**Planning Statement**

**Piddlehinton ‘transit’ caravan site for use by Gypsies, Travellers and Travelling Showpeople.**

**May 2020**

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Proposed development:

1. The council is seeking a three year temporary planning permission (expiring in 31st August 2023) for:

Dual use of land for agriculture and as a 25 pitch ‘transit’ caravan site for use by Gypsies, Travellers and Travelling Showpeople for up to five months in each calendar year between the 1st April and 31st August.

1. This application follows a series of temporary permissions for use of the site as a ‘transit’ caravan site by Gypsies, Travellers and Travelling Showpeople (as defined in Annex 1 of Planning policy for traveller sites, August 2015).
2. This statement comprises the planning statement for the planning application and presents evidence on:
* the need for the ‘transit’ caravan site; and
* consideration of the key planning issues relating to the proposed use.
1. The council is not proposing any operational development (i.e. any hardstandings or new access ways) within the site. Nor is it proposing to remove any existing vegetation or trees. It anticipates that caravans and vehicles will be positioned between existing vegetation for short periods of time whilst the site is being used. For the purposes of this planning application a ‘transit’ caravan site is a site used for temporary periods by Gypsies, Travellers and Travelling Showpeople.
2. This application has been prepared having regard to the:
* the characteristic and setting of the application site;
* the need for a ‘transit’ caravan site in Dorset Council area; and
* relevant planning policies and guidance.

Site:

1. The site is located in the Piddle Valley to the south east of the village of Piddlehinton. It is positioned directly adjacent to Piddlehinton Enterprise Park on council owned land. It has a rectangular shape with an area of around 2.2 hectares. The south eastern side of the site faces onto open farmland, while the north eastern, south western and north western sides of the site share boundaries with the Enterprise Park. It shares a vehicular access from the B3143, to the south, with the Enterprise Park.
2. Ground levels rise from the south, from the valley floor of the River Piddle, to the north. There are a number of mature trees growing along the sites southern eastern boundary. Views of the site from the B3143 are screened by an earth bank next to the edge of the road and the trees growing along its south eastern boundary. There is a bridleway to the north east of the site and a ‘byway’ (‘open to all traffic’) to the east. Muston Copse, around 500 metres to the north east of the site, is an Ancient Woodland.

Relevant planning history:

* Dorset County Council granted planning permission on 30 January 2012 (1/D/2012/000150) ‘To create a temporary gypsy and traveller site for a nine week period for the duration of the London Olympics 2012’. Conditions on the planning permission limited: the duration of the consent, who could occupy caravans on the site, the total number of pitches permitted on the site (limited to 10) and required that ‘Whilst the site is occupied there shall be a site warden present on the site between the hours of 18:00pm and 8:00am’ (Condition 5).
* The county council granted a further planning permission on 17th April 2012 in the same year for ‘Variation of conditions 5 & 6 of planning permission 1/D/2012/000150’ (1/D/12/000593). Conditions on the revised permission similarly limited: who (Gypsies as defined in Section 24(8) of the Caravan Sites and Control of Development Act 1960) could occupy caravans on the site, the duration of the planning permission (expiring in September 2012) and the total number of pitches permitted on the site at any one time (increased from 10 to 30). Condition 6 also required the council to prepare a management plan for approval, and for the use of the site to be managed in accordance with the plan (rather than requiring the presence of a warden as in the earlier planning permission).
* Dorset County Council granted a further planning permission in 2014 (WD/D/14/000368) ‘To create a temporary gypsy transit site for three years including August 2016 for 25 caravans. To start March 2014 and end August 2016 inclusive for six months a year.’ Conditions limited the duration of the permission (expiring on 31st August 2016), restricted the use to a summer season between March and August each year and who limited who could occupy caravans (restricted to Gypsies and Travellers as defined in relevant legislation). Conditions 5 and 6 required the council to submit a site management scheme and tree protection plan for approval/implementation. Condition 7 stated ‘Whilst the site is operational there shall be a site warden present at all times.’
* Most recently Dorset County Council granted a further planning permission in June 2016 (WD/D/16/001217) for ‘Variation of condition 2 of planning permission WD/D/14/000368 to allow for the continued use of the temporary transit site for up to a further three years, to end 31 August 2019, for six months a year.’ Conditions were applied to the final permission restricting occupation of the caravans, the duration of the planning permission (the permission ceased on 31st August 2019), the months of the year when the land could be used as a caravan site and approval/implementation of a site and tree protection management plan.

Relevant planning policies:

National Planning Policy Framework (NPPF) –

Appendix 2 for relevant exerts.

Planning policy for traveller sites (August 2015) –

Appendix 3 for relevant exerts.

Development plan policies:

**West Dorset, Weymouth and Portland Local Plan (2015)** –

* Policy INT1 – Presumption in Favour of Sustainable Development;
* Policy ENV 1 – Landscape, Seascape and Sites of Geological Interest (Cerne and Piddle Valleys and Chalk Downland);
* Policy ENV2 – Wildlife and Habitats (Poole Harbour Nutrient Catchment Area);
* Policy ENV 9 – Pollution and Contaminated Land; and
* Policy SUS 2 – Distribution of Development (Outside Development Boundary).

**Piddle Valley Neighbourhood Plan 2018 to 2033** –

* Policy 6 – Road safety concerns;
* Policy 7 – Development outside the development boundaries;
* Policy 12 – The character and design of new development; and
* Policy 13 – External lighting.

Supplementary planning documents

**The Dorset Heathlands Planning Framework 2015-2020, Supplementary Planning Document (October 2015)**

**Nitrogen Reduction in Poole Harbour, Supplementary Planning Document (April 2017)**

Evidence:

Bournemouth, Christchurch, East Dorset, North Dorset, Poole, Purbeck, West Dorset and Weymouth and Portland - Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA), Final Report October 2017

In respect to transit requirements the GTAA states that:

*‘As there is currently a seasonal transit site at Piddlehinton it is recommended that this is used to accommodate any transit need during its months of operation. There is also an undetermined application for a transit site at Three Legged Cross. It is also recommended that whilst there may be some historic evidence suggesting that additional transit provision may be required in local authorities in Dorset, no further provision is needed at present and the situation relating to levels of unauthorised encampments throughout the area should be monitored whilst any potential changes associated with PPTS (2015) develop.’*

Planning considerations

Principle of development and the need for a transit site for travellers

1. Under national planning policy the council has a responsibility to plan positively to meet the areas accommodation needs – including the needs of gypsies, travellers and travelling showpeople. Prior to local government re-organisation on 1st April 2019 the predecessor district councils had been working on a joint development plan document (DPD) for Gypsies, Travellers and Travelling Showpeople. The councils anticipated that the DPD would meet the accommodation needs of travellers by identifying suitable sites. The councils planned to use the 2017 GTAA to identify the level of need for new traveller sites in Dorset.
2. Following local government re-organisation Dorset Council and Bournemouth, Christchurch and Poole Council’s now propose to prepare separate local plans that will individually attempt to meet the accommodation needs for travellers in these areas. Dorset Council’s local plan is at an early stage in its preparation – the council plans to undertake a consultation later this year before Regulation 19[[1]](#footnote-1) pre-submission publication of the draft local plan in summer 2021[[2]](#footnote-2). This process should allow sites for Gypsies, Travellers and Travelling Showpeople to be reviewed to ascertain their suitability, before any strategy for meeting the areas needs is finalised in the new local plan.
3. In the interim period the relevant development plan is the adopted West Dorset, Weymouth & Portland Local Plan (2015). The application site is located in the countryside, where policy SUS 2, of the West Dorset, Weymouth and Portland Local Plan (2015), states that development will be strictly controlled. As an exception to this general position, policy SUS 2 states that ‘sites for gypsies, travellers and travelling showpeople’ may be appropriate in principle in the countryside.
4. The local plan also states at paragraph 5.6.1 that:

*‘Local authorities in Dorset are working together to produce a joint Gypsy and Traveller Development Plan Document, which will identify sites throughout Dorset to meet the needs of these groups.’*

1. And goes onto say that:

*‘Until such a time as the Gypsy and Traveller DPD is finalised, decisions on gypsy and traveller sites will be determined in accordance with national policy and with reference to policies INT1 and SUS2.’* (Paragraph 5.6.3).

1. The 2017 GTAA identifies two existing temporary transit sites in Dorset Council:
* Tarrant Hinton – the site has capacity for 100 pitches and is used to provide temporary accommodation for travellers visiting the Great Dorset Steam Fair. The GTAA suggests that the site is normally used for around two weeks; and
* Piddlehinton – the site has capacity for 25 pitches. The land is available for this use between 1st March and 31st August each year.
1. The council’s records of the costs connected with the sites management – more specifically the costs of employing security guards over the last five years – give some indication as to how it has been used. Dividing the total security cost for each year by the hourly rates gives an estimate[[3]](#footnote-3) of how many hours the site has been used. Existing conditions on the planning permission allow use of the site for up to 184 days in each year. Table 1 below provides a summary of the Piddlehinton transit sites use between 2015/16 and 2019/20.

|  |  |
| --- | --- |
| **Year and total security costs** | **Total hours/days the site was used** |
| 2015/16  | Around 3,113.3 hours or 129 days (assuming a single guard provides security) |
| 2016/17  | Around 532 hours or 22 days (assuming a single guard provides security) |
| 2017/18  | Around 1,236 hours or 51 days (assuming a single guard provides security) |
| 2018/19  | Around 1,197 hours or 49 days (assuming a single guard provides security) |
| 2019/20  | Around 510 hours or 21 days (assuming a single guard provides security) |

1. The evidence suggests that the Piddlehinton transit site has been actively used by travellers over the past five years. On average the security costs suggest that the caravan site has been used for around 54 days (or 30%) of the 184 days that it was available for use each year[[4]](#footnote-4). The council does not have details of how intensively the site has been used. Aside from Tarrant Hinton, there are no other transit sites for travellers in Dorset Council area.
2. While Dorset Council and Bournemouth Christchurch and Poole Council no longer plan to work on a joint DPD to meet the accommodation needs of Gypsies, Travellers and Travelling Showpeoeple, they will be seeking to meet the areas need through the preparation of new local plans for both areas. The council has decided that it would not be appropriate to seek planning permission for the site to be used on a permanent basis in the context of preparing the new Dorset Local Plan. If the council gave a permanent planning permission it might undermine the plan making process, which will allow it to consider the suitability of alternative sites. The council’s local development scheme indicates that the Dorset Local Plan will be adopted in spring/summer 2023. For these reasons the council is seeking a temporary planning permission expiring on 31st August 2023. The council is seeking permission for use between 1st April and 31st August each year, rather than 1st March and 31st August as in previous temporary permissions, for up to 25 pitches at any one time. The shortened season reflects officers understanding of patterns of use at the site.
3. In accordance with Policy INT 1 – Presumption in favour of sustainable development, the proposed development will contribute toward meeting the accommodation needs of travellers in Dorset Council, and meeting the strategic objectives identified in the West Dorset, Weymouth and Portland Local Plan (2015). For these reasons the council considers that the proposed temporary use of the land as a transit site for travellers is consistent with the objectives of the West Dorset and Weymouth and Portland Local Plan.
4. The remaining parts of this statement consider the other planning issues relating to the site.

Impact of the proposed development

Amenity of neighbouring residents and uses on the Enterprise Park

1. It is anticipated that the site would be used as part of the council’s strategy for meeting the accommodation needs of travellers on a temporary basis – in particular in those instances where the Police use their powers around unauthorised encampments[[5]](#footnote-5). The existing temporary permissions, and the council’s records of security costs, demonstrate that the transit site will be used for short periods when required. The pattern of use to date does not indicate that the site will be used on a continuous basis. For these reasons planning permission is being sought for use of the site between 1st April and 31st August inclusive. When not being used for this purpose the site will revert back to an agricultural use.
2. The council will retain ownership and control of the site. The Gypsy and Traveller Liaison Officer will have overall responsibility for managing the transit site (conditions applied to earlier planning permissions have required the management plans to be agreed and the council has paid for security guards as part of this management). This provides the opportunity to resolve any amenity issues that might arise between the use of the transit site and those existing uses on the Enterprise Park.
3. The site is not closely related to dwellings. After considering the position of the site, and the limited nature of the use, provided the site is managed appropriately it is not considered that the proposed development will adversely affect the amenity of any nearby uses.

Access and parking

1. There is an existing vehicular access into the Enterprise Park (from the B3143) to the south of the proposed transit site. This junction provides safe access for vehicles between the site and the B3143, with capacity to accommodate the traffic movements associated with both the proposed transit site and the existing park.
2. The existing access into the site has allowed use though the series of temporary planning permissions given since 2012. This access is also considered to be appropriate for the proposed temporary use as ‘transit’ caravan site. There are sufficient gaps between the trees, and other vegetation, growing on the site for the anticipated numbers of caravans and associated vehicles to be safely accomodated.

Protected habitats and wildlife

1. After considering the guidance in supplementary planning documents, and Policy ENV2 of the West Dorset, Weymouth and Portland Local Plan 2015, it is not considered that the proposed use is likely to have any significant effects on Dorset Heathlands (the council has also screened for ‘likely significant effects’ as part of the assessment presented in Appendix 5).
2. The site is positioned within the Piddle Valley and the drainage catchment for Poole Harbour. The proposed use is likely to have a significant effect on Poole Harbour Special Protection Area (SPA), and Ramsar, because of treated sewage arising from the development being discharged into the harbour (see assessment presented in Appendix 5). Planning laws restrict the council from granting planning permission for development that is likely to adversely affect the integrity of habitat sites like Poole Harbour SPA and Ramsar.
3. Nitrogen in Poole Harbour Supplementary Planning Document (SPD) outlines a strategic approach for mitigating adverse effects arising from further residential development in the Poole Harbour catchment. It indicates that ‘It is anticipated that the majority of infill/windfall development requiring mitigation will pay CIL, and the Councils will use the CIL to deliver the mitigation for those developments’ (paragraph 21). The proposed change in use is not subject to the Community Infrastructure Levy (CIL).
4. The next section of this statement outlines how the council has calculated the funds required for mitigation in order to offset the effects of the proposed development. The current proposals are for a dual use of the land as a transit site for travellers between 1st April and 31st August each year for up to 25 pitches at any one time. In this instance it is proposed that the effects of nitrogen emissions from the development into Poole Harbour are offset by changing the way other land elsewhere in the catchment is managed from a high input land use to a low input land use (as summarised in paragraph 14 of the SPD). The method (paragraphs 7 to 10) for calculating nitrogen emissions in the SPD has been applied to the proposed development in order to determine the necessary fund for mitigation, it:
* takes account of the seasonal use of the site;
* makes an assumption on the number of people occupying each pitch (approximately 2.42 people per pitch); and
* adjusts anticipated nitrogen emissions to take account of the occupancy levels summarised in Table 1 above.
1. Full details of the calculations are presented in Appendix 4. Around 0.022hectares of land is needed to offset the effects from the proposed development. An assumed agricultural land value has been used for funding calculations. Further costs of planting and maintaining this land as woodland have been added to the estimate to give an overall cost. (This assumes a change in management of land to a woodland and applies the method set out in the Dorset Biodiversity Compensation Framework).
2. In total £5,599 is needed to fund the habitats mitigation measures. As the proposed development is not subject to CIL, these funds will need to be secured through a different mechanism. A project level Appropriate Assessment has been undertaken for this planning application in accordance with the Conservation of Habitats and Species Regulations 2019, and taking account of the mitigation strategy outlined in the SPD. The assessment is presented in Appendix 5. Subject to securing the contributions to fund mitigation measures (as outlined above) and delivery of these measures the assessment concludes that the proposed development will not adversely affect the integrity of Poole Harbour SPA and Ramsar.
3. A change in the sites use also has the potential to have a direct impact on protected animals and plants which inhabit or visit the site. Dorset Council has developed a protocol to help determine whether development is likely to give rise to significant harm to biodiversity. On development sites with an area of 0.1 hectares or more applicants are encouraged to complete an ecological survey of the site and prepare a Biodiversity Plan. The evidence allows the council to apply the principles from national policy (paragraph 175 of the National Planning Policy Framework 2019) when determining planning applications.
4. More specifically the survey and Biodiversity Mitigation Plan enable the council to:
* determine whether development is likely to give rise to significant harm to biodiversity; and
* explore the opportunities to firstly avoid, secondly mitigate and finally after fully considering the first two alternatives compensate for any significant harm to biodiversity.
1. A qualified ecological consultant independently surveyed the site in May 2020 and prepared an ecological appraisal report for consideration by the council’s Natural Environment Team (NET), who have in turn issued a Dorset Biodiversity Appraisal Protocol Certificate of Approval (18th May 2020). The ecological survey, biodiversity plan and NET certificate are presented in Appendix 5. The ecological survey identifies ‘medium quality’ semi-improved calcareous grassland and ‘low quality’ broad-leaved woodland. The biodiversity plan recommends that caravans are positioned away from woodland and scrub habitat along the sites eastern boundary. The council is not proposing any lighting scheme, but in the event that a scheme is required at a later date the mitigation plan sets out a specification for its design in order to mitigate potentially adverse impacts on bats in accordance with specialist guidance. The plan also makes a number of recommendations for land management of ‘scrub’, ‘grassland’ and ‘woodland’, in addition to rotating the positioning of caravans (to allow grass to re-establish) and encouraging occupiers of the site who own dogs to use particular parts of the site for toileting. The plan makes the following recommendations for ‘net gain’ measures to enhance biodiversity on the site:
* providing bird and bat boxes;
* providing piles of log and brushwood; and
* planting a native rich hedgerow along the sites western edge (circa 150 metres in length). (A table in the plan lists suitable species for the hedgerow and a plan shows suggested positions for bat and bird boxes, wood and brush piles and the hedgerow).
1. After considering the survey and the plan the Council’s Natural Environment Team has issued a Certificate of Approval for the proposed development (the certificate has been submitted with the planning application).

Landscape character and visual impact

1. The impacts of the proposed development on landscape character and visual amenity have been appraised having regard to Policy ENV1 of the adopted West Dorset, Weymouth and Portland Local Plan taking account of: a) The Dorset Landscape Character Assessment (2009) and b) management guidelines for the Dorset Area of Outstanding Natural Beauty (<https://www.dorsetaonb.org.uk/resource/upper-piddle-valley/> ) relating to the upper Piddle Valley.
2. The Dorset Landscape Character Assessment (2009) notes that the site forms part of the ‘chalk valley and downland’ character area. It identifies the following key characteristics for this area:
* ‘extensive and uniform area of chalk covering a large part of the county.
* visually dominant with open views from expansive elevated areas.
* smaller scale pattern of fields and winding ribbons of trees along the valley floors creates a more sheltered and secluded character.
* distinctive north south aligned valleys each with its own unique character.
* chalk streams, semi natural chalk grasslands and ancient woodland are all key habitats.
* large arable fields subdivided by low, thin and straight hedges.
* historic now disused water meadows are key features.
* distinctive settlements of stone, brick and flint in linear form along the valley floors.
* roads typically follow valley floors or on elevated ridges along old straight Roman alignments.
* important old boundary features such as railings and walls.’
1. The assessment notes the following as key management objectives:
* Conserving the pattern of existing settlements;
* Restoring: woodlands, meadows, chalk grassland and important boundary features.
1. The site is positioned outside the Dorset Area of Outstanding Natural Beauty (AONB) (just over 1 kilometre to the south east) and is well related to the Piddlehinton Enterprise Park. The proposed transit site will be viewed in the context of neighbouring buildings (used for employment purposes) and the permanent traveller site (which fronts onto the B3143). Trees and hedging growing along the south eastern edge of the site form a strong boundary between it and the surrounding countryside. This vegetation also serves to screen views into the site, and the adjoining enterprise park from both rights of way and B3143. The proposals are for the proposed use to take place around the existing trees and vegetation, over spring and summer (when vegetation will be in full leaf).
2. The Piddlehinton Enterprise Park is an established development in this part of the Piddle Valley – whilst the site is outside the boundary of any existing village its position next to the park will not further undermine the pattern of existing development. Nor will the proposed use lead to the loss of any features/elements which positively contribute to the landscapes character. The existing boundary between the site and the surrounding countryside will be retained, and the vegetation growing within this part of the site will screen views of caravans/vehicles parked within it. Having regard to the screening provided by this vegetation and the scale of caravans, the proposed use will not undermine, or adversely effect, the open views typical of chalk valley and download. The nature and characteristics of the proposed use, and its position, also mean that development will not have an adverse effect on the setting of the AONB. In conclusion the dual use of the site as a ‘transit’ caravan site for travellers will not adversely affect the character of the ‘chalk valley and downland’ or the setting of the Dorset Area of Outstanding Natural Beauty.

Contamination

1. The Council’s records indicate that the site has previously used for agricultural purposes, and that most recently it has been used as a transit site for travellers on a temporary basis. Taking account of this relevant planning history it is not considered that there is likely to be a ‘unacceptable risk’ to the occupiers of the site from contamination.

Other matters

1. The proposals do not include external lighting or any other operational development. Taking account of relevant planning policy in the local and neighbourhood plans conditions restricting external lighting could be imposed where deemed necessary.

**Appendix 1 – The site**



**Appendix 2 – National Planning Policy Frame work**

Paragraph 59 states that:

‘To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.’

Paragraph 61 states that:

‘Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).’

**Appendix 3 – Planning Policy for Traveller Sites (August 2015)**

Paragraph 24 states that:

Local planning authorities should consider the following issues amongst
other relevant matters when considering planning applications for traveller
sites:

1. the existing level of local provision and need for sites
2. the availability (or lack) of alternative accommodation for the applicants
3. other personal circumstances of the applicant
4. that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
5. that they should determine applications for sites from any travellers and not just those with local connections

However, as paragraph 16 makes clear, subject to the best interests of the child,
personal circumstances and unmet need are unlikely to clearly outweigh harm to
the Green Belt and any other harm so as to establish very special
circumstances.

Paragraph 25 states that:

‘Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.’

Paragraph 26 states that:

‘When considering applications, local planning authorities should attach weight to the following matters:

1. effective use of previously developed (brownfield), untidy or derelict land’
2. sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness,
3. promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children,
4. not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community’

Paragraph 27 states that:

‘If a local planning authority cannot demonstrate an up–to-date 5 year
supply of deliverable sites, this should be a significant material
consideration in any subsequent planning decision when considering
applications for the grant of temporary planning permission9. The exception
is where the proposal is on land designated as Green Belt; sites protected
under the Birds and Habitats Directives and / or sites designated as Sites
of Special Scientific Interest; Local Green Space, an Area of Outstanding
Natural Beauty, or within a National Park (or the Broads).’

Paragraph 28 states that:

Local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including:

1. limiting which parts of a site may be used for any business operations, in order to minimise the visual impact and limit the effect of noise
2. specifying the number of days the site can be occupied by more than the allowed number of caravans (which permits visitors and allows attendance at family or community events)
3. limiting the maximum number of days for which caravans might be permitted to stay on a transit site.

**Appendix 4 – Nitrate mitigation funding calculations**

*Proposed number of pitches:*

Planning permission is sought for a total of 25 pitches maximum, but the site will only be available for use for 5 months of the year. This equates to a total of 10.42 pitches in total for five months.

*Levels of occupancy for each pitch*

The SPD suggests that 2.42 people will occupy each new dwelling house. The same levels of occupancy have been assumed for the caravans on the site.

Therefore 2.42 x 10.42 = 25.22 people per year

*Nitrogen emissions*

Nitrogen emissions are calculated by multiplying the residual amount of nitrogen emissions from each person into Poole Harbour (these take account of the removal of nitrogen from waste water that takes places in sewage treatment works). This equates to 0.000875 Tonnes nitrogen per year per person (paragraphs 7, 8 and 9 of the SPD)

Therefore 25.22 x 0.000875 = 0.022 Tonnes N/yr generated by the planning application

*Levels of occupancy across the site as a whole*

Data from the council indicates that on average the site has been used for 54 days out of permitted 184 each year. This amounts to 30% occupancy.

Therefore 0.022 x 0.3 = 0.0066 Tonnes N/yr generated by the planning application when adjusted for average occupancy of 30% (replicating Example B, hotel with 60% occupancy in the SPD)

*Adjustment*

The total has then been subject to an adjustment to reflect the reduction in nitrogen arising from the change of land use from high to low input. This equates to 0.0298 Tonnes N/ha/yr

*Total*

Therefore area of land needed (using SPD formula) for mitigation = 0.0066/0.0298 = 0.22ha

*Funding the mitigation*

An agricultural land value (published by government) of £21,000 per hectare has been used to calculate the sum needed to deliver mitigation. This equates to (£21,000 x 0.22ha) £4,620. It has been assumed that the land used to offset the nitrogen emissions would be planted with trees. The costs of planting trees and maintaining them in perpetuity need to be added to the total. The methods outlined in the Dorset Biodiversity Compensation Framework have been used to estimate these costs.  The cost of creating and maintaining native woodland (taken from the DBCF and based on HLS payment and maintenance rates) is £4,448/ha so the cost for planting and maintaining the nitrate mitigation area would be £4488 x 0.22 = £979.

Therefore the total sum to be secured via a planning obligation and to be spent on nitrate mitigation = £5,599.

**Appendix 5 – Ecological report, Biodiversity Mitigation Plan, NET certificate and appropriate assessment**

1. The Town and Country Planning (Local Planning) (England) Regulations 2012 [↑](#footnote-ref-1)
2. The Local Development Scheme for Dorset (June 2019) (<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/dorset-council-planning-policy/pdfs/dorset-council-lds-250619.pdf> ). [↑](#footnote-ref-2)
3. The findings cannot be relied to give a precise summary of the sites use since gaining planning permission as: the records start from 2015, and because when the site was particularly busy Dorset County Council employed a second security guard (the council does not have records of the dates when a second security guard was employed). [↑](#footnote-ref-3)
4. The council’s Gypsy and Traveller Liaison Officer has suggested that the level of use has fluctuated in part because of Police use of powers in sections 61-62 of the Criminal Justice and Public Order Act 1994 (see footnote 6 for further details on Police Powers). [↑](#footnote-ref-4)
5. Section 61 of the Criminal Justice and Public Order Act 1994 gives the Police power to direct people to leave land and removed their vehicles where: the Police have taken reasonable steps to ask trespassers, who are present with the purpose of living on the land, to leave the land, and where the persons have i) caused damage/used threatening, abusive or insulting words or behaviour to the occupier, their family or employee or agent, or ii) those persons have between them six or more vehicles on the land. [↑](#footnote-ref-5)