

Matter 10: Environmental Issues

Does policy ME2 provide a robust basis for the protection of the Dorset Heathlands?

10.1 The provision of SANG as a robust basis for the protection of the protected heathlands is well established throughout the country.

10.2 The wording of policy ME2 currently requires SANGs to be in place prior to the occupation of development. On larger schemes in Christchurch and East Dorset, where SANGs will be provided on site, it would be appropriate to provide greater flexibility to allow SANGs to be phased in line with the delivery of the new homes.

10.3 In the case of the Cranborne Road New Neighborhood, there are two distinct parts of the development, one to the east and the other to the west of Cranborne Road. Essentially each part of the development will also deliver related SANG, both parts of the SANG providing a 2.3km walk, as required by the guidelines. In this instance, it would be appropriate to facilitate, through policy, the phased delivery of the SANG – effectively in two parts.

10.4 In the instance of Cranborne Road New Neighbourhood, some of the SANG areas will not be accessible by serviced by roads and/or footpaths until later phases of the development. Therefore it would be inappropriate, and an unjustifiable burden on the developer to deliver all of the SANG prior to the occupation of the first dwelling.

10.5 Not providing for phasing flexibility in the policy is unsound because it is ineffective, undeliverable and unjustified.

10.6 The policy wording should be amended to facilitate a pragmatic approach to be adopted on a site-by-site basis, to enable phasing of the areas of SANGs to be agreed with Natural England and the Council as part of the section 106 negotiations.

Is there a strategy to avoid double counting SANG / mitigation and payment of CIL (ME2)?

10.7 We are unaware of any strategy being in place to avoid double counting in regard to the provision of SANG and CIL payment. This clearly needs to be finalised before CIL can be adopted to avoid double counting as it would not be fair, reasonable or necessary for developers to pay twice.

Should policy ME2 clarify that payment of CIL would be a trigger which would allow development to commence?

10.8 This very much depends on the size of the scheme, the ability to make phased payments for outline planning applications (amendments to the CIL Regulations), and the ability to make direct provision for mitigation on site, rather than relying on mitigation through CIL.

10.9 It would be unreasonable to introduce a blanket pre-commencement

requirement, as a consequence of protection of the Dorset Heathlands, where schemes will be phased and/or where mitigation is covered through direct SANG provision.

10.10 Any amendment to the policy in this respect, to cover smaller schemes which rely on CIL for mitigation, must be absolutely clear that there is a distinction. Without this, the strategy would be unjustified.

Do the SANG guidelines:

- *Provide clear and adequate guidance regarding the location and accessibility of the SANG?*
- *Provide clarity regarding the quality and characteristics of the SANG?*
- *Provide sufficient flexibility to allow for site-specific circumstances?*

10.11 By their nature SANG guidelines should be flexible to enable the circumstances of each case to be addressed on its own merits. The use of the word 'must' reduces flexibility. A more appropriate and flexible approach would be to replace 'must' with 'should ideally' to enable flexibility of approach.

10.12 As stated above the guidelines and policy ME2 should provide flexibility to enable a phased approach to the provision of the SANG particularly in instances where there are two or more clear phases of delivery and two separate, and both effective, parts of the SANG.