



Boyer
PLANNING

Christchurch and East Dorset Councils
Core Strategy-Local Plan
Examination in Public

MATTERS AND ISSUES 5: STRATEGIC ALLOCATIONS - EAST DORSET

Prepared by Boyer Planning on behalf of Linden Homes Strategic Land
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MATTER 5: VTSW5 NORTH EASTERN VERWOOD

5. Should the housing allocation for 50 dwellings, proposed in an earlier version of the plan, be reinstated?

1. Introduction

- 1.1 This Statement has been prepared by Boyer Planning Limited on behalf of our clients, Linden Homes Strategic Land (Linden), who control land that was proposed for allocation under Policy VTSW5 of the Pre-Submission Core Strategy.
- 1.2 We consider that the Policy VTSW5 allocation should be reinstated. Without the re-introduction of the site, the Core Strategy is unsound as it is not justified or effective.
- 1.3 We are in the process of preparing a Statement of Common Ground with East Dorset District Council and it is hoped that this will be submitted ahead of the hearing session on 11th September. In addition a 'Statement of Facts and Plan Process Regarding VTSW5' is included at Appendix Two.
- 1.4 To demonstrate the deliverability of the site and assist the examination process, an outline application for the residential development of the site has been submitted to East Dorset District Council (Application Reference: 3/13/0480/OUT).

2. Legal Compliance

Certainty of SANG delivery

- 2.1 The process that led to the deletion of allocation VTSW5 is set out in Section 6 of the Statement of Facts and Plan Process Regarding VTSW5 which forms Appendix Two to this statement.
- 2.2 In removing the VTSW5 allocation from the Core Strategy in the November 2012 revised document, the Council set out the reason for its decision as follows:

"The proposal is deleted as the location of the proposed residential ... would be likely to cause harm to Ebblake Bog, which is part of the internationally protected Dorset Heaths. It is uncertain whether the impacts of the development could be mitigated."
- 2.3 Therefore, the Council's decision was based solely on its judgement that the submitted Tyler Grange SANG strategy did not provide certainty.
- 2.4 We consider that the Council's requirement for certainty in this matter was directly contrary to the way in which the planning system should function.
- 2.5 The purpose of the allocation of land within a development plan is to establish that the "principle" of development is acceptable. Development Plan policy may also set out requirements that must be addressed through planning applications in pursuance of the allocation. It cannot, however, be expected that a site allocation can only be included within a Plan if developers can demonstrate certainty in the delivery of its policy requirements at the point of allocation.

- 2.6 This is confirmed by our legal advisors, DAC Beachcroft who have commented on the distinction between the application of requirements at the policy making and application stages (see Appendix Four).
- 2.7 The main purpose of a development plan allocation is to demonstrate that the site is acceptable for development. It is the purpose of a planning application to demonstrate that the proposals for the site are acceptable. It is necessary to go through the planning application stage to show how the policy requirements specified in any site allocation are to be satisfied.
- 2.8 We consider that the Council's actions in requiring certainty in delivery of nature conservation mitigation for site VTSW5 contravene these principles. The approach taken by the Council in deleting the site on this basis was unreasonable and unjustified.

Sustainability Appraisal

- 2.9 The Sustainability Report for the Core Strategy Pre-Submission (April 2012) considered the proposed allocation of site VTSW5 and concluded positively as follows:
- "The Core Strategy aims to deliver a supply of houses to address local needs and demands. This policy supports the Objective by delivering 50 homes on a site close to the town centre. Due to its location and the mitigation policies in place, the site scores positively in this assessment."*
- 2.10 The updated Sustainability Report on the Schedule of Proposed Changes (November 2012) simply repeats this statement (page 173) and is therefore at odds with the deletion of the site through these changes.
- 2.11 With regard to the potential pollution risk to Ebblake Stream, the SA Report states that Policies ME4 and ME5 will mitigate against this issue. It therefore considers that this matter can be addressed through the detailed design of drainage proposals for the site and is not an in-principle impediment to its development.

Legal Requirements of Development Plan Procedure

- 2.12 In relation to the VTSW5 site the Councils "Analysis of Responses" (February 2013) states:
- "...the site could not be delivered with a SANG at the time of the consultation, and the agents have been actively seeking a solution to this with Natural England. The Inspector will determine whether this site is acceptable and will be required to meet the housing target, as with any others promoted by other planning agents during the Public Examination."*
- 2.13 This is the sole extent of the Council's response to the detailed representations, and appendices, submitted on behalf of Linden to comprehensively address the reasons for the deletion of site VTSW5.
- 2.14 The requirements under Section 20 of the Planning and Compensation Act 2004 to submit to the Secretary of State various supporting documentation dealing with the representations received on the draft Core Strategy are set out at Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council have confirmed that Linden are a Regulation 18 consultee and as such the procedure for dealing with such comments is as set out in Regulation 22(1)(c)(I) to (IV). We do not believe that the Councils analysis meets these requirements. Our concerns are that:

- The analysis does not accurately summarise the main issues set out in our representations and makes no mention of the extent to which our clients have addressed the reasons for the site's de-allocation including the comprehensive mitigation strategy, endorsed by Natural England (NE) and the Forestry Commission (FC).
 - The analysis does not state how those representations have been taken into account. Merely stating that the response will be before the Inspector is not, in our view, sufficient. Regulation 22(1)(c)(iv) requires the Council to set out how Regulation 18 consultee representations have been taken into account. The brief officer comment on our representations, along with the introductory remark that no changes will be made, leaving any issues to the Inspector, cannot meet the requirement.
- 2.15 The approach taken by the Council is unsound. As a minimum, the analysis of responses should have provided a positive statement of the Council's intent to re-allocate the site and the reasons for that course of action. Indeed, we had expected this, given the content of an e-mail from Richard Henshaw of 14 January 2013 (see Statement of Facts and Plan Process – Appendix 2).
- 2.16 Apart from the legal points we have set out above, our clients feel aggrieved by the Council's actions in this matter. Our commitment and considerable efforts to resolve the Council's objections on nature conservation grounds have been largely ignored and this seems vexatious and unjust.

3. *Purpose of the Allocation*

Meeting Housing Requirements

- 3.1 Our detailed comments on the Councils' proposed housing target is set out in our statement on Matters and Issues 1 – Overall Strategy. This establishes, on the basis of the Council's own evidence base, that the Plan's housing target should be increased by between 300 and 600 dwellings.
- 3.2 In the light of this assessment of housing requirements, the Council's suggestion that Site VTSW5 is not needed is untenable and it is clear that the re-allocation of the site would serve a clear planning purpose in addressing the housing needs of the Plan area. Furthermore, the additional need for affordable housing is an important part of the justification for all the new neighbourhoods and does not appear to have been taken into account in the Council's judgement that the site is not needed.
- 3.3 If the Inspector was minded to recommend the retention of the Plan's current housing target, the re-allocation of the site would still serve a clear planning purpose. The deletion of site VTSW5 and other proposed changes, resulted in the Plan falling below the 10% flexibility allowance intended by the Council and necessary to ensure the Plan is able to respond to changing circumstances as required by the NPPF.
- 3.4 The reinstatement of allocation VTSW5 would ensure that this 10% flexibility allowance could be achieved.

Meeting the Objectives for Verwood

- 3.5 The submission Core Strategy promotes Verwood as a key settlement with clear proposals for sustainable development. It is our view that the re-instatement of the VTSW5 allocation is essential to help achieve these objectives.

- 3.6 From a review of the Pre-Submission Core Strategy it is clear that:
- The Plan is actively promoting dynamic change and improved facilities in Verwood to enhance its position as a key settlement with additional housing being a key part of this strategy.
 - The Council had undertaken the work necessary to conclude that two areas (i.e. including allocation VTSW5) could deliver the necessary new homes.
- 3.7 The deletion of site VTSW5 reduces housing provision at the settlement and therefore impacts on this strategy and is an important consideration in determining whether the Plan is “effective” and deliverable in its approach to Verwood as a key settlement.
- 3.8 The Council’s states in document SD10 that *“the Inspector will determine whether the site is acceptable and will be required to meet the housing target, as with any others promoted by other planning agents during the Public Examination”*. This treats the allocation of site VTSW5 purely in terms of what is required to meet the housing target, ignoring its role in achieving other objectives, most notably the Council’s own strategy for Verwood.
- 3.9 To ignore the role of site VTSW5 in relation to the Plan’s stated objectives for Verwood places a question mark as to whether the Plan process is “effective”.
- 3.10 It is important to note that the Council now proposes only one site for a new neighbourhood within Verwood. The Council has not considered if a single new neighbourhood is sufficient to achieve the Plan’s objectives for Verwood.
- 3.11 The reduction in delivery of housing at Verwood, due to the deletion of site VTSW5, is compounded by the fact that, due to the proximity of Verwood town centre to the SPA, less residential development than previously anticipated for this location will be achievable. The schedule of Proposed Changes therefore removed reference to residential development in the town centre. Again, this matter has not been recognised or addressed.

Consistency with the Plan Evidence Base

- 3.12 It is important to recognise that the Plan’s strategy for Verwood, and the Council’s decision to allocate site VTSW5 as part of that strategy, was the product of detailed evidence base studies. This introduces a further major concern with regard to the soundness of the Plan against the “justified” test. We consider that the omission of the site is fundamentally inconsistent with the Plan’s evidence base.
- 3.13 The Core Strategy Area Profile for Verwood (published October 2010), prepared for the ‘Options for Consideration’ consultation, states the following:
- “The settlement of Verwood will require additional development to support the range of existing facilities in the town and there are difficulties meeting this need solely within the existing built up area due to the proximity of the protected Dorset Heaths with their 400m exclusion zone for housing.”*
- 3.14 The Area Profile also identifies the following strategic issues which are relevant to housing in Verwood:
- “unmet local need can be partially accommodated by rolling back relatively small areas of the Green Belt in sustainable locations to allow for residential development.”*

- 3.15 The Verwood and West Moors Background Paper (April 2012) states the following in relation to this site:

“The site has been considered in the past and was not required at the time of the last Local Plan Inquiry. It is now appropriate to reconsider it as a strategic allocation as revisions to the Green Belt boundary are being considered.”

- 3.16 We have demonstrated in the previous sub section that the Council has not considered the implications of the deletion of site VTSW5 for the achievement of its objectives for Verwood and that there is every reason to conclude that the site is needed to achieve these objectives. The Council has also failed to consider the consistency of its decision to delete the VTSW5 allocation with the evidence on which the Plan was based. In our view, the allocation of site VTSW5 is required and justified by that evidence base.

Ensuring the most sustainable choice of site

- 3.17 It is a clear requirement of the Plan making process to ensure that the plan is justified.
- 3.18 The Council has undertaken a detailed technical process, with the assistance of consultants, to determine the most appropriate sites for development. Reports prepared by consultants, Broadway Malyan were an important part of the site selection process and are fully documented in the Statement at Appendix Two. This process led to the allocation of site VTSW5.
- 3.19 We have documented (Appendix Two) that the Council made the formal decision to delete the VTSW5 allocation only a few days after announcing the change to nature conservation mitigation requirements that were said to be the basis for this decision. The Council therefore allowed itself very little time to consider the wider consequences of this decision and, whether the retained site allocations were the most appropriate against the reasonable alternatives
- 3.20 The Council has now acknowledged that the finalised Tyler Grange mitigation strategy, submitted by Linden, addresses the reasons for the deletion of the site. The logical action to take in these circumstances is to re-instate the site because the Council’s strategy for Verwood, its evidence base and site selection process all support and justify the original site allocation. To leave the decision to re-allocate the site to the Inspector or to suggest that the site is no longer needed is fundamentally inconsistent with the development plan process that led to the allocation in the first place.
- 3.21 Any decision by the Council not to re-instate the VTSW5 allocation, in circumstances when the only reasons for its deletion have been addressed, would require a complete review of the site selection process and evidence base. Furthermore, that review would have to conclude that the site was no longer appropriate against the reasonable alternatives.
- 3.22 The deletion of the site cannot therefore be justified against the Plan’s evidence base, objectives and process. Without the VTSW5 allocation, the Plan clearly fails the “justified” test set out in the NPPF.

4. *Site Capacity*

- 4.1 Under the Pre-Submission Core Strategy requirements, the capacity of the site was restricted to 50 dwellings so that the SANGs mitigation could be in the form of a financial contribution. Given the changed policy requirement there is no justification for artificially restricting the quantity of

development on site and as such we have undertaken capacity assessments to establish the appropriate level of development on the site and have determined this to be 65 dwellings.

5. Overall Conclusions

- 5.1 Site VTSW5 was allocated under the Pre-Submission Core Strategy based on a sound evidence base. Following revised guidance from NE, the Council determined that the site should be de-allocated due to concerns regarding the certainty of delivery of relevant nature conservation mitigation. We consider the Council was incorrect in its application of the revised guidance and as such the decision to de-allocate is unsound and contrary to the evidence base.
- 5.2 Notwithstanding the concerns raised above, Linden prepared a strategy to overcome the stated reason for the de-allocation to the satisfaction of NE and the FC.
- 5.3 Since this time the Council have failed to make a positive statement to support the reintroduction of the site, despite the allocation being founded on a strong evidence base. The Council have now stated that despite the original reason for the site's de-allocation being overcome, the site is not required.
- 5.4 We have demonstrated in this statement that the site serves a clear planning purpose. It is considered that:
 - The reintroduction of the site will help meet the housing requirements for the plan area as a whole and more specifically at Verwood including the need for affordable housing
 - The site will help to achieve the vision for Verwood as established in the Core Strategy which is reliant on the delivery of new housing for its achievement.
 - The Council's site selection procedure is rendered unsound. The Council originally selected the site because it was the most appropriate against the reasonable alternatives. Unless that comparative assessment has changed (and there is no suggestion of this), the site must be re-instated.
 - The omission of the site is inconsistent with an evidence base that demonstrated the need for the site, its purpose in relation to the Plan strategy for Verwood and its suitability and availability for development. The Council has not addressed these issues in deleting the site and the deletion therefore fails the "justified" and "effective" tests.
- 5.5 We consider that the Council's failure to acknowledge the action we have taken to overcome the reasons for the site's deletion or to provide any positive response to our case for re-allocation, is contrary to the presumption in favour of sustainable development as it applies to the development plan process. We also consider that the Council's actions are inconsistent with the third Core Planning Principle set out in paragraph 17 of the NPPF.
- 5.6 As such it is considered that the site's allocation should be reintroduced under Policy VTSW5 for residential development of up to 65 dwellings. Our proposed wording for the policy is set out in Appendix One.

APPENDIX ONE – PROPOSED POLICY WORDING

APPENDIX 1 – PROPOSED AMENDED WORDING FOR POLICY VTSW5

North Eastern Verwood New Neighbourhood

A New Neighbourhood to the north east of Verwood is identified to provide about 65 homes. To enable this, the Green Belt boundary will be amended to exclude the site.

Layout and Design

- *The new neighbourhood will be set out according to the principles of the illustrative masterplan.*

Green Infrastructure

- *A Suitable Alternative Natural Greenspace strategy is to be implemented as part of the provision of the new housing as required by Policy ME2.*

Transport and access

- *Vehicular access is to be provided from Ringwood Road.*
- *Dedicated pedestrian and cycling links are to be provided throughout the housing area and link into the existing networks.*

**APPENDIX TWO – STATEMENT OF FACTS AND PLAN PROCESS
REGARDING VTSW5**

APPENDIX 2 - STATEMENT OF FACTS AND PLAN PROCESS REGARDING VTSW5

1. INTRODUCTION

- 1.1 This Statement) sets out facts about the North Eastern Verwood New Neighbourhood (the VTSW5 site) that was proposed for allocation in the pre-submission version of the Core Strategy. It sets out the background to the site's proposed allocation, including its stated purpose and the evidence on which it was based. It then sets out the sequence of events that led to the removal of the site from the Plan and the dialogue between Linden Homes Strategic Land and the Council concerning the actions necessary to re-instate the allocation. This concentrates on the matters of fact in that process.

2. BACKGROUND TO THE VTSW5 ALLOCATION

- 2.1 Christchurch and East Dorset District Councils held an initial Issues and Options consultation on the Core Strategy between March and May 2008. The discussion paper identified a series of key issues for consideration including the potential for urban extensions. At that stage, the potential locations for urban extensions were based on the draft South West Regional Spatial Strategy.
- 2.2 A consultation on the Core Strategy Options for Consideration was held between October 2010 and January 2011. The consultation document contained a series of potential locations for development, as well as proposing the overall strategy and housing numbers for the Borough and District. The land north of Ringwood Road was not included at that stage.
- 2.3 The site was subsequently included as a proposed allocation for "about 50 homes" in the Core Strategy Pre-Submission under Policy VTSW5 North Eastern Verwood New Neighbourhood as a result of additional technical work carried out by Broadway Malyan on the Council's behalf (see below). The policy required the submission of a development brief.
- 2.4 The Verwood and West Moors Background Paper which forms part of the evidence base for the Core Strategy states in relation to the site:

"This site has been considered in the past and was not required at the time of the last Local Plan Inquiry. It is now appropriate to reconsider it as a strategic housing site allocation as revisions to the Green Belt boundary are being considered. This is a small area well contained in the landscape by surrounding woodland. It offers the potential to provide much needed affordable housing and can do this along with the setting out of a large area of open space. Access would be taken from Ringwood Road. This site should be considered as a New Neighbourhood to the North East of Verwood to provide about 50 homes."

3. PURPOSE OF THE VTSW5 ALLOCATION

Submission Core Strategy Supporting Text

- 3.1 Chapter 4 of the pre-submission Core Strategy sets out the overall vision for the authorities. In terms of the provision of housing the Vision states:

“The unmet housing needs of the area will be reduced, with housing delivered of a type and tenure which meets the aspirations of those wishing to buy or rent. An element of this housing will be in the form of new, well planned, sustainable residential areas in both Christchurch and East Dorset. These will be attractive new areas, including high quality and sustainable homes, areas of open space, new community facilities, and improved transport links to the surrounding area.

Housing will also continue to be delivered from redevelopment within the existing towns, but developments will now better reflect the character and type of housing found in each local area, and will make appropriate contributions to infrastructure. Almost all new housing development will contribute to the provision of affordable housing, creating a step change in delivery of affordable dwellings and a significant reduction in waiting lists.

The Green Belt policy will be kept in place to protect the character of the area, subject to limited alterations of boundaries to enable its extension and elsewhere to allow for some housing and employment growth to help meet the needs of the local communities.”

- 3.2 Chapter 11 (paragraph 11.29) of the pre-submission Core Strategy sets out the principles for the allocation of new neighbourhoods at Verwood which, in summary, are:

- Verwood is the second largest town within East Dorset
- It has a strong base of facilities, services and employment opportunities and there are plans for these to be expanded, particularly schools, convenience shopping and sport, recreation and open space facilities.
- On this basis, it is considered a suitable location for new neighbourhoods
- The Council’s detailed masterplan exercise concludes that two areas can help provide new homes to meet the needs of the local community.

- 3.3 Paragraph 11.34 of the pre-submission Core Strategy refers more specifically to the suitability and purpose of the VTSW5 allocation and states:

“This is a small area well contained in the landscape by surrounding woodland. It offers the potential to provide much needed housing and can do this along with the setting out of a large area of open space. Access is to be taken from Ringwood Road.”

- 3.4 The VTSW5 policy, as detailed in the submission Core Strategy, is included as Appendix 1 to this Statement.

4. PROPOSED CHANGES TO SUBMISSION CORE STRATEGY

- 4.1 The VTSW5 allocation was removed from the Core Strategy in the November 2012 Schedule of Proposed Changes to the Pre-submission document (the November 2012 Proposed Changes)
- 4.2 The principles for the allocation of new neighbourhoods at Verwood are repeated in the November 2012 Proposed Changes but with the change that only a single allocation is proposed.
- 4.3 In addition to the deletion of the site, in the November 2012 Proposed Changes the reference to residential development in the town centre was removed. This was due to most of the town centre being within 400 metres of protected heathland which would preclude residential development within this zone.

5. EVIDENCE BASE IN RELATION TO SITE VTSW5

Sustainability Appraisal

- 5.1 The Sustainability Report for the Pre-Submission Core Strategy (April 2012) incorporates the Sustainability Appraisal, Equalities Impact Assessment and Health Impact Assessment. With regard to the development allocated at the Ringwood Road site within Policy VTSW5, it concludes:

“The Core Strategy aims to deliver a supply of houses to address local needs and demands. This policy supports the Objective by delivering 50 homes on a site close to the town centre. Due to its location and the mitigation policies in place, the site scores positively in this assessment.”

- 5.2 The updated Sustainability Report on the Schedule of Proposed Changes (November 2012) repeats this assessment (although the VTSW5 site was proposed to be removed in these changes).

Core Strategy Verwood Area Profile

- 5.3 The Core Strategy Area Profile for Verwood (published October 2010), prepared for the “Options for Consideration” Consultation, states the following with regards to housing in the area:

“The settlement of Verwood will require additional development to support the range of existing facilities in the town and there are difficulties meeting this need solely within the existing built up area due to the proximity of the protected Dorset Heaths with their 400m exclusion zone for housing.”

- 5.4 The Area Profile also identifies the following strategic issues which are relevant to housing in Verwood:

“The evidence in the Dorset Survey of Housing Need and Demand (2008) identifies a significant requirement for new dwellings within the Plan area, and East Dorset in particular, to meet the need for housing that is more affordable to the local population. This need cannot easily be met within the existing urban area without changing the character of these areas, to the possible detriment of the environment of existing residents, and due to the close proximity of the heathlands. This unmet local need can be partially accommodated by rolling back relatively small areas of the Green Belt in sustainable locations to allow for residential development.”

Broadway Malyan Reports

- 5.5 In light of the comments received on the Core Strategy “Options for Consideration” consultation, the Council instructed Broadway Malyan to produce a supplement to their Stage 1 report, entitled “*East Dorset New Neighbourhoods Stage 1 Baseline Report – Additional Sites*” dated January 2012 (the additional sites report), which assessed two additional sites in Verwood (the Ringwood Road site and a site at Longham) promoted during the course of the consultation.

- 5.6 With regard to the principle of development at Ringwood Road, the additional sites report describes the site as having no landscape constraints and summarises that there are:

- no identified ecological designations within the site;
- no identified archaeological designations within the site;
- no flooding issues;
- no abnormal infrastructure costs.

- 5.7 The additional sites report concluded that only the site at Ringwood Road in Verwood should be considered further. The key issue which led to the decision not to proceed with the site at Longham was that it “*would contribute to an unacceptable loss of the gap and help towards the creation of coalescence between the two settlements.*” In contrast the report concluded that “there are no landscape constraints to the principle of development” at the site at Ringwood Road, Verwood.

- 5.8 The Stage 2 report, also by Broadway Malyan (published January 2012), builds on the findings of the Stage 1 Reports and provides detailed masterplans for the sites previously identified, to help demonstrate the type of developments that the Council should be seeking. The site at land off Ringwood Road is therefore included as one of the identified housing sites within Verwood and the masterplan proposes that 1.98ha of the site could be used for residential development with 1.54ha of open space. The character and density summary for the site suggests a density of 20-30 dwellings per hectare (with 50 dwellings giving a density of approximately 25dph). This was used to inform the allocation of the site in the Pre-Submission version of the Core Strategy under Policy VTSW5.
- 5.9 The final Broadway Malyan report took the planning and design of the new neighbourhoods (including the VTSW5 site) a stage further by examining overall guiding urban design principles, taken from best practice, which should be applied to the schemes. It examined each location by firstly looking at key design concepts and then moving onto a concept masterplan. Further illustrations show wider area masterplans, where relevant, illustrating how the development fits into the overall town and surrounding countryside. Character area information was also provided.
- 5.10 The final Broadway Malyan report examined the proposed land use, urban form, access and movement, open space, green links, landscape and vegetation of the VTSW5 site.

Strategic Housing Land Availability Assessment

- 5.11 The VTSW5 site at Ringwood Road, Verwood, is identified in the East Dorset 2008 SHLAA (published March 2009) as having the potential to accommodate approximately 62 units. It was classified as a physically developable site within the Green Belt, but was considered unacceptable at the time in context of the adopted Green Belt policy.
- 5.12 The site (SHLAA reference 3/22/0010) is also identified in the East Dorset 2011 SHLAA (published February 2012), updated from the 2008 version, as having the potential to provide 50 dwellings, with reference made to Pre-Submission Core Strategy Policy VTSW5.

Local Plan Inspector's Report

- 5.13 The East Dorset District Local was adopted on 11th January 2002. The Inspector's Report on the Local Plan is dated October 2000. In considering the merits of the land north of Ringwood Road the Inspector stated:

"The objection site is very well contained by existing housing and woodland. It was designated as green belt in the recently adopted Verwood Local Plan. Bearing in mind my conclusions in respect of housing land supply I consider there is no need for the identification of further housing sites. I accept that this area of the town has seen a great deal of new development in the past few years, but the evidence weighs strongly against the release of further sites from the green belt.

I accept that the woodland edge would make an excellent, defensible boundary for the green belt, if it had to be moved. That said, the existing boundary is also well defined and defensible. I can understand the logic of taking this field out of the green belt. The purpose of designating it as green belt is relatively limited, given its isolated nature, well divorced from the open countryside. Views out from the site to the surrounding countryside are non-existent. The woodland would make a very good new edge to the town here.

That said, I do not consider that at the present time there are exceptional circumstances to justify its removal from the green belt. Certainly, there is no reason to allocate it for housing. It may be that, at a future date, there is a need to consider some modest expansion of the town. In that case I have no doubt that this site would be one of those that would warrant further consideration."

- 5.14 In its assessment of the Policy Background to the VTSW5 site and the existing adopted Local Plan, the Broadway Malyan Report (BM report) stated, in paragraph 3.1.1, that the site lies within the

Green Belt and is outside the current settlement boundary for Verwood. Paragraph 3.1.1 also referred to the Inspector's comments on the site in his report prior to the adoption of the Local plan as follows:

"Prior to the adoption of the Local Plan, the planning inspector had positive comments on the site. He stated that the woodland to the north of the site would make a good defensible boundary for the Green Belt and edge to the town"

6. PROCESS LEADING TO THE REMOVAL OF ALLOCATION VTSW5

- 6.1 The Councils held the pre-submission consultation on the Joint Core Strategy between April and June 2012. Due to the proximity of the site to the Dorset Heathland Special Protection Area (SPA), the development was required to have a Suitable Accessible Natural Greenspace (SANG) strategy. Policy ME2 regarding SANG provision (incorrectly referred to as Policy ME3 in Policy VTSW5) was therefore applicable due to the size of development. Policy ME2 provided for contributions to be made to SANG provision off site (in contrast to Policy ME3 which sought direct provision of SANG as an element of developments of over 50 dwellings).
- 6.2 A meeting was held with Natural England and East Dorset District Council to discuss the SANG strategy for the site on 17th October 2012. At the meeting the East Dorset District Council officer stated that following the consultation and the publication of the Purbeck Core Strategy Inspector's Report Natural England has revised its representations. As a result the allocation of the VTSW5 site was proposed to be deleted through the Schedule of Proposed Changes due to concerns regarding the ability to secure mitigation for the impact of the development on the Dorset Heathland SPA.
- 6.3 A further meeting was held with East Dorset District Council on 22nd October 2012 to discuss a potential planning application for the development of the site. The Council stated that the reasons behind the proposed deallocation were:

"It was clarified that a financial contribution was no longer acceptable to Natural England, and reference was made to the fundamental change in policy following the Purbeck Inspector's Report. A SANG must be provided and laid out to the very strict guidelines recommended by Natural England. Additionally, a drainage regime must be agreed and implemented to prevent harm to Ebblake Bog."

- 6.4 In relation to the proposed deallocation of the site, the Council's minutes state:

"Richard Ayre (Linden Homes) asked that if the SANG could be agreed before the Proposed Changes consultation, would the allocation remain in the Core Strategy? Richard Henshaw (East Dorset District Council) confirmed that if the deliverability of a SANG could be demonstrated before the Proposed Changes document had to be signed off, the site would not be deleted, although we may still amend the policy in relation to layout, as a result of tree issues, and access arrangements."

Mike Newton (Boyer Planning) requested the consultation should be deferred until the SANG had been agreed."

Richard Henshaw (East Dorset District Council) advised this simply was not possible, as the consultation dates had been set, publicity and documents produced, and the political will was for move on. In addition, this is a small site allocation, and the Council is confident the housing targets can be met with the remaining sites allocated."

Frances Pickering (Linden Homes) asked what would be required for Natural England to be in agreement. How detailed would the submission need to be, would an email confirmation be adequate? Was there a window of opportunity available?

Richard Henshaw (East Dorset District Council) stated that the Council would need confirmation from Natural England that there was confidence the mitigation could be delivered.

Richard Henshaw (East Dorset District Council) agreed a time limit of 10 days until close of business on 31st October, when the documents would be sent to be printed."

- 6.5 On 29th October 2012, Boyer Planning, on behalf of Linden Homes Strategic Land, submitted a strategy document that had been agreed by Linden Homes, Natural England and the Forestry Commission which sets out a framework for the provision of SANG to meet the requirements of the proposed modifications to the Core Strategy that will require all sites outside settlement boundaries to provide their own SANG. The strategy document included a joint statement by Linden Homes and the Forestry Commission as follows:

"Linden Homes has agreed in principle with the Forestry Commission that this strategy document, together with a negotiated commercial financial contribution, will form the basis for the delivery and maintenance of the SANG provision associated with a future planning application of in the region of 50 homes. The financial contribution will be agreed during the planning application process and will be secured by means of a legal agreement with the Forestry Commission and conditions associated with the planning permission. Therefore, the Forestry Commission is willing to commence negotiations on the use of the SANG for the allocation of the site through the East Dorset Core Strategy."

- 6.6 The Councils published the Schedule of Proposed Changes to the Core Strategy Pre-Submission document on 5th November 2012 for consultation until 21st December 2012. The Proposed Changes included the deletion of site VTSW5:

- 6.7 The Council expressed the reason for its decision in the Schedule of Proposed Changes as follows:

"The proposal is deleted as the location of the proposed residentialwould be likely to cause harm to Ebblake Bog, which is part of the internationally protected Dorset Heaths. It is uncertain whether the impacts of the development could be mitigated"

- 6.8 Boyer Planning on behalf of Linden Homes Strategic Land submitted representations to the consultation dated December 2012. The SANG strategy document was provided as an appendix to the representations and included details of the surface water drainage solution in relation to potential impacts on Ebblake Bog. The representation also proposed that the allocation be amended from 50 to 65 dwellings.

- 6.9 By email dated 14th January 2013, Richard Henshaw of East Dorset District Council stated:

"I can confirm that the Core Strategy will be put to the separate Councils on the 25th and 26th February with a recommendation that the document is submitted to the SoS. There will be no further recommendations for further changes. If Nick Squirrell agrees that you can provide the necessary mitigation this will be passed to the planning inspector and we will confirm that this overcomes the reason why the site was deleted as part of the Proposed Changes. The site could therefore be re-introduced into the plan as part of a pre-examination modification on the suggestion of the planning inspector. I will need advice from Nick Squirrell as to whether the site has capacity for more than 50 dwellings in the context of the mitigation that you are seeking to provide. Other constraints on capacity could relate to trees and highway capacity, but this will need confirmation from relevant officers."

- 6.10 Following the email from Richard Henshaw an updated SANG strategy to address the potential delivery of 65 units was submitted to the Council on 12th February 2013. The SANG strategy was again agreed in principle by the Forestry Commission and Natural England.
- 6.11 A further meeting was held with the Council on 14th February 2013. At that meeting Richard Henshaw indicated that if the Inspector believes there are a lot of issues to address, the Councils are willing to make pre-hearing modifications, but not if there are only one or two issues. Richard Henshaw confirmed that the Councils will be seeking advice as to the best way forward in the initial discussions with the Inspector. Richard Henshaw thought that modifications to the Core Strategy were almost certain to be necessary but could not say if these would be pre or post examination (or both).
- 6.12 At this 14 February meeting Mike Newton of Boyer Planning raised concerns that the Council's positive comments towards the possible reinstatement of the site as an allocation should be made more formally. In response Richard Henshaw confirmed that the Councils would be producing a position paper on housing and suggested that details of the Councils' current position are included within that. Richard Henshaw confirmed that the Council are prepared to view the site positively.
- 6.13 The Joint Core Strategy was submitted to the Planning Inspectorate on 14th March 2013. The submission included a document entitled 'Analysis of Responses Core Strategy Pre-Submission Consultation April – June 2012' dated November 2012 (SD10). The analysis in relation to site VTSW5 stated:
- "... the site could not be delivered with a SANG at the time of the consultation, and the agents have been actively seeking a solution to this with Natural England. The Inspector will determine whether this site is acceptable and will be required to meet the housing target, as with any others promoted by other planning agents during the Public Examination."*
- 6.14 Formal confirmation of the acceptability of the SANG strategy was received from Natural England by letter dated 20th March 2013:
- "I am writing to confirm that Natural England is able to advise you and East Dorset District Council that the ... SANG proposal, Land at north East Verwood (Feb 2013) ... provides sufficient detail to provide the basis on which a future planning application could come forward and demonstrate no likely significant effect in relation to considerations under the Habitat Regulations 2010. At this stage in the planning process Natural England can therefore advise you that we would make no objection to a proposal, supported by the document, coming forward as an allocation in the Christchurch and East Dorset Core Strategy.*
- The document outlines a clear package of mitigation and enhancement measures which, with the agreement of the Forestry Commission, can be shown to be deliverable and effective as is required under the Regulations."*
- 6.15 Similarly, the Forestry Commission stated in its letter of 18th March 2013:
- "The Forestry Commission have studied the proposals and consider that the options put forward in SANG Proposal can be delivered on our Freehold Land within Ringwood Forest."*
- 6.16 Boyer Planning, on behalf of Linden Homes Strategic Land, submitted a letter dated 21st March 2013 to East District Council which was copied to the Inspector. The letter raised concerns that the Analysis did not include a clear and positive statement of the Council's intention to re-allocate the site. The letter requested that the Council submitted a position statement to the Inspector as an addendum to the submission document establishing that the site can and should be re-allocated.
- 6.17 The draft Development Brief for the site was submitted to the Council on 22nd March 2013 for review ahead of the pre-application meeting to be held on 26th March 2013. The Council provided feedback on the contents of the Development Brief at the pre-application meeting.

- 6.18 A further pre-application meeting was held with the Council on 2nd May 2013. Gareth Kitching (East Dorset District Council) provided further feedback on the Brief and Mike Newton (Boyer Planning) advised that Richard Henshaw (East Dorset District Council) had agreed that the Development Brief would form part of the pre-application process rather than seeking formal approval.
- 6.19 An application for the residential development was submitted on 28th May 2013 and was given the reference number 3/13/0480/OUT. The application following receipt of a screening opinion dated 3rd April 2013 and included the Development Brief as a supporting document.
- 6.20 Boyer Planning submitted a further letter dated 26th June 2013 to Judith Plumley outlining the process to date in relation to the site and requesting a meeting to discuss the position. Judith Plumley agreed to schedule a meeting for 24th July 2013. On the 23rd July Judith Plumley emailed Mike Newton of Boyer Planning stating:
- "I was not aware when we last spoke that you had, or were about to, submit a planning application on the site in NE Verwood. As I said on the phone, I was prepared to meet you to hear your position but my position would be that the Council is satisfied that we have provided sites for sufficient housing to meet the requirements of the Core Strategy without your site. Should you wish to argue otherwise, you would need to do so through the Examination in Public.*
- I now understand that you have submitted an application and are in discussion with my Development Management colleagues.*
- I have had a clear instruction from the Chief Executive and Lead Members that our position on the Core Strategy should remain the same as previously discussed; I can therefore see little point in our meeting tomorrow. Indeed it could even be considered inappropriate in the light of the application now submitted as I would not wish to confuse the application discussions.*
- I suggest, therefore, that we do not meet tomorrow as planned and that you continue in your discussions with the Development Management team. Issues of policy can then be debated in full at the EiP and you will be aware that the Inspector has raised the question of this site in her list of Matters and Issues."*
- 6.21 As a result of telephone correspondence following receipt of the email it was agreed that the meeting on 24th July 2013 would proceed. The key points from the meeting are summarised below:
- Officer's primary concern was not to make any statement that suggested the Plan was unsound in its submitted form. Their position on our site reflected this
 - Officers maintained that the Plan, as submitted, met the Council's housing requirement and the Inspector would have to conclude that additional sites were necessary before the Council would accept the reallocation of site VTSW5
 - Officers acknowledged that the site was, in technical terms, free from constraints and capable of allocation but it was for the Inspector to decide if it should be included in the Plan
 - However, officers agreed to re-consider the draft position statement we had put to them and decide what they could agree by way of a statement of common ground (SOCG)
 - More specifically, officers agreed to consider a form of words for a SOCG. This would set out the chronology of events since last October and provide an objective and technical assessment of the site
 - Richard Henshaw agreed to consider what form this could take and get back to us.
- 6.22 On 29th July 2013 Richard Henshaw phoned Mike Newton to advise that the Council had decided not to enter into a SOCG about site VTSW5.
- 6.23 The Pre-Hearing Meeting for the Examination in Public was held on 30th July 2013. The minutes of the meeting record that:

“The suggestion that a Statement of Common Ground could be prepared in relation to deleted site VTSW5 (Matter 5) was welcomed by the Inspector.”

APPENDIX THREE – SANG STRATEGY



20 February 2013

Land at North East
Verwood, East Dorset

Suitable Accessible Natural
Greenspace (SANG)
Proposal – February 2013

Report Number: 1522_R05i_JSA_JTF

Author: Julian Arthur

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Plan

SANG and Habitat Mitigation / Enhancement Proposals
(1522/P13 February 2013 JSA/JTF)

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Summary

- S1. A SANG strategy has been agreed with Natural England to address potential adverse effects to the Dorset Heathlands Special Protection Area (SPA) as a result of proposed development at Land North East of Verwood.
- S2. The strategy relies upon the enhancement and diversification of habitats to encourage public access and enjoyment of conifer forestry/woodland owned by the Forestry Commission within the adjacent Ringwood Forest. The Forestry Commission and the developer have agreed the strategy and the principles of a mechanism to secure its delivery. Natural England has confirmed that this provides confidence that the SANG strategy will be implemented and mitigation secured to the standards required by the Habitats Regulations.
- S3. East Dorset District Council has confirmed that this SANG strategy addresses the reason for the site's removal from the Core Strategy Pre-Submission Response Analysis (November 2012) and there is no reason for it not to be reinstated.
- S4. The strategy is to provide a number of enhancing features and can be summarised as follows:
- To attract dog walkers away from the Dorset Heathlands SPA, a variety of attractive, waymarked circular walks of up to 2,350m linked to the development site would be provided, with leaflets informing new residents of their presence;
 - The existing plantation woodland containing the SANG would be made more diverse and hence attractive to dog-walkers than elsewhere by creating open glades supporting heathland vegetation, and through the restoration of 13ha mire habitats that will make the area wetter;
 - Paths and surrounding habitats would be maintained, as required;
 - To seek to avoid adverse effects to sensitive habitats in Ringwood Forest, signage would state the need to pick up dog litter, and open space in the development site will include dog litter bins and a pond for dogs to use; and
 - The SANG features would be secured in perpetuity.
- S5. Ringwood Forest is of inherent ecological value, supporting populations of birds that are found in the SPA, as well as strictly protected reptile species. In order to address potential adverse effects associated with increased use of the forest, 1.5ha of dry heath habitat would be created through plantation felling and management, and mire habitat will be restored. As well as mitigating potential adverse effects, this will deliver significant benefits as a result of development, creating UK BAP priority habitats.
- S6. Impacts to wetland habitats at Ebblake Bog Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) and Ramsar site will be avoided by adopting drainage design as described in this report, in combination with the proposals to restore the mire habitats upstream which will further ameliorate flows.



Section 1: Introduction

- 1.1. This report describes a Suitable Accessible Natural Greenspace (SANG) proposal in respect of future development at Land at North East Verwood, East Dorset and a strategy for avoidance of impacts to the Dorset Heathland Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Special Area of Conservation (SAC).
- 1.2. In addition, it sets out how impacts to wetland habitats at Ebblake Bog SSSI and SAC and Ramsar site can be avoided.
- 1.3. The site is centred on National Grid Reference SU 107 080.

Planning Background and the Need for SANG

- 1.4. The site was identified for residential development in the Core Strategy (CS) Pre-Submission March 2012 under policy VTSW5.
- 1.5. At a meeting on 16th October 2012 with Nick Squirrell of NE and East Dorset District Council (EDDC), it was confirmed that the Core Strategy Pre-Submission March 2012 would be modified such that all sites outside of settlement boundaries would be required to provide their own SANG to address potential adverse effects upon the Dorset Heathland Special Protection Area (SPA) (see meeting note in **Appendix 1**). Policies ME2 and ME3 have been modified such that it is no longer possible for proposed developments of 50 units or less (as is the case here) to make financial contributions towards creation of SANGs which were to be identified by the Council through the emerging Dorset Heathland DPD.
- 1.6. A SANG proposal, which involved use of FC land, was prepared and submitted before the 31st October CS deadline (Tyler Grange report ref. 1522_R05b). The proposal was devised in consultation with NE and FC. However, based on advice from Natural England, the site was removed from the CS Pre-Submission Response Analysis (November 2012) for the following reason:

“The proposal is deleted as the location of the proposed residential as the proposal would be likely to cause harm to Ebblake Bog, which is part of the internationally protected Dorset Heaths [Ebblake Bog being the nearest component part of the Dorset Heathlands SSSI, SPA and SAC to the site]. It is uncertain whether the impacts of the development could be mitigated.”
- 1.7. This strategy updates a previous one prepared in advance of the CS Pre-Submission Response Analysis (November 2012). It has been devised in consultation with Natural England (NE) and the Forestry Commission (FC) (refer to meeting notes in **Appendices 1** and **2**) to provide NE and EDDC with sufficient information to address their concerns so that the site can be reinstated in the CS. It reflects the requirements of new policy in the Core Strategy Pre-Submission Response Analysis (November 2012), and specifically ME2 ‘Protection of the Dorset Heathlands’ (which replaces ME2 and ME3). Detailed guidelines for SANG provision are set out in Appendix 5 of that document; these reflect design standards set out in the Dorset Heathlands Planning Framework 2012-2014 Supplementary Planning Document (the ‘SPD’)(September 2012) and the Dorset Heathlands Development Plan Document Preferred Options Consultation (February 2013).



Section 2: SANG Proposal

SANG Location

- 2.1. The site is not large enough to accommodate on-site SANG provision (size as specified in the SPD), though the open space within it can be designed to contribute to a wider SANG provision.
- 2.2. The site is adjacent to Ringwood Forest, that part closest to the site being either owned by the FC, or leased by them from the Somerly Estate.
- 2.3. Whilst much of it has no permissive rights of access (Jane Smith, FC *pers. comm.*) the forest already has a SANG function, being used for recreation, it being accessed close to the site via public footpaths and a small public car park to the south east of the site (see **Plan 1522/P13**). **Appendix 3** illustrates the findings of an FC GPS survey of users of the forest close to the site¹.
- 2.4. The FC owns the freehold for 44.8 ha of land adjacent and to the north of the site. This is also 'Open Access Land', as defined in the Countryside and Rights of Way Act 2000 (see **Plan 1522/P13**). The land owned by the FC is sufficiently large to accommodate SANG.
- 2.5. NE was of the opinion that the SANG requirement for the proposed development could utilise the forest, which can be modified to improve its SANG function. This is in keeping with Appendix 5 of the CS that states SANGs may be created from *"existing open space that is already accessible but which could be changed in character so that it is more attractive to the specific group of visitors who might otherwise visit the Dorset Heathlands"*.
- 2.6. However, Ringwood Forest is of inherent ecological value, supporting populations of birds that are found in the SPA, as well as heavily protected reptile species (as confirmed by data in the public record, together with surveys within 400m of the site undertaken by Tyler Grange in 2012). As required by Appendix 5 of the CS, the impact on its nature conservation value *"should be assessed and considered alongside relevant policy in the local plan"*. Consequently, this SANG strategy also addresses potential effects resulting from increased disturbance by people and their pets.

SANG Design

- 2.7. The CS states that SANG should provide a recreational route of 2.3 to 2.5km. There are a number of existing pathways within the forest. Possible routes that follow existing rides or paths within the FC owned land, with some new paths to ensure a circular route is created, are shown on **Plan 1522/P13**. The two circular route options shown, including a path within the site, are 2,350m and 2,200m in length, respectively, with other combinations possible. They are approximately 415m from the SPA at their closest point.
- 2.8. It is envisaged these would be Permitted Rights of Way that, if required by forestry operations, could be moved within the FC land, provided routes of the required length were retained. Given it is Open Access Land, it would be possible to devise a number of routes of differing lengths within this area.
- 2.9. Walking routes would be opened up by felling of some trees to create wider rides that are more attractive to users, and so that dogs can be exercised off the lead. A bench would also be provided

¹ Note, the plan is based on data from a single day so an absence of a line need not mean a path is not used, though it does provide an indication of patterns of use (Jane Smith, FC *pers. comm.*)



at the SANG's northern extent. Paths would be unsurfaced but usable year round, with 'passageways' constructed over wetter areas.

- 2.10. The CS states the SANG should be wild and attractive to ensure users are attracted to use it, rather than the SPA. Existing plantation woodland will be felled in discrete areas within the SANG route to create open glades supporting heathland vegetation. Mire restoration upstream of the SANG will create wetter habitats than currently exist, to provide additional interest.
- 2.11. Waymarking points will be included to direct users along the defined routes, whilst directing them away from the SPA and other valuable heathland outside of the SPA. Signage would also state the need to pick up dog litter, with leaflets for residents of the proposed new development.
- 2.12. The SANG route will include the open space within the proposed development, which can be designed to provide a footpath within it. Dog litter bins and a pond would be provided specifically for dogs on-site and in a location where they are most likely to be needed (at the start and end of a walk) to minimise disturbance to sensitive habitats within the forest.
- 2.13. NE indicated that, owing to the relatively small size of the development and the fact it is designed to serve the residents of the new housing, no specific parking provision associated with the SANG would be needed.

Mitigation of Ecological Effects of SANG

- 2.14. NE considers that potential adverse effects to ecological resources within Ringwood Forest can be addressed by the Linden Homes funding dry heath and mire habitat restoration aspects in the FC East Dorset Forest Design Plan Design Concept (**Appendix 4**). Proposals include:
 - Dry heath restoration totalling 1.5ha in area. Of this, 0.5ha will be in areas identified in the East Dorset Forest Design Plan Design Concept. The remaining 1 ha will comprise of small glades formed by tree felling to promote heath growth within the SANG in order to create a habitat mosaic of plantation, heath and mire that will be more attractive to new recreational users. Together this would increase the habitat available to ground nesting birds and reptiles, thereby making populations more robust and able to withstand adverse effects in that area most likely to be affected by increased disturbance as a result of development of the site; and
 - Mire restoration totalling 13ha upstream of the SANG, at the headwaters of Ebblake Stream, in areas identified in the East Dorset Forest Design Plan Design Concept. This will restore a UK BAP priority habitat that will also benefit birds and reptiles, as well as a range of other flora and fauna. Restoration will involve engineering works to raise the water level in the area affected. It will also increase the flow of water downstream, making the SANG, which contains Ebblake Stream and tributaries, a more diverse and interesting place to walk.

Timing, Management and Aftercare

- 2.15. In order to mitigate effects to the SPA and upon biodiversity within Ringwood Forest, the SANG and habitat enhancements will be completed in advance of first occupation of the proposed development.
- 2.16. The CS requires that SANG should be provided and managed in perpetuity (defined as 125 years, NE *pers. comm.*). The proposed SANG shown on **Plan 1522/P13** is in the ownership of the FC. Linden Homes has agreed with the FC that this strategy document, together with a negotiated commercial financial contribution, will form the basis for the delivery and maintenance of the SANG provision, associated with a future planning application. The financial contribution and mechanism



for securing any contributions to the FC by Linden will be agreed between both parties during the course of pre-application discussions for the site. Both parties are actively engaged in this process.

- 2.17. As agreed with NE, habitat management works in respect of the heath and mire would be undertaken for a period of 10 years.

Conclusion

- 2.19 In conclusion, this strategy document demonstrates that SANG can be provided on land owned by the FC that meets the requirements of the CS, Dorset Heathland SPD, the Dorset Heathlands Development Plan Document Preferred Options Consultation (February 2013), and East Dorset Forest Design Plan Design Concept. The SANG strategy utilises existing paths and creates new ones within FC land. As the land is freehold owned by the FC, the provision of SANG for the site would be in perpetuity.
- 2.20 NE is satisfied that potential adverse effects upon ecological resources as a result of the SANG strategy can be addressed bringing forward restoration aspects in the existing Forest Design Plan Design Concept, through funding provided by Linden Homes.
- 2.21 East Dorset District Council has confirmed that this SANG strategy addresses the reason for the site's removal from the Core Strategy Pre-Submission Response Analysis (November 2012) and there is no reason for it not to be reinstated.



Section 3: Avoidance of Effects to Ebblake Bog SAC

- 3.1 The issue identified by NE relates to the potential for increased flow in the Ebblake Stream, which follows a course along the eastern boundary of the site, resulting in nutrient rich water overtopping the banks and spilling into the Ebblake Bog SSSI, SAC and SPA downstream. The interest of the bog is dependent on nutrient poor water.
- 3.2 A surface water drainage solution that does not increase flows to Ebblake Stream, and that would not affect the quality of the water in the stream, has been devised by AMA (**Appendix 5**). It involves a combination of SUDS including porous paving and soakaways, designed to address a 1 in 100 year plus 30% storm event. In the event of a storm event that exceeds this then, owing to the site's existing topography, surface water will flow into the open space comprising woodland and restored wetland habitats to the east and north-east, rather than entering the stream.
- 3.3 With the implementation of the drainage solution, impacts to Ebblake Bog SSSI, SAC and SPA as a result of development of the site would be avoided.



Appendix 1: Note of a meeting with Natural England & EDDC (16th October 2012)



Land at Ringwood Road, Verwood

Meeting with EDDC and Natural England at EDDC, 2.30pm 16th October 2012

Purpose: To discuss SANG Requirements

Attendees:	Lynda King	EDDC
	Nick Squirrell	NE
	Frances Pickering	Linden
	Donna Palmer	Boyer
	Julian Arthur	Tyler Grange
	Lauren West	Tyler Grange

1. At the outset, LK stated that owing to concerns regarding deliverability (sustainability of location, drainage, SPA, access, trees, layout, level of objection) the site was not likely to be included in the submission draft Core Strategy, to be published in November for consultation. To meet this timetable, officers will need to complete the drafting of the consultation document by 26th October. The Council currently anticipate submission of the Core Strategy in March 2013. LK indicated that the Core Strategy would now have a single housing target covering both East Dorset and Christchurch Districts. LK stated that the loss of this 50 unit site does not affect EDDC's housing figures.
 2. Issues related to the SPA and Ebblake Bog SAC were discussed.
- SPA**
3. JA noted that, further to a meeting with Richard Henshaw at EDDC, our approach had been based on that set out in draft policy ME2. ME3 was not triggered because the site is not proposed to be of greater than 50 units in size.
 4. It became apparent that, owing to a recent Inspector's report in respect of the EIP for Purbeck, EDDC Core Strategy policies ME2 and ME3 relating to the SPA will be changed, and that this will change the policy mechanism previously relevant to the Verwood site. The approach to SPA mitigation will therefore need to be amended for the site.
 5. Policies ME2 and ME3 will be modified to refer to the Dorset Heathland DPD (yet to be adopted). The current SPD does not include a 50 unit threshold (currently referred to in draft policies ME2 and ME3), and, we were informed that the SANG sites identified in the SPD will not satisfy the SANG need for developments proposed outside of the existing Verwood development boundary. No other suitable SANG sites that could be funded as set out in ME2 have been identified. Consequently, for developments outside the Verwood boundary, financial contributions to create SANGs are not an option – each development site must provide its own SANG.
 6. This means that for all strategic sites, they must either: provide a SANG on site; or they must identify land that could be enhanced as a SANG. LK gave an example of a site south of Verwood alongside the river where an agreement with a 3rd party landowner to provide a SANG had been worked up to the satisfaction of NE. However, there are still issues as to whether this SANG is deliverable.
 7. In the absence of another suitable SANG site, given Ringwood Forest already has a SANG function (it could be improved), NS felt that the best option was to seek to improve the existing SANG function of the forest close to the site, based on principles set out in the SPD.



8. The fact that this is managed by a public body (Forestry Commission) could avoid possible cross boundary (land in New Forest DC) or land ownership (Somerley Estate) issues. The SANG strategy must be secured in perpetuity (the exact duration of this needs to be confirmed; between 80-120 years discussed), though again, the FC lease is likely to be very long-term so may not be an issue.
9. As per the SPD, the SANG would need to:
 - a. Provide a 2.3-2.5km circular dog walking route from the site, extending into the forest. NS felt a permissive right of way would be best, which could be moved in future if necessary;
 - b. Some tree thinning;
 - c. Include a ball throwing/dog exercising area (clearance of trees and levelling need), a bench;
 - d. Dog bin at start/end;
 - e. Wet pond within development site for dogs/children;
 - f. Signs and leaflets for the new residents/users
10. Given the known presence of Annex 1 birds and EPS reptiles, NS also mentioned how habitats should be enhanced to ensure disturbance resulting from SANG creation does not result in impact (Rufford case and risk based approach was raised). The FC Forest Plan has an objective to create open heathland and restore wetland/mire, though they have run out of funds and so some contribution to this and ongoing management could be an option for the Verwood site as part of the surface water drainage strategy for the site. This could be costed through discussion with FC, but would need to be agreed pre planning.
11. A meeting ASAP with FC is needed. NS will provide contact details and can attend to help ensure a solution that would satisfy NE can be agreed.
12. Possible implications of mineral extraction in that part of the forest within Hampshire will need to be explored to ensure no conflict with the possible strategy for the site.
13. LK noted that given 3rd party agreement is required, this issue was not likely to be resolved before the Core Strategy submission.
- Ebblake Bog SAC**
14. The potential issue concerning NS relates to the potential for increased flow in the Ebblake Stream resulting in nutrient rich water overtopping the banks and spilling into the Ebblake Bog downstream. The interest of the bog is dependent on nutrient poor water.
15. It is essential that development of the site does not increase flows in the stream, and this will need to be demonstrated in an engineering solution.
16. NS noted that upstream of the site within Ringwood Forest, there are issues associated with a mire creation project, which has stalled. The intention was to restore this habitat and address water supply issues to the stream at the same time. NS felt the development would present an opportunity to address this by making contributions to FC to enable them to continue with this work.

Appendix 2: Note of a meeting with Forestry Commission, Natural England and EDDC (12th November 2012)



Land at Northeast Verwood
Meeting to discuss SANG provision and biodiversity mitigation and enhancement

Venue: Forestry Commission Offices, Lyndhurst

Date: 9am, 12th November 2012

Attendees

Tom Nicholson	Linden Homes
Frances Pickering	Linden Homes
Mike Newton	Boyer Planning
Nick Squirrell	Natural England
Jane Smith	Forestry Commission (area head of planning and environment)
Iain Skinner	Forestry Commission (area land agent)
Simon Smith	Forestry Commission (recreation and community manager)
Julian Arthur	Tyler Grange
Lynda King	East Dorset District Council

Meeting Notes

1. Planning background and meeting purpose
 - a. JA/MN described requirement for SANG / biodiversity mitigation, and the strategy set out in the Tyler Grange SANG Proposal, 29th October 2012, which was submitted to EDDC in respect of the site's promotion in the Core Strategy (policy VTSW5 allocation).
 - b. The site was dropped from the Core Strategy on Natural England's advice owing to uncertainty at the time of draft Core Strategy submission in delivery of a SANG and biodiversity mitigation on 3rd party (Forestry Commission) land (LK noted that most other developers have acquired land or an option to secure their SANG strategy). NE did note that the site could be promoted at the Core Strategy Examination in Public if delivery details can be agreed, and a statement of common ground prepared between all parties. Linden Homes have sought legal advice and this confirmed that the decision to drop the site was unsound, since there was an in principle agreement with FC. Linden will be pursuing this further, with a view to seeking reinstatement of the site in the Core Strategy
 - c. Notwithstanding this, it is acknowledged that in any event for the site to be developed an agreement between Linden and FC in terms of a mitigation strategy is required that suits both parties and importantly satisfies the requirements of the Habitats Regulations and existing and emerging planning policy. The purpose of the meeting was to discuss the detail of a proposal that would provide the certainty required by NE and EDDC at this stage in the planning process, and mechanisms for securing delivery.
2. Forestry Commission freehold land vs land leased from Somerly Estate
 - a. It was agreed that, given the terms of the FC lease for forestry operations on the Somerly Estate, it would be advantageous for the SANG to be within the FC freehold land, which adjoins the site.
 - b. Biodiversity enhancement work can occur on leasehold land. What is proposed by Linden is in accordance with FC's design concept in their East Dorset Forest Design Plan
3. SANG strategy, capital works and maintenance
 - a. Path routes were agreed, and shown on a plan circulated by FC which broadly followed TG's plan. However, there would be a need for a bridge structure crossing Ebblake Stream on to Somerly Estate land to complete the yellow route (see attached) – this is

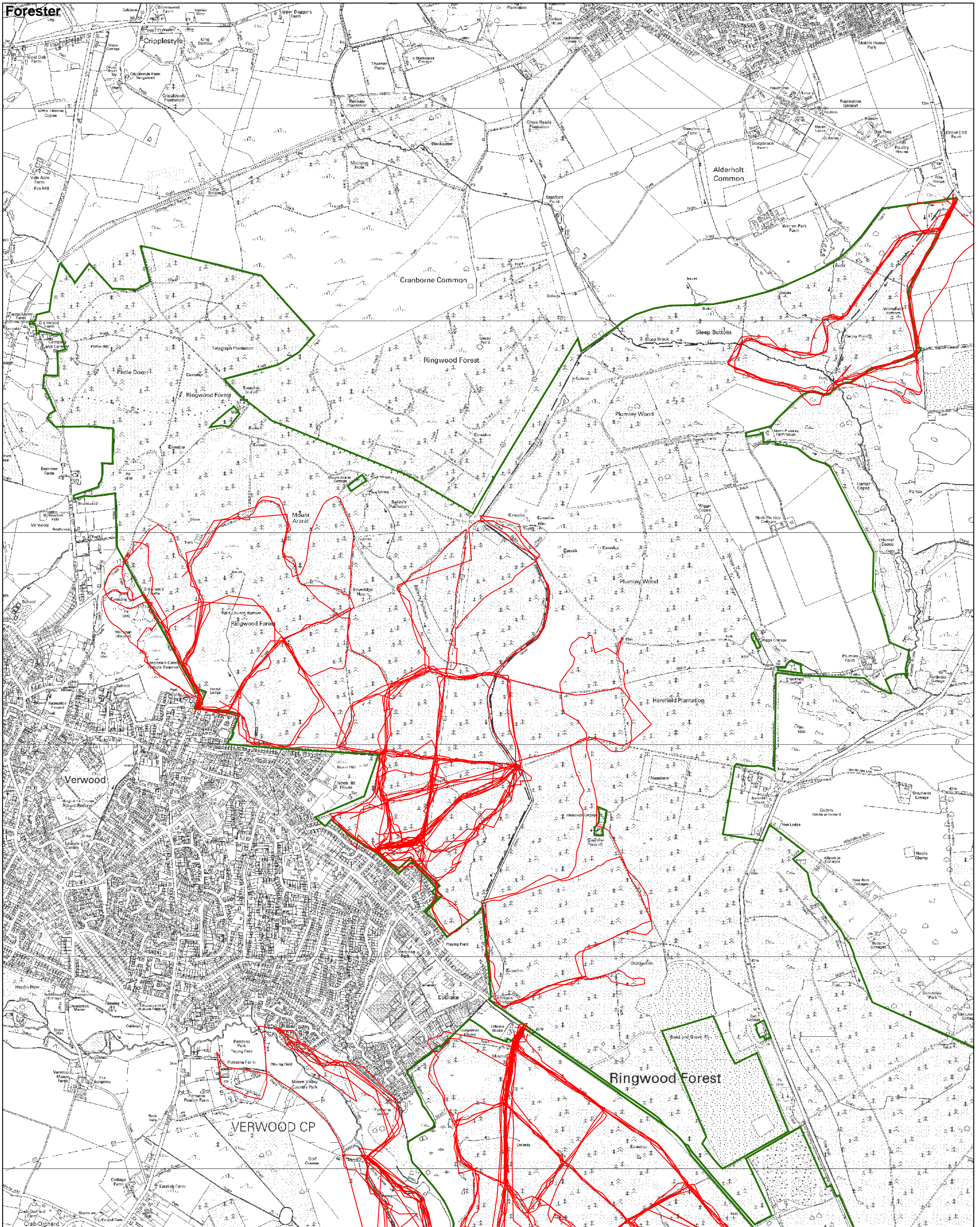
- best avoided. NS considered the path could be a Permitted Right of Way, which could be moved to allow for forestry operations, but a route must be maintained. Moors Valley Country Park was ruled out of the SANG option as a) more difficult to access from site b) it is an SPA in its own right, so do not want to encourage increased use. NS stated that in advance of a planning application an access survey would need to be considered in summer 2013 to provide a baseline for future monitoring of use of Ringwood Forest.
- b. Dog exercising area – the design of this was discussed. There is no need for a formal area, it merely needs to be an area clear of scrub and trees, and relatively flat, to enable dogs to exercise/ball throwing. A location with FC freehold was discussed.
 - c. Signage / interpretation would be required, which FC would design and install
 - d. Timings – must be in place before first occupation
 - e. Maintenance – the SANG must be in place in perpetuity, as required by the SANG SPD. [post meeting note: NS confirmed in perpetuity is 125 years]
 - f. Costings – FC circulated costing for path works, which are to be discussed and agreed by FC/Linden
 - g. Mechanism for securing delivery – likely to be S106 rather than CIL, given timings for planning application
4. Biodiversity enhancement strategy
- a. Dry Heath restoration – NS explained why this was needed to ensure opportunities are increased for heathland birds specifically to offset increased disturbance effects of development (though other species, including European Protected Species of reptile will benefit). Consequently, some work would be needed to the east of the site, to address indirect increased predation/disturbance effects of development. But it need not be of the extent shown on TG's plan. NS would accept some strategic thinning of land along SANG route to create a woodland/heathland mosaic, and variety for SANG users. Certainty in respect of the design and means of securing this with FC was needed at this stage in planning.
 - b. Mire restoration – it was agreed that it would be best for restoration work to occur to the north of FC land. This has been already costed by FC, but not implemented. Given this would not be required to mitigate effects to the SPA (or qualifying birds in Ringwood Forest), certainty in respect of design and delivery would not be needed by NE/EDDC at this stage in the planning process.
 - c. Costings and mechanism for securing delivery – FC provided costings, to be agreed by FC/Linden
5. Ebblake Bog – NS confirmed that the drainage principles had allayed his concerns regarding Ebblake Bog. This was not a reason for the site's exclusion from the Core Strategy
6. Next steps and programme
- a. JA to modify SANG/biodiversity strategy in light of agreed position
 - b. Linden and FC to agree approach and commercial arrangement, and a statement for submission to EDDC to support the site's inclusion in the Core Strategy
7. AOB - none

Appendix 3: Forestry Commission GPS Visitor Survey of Ringwood North



Land at North East Verwood, East Dorset
Suitable Accessible Natural Greenspace (SANG) Proposal

1522_ R05i 20 February 2013 JSA_JTF



Forest District: New Forest
Title: GPS Tracks Dorset
Type of Map Stock
Scale: 1:12,500
Date: April 2010

— GPS Tracks

Management area - - - - -
 Compartment Bdy - - - - -
 Compartment No,
 and Area (ha) - - - - - 2032
 Sub-compartment Bdy - - - - - 32
 Sub-compartment,
 Species & Planting Year - - - - - a SS/DF 56
 FC Road:
 Class A (Main road) - - - - -
 Class B (Spur road) - - - - -
 Class C (Other road) - - - - -
 Transfer Point - - - - -

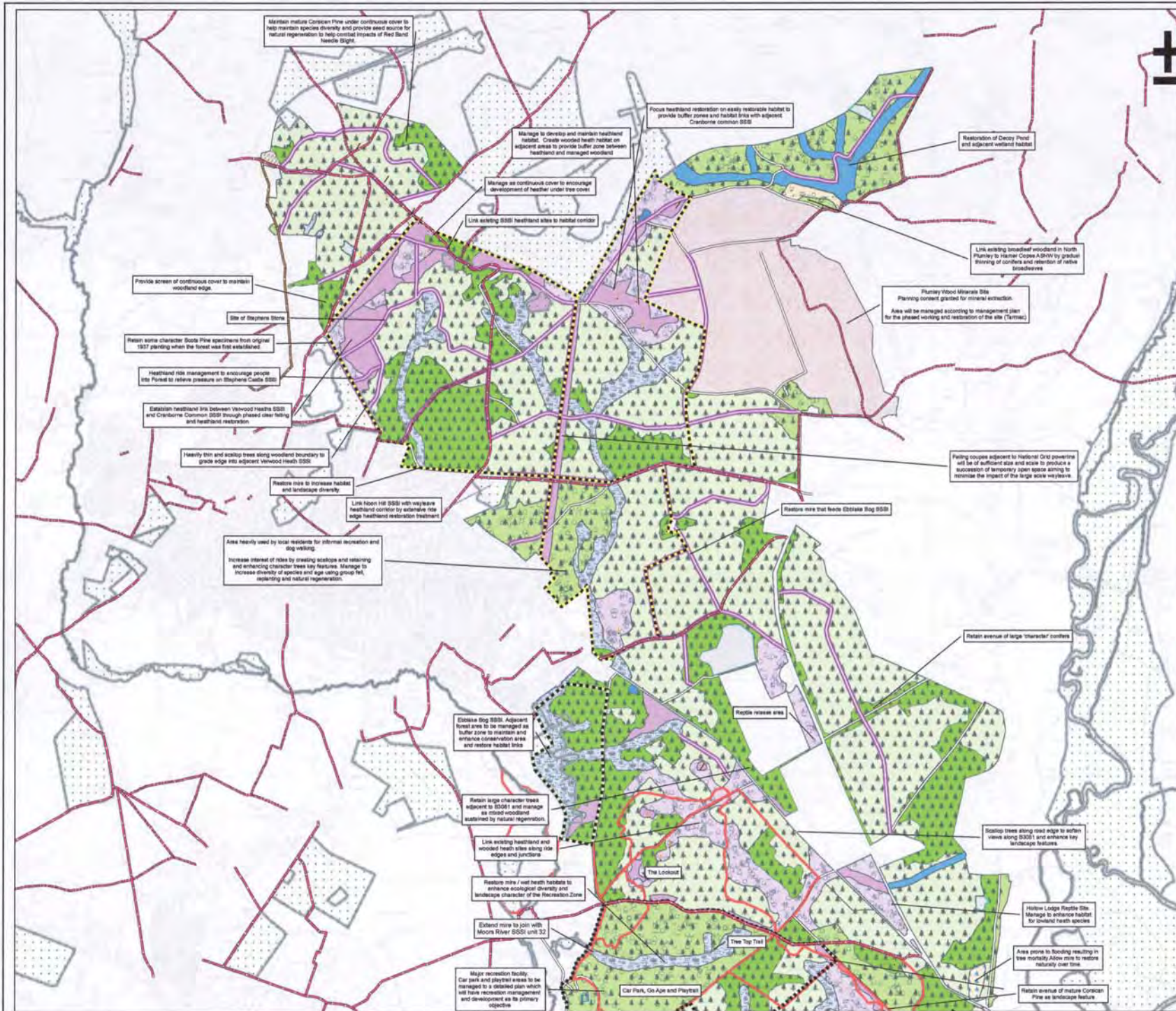
Unclassified - - - - -
 Unassigned - - - - -
 All other values - - - - -
 Rides - - - - -
 O/H Powerline - - - - -
 U/G Powerline - - - - -
 Ancient Monuments - - - - - H J
 (Scheduled/Unscheduled)
 Recreation: Camp Site - - - - - 9
 Car Park - - - - - J
 Bench - - - - - 5
 Other - - - - - K

Appendix 4: Design Concept – taken from East Dorset Forest Design Plan



Land at North East Verwood, East Dorset
Suitable Accessible Natural Greenspace (SANG) Proposal

1522_ R05i 20 February 2013 JSA_JTF



Ringwood North and Somerley

Illustrates the main features and broad character of the forest in the long term

- Legend**
- Scheduled Ancient Monument (SAM) managed according to approved SAM Plan
 - Unscheduled Ancient Monument - protect during forest operations
 - Bridleway
 - Byway open to all traffic
 - Footpath
 - Grazing units
 - Proposed grazing unit
 - Recreation Zone
 - Site of Special Scientific Interest (SSSI)
 - Heathland ride management
 - Broadleaf woodland to be sustained mainly by natural regeneration to provide a permanent tree cover but at the same time providing a variety of different age and canopy heights. Some small scale felling and replanting may take place where conditions are unsuitable for natural regeneration. Any conifers will be removed over time through thinning or group felling
 - Conifer woodland sustained by a cycle of clear felling, replanting and thinning. Woodland will contain a mosaic of open spaces and a diversity of species and age classes to enhance the visual quality.
 - Continuous cover mixed woodland sustained by thinning and natural regeneration to produce a permanent tree cover but at the same time providing a variety of different age and canopy heights.
 - Continuous cover conifer woodland sustained by thinning and natural regeneration to produce a permanent tree cover but at the same time providing a variety of different age and canopy heights.
 - Existing Ancient Semi Natural Woodland (ASNW). Woodland that contains greater than 80% site native species.
 - PAWS restoration sites - areas where ancient woodland sites have historically been replanted with non-native species. The intention is to restore these sites over time to contain greater than 80% native species through thinning and natural regeneration.
 - Coppice stands maintained using traditional rotational coppice techniques
 - Wet woodland sustained by minimum intervention. The removal of non-native species or interventions in accordance with SSSI management plans will be accepted.
 - Heathland - areas managed and maintained as open heathland.
 - Wooded Heath - areas managed as heathland but with up to 20% tree cover in either isolated groups or individual character trees. Areas have been designated as wooded heath either for landscape purposes or because the area contains a high conifer seed bank that would be difficult to eradicate in the medium to long term and hence meet the criteria for pure heathland.
 - Grassland - area maintained as open grassland
 - Mire (marsh/bog) habitats that will be kept clear of trees and scrub. Hydrological regimes restored and grazing introduced where practical.
 - Streamside corridors that will be managed in accordance with the Forests and Water Guidelines.
 - Pond
 - Agricultural land
 - Felled / unplanted areas
 - Minerals site

Approved by:

Deputy Surveyor: _____ Date: _____

Conservator: _____ Date: _____

Date: 6 May 2009 Scale: 1:12,000

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Appendix 5: Surface Water Drainage Solution

