal of hedgerow and the laying of hard surfacing over a grassed area within close proximity of existing mature trees within the site. In respect of the mature trees, an arboricultural method statement and tree protection plan was submitted which sufficiently demonstrated that these trees could be adequately protected and would not be harmed by the proposed footpath.
164. The applicant now proposes a shuttle bus service in lieu of the previous proposal to provide an unsignalised crossing and footpath through the site to the car park. The removal of the unsignalised crossing and footpath would now mean that these on-site habitats would not be affected. The agents therefore argues that on this basis the only physical operational development proposed is the creation of the link extension between two buildings to facilitate the change of use to a children's play cafe (Discovery Village) which itself is on a sealed surface and in any case has already been carried out and is therefore retrospective and thus BNG does not apply.
165. Whilst this is accepted, it does not address the concerns relating to the remaining proposal for the change of use of land and buildings to form the new tourist facility known as Merritown Village. It is also accepted that the areas of the proposed change of use of existing buildings and land that comprises of sealed surfaces within the site would not affect on-site habitats. However, the proposed change of use also encompasses areas of the site that comprise of habitats. Therefore, it would need to be demonstrated that the proposed change of use of this land would not affect more than 25sqm of on-site habitats and 5m of linear habitats within this part of the site.
166. In the absence of this information, the applicant has failed to provide sufficient evidence to satisfy the local planning authority that the proposed development that is not being applied for retrospectively would benefit from the de minimis exemption as set out within the Biodiversity Gain Requirements (Exemptions) Regulations 2024 and therefore, the local planning authority cannot be confident that the statutory biodiversity gain condition would not apply.
167. As such, the local planning authority cannot be confident that the proposed development would comply with the requirements of Part 3 of Article 7 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 or Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Consequently, the proposal is contrary to Policy ME1 of the Core Strategy and the relevant legislation.

Planning Balance / Conclusion

168. The re-use of the former Theme Park to various tourism/leisure and education uses including the associated use of the main carpark by staff and visitor to these uses would not give rise to a materially greater impact on the Green Belt than its current lawful use. However, the use of part of the main carpark for commercial airport parking represents inappropriate development in the Green Belt as it does not fall within any of the exceptions of paragraph 154 of the NPPF and it would not meet all the criteria of

paragraph 155 of the NPPF. No very special circumstances have been presented to justify this location and therefore the use by its definition as inappropriate development is harmful to the Green Belt and as such contrary to policy KS3 of the Core Strategy.

169. There are significant pedestrian and highway safety impacts in respect of the airport parking aspect of this application which fails to provide safe pedestrian access arrangements between the site and the airport. The application also fails to provide safe and separate pedestrian and cycle access to the site for visitors and staff to the tourism/leisure and education uses on the site. Therefore, the proposal is contrary to Policy KS11 of the Core Strategy.
170. It is considered that the proposed commercial parking would result in significant harm to the Green Belt and Highway Safety which would outweigh the benefits of the proposal as a whole and would justify refusal on these grounds.
171. Furthermore, insufficient evidence has been submitted with the application to satisfy the local planning authority that the proposed development that is not being applied for retrospectively would benefit from the de minimis exemption from the Biodiversity Net Gain Requirement of the Environment Act 2021 and as such is contrary to Policy ME1 of the Core Strategy.

Recommendation

Refuse, for the following reasons:

Reasons

1. The use of part of the main carpark for commercial airport parking unrelated to any uses or activities on the site is one that does not fall within into any of the categories of appropriate development set out in paragraph 154 of the National Planning Policy Framework 2024. Having regard to paragraph 155 of the NPPF the applicant has not sufficiently shown a demonstrable unmet need for the development in this location given that this need can be met by the provision of airport parking within the operational area of Bournemouth Airport (outside of the Green Belt) and the proposal would not be in a sustainable location. It is therefore considered that the use of land for commercial airport car parking constitutes inappropriate development which is harmful to the Green Belt by definition, and which fails to preserve the openness of the Green Belt and represents encroachment into the countryside contrary to the purposes of the Green Belt. No very special circumstances have been presented which would justify a grant of permission. Therefore, this use contrary to Policy KS3 in the Christchurch and East Dorset Local Plan and policy contained in Section 13 of the National Planning Policy Framework (2024), particularly paragraphs 142-143 and 153-155.
2. Policies BA1 and BA2 of the Christchurch and East Dorset Local Plan, Part 1 – Core Strategy (2014) identify measures to reduce the impacts of traffic and to secure sustainable access, through contributions and the implementation of area-wide Travel Plan for the Airport. The commercial airport parking undermines the aims of these policies by virtue of increasing traffic movements on Parley Lane and reducing the incentives for airport passengers to use public transport. Therefore, the commercial airport parking represents an unsustainable form of development which falls contrary to policies KS1, KS2, BA1 and BA2 of the Christchurch and East Dorset Local Plan (2014).
3. The applicant has failed to demonstrate safe pedestrian and cycle access arrangements to/from the site. The lack of a safe lit signalised controlled crossing, lighting and footways results in an unacceptable impact on highway safety. The applicant has failed to provide acceptable evidence that additional airport car parking is required. The development is

therefore contrary to Policy KS11 of the Christchurch and East Dorset Local Plan Core Strategy (2014) and paragraphs 114, 115 and 116 of the NPPF (2024) which seek new development to provide safe and suitable access for all, to give priority first to pedestrian and cycle movements, and to ensure appropriate opportunities to promote sustainable transport modes have been taken up.

4. The applicant has failed to provide sufficient evidence to satisfy the local planning authority that the proposed development would benefit from the de minimis exemption as set out within the Biodiversity Gain Requirements (Exemptions) Regulations 2024 and therefore, the local planning authority cannot be confident that the statutory biodiversity gain condition would not apply.

In the absence of the minimum information required by legislation to establish the baseline habitat value for the site or to demonstrate how the required 10% uplift in biodiversity would be achieved, the local planning authority cannot be confident that the proposed development would comply with the requirements of Part 3 of Article 7 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 or Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Informatives

1. In accordance with paragraph 39 of the revised NPPF the Council, as Local Planning Authority, takes a positive, creative 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/ agent did not take the opportunity to enter into pre-application discussions.

The applicant was advised that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these problems.

2. For the avoidance of doubt the decision on the application hereby determined was made having regard to the following plans:

Proposed Site Location Plan – Drawing Number 241175 - 2001 02 received on 16/04/2025

Proposed Block Plan – Drawing Number 241175 - 2002 02 received on 16/04/2025

Proposed Land Use - Merritown Plan – Drawing Number 241175 - 2003 02 received on 16/04/2025

Proposed Land Use - Merritown Plan (Colour) – Drawing Number 241175 - 2003 received on 16/04/2025

Proposed Land Use - Diverse Abilities & Parking Plan – Drawing Number 241175 - 2004 02 received on 16/04/2025

Proposed Land Use - Diverse Abilities & Parking Plan (Colour) – Drawing Number 241175 - 2004 received on 16/04/2025

Site Plan – Drawing Number C 28892 002 B received on 16/04/2025

Phantom Camera Details – Drawing Number C 0000 006 received on 16/04/2025

Column Protector – Drawing Number D 0000 006 C received on 16/04/2025

External Cabinet – Drawing Number C 0000 004 received on 16/04/2025

Proposed Plans & Elevations – Drawing Number P002 02 received on 16/04/2025

Existing & Proposed Floor Plans – Drawing Number 241175 - 2005 received on 16/04/2025

Proposed Perspective Views – Drawing Number P004 01 received on 16/04/2025

3. Informative

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (“the biodiversity gain condition”) that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Bournemouth, Christchurch and Poole Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed would appear to fully apply.

Background Documents:

P/25/00993/FUL

Documents uploaded to that part of the Council’s website that is publicly accessible and specifically relates to the application the subject of this report including all related consultation responses, representations and documents submitted by the applicant in respect of the application.

Notes.

This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

Reference to published works is not included.